

SOUTHERN  
MIDLANDS  
COUNCIL



# **AGENDA**

## **ORDINARY COUNCIL MEETING**

---

Wednesday, 22nd November 2023  
10.00 a.m.

Oatlands Municipal Offices  
71 High Street, Oatlands

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Dear Sir/Madam

## **NOTICE OF MEETING**

Notice is hereby given that the next ordinary meeting of Council will be held on

**Date: Wednesday, 22<sup>nd</sup> November 2023**

**Time: 10.00 a.m.**

**Venue: Oatlands Municipal Offices, 71 High Street, Oatlands**

*The Local Government Act 1993 section 65 provides the following:*

1. *A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.*
2. *A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless –*
  - (a) *the general manager certifies, in writing –*
    - (i) *that such advice was obtained; and*
    - (ii) *that the general manager took the advice into account in providing general advice to the council or council committee; and*
  - (b) *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 or council committee with the general manager's certificate.*

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

- (1) *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*
- (2) *Where any advice is directly given by a person who does not have the required qualification 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.*

Yours faithfully

A handwritten signature in black ink, appearing to read 'TF Kirkwood', written in a cursive style.

TF Kirkwood  
**GENERAL MANAGER**

## OPEN COUNCIL AGENDA

### 1. PRAYERS

Reverend Dennis Cousens to recite prayers.

### 2. ACKNOWLEDGEMENT OF COUNTRY

*We acknowledge the Traditional Custodians of the land on which we meet today, and recognise their continuing connection to the land, water and to community. We pay respects to Elders past, present and emerging.*

### 3. ATTENDANCE

### 4. APOLOGIES

### 5. TASMANIAN ELECTORAL COMMISSION – RECOUNT TO FILL CASUAL VACANCY

#### 5.1 Receive Certificate of Election By Recount

The General Manager to formally table the 'Certificate of Election By Recount' following the Councillor vacancy by operation of clause 3(1)(b) of Schedule 5 of the *Local Government Acct 1993*.

#### RECOMMENDATION

**THAT the Certificate of Election by Recount be formally received.**

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		

## 5.2 Declaration of Office

Section 321 of the *Local Government Act 1993* states:

### **“Declaration of office**

- (1)** Any person elected as councillor must make a prescribed declaration in a prescribed manner.
- (2)** A person elected as a councillor who has not made a declaration must not–
- (a)** act in the office of councillor, mayor or deputy mayor; or
  - (b)** take part in the proceedings of any meeting of the council or a committee.
- (3)** A council is to acknowledge the making of a declaration at its meeting and the general manager is to record that fact in the minutes of that meeting”.

It is confirmed that Mr Bob Campbell has made the prescribed declarations.

### **RECOMMENDATION**

**THAT Council formally acknowledge the making of the declaration in accordance with section 321 of the *Local Government Act 1993*.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		

## 6. MINUTES

### 6.1 Ordinary Council Meeting

The Minutes (Open Council Minutes) of the previous meeting of Council held on the 25<sup>th</sup> October 2023, as circulated, are submitted for confirmation.

### RECOMMENDATION

**THAT the Minutes (Open Council Minutes) of the Council Meeting held 25<sup>th</sup> October 2023 be confirmed.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		



## 6.2 Special Committees of Council Minutes

### 6.2.1 Special Committees of Council - Receipt of Minutes

The Minutes of the following Special Committees of Council, as circulated, are submitted for receipt:

- Woodsdale Hall – General Committee Meeting 6<sup>th</sup> November

#### RECOMMENDATION

**THAT the minutes of the above Special Committee of Council be received.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		

### 6.2.2 Special Committees of Council - Endorsement of Recommendations

The recommendations contained within the minutes of the following Special Committees of Council are submitted for endorsement:

- Woodsdale Hall – General Committee Meeting 6<sup>th</sup> November

#### RECOMMENDATION

**THAT the recommendations contained within the minutes of the above Special Committee of Council be endorsed.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		

**6.3 Joint Authorities (Established Under Division 4 Of The *Local Government Act 1993*)**

**6.3.1 Joint Authorities - Receipt of Minutes**

Nil.

**DECISION NOT REQUIRED**

**6.3.2 Joint Authorities - Receipt of Reports (Annual & Quarterly)**

Reports prepared by the following Joint Authorities, as circulated, are submitted for receipt:

- Southern Tasmanian Regional Waste Authority – Quarter Ending September 2023 (Email dated 6<sup>th</sup> November 2023)

**RECOMMENDATION**

**THAT the report be received.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		

## 7. NOTIFICATION OF COUNCIL WORKSHOPS

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, the Agenda is to include details of any Council workshop held since the last meeting.

One Workshop has been held since the last Ordinary Meeting.

A workshop was held on the 13<sup>th</sup> November 2023 at the Council Chambers, Oatlands commencing at 9.30.

Attendance: Mayor E Batt, Deputy Mayor K Dudgeon, Cirs A E Bisdee OAM, D Blackwell, D Fish, and F Miller (remotely).

Also in Attendance: T Kirkwood, A Benson, D Richardson, W Young, J Rowley, L Brown, B Williams, A Townsend J McShane and D Hughes -Tas Water

Apologies: G Finn

The purpose of the Workshop was to consider and discuss the following:

### 1. Proposed Artworks to be installed at the forecourt of the Oatlands Aquatic Centre

Mr Dominic Hughes (TasWater Community and Stakeholder Engagement Specialist) attended this section of the workshop.

Mr James McShane (local Artist) was invited to present a draft concept plan to Council for consideration.

General discussion relating to the concept design, including the process from here (e.g. direct engagement or call for 'expressions of interest'). General agreement that separate signage (i.e. Oatlands Aquatic Centre) be placed on the front awning of the building with appropriate (minimal) wording to be placed on the 'Art' installation itself.

Item to be formally considered at the Council Meeting scheduled for 22<sup>nd</sup> November 2023.

### 2. Ratepayer request for the Name change of Brodribbs Road, Campania

Manager Heritage Projects (Brad Williams) and Alan Townsend (Heritage Officer) addressed Council regarding the ratepayer request (Mr. M. Bender) to rename Brodribbs Road (Campania) "Brodribbs Danby Road".

Context from the *Place Names Act 2020* and associated guidelines was provided, including a historical overview of the area and nomenclature, summarised as:

- It is proposed by local knowledge that the road was traditionally known as Danby Road.
- The earliest historical record of that name was from 1949, when local farmers sought a railway siding. A 1955 railway plan depicts the 'Danby Siding' adjacent to the road.
- It is alleged that the Richmond Council put up a sign saying Brodribbs Road around 1985. The Brodribb family owned land around that road from the 1890s to the mid-c20th.

It is noted that from the *Place Names Act 2020* guidelines that an application to the Placenames Tasmania for naming/changing names of roads must be made by Council, and can be done by request of any individual. Council's support of the application is therefore necessary.

An application must include (amongst other matters):

- *Evidence of community support for the proposed name including any public consultation that has been undertaken.*
- *Evidence that the proposed name conforms to these guidelines.*

Whilst Mr Bendor has provided a substantial amount of historical information supporting the name change, he has not provided evidence of support from other property owners on the road, who the re-naming would affect - namely several titles of the Stockdale Estate (note that he provided a letter of support from the former owner, but not the current owner). It is Council's view that it is not Council's responsibility to undertake that consultation when the proposal has been made by an individual.

It was agreed that it is the proponent's (i.e. Mr Bendor's) responsibility to provide evidence of required affected landowner consultation prior to Council's consideration of whether to initiate the process of name change.

Section 3.3 of the guidelines (Altering a name) states:

*Place names are intended to be enduring and the changing of an established name merely to correct or re-establish historical usage is not to be considered in itself a reason to change a name, unless it is deemed to be in the public interest or for safety reasons. Consideration needs to be given to the effects upon the wider community, including emergency services, of the consequences of altering a name.*

It is therefore not clear that the proposal would conform to the guidelines.

Manager Heritage Projects (Brad Williams) to follow-up with Mr. Bendor seeking that information, for a future report to Council, which would consider consistency with the guidelines.

### **3. Melton Mowbray Park Development & Jericho Memorial Trees, Main Road, Jericho**

Manager Heritage Projects (Brad Williams) provided a brief update in respect of both projects.

- Melton Mowbray Park – revised plan expected within two weeks; and
- Jericho Memorial Trees – stone plinths have been delivered; wording of the plaques confirmed; quotes obtained and order placed for fabrication of the plaques.

#### 4. Proposed DA by the Woodsdale Football Club for the Woodsdale Recreation Ground

Council, as the land owner, have received a Development Application from the Woodsdale Football Club, in respect of the upgrading of facilities at the Woodsdale Recreation Ground. Prior to being lodged with Council for consideration as a DA there is a requirement for an Owners Declaration for a Development Application under s52 of the *Land Use Planning and Approvals Act 1993*. In this case Council, as the land owner is required to provide an Owner's Declaration if Council believes that the proposal should go forward as a DA for consideration under the requirements of the Planning Scheme. The attached documents (*Woodsdale Rec Ground Planning Application, Kean & Kean Quotation, Wallaby Park Upgrades Three Phase Plan, and Woodsdale FC Refit Provisional Docs*) are provided to Council for consideration in respect of the willingness of Council in providing an Owners Declaration to accompany the proposed DA.

The Development Application (as presented) was assessed against the detailed list of requirements provided by Council to the Woodsdale Football Club following a meeting held 19<sup>th</sup> September 2022 with Club representatives.

The outcome(s) of the workshop discussion indicate that the General Manager not provide written permission for making of the application (as required under section 52 of the *Land Use Planning and Approvals Act 1993*) for the following reasons:

- Any planned development of the Woodsdale Recreation Ground prior to the completion of the Community Infrastructure Plan would be premature (Consultants appointed with an expected completion date of March 2024);
- Recognising that the intent of the application is to assist in securing funding to ultimately enable the Woodsdale Recreation Ground to be used for playing competitive football, then;
  - o The design elements of the plans (as presented) do not adequately meet the standards of the 'AFL Preferred Facility Guidelines', even to the extent that Council thought that the scope of the proposed upgrade is certainly below what could be considered an acceptable standard (e.g. no urinals within the change rooms; possibly two showers only in each end of the change rooms; the actual size etc.).
  - o The Development Application includes the relocation of the Toilet facility from the Colebrook Recreation Ground for which approval has not been given. In the absence of this approval, any development may require the construction of a new toilet facility; and
  - o The Development Application does not address the other issues that need to be considered, including:
    - upgrade of the Ground itself (i.e. playing surface; levels and drainage);
    - electrical upgrade - both ground lighting to meet the minimum lux requirements for lighting to facilitate local level training; and the assessment of the existing electrical infrastructure taking into account additional loading associated with proposed upgrade(s);
    - upgrade of boundary fencing generally to prevent sheep (and other animals) straying onto the playing surface; and

- Provision of adequate car parking to cater for participants and spectators, plus the disabled parking requirements.

Note: Outcomes of the workshop discussion to be formally considered at the Council Meeting scheduled for 22<sup>nd</sup> November 2023.

## **5. Position Paper (DPaC) on the Development Assessment Panel (DAP) Framework**

The Tasmanian Government has announced the preparation of new legislation to introduce independent Development Assessment Panels (DAPs) to take over some of councils' decision-making functions on certain development applications. The stated intent for introducing DAPs is 'to take the politics out of planning' by providing an alternate approval pathway for more complex or contentious development applications. Any DAP determined applications will still be assessed against the current planning rules and use and development standards in existing planning schemes. It is intended that, where possible, the DAP framework will utilise existing processes and incorporate local knowledge into the decision-making process.

Council has the opportunity until the 30<sup>th</sup> November to make a submission in relation to the proposed Development Assessment Panel.

The Senior Planning Officer (Louisa Brown) highlighted some of the key issues within the Position Paper.

A Position Paper is being drafted which will explore these matters by providing some background context on the role of council, identifying the current issues associated with determining development applications, seeking input on what applications might be suitable to be determined by a DAP, options for what a DAP framework might look like and how it might be integrated into the planning system.

Item to be formally considered at the Council Meeting scheduled for 22<sup>nd</sup> November 2023.

## **6. Confirmation of Arrangements for the Cabinet Meeting in Oatlands on 28<sup>th</sup> November 2023**

Brief discussion relating to the Cabinet Meeting scheduled for 28<sup>th</sup> November 2023. The issues to be raised by Council were noted.

The workshop concluded at approximately 1.45 p.m.

## **RECOMMENDATION**

### **THAT:**

- a) the information be received; and**
- b) in relation to the Development Application by the Woodsdale Football Club in respect of the upgrading of the facilities at the Woodsdale Recreation Ground, Council confirm that the General Manager is not to provide written permission for making of the application (as required under section 52 of the *Land Use Planning and Approvals Act 1993*) for the following reasons:**

- Any planned development of the Woodsdale Recreation Ground prior to the completion of the Community Infrastructure Plan would be premature (Consultants appointed with an expected completion date of March 2024);
- Recognising that the intent of the application is to assist in securing funding to ultimately enable the Woodsdale Recreation Ground to be used for playing competitive football, then;
  - o The design elements of the plans (as presented) do not adequately meet the standards of the ‘AFL Preferred Facility Guidelines’, even to the extent that Council thought that the scope of the proposed upgrade is certainly below what could be considered an acceptable standard (e.g. no urinals within the change rooms; possibly two showers only in each end of the change rooms; the actual size etc.).
  - o The Development Application includes the relocation of the Toilet facility from the Colebrook Recreation Ground for which approval has not been given. In the absence of this approval, any development may require the construction of a new toilet facility; and
  - o The Development Application does not address the other issues that need to be considered, including:
    - upgrade of the Ground itself (i.e. playing surface; levels and drainage);
    - electrical upgrade - both ground lighting to meet the minimum lux requirements for lighting to facilitate local level training; and the assessment of the existing electrical infrastructure taking into account additional loading associated with proposed upgrade(s);
    - upgrade of boundary fencing generally to prevent sheep (and other animals) straying onto the playing surface; and
    - Provision of adequate car parking to cater for participants and spectators, plus the disabled parking requirements.

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		

## **8. COUNCILLORS – QUESTION TIME**

### **8.1 Questions (On Notice)**

Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015* relates to Questions on notice. It states:

- (1) *A councillor, at least 7 days before an ordinary council meeting or a council committee meeting, may give written notice to the general manager of a question in respect of which the councillor seeks an answer at that meeting.*
- (2) *An answer to a question on notice must be in writing.*

Questions received from Cllr D Blackwell – 14<sup>th</sup> November 2023

**Following reports that large rocks have been placed on the Craighourne Road (eastern end) which prevented vehicle access to the dam, can an update please be provided in relation to this matter.**

#### **General Manager's Response**

*It is confirmed that large boulders were placed on the Craighourne Road by person(s) unknown – most likely on Sunday 12<sup>th</sup> November 2023 based on reports received. The boulders were removed by Council employees on Monday 13<sup>th</sup> November 2023 on the basis that they were obstructing a public road. Sometime later that afternoon, other boulders were placed in the same location. These were also subsequently removed mid-afternoon on the Tuesday. There are ongoing investigations into this matter.*



## 8.2 Questions Without Notice

Section 29 of the *Local Government (Meeting Procedures) Regulations 2015* relates to Questions without notice.

It states:

**“29. Questions without notice**

(1) *A councillor at a meeting may ask a question without notice –*

- (a) of the chairperson; or*
- (b) through the chairperson, of –*
  - (i) another councillor; or*
  - (ii) the general manager.*

(2) *In putting a question without notice at a meeting, a councillor must not –*

- (a) offer an argument or opinion; or*
- (b) draw any inferences or make any imputations – except so far as may be necessary to explain the question.*

(3) *The chairperson of a meeting must not permit any debate of a question without notice or its answer.*

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

(5) *The chairperson of a meeting may refuse to accept a question without notice if it does not relate to the activities of the council.*

(6) *Questions without notice, and any answers to those questions, are not required to be recorded in the minutes of the meeting.*

(7) *The chairperson of a meeting may require a councillor to put a question without notice in writing.*

An opportunity is provided for Councillors to ask questions relating to Council business, previous Agenda items or issues of a general nature.

## **9. DECLARATIONS OF PECUNIARY INTEREST**

In accordance with the requirements of Part 2 Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015*, the chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest in any item on the Agenda.

Accordingly, Councillors are requested to advise of a pecuniary interest they may have in respect to any matter on the agenda, or any supplementary item to the agenda, which Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015*.

## 10. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

In accordance with the requirements of Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015*, the 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) that the matter is urgent; and
- (c) that advice has been provided under section 65 of the Act.

### RECOMMENDATION

**THAT the Council resolve by absolute majority to deal with any supplementary items not appearing on the agenda, as reported by the General Manager in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		

## **11. PUBLIC QUESTION TIME (SCHEDULED FOR 10.30 A.M.)**

In accordance with the requirements of Part 2 Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015*, the agenda is to make provision for public question time.

In particular, Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2015* states:

- (1) *Members of the public may give written notice to the General Manager 7 days before an ordinary meeting of Council of a question to be asked at the meeting.*
- (2) *The chairperson may –*
  - (a) *address questions on notice submitted by members of the public; and*
  - (b) *invite any member of the public present at an ordinary meeting to ask questions relating to the activities of the Council.*
- (3) *The chairperson at an ordinary meeting of a council must ensure that, if required, at least 15 minutes of that meeting is made available for questions by members of the public.*
- (4) *A question by any member of the public under this regulation and an answer to that question are not to be debated.*
- (5) *The chairperson may –*
  - (a) *refuse to accept a question; or*
  - (b) *require a question to be put on notice and in writing to be answered at a later meeting.*
- (6) *If the chairperson refuses to accept a question, the chairperson is to give reasons for doing so.*

Councillors are advised that, at the time of issuing the Agenda, no Questions on Notice had been received from a member of the Public.

### **11.1 Permission to Address Council**

Nil.

**12. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN UNDER REGULATION 16 (5) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2015**

Nil.

**13. COUNCIL ACTING AS A PLANNING AUTHORITY PURSUANT TO THE LAND USE PLANNING AND APPROVALS ACT 1993 AND COUNCIL'S STATUTORY LAND USE PLANNING SCHEME**

*Session of Council sitting as a Planning Authority pursuant to the Land Use Planning and Approvals Act 1993 and Council's statutory land use planning schemes.*

**13.1 Development Applications**

Nil.

**13.2 Subdivisions**

Nil.

**13.3 Municipal Seal (Planning Authority)**

Nil.

**13.4 Planning (Other)**

Nil.

**[THIS CONCLUDES THE SESSION OF COUNCIL  
ACTING AS A PLANNING AUTHORITY]**

## **14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)**

### **14.1 Roads**

**Strategic Plan Reference 1.1**  
*Maintenance and improvement of the standard and safety of roads in the municipal area.*

Nil.

### **14.2 Bridges**

**Strategic Plan Reference 1.2**  
*Maintenance and improvement of the standard and safety of bridges in the municipality.*

Nil.

### **14.3 Walkways, Cycle Ways and Trails**

**Strategic Plan Reference 1.3**  
*Maintenance and improvement of the standard and safety of walkways, cycle ways and pedestrian areas to provide consistent accessibility.*

Nil.

### **14.4 Lighting**

**Strategic Plan Reference 1.4**  
*Ensure adequate lighting based on demonstrated need / Contestability of energy supply.*

Nil.

### **14.5 Buildings**

**Strategic Plan Reference 1.5**  
*Maintenance and improvement of the standard and safety of public buildings in the municipality.*

Nil.

### **14.6 Sewers / Water**

**Strategic Plan Reference(s) 1.6**  
*Increase the capacity of access to reticulated sewerage services / Increase the capacity and ability to access water to satisfy development and Community to have access to reticulated water.*

Nil.

### **14.7 Drainage**

**Strategic Plan Reference 1.7**  
*Maintenance and improvement of the town storm-water drainage systems.*

Nil.

## 14.8 Waste

**Strategic Plan Reference 1.8**

*Maintenance and improvement of the provision of waste management services to the Community.*

Nil.

## 14.9 Information, Communication Technology

**Strategic Plan Reference 1.9**

*Improve access to modern communications infrastructure.*

Nil.

## 14.10 Officer Reports – Infrastructure & Works

### 14.10.1 Manager – Infrastructure & Works Report

**Author:** MANAGER INFRASTRUCTURE AND WORKS (DAVID RICHARDSON)

**Date:** 16 NOVEMBER 2023

**Enclosure(s):**

*Nil*

### **Roads Program**

General road maintenance and repairs will continue, including works on pavement repairs and table drain clearing on a priority basis. The annual roadside slashing works has commenced to mitigate the risk related to the proposed climatic conditions that are expected over the coming period. Road grading works are being minimised due to the current dry weather conditions.

### **Current Capital Work.**

Bagdad-Mangalore hydraulic flood assessment works have almost been completed. It is expected that the first draft will be finalised in December.

Preparation works for the annual road stabilization sites is underway.

Footpath works have commenced in Stanley Street Oatlands.

Interlaken road upgrade tenders received.

Annual Road stabilization tenders received.

Annual road re-sealing tenders received.

### **Parks and Reserves**

General maintenance of parks and reserves will continue with a focus on ensuring growth is maintained at an acceptable level. The focus will now move to mowing during the spring period.

### **Bridge Works**

A number of bridges will require some minor rectification works over the coming period as a result of weather conditions.

### **Building Services Unit**

An extensive renovation job is almost completed for a private client in the Midlands area.

Construction of 2 accommodation units in Oatlands has commenced.

### **Planned Works**

The following capital works are planned for the coming period

- Drainage and pavement repairs various roads.
- Undertake various bridge maintenance repairs.
- Continue construction of accommodation units Oatlands.
- Commence painting works on the Callington Mill.
- Commence Road-Reseal preparation works on various roads.

### **Grants:**

At the time of writing, Council has received advice that it will receive \$370,000 from the Department of State Growth under the 'Better Active Transport in Tasmania Grant Program – Round 1' to assist with the construction of the Bagdad shared walkway. Council's contribution will be the \$270,000 already allocated in the 2023/24 Capital Works Program (\$270K includes the \$130,000 for the replacement of the walking path footbridge in the vicinity of Gangells Lane).

The grant notification did include a requirement to construct a 2.5 metre wide pathway (originally proposed to be 1.50 metres) which may reduce the actual length to be constructed. The application was based on the construction of the pathway from Iden Road through to the Bagdad Community Club (Hall Lane).

A Grant Deed will now be prepared for execution prior to commencement of the project.

### **QUESTIONS WITHOUT NOTICE TO MANAGER, INFRASTRUCTURE & WORKS**



## RECOMMENDATION

**THAT the Infrastructure & Works Report be received and the information noted.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		

## **15. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)**

### **15.1 Residential**

**Strategic Plan Reference 2.1**

*Increase the resident, rate-paying population in the municipality.*

Nil.

### **15.2 Tourism**

**Strategic Plan Reference 2.2**

*Increase the number of tourists visiting and spending money in the municipality.*

Nil.

### **15.3 Business**

**Strategic Plan Reference 2.3**

*Increase the number and diversity of businesses in the Southern Midlands / Increase employment within the municipality / Increase Council revenue to facilitate business and development activities (social enterprise).*

Nil.

### **15.4 Industry**

**Strategic Plan Reference 2.4**

*Retain and enhance the development of the rural sector as a key economic driver in the Southern Midlands / Increase access to irrigation water within the municipality.*

Nil.

## 16. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)

### 16.1 Heritage

#### Strategic Plan Reference – Page 22

- |       |  |
|-------|--|
| 3.1.1 | Maintenance and restoration of significant public heritage assets.                         |
| 3.1.2 | Act as an advocate for heritage and provide support to heritage property owners.           |
| 3.1.3 | Investigate document, understand and promote the heritage values of the Southern Midlands. |

#### 16.1.1 Heritage Project Program Report

**Author:** MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)

**Date:** 22 NOVEMBER 2023

#### ISSUE

Report from the Manager, Heritage Projects on various Southern Midlands Heritage Projects.

#### DETAIL

During the past month, Southern Midlands Council Heritage Projects have included:

- Support & administration of the Artist in Residence Program. The current Artist is Florence Wang, who is a visual artist based in Melbourne. Her studio-based art practice focuses on the narrative aspects of visual mediums and using subject for storytelling, primarily painting and drawing. Her art practice is influenced by her cultural heritage and experience as a child learning painting in traditional mediums. Presently, she is interested in exploring the social and cultural identities through her work. Florence will be in the Airspace studio most days after lunch and welcomes anyone to come by for a chat. Florence is also keen to set up a walk-in painting day or an activity where visitors can add on to an acrylic painting on canvas of local content.
- Relocation of collections material to the 'temporary store' at Roche Hall underway. Shelving has been fitted.
- Brad Williams is participating in Heritage Tasmania's built heritage sector – local government working group.
- Research into the history of Brodribbs Road/Danby area in response to a ratepayer enquiry.
- Deb Baldwin has attended an Australian Institute for Conservation of Cultural Materials in Canberra.
- Brad Williams has completed a Cert IV in Training and Assessment ahead of a re-launch of HESC activities in 2024.
- A draft landscape plan for the Melton Mowbray Park has been reviewed, with some amendments requested ahead of consultation.

## RECOMMENDATION

**THAT the Heritage Projects Program Report be received and the information noted.**

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		

### 16.2 Natural

**Strategic Plan Reference – page 23/24**

- |       |   |
|-------|---|
| 3.2.1 | Identify and protect areas that are of high conservation value. |
| 3.2.2 | Encourage the adoption of best practice land care techniques.   |

#### 16.2.1 NRM Unit – General Report

**Author:** NRM / PROJECTS OFFICER (MARIA WEEDING)

**Date:** 14 NOVEMBER 2023

### ISSUE

Southern Midlands NRM Unit Monthly Report

### DETAIL

- Maria continues to work on the proposed toilet block at Callington Park. Plans went to Council in October seeking Planning Approval. Parks and Wildlife have signed off on the Reserve Activity Assessment – no issues.
- Two final reports for the Mt Pleasant Recreation Ground – Player Change Rooms facility upgrade have been completed. One report was for the Australian Football League (AFL) and one for the State Government Department of State Growth. Both reports have been submitted. Council managed the payments of the grant on behalf of the Mt Pleasant Football Club and project managed the build.
- Helen, Maria and Mary undertook some maintenance work on the Lake Dulverton foreshore. The main focus was on removing weeds in some of the more recent planted bank areas and placing some mulch where younger less established plants are located.
- Mary and Helen finished doing some maintenance on the plantings at the Kempton Recreation Ground (removal of boxthorn). They also removed boxthorn at the Coach Shed and noted some of the same plant on the adjoining church ground. Looking at options to get that removed to eliminate this plant in this location.

- Two quotes have been received in relation to the Kempton clock. The clock specialist report reveals that the clock was originally set up to have a bell chime. Decisions on the restoration need further discussion with Council – planned for early December.
- The Weeds Officer Report this month is as follows.  
23<sup>rd</sup> October – 13<sup>th</sup> November 2023

### **Enquiries/feedback**

- 2 (gorse and broom)

### **Site visits**

- Total = 15.
- A single flowering boneseed plant was discovered on Midland Highway roadside, about 750m north of York Plains Road. Plant mapped, eradicated on site, used for Weed of the Week, and adjoining landowner notified. This plant was a considerable distance from closest known current areas of boneseed in the Council (at Dysart).
- Visited Kandara Court at Campania (after work at Campania tip) to check that all Spanish heath plants sprayed earlier had died. 100% success. Also checked an historical record of boneseed nearby; none found.
- Visited the site of another historical record of boneseed on Woodsdale Road – none seen. Then headed out to Tunnack oval to check broom. Cut and pasted all 15 broom plants seen in the south-western corner (off Scotts Road). On a later visit, 66 small bushes (some flowering) were cut and pasted along the entire length of Scotts Road fence line. Some follow-up spray work is required to eradicate the flat, mowed broom plants remaining.
- A visit to a property on Pritchard's Lane, Dysart, to eradicate a single large newly discovered boneseed bush wrapped up our boneseed eradication efforts for 2023. I am quietly confident that we are finally getting on top of boneseed around Dysart; a number of properties had no or reduced germination this year. The dry weather may have contributed to this very low seedling rate; time will tell!
- Two visits to the mounds behind Kempton Recreation Ground to undertake cut & paste eradication of small boxthorn seedlings. 100% completed.
- Viewed the gorse control works along the boundary of the driveway into a property off Tunnack Road, Parattah (follow-up from a visit in August). Owner congratulated on the work done.
- Visited Little Plains Road to assess the length of road majorly infested by gorse. Contractor will be mop-up spraying along here (contractor has controlled the first 50m, and a local landowner has done some more).
- Mannings Road and Dingle Road, Lemont, viewed in response to a "Report a weed" notification. Both roads have now been sprayed for gorse.
- A second "Report a weed" notification resulted in correspondence to State Growth regarding gorse and broom along the Midland Highway. The complainant was also after information regarding gorse control for his own land; supplied.
- Viewed a few known hot-spots for Cumbungi around Lake Dulverton. Some spots are free, others will be ready for control in the next couple of weeks.
- Called in to Craigbourne Dam Road on the way home from work one Saturday to cut and paste a couple of lone broom bushes mapped months ago: both had already been sprayed and were dead. 😊

## Research

- Spent some time perusing the Tasmanian Weeds FaceBook page. This is moderated by Matt Baker (Herbarium) and Adam Muyt (Invasive grasses, Biosecurity Tas) and is a good source of information about weeds, events, articles of interest etc.

## Roadside weeds data base

- Added up the kilometers of roads traversed and mapped during this programme so far: 413 kilometers.
- Priority list sent to Drew Jones (contactor). Some liaison has occurred with Drew as to the extent of the woody weeds already sprayed this season, and I will be receiving a detailed list soon.
- The first set of waypoints from the replaced Garmin were uploaded late October.

## Stemless thistle Weeds Action Fund grant

- The first spray session occurred on 18<sup>th</sup> October. Due to the dry year, only 223 seedlings had germinated; all were mapped and sprayed. However, with recent rains, further germination should happen: a second spray session will occur next month.

## Weed of the Week

- Variegated thistle, boneseed, whiteweed and English broom displayed in the Oatlands front office this month with appropriate pamphlets/booklets.

## RECOMMENDATION

**THAT the NRM Unit Report be received and the information noted.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		

## 16.3 Cultural

### Strategic Plan Reference 3.3

*Ensure that the cultural diversity of the Southern Midlands is maximised.*

#### 16.3.1 Public Art Commissioning Guidelines

**Author:** DEPUTY GENERAL MANAGER (ANDREW BENSON)

**Date:** 16 NOVEMBER 2023

**Attachment(s):**

*Draft Public Art Commissioning Guidelines*

#### ISSUE

Provision of a set of guidelines to assist Council in their decision making in respect of public art.

#### DETAIL

Council over the years have commissioned public artworks, such as the ‘*Shadows of the Past*’ silhouettes along the Midland Highway, by renowned local artists Folko Kooper and Maureen Craig, as well as ‘*Cows in the Lake*’, in Lake Dulverton, by the same artists. The late Stephen Walker was a well know artist who live locally, and created bronze artworks, notably on the Hobart waterfront, depicting Douglas Mawson in an Antarctic setting, with Huskies. He also created the bronze sculptures in Flour Mill Park Campania.

Council’s Art Strategy encourages art in public spaces, as public art can amplify the cultural value of a site, space or building. It can significantly contribute to the aesthetic and sensory quality of a construction project and strengthen a site’s connection to place and identity. Given the proposed sculpture in the Oatlands Aquatic Centre has been discussed at two recent Council workshops, it was felt appropriate to put in place some guidelines to assist Council in making decisions in respect of public art.

#### CONCLUSION

The draft Guidelines are recommended to Council for consideration and adoption.

#### Human Resources & Financial Implications

Nil

#### Community Consultation & Public Relations Implications

This document provides a framework to assist Council in their decision making in.

#### Policy Implications

Nil.

#### Priority - Implementation Time Frame

Nil.

## RECOMMENDATION

**THAT the Public Art Commissioning Guidelines be received and adopted.**

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		

### 16.3.2 Proposed Artworks in the Forecourt of the Oatlands Aquatic Centre

**Author:** DEPUTY GENERAL MANAGER (ANDREW BENSON)

**Date:** 16 NOVEMBER 2023

**Attachment(s): - circulated with Agenda Item 16.3.1**  
*Draft Public Art Commissioning Guidelines*

## ISSUE

The selection, commissioning and installation of artworks at the Oatlands Aquatic Centre.

## DETAIL

Council has discussed on a number of occasions the desire to place a significant artwork element in the forecourt to the Oatlands Aquatic Centre in High Street, Oatlands. Local Artists, James McShane from Lower Marshes and Folko Kooper / Maureen Craig from Mangalore were approached to gauge their interest in developing a concept proposal for the space adjacent to the High Street and in front of the Oatlands Aquatic Centre.

Council has worked very successfully with Folko Kooper and Maureen Craig in past with the concept and creation of the *'Shadows of the Past'* all along the Midland Highway through the Southern Midlands, as well as with the *'Cows in the Lake'* project at Lake Dulverton. James McShane, as an emerging Artist has not had the opportunity to work with Council to date. In the interests of supporting the arts in the Southern Midlands, local artists, Folko and Maureen encouraged Council to work with James McShane in developing a concept for the Oatlands Aquatic Centre.

TasWater has a program within their Corporate Strategy titled *'Street and asset art Murals across state wide assets'* and a representative from TasWater was invited to participate in the assessment of the artworks by Council to see if this significant artwork at the Oatlands Aquatic Centre would fall within their funding parameters to enable them to contribute to the costs of the works.

The Concept Design that James has presented is detailed within the following pages.



## Proposal for Art Installation Oatlands Aquatics Centre

This proposal is for a commission art installation at the front of the Oatlands Aquatic Centre. The main themes of this proposed sculpture are: aquatic, local and in keeping with the aesthetic values of the town.

Subject to discussions with the Mayor, I am pleased to have the opportunity to show you a more detailed artist impression of the proposed sculpture for the aquatics centre.



The proposed sculpture, as seen above, is a large, rusted metal ring, 1.8m in diameter with a 3 dimensional human figure inside in a pose suggesting she is swimming to the surface. The swimmer is constructed out of rusty metal buttons (see *concept diagrams 1*), the swimsuit component will be constructed with stainless steel which will retain its shiny metallic colour. The hair will be made from stainless steel cable (similar to that used for balastrading) and would hang loosely giving a perception of flow. See concept diagram 2 for an example of a 3 dimensional figure I have previously built.

The rusty steel ring will be of solid plate steel, fixed permanently to the stone base which is also intended to be used as a seat. I expect the council would wish to install a plaque on the stone showing details of date

I expect, once terms and conditions are agreed upon (including risk assessment and Council due process) to complete the design and building of the sculpture within a 2 - 3 month time frame at a cost of \$15,000 plus GST

Thank you again for your consideration and I welcome further discussion if desired.

James McShane

Examples of previous work referred to in the letter.

*Concept diagram 1*



Concept diagram 2



Artist James McShane was invited to join the Council Workshop on 13<sup>th</sup> November 2023 to provide a presentation to the Assessment Panel (six Councillors and the invited TasWater representative) at the Workshop on his concept that was tabled at previous Council Workshop in October 2023. A copy of the draft SMC Public Art Commissioning Guidelines was provided to the Assessment Panel prior to the Workshop to enable them to work through an assessment framework (*page 7 in the guidelines*) in considering the concept proposal presented.

At the Workshop, James was asked to consider and talk through with the Assessment Panel the following elements of the Concept Design.

1. **Understanding of the Context & the Space** - Alignment of the Concept Design with the space (aesthetically, conceptually, functionally, of suitable scale and materials) (*Assessment Criteria Weighting 20%*)
2. **Quality & Integrity** - High quality and robust artistic integrity (*Criteria Weighting 15%*)
3. **Safe and Inclusive** - Degree to which the artwork is safe and inclusive for the general public including those with a disability (*Criteria Weighting 25%*)

4. **Durability** - Information relating to durability in the following areas: (*Criteria Weighting 20%*)
  - a. requirement for on-going maintenance;
  - b. degree of cleaning required; and
  - c. environmental impact and energy use.
5. **Concept Delivery on the Ground** - The Artist's ability to deliver the works in accordance with the Concept Design. (*Criteria Weighting 20%*)

There were a number of questions and responses with a good level of discussion and interaction. It was explained that materials used in the works are recycled.

Following the presentation by James McShane, with Council's appreciation of his Concept Design along with the creative endeavours that informed his design, he left the Workshop and the Deputy General Manager facilitated the assessment framework discussion

The framework consisted of using a set of scoring guidelines and a form that allowed Councillors and the TasWater representative to individually score each element of the items 1 – 5 above in a format, to arrive at a decision for consideration. This format had the weighting (*eg Criteria Weighting 20%*) for each element of the assessment. The Assessment Panel were asked to score 1 to 10 based on the 'Scoring Guidelines' on the next page. Those individual scores were then entered into a MS Excel spreadsheet that then calculated a summary of the total scores of the Assessment Panel.

Prior to the scoring the Deputy General Manager did make the comment that for a significant artwork sculpture at the Oatlands Aquatic Centre, which also fronts the High Street and would therefore be an integral component of the streetscape, a score of 80% or above would demonstrate the level of acceptance.

An observation was shared during the explanation of the assessment scoring process that this system of assessment is appropriate when comparing a range of submissions, such as Tender, but not for a single assessment. Whilst the observation that this process is appropriate for comparing like proposals, is correct, likewise this assessment is being compared to a benchmark value (the 80% as referred to above) for a significant artwork in the High Street, therefore it is deemed to be a process that has transparency and integrity, which is appropriate.

**SMC Public Artworks Assessment - Concept Design Scoring Guidelines for the Assessment Criteria**

<b>Criteria 1</b>									
<b>Understanding of the Context &amp; Space</b>									
1	2	3	4	5	6	7	8	9	10
Very poor / No demonstration in the understanding of the site and the connection of the artwork to the site		Poor example / Minimal demonstration in the understanding of the site and the connection of the artwork to the site		Suitable concept / Relevant understanding of the site and the connection of the artwork to the site		Good concept / Good level of understanding of the site and the connection of the artwork to the site		Excellent concept / Shows high level of understanding of the site and the connection of the artwork to the site	

<b>Criteria 2</b>									
<b>Quality &amp; Integrity</b>									
1	2	3	4	5	6	7	8	9	10
Very poor		Poor response / Minimal demonstrated		Suitable response / Relevant demonstrated		Good response / Shows good level of competence		Excellent response / Shows high level of competence	

<b>Criteria 3</b>									
<b>Safe and Inclusive Design</b>									
1	2	3	4	5	6	7	8	9	10
Very poor		Poor response / Minimal demonstrated		Suitable response / Relevant demonstrated		Good response / Shows good level of safety and inclusion		Excellent response / Shows high level of safety and inclusion	

<b>Criteria 4</b>									
<b>Durability</b>									
1	2	3	4	5	6	7	8	9	10
Very poorly considered		Poor response / Minimal consideration demonstrated		Suitable response / Relevant consideration demonstrated		Good response / Shows good level of consideration		Excellent response / Shows high level of consideration	

<b>Criteria 5</b>									
<b>Concept Delivery on the Ground</b>									
1	2	3	4	5	6	7	8	9	10
Very poor demonstration		Poor response / Minimal demonstrated		Suitable response / Relevant demonstrated		Good response / Shows good level of project management and delivery		Excellent response / Shows high level of project management and delivery	

On the next page is the summary of the individual scoring against each of the criteria, based on the scoring guidelines above and therefore the basis of the decision making process.



Public Art Assessment & Analysis\_ab

NAME		James McShane	
MUST		Yes	No
NA			
NA			
WANT	WT	SCORE	SUM
<b>Criteria 1</b>			
<b>Understanding of the Context &amp; the Space</b>			
Alignment of the Concept Design with the space (aesthetically, conceptually, functionally, of suitable scale and materials) <i>(Criteria Weighting 20%)</i>	14	56	784
<b>Criteria 2</b>			
<b>Quality &amp; Integrity</b>			
High quality and robust artistic integrity <i>(Criteria Weighting 15%)</i>	11	58	609
<b>Criteria 3</b>			
<b>Safe and Inclusive</b>			
Degree to which the artwork is safe and inclusive for the general public including those with a disability <i>(Criteria Weighting 25%)</i>	18	54	945
<b>Criteria 4</b>			
<b>Durability</b>			
Information relating to durability: <i>(Criteria Weighting 20%)</i>			
a) requirement for on-going maintenance;	4.7	50	233
b) degree of cleaning required;	4.7	52	243
c).environmental impact and energy use.	4.7	60	280
			756
<b>Criteria 5</b>			
<b>Concept Delivery on the Ground</b>			
The Artist's ability to deliver the works in accordance with the Concept Design. <i>(Criteria Weighting 20%)</i>	14	61	854
<b>Grand Total</b>			<b>3948</b>
<b>Ranking</b>			<b>81%</b>
Total possible score			
4900			
100%			
<i>For a prominent location, the score should be 80% or above which is a Grand Total score of 3430 or above</i>			
			Summary

**CONCLUSION**

The selection and briefing of Artist James McShane is consistent with the draft SMC Public Art Commissioning Guidelines. The assessment of the Concept Design by the Assessment Panel is consistent with the draft SMC Public Art Commissioning Guidelines – being evaluated against the recommended criteria. The assessment process has been undertaken with integrity and transparency.

Subject to Council's consideration of the matters under the following categories, it is recommended that Council engage James McShane to undertake the commission

## Human Resources & Financial Implications

There are two financial components to be understood;

1. Artist's costs (ex GST)
  - a. Sandstone \$ 1,500.00
  - b. Ring \$ 800.00
  - c. Labour & Materials – Swimmer \$12,000.00
  - i. Total \$15,000.00
2. Costs not included in the Quotation
  - a. Plaque
  - b. Landscaping
  - c. Seat
  - d. Foundation works

## Community Consultation & Public Relations Implications

This process has been consistent with the SMC Public Art Commissioning Guidelines, providing a framework to assist Council in their decision making in.

## Policy Implications

Nil.

## Priority - Implementation Time Frame

Installation within twelve weeks of acceptance of the commission by the Artist.

## RECOMMENDATION

**THAT Artist James McShane be commissioned to undertake the artwork detailed in his Concept Design for an art sculpture to be installed in the forecourt of the Oatlands Aquatic Centre, Oatlands for the amount of \$15,000.00 (excl. GST).**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		

## 16.4 Regulatory (Development)

### Strategic Plan Reference 3.4

*A regulatory environment that is supportive of and enables appropriate development.*

#### 16.4.1 Development Assessment Panel Framework – State Planning Office Position Paper

*File Ref:*

**Author:** MANAGER – DEVELOPMENT & ENVIRONMENTAL SERVICES (GRANT FINN)

**Date:** 16 NOVEMBER 2023

#### Enclosure(s):

*Development Assessment Panel (DAP) framework  
SPO – Position Paper DAP Framework (consultation presentation 13 Nov 2023)*

### BACKGROUND

This item was introduced and discussed briefly at a Council workshop on Monday 13 November 2023.

As a background, on 21 July 2023, the Premier announced the development of new legislation to allow certain development applications to be determined by an independent DAP appointed by the Tasmanian Planning Commission. The introduction of a DAP framework will provide an alternate approval pathway outside of Councils' decision-making functions and help 'take the politics out of planning' for more complex or contentious development applications.

In Tasmania, councils are 'planning authorities' with defined responsibilities to determine development applications in accordance with the Land Use Planning and Approvals Act 1993 (LUPAA). Section 48 of the LUPAA requires that: *'where a planning scheme is in force, the planning authority must, within the ambit of its power, observe, and enforce the observance of, that planning scheme in respect of all use and development undertaken within the areas to which the planning scheme relates.'*

A Council is required to act as a planning authority when it is determining development applications, irrespective of the personal or political views of individual Councillors and the constituents they represent.

The discussion paper notes that *'This presents a degree of conflict for those elected to represent their constituents under the Local Government Act 1993 and perform the planning authority function.'*

The contested role of Councillors in planning has been identified as an issue in the Stage 2 Interim report (released May 2023) *of the Future of Local Government Review*. That report noted that there was strong division between those who believe the role should relate to strategic land use planning where they can represent community view in planning processes but that decisions should be made by local professional planners, or in the case of complex applications, by independent planning panels.

In short the introduction of the DAP will primarily impact on the decision making powers of Council, as DAP will function under its own legislation/powers.



The concept of a DAP is certainly not new and is in existence in many other state jurisdictions.

Any DAP determined applications will still be assessed against the current planning rules and use and development standards in existing planning schemes. It is intended that, where possible, the DAP framework will utilise existing processes and incorporate local knowledge into the decision-making process.

**1. Key questions arising from the Development Assessment Panel (DAP) Discussion Paper include:**

- The future role of council
- Input on what applications might be suitable to be determined by a DAP
- Options for what DAP framework might look like
- How to integrate into planning system

The Future Role of Council:

The Act will allow an applicant, and/or a submitter to a publicly notified application (often discretionary), to request that the matter be determined by the DAP. The “threshold or criteria” is yet to be determined.

The request for an independent determination by DAP must be made in writing any time up to five working days after submissions close or another date TBC.

If such a request is received, then the council must delegate its functions, powers and duties to hear and decide the application to the DAP, whose powers are yet to be determined (qualified).

Input on what applications might be suitable to be determined by a DAP

The DAP will exist separately from the Major Projects Assessment process where major projects are considered to be large and complex and have impacts beyond a single council area. The threshold for DA’s to be considered a Major Project is a value of works more than \$5 million.

Major projects are currently assessed by a panel comprised of members of the independent Tasmanian Planning Commission (TPC) and people with expertise in the subject area of the project.

Projects are assessed independently to ensure that all the planning aspects of the project are considered equally. They are provided for under s60C (3) of the LUPAA.

Options for what DAP framework might look like

Framework is likely to be contingent on the nature, scale and opt-in value threshold of applications.

Whether all DAP applications will still be lodged with and assessed by the local government and/or the TPC. Following assessment, a report from the responsible authority will be forwarded to the DAP, via the DAP secretariat, with recommendations for consideration when determining the application at a DAP meeting.

DAP membership to comprise appropriately qualified persons, based on the requirements outlined in the yet to be determined Development Assessment Panel (DAP) regulations. Specialist members must have experience in one or more of the following areas:

- Planning
- Architecture

- Urban design
- Engineering
- Landscape design
- Environment
- Law
- Property development and management.

### How to integrate into planning system

Changes will certainly be required to the RMPS and amendments to the existing LUPAA to account for the DAP similar to what has occurred for major project assessments.

## **2. Development Assessment Panel Consultation issues**

The DAP Position Paper is seeking consultation and feedback on 6 issues, these are as follows. Council's Senior Planner and myself have provided some comments as a starting point for discussion.

\*It is important that these are read in conjunction with the State Planning Offices slides that formed part of their PowerPoint presentation on Monday 13<sup>th</sup> November 2023.

### **Consultation Issue 1 – Types of development applications suitable for referral to a DAP for determination**

a) What types of development applications are problematic, or perceived to be problematic, for Councils to determine and would therefore benefit from being determined by a DAP?

Options

- Applications for social and affordable housing which often attract considerable opposition within the local community based on social stigma rather than planning matters;
- Critical infrastructure;
- Applications where the Council is the applicant and the decision maker;
- Applications where Councillors express a conflict of interest in a matter and a quorum to make a decision cannot be reached;
- Contentious applications where Councillors may wish to act as elected representatives supporting the views of their constituents which might be at odds with their role as a member of a planning authority;
- Where an applicant considers there is bias, or perceived bias, on the part of a Council or Councillors;
- Complex applications where the Council may not have access to appropriate skills or resources;
- Application over a certain value;
- Other?

b) Who should be allowed to nominate referral of a development application to a DAP for determination?

Options

- Applicant
- Applicant with consent of the planning authority;
- Planning authority
- Planning authority with consent of the applicant
- Minister

c) Given the need for a referral of an application to a DAP might not be known until an application has progressed through certain stages of consideration (such as those set out in a) above) have been carried out, is it reasonable to have a range of referral points?

Options

- At the beginning for prescribed proposals;
- Following consultation where it is identified that the proposal is especially contentious;
- At the approval stage, where it is identified that Councillors are conflicted.

### Question a) Comment:

To be guided by Councillors in responding to this question.

Question b) Comment:

Ideally there needs to be a threshold established to determine what is/in not appropriate to be referred. However, response could include Planning Authority, Applicant & Minister.

Question c) Comment:

Yes, when a DA is contentious, councillors are conflicted.

**Consultation issue 2 – Provision of an enhanced role for the Minister to direct a council to initiate a planning scheme amendment under certain circumstances.**

- a) Under what circumstances should the Minister have a power to direct the initiation of a planning scheme amendment by a Council?
- b) Is it appropriate for the Minister to exercise that power where the Council has refused a request from an applicant and its decision has been reviewed by the Tasmanian Planning Commission?
- For example:
- Section 40B allows for the Commission to review the planning authority's decision to refuse to initiate a planning scheme amendment and can direct the planning authority to reconsider the request. Where that has occurred, and the planning authority still does not agree to initiate an amendment, is that sufficient reason to allow Ministerial intervention to direct the planning authority to initiate the planning scheme amendment, subject to the Minister being satisfied that the LPS criteria is met?
- c) Are there other threshold tests or criteria that might justify a direction being given, such as it aligns to a changed regional land use strategy, it is identified to support a key growth strategy, or it would maximise available or planned infrastructure provision?

Question a) Comment:

It may be appropriate in the following circumstances:

- enhance or implement the strategic vision of a scheme
- implement new state-wide, regional or local planning policy
- update the scheme
- correct mistakes
- allow a use or development currently prohibited to take place
- restrict use or development in a sensitive location
- set aside land for acquisition for a public purpose or to remove such a reservation when it is no longer needed in the scheme
- incorporate a document as part of a planning scheme
- authorise the removal or variation of a restriction on title (for example, a registered restrictive covenant)
- incorporate changes made to the TPS
- regulate or prohibit the development of land on which there is or was a heritage building that has been unlawfully demolished.

Question b) Comment:

This has the inference of political intervention especially when the matter has been reviewed by the TPC under s40B of the Act.

Question c) Comment:

Provision of major projects that are not foreseen within a planning scheme that may include sustainable energy initiatives.

**Consultation issue 3 –**

- i. **Incorporating local knowledge in DAP decision making.**

ii. **DAP framework to complement existing processes and avoid duplication of administrative processes.**

- a) To allow DAP determined applications to be informed by local knowledge, should a Council continue to be:
- the primary contact for applicants;
  - engage in pre-lodgement discussions;
  - receive applications and check for validity;
  - review application and request additional information if required;
  - assess the application against the planning scheme requirements and make recommendations to the DAP.
- b) Is the current s43A (former provisions of the Act) and s40T of the Act processes for referral of a development application to the Commission, initial assessment by Council and hearing procedures suitable for being adapted and used in the proposed DAP framework?

Question a) Comment:

For Councillors to respond to.

Question b) Comment:

No foreseeable need to change these provisions.

**Consultation issue 4 – Resolving issues associated with requests for, and responses to, further information.**

- a) Should a framework for DAP determined development applications adopt a process to review further information requests similar to the requirements of section 40A and 40V of LUPAA?
- b) Are there any changes that could be made to the Act or planning scheme to improve requests for, and responses to, additional information?

Question a) Comment:

Yes.

Comment:

Yes and the suggested changes include:

The ability at any reasonable time before the hearing of an application for a development application or before the decision to grant or refuse the application (if there is no hearing), by written notice, request the applicant to provide further information relating to the application.

In short this provides for the ability to seek multiple requests as opposed to existing constraints – 1 x request within 21 days as per s54(1)(a).

At any reasonable time before a hearing or, if no hearing is to be held, before the decision is made, a consent authority may commission any person to prepare a report on any matter relating to an application, including information provided by the applicant in the application if the activity for which the approval is sought may, in the authority's opinion, have a significant adverse environmental effect. Costs however to be borne by the applicant

**Consultation issue 5 – Appeal rights and assessment timeframes for DAP determined applications.**

a) Is it reasonable that decisions on DAP determined applications are not subject to TasCAT appeals where the TPC holds hearings and provides all parties the opportunity to make submissions and test evidence?

b) Given the integrated nature of the assessment, what are reasonable timeframes for DAP determined applications?

OPTIONS

Lodging and referrals, including referral to DAP	7 days	Running total
DAP confirms referral	7	14
Further information period (can occur within the timeframes above, commencing from time of lodgement)	7	21
Council assesses development application and makes recommendation whether or not to grant a permit	14	35
Development application, draft assessment report and recommendation on permit exhibited for consultation	14	49
Council provide documents to DAP, including a statement of its opinion on the merits of representations and whether there are any modifications to its original recommendation	14	63
DAP hold hearing, determine application and give notice to Council of decision	35	98
If directed by the DAP, Council to issue a permit to the applicant	7	105 max

Question a) Comment:

Yes given the conflict the TPC has in the existing decision making process

Question b) Comment:

Timeframes will be contingent on whether there is a need for a hearing and preference here is reference to working days not calendar days;

- Publicly notified DA (with hearing) 130
- Publicly notified DA (no hearing) 60

**Consultation issue 6 – Roles of the planning authority post DAP determination of a development application.**

a) Should the planning authority remain the custodian of planning permits and be required to issue permits in accordance with a direction from a DAP?

b) Is it appropriate for planning permits associated with a DAP determined application to be enforced the Council?

c) Is it appropriate for minor amendments (in accordance with s56 of LUPAA) to DAP determined permits to be made by the planning authority?

Question a) Comment:

Yes assuming of course the local authority has a potential source of revenue from the fee payment.

Question b) Comment:

Yes unless of course DAP will default to monitoring and enforcement functions of EPA?

Question c) Comment:

Consider it appropriate for DAP to determine whether the minor amendment is within scope of the original application however the local authority has the ability to provide DAP with its own interpretation.

Conclusion

It is considered in parts the briefing paper is light on detail and additional information is certainly required to inform Councils. That will likely evolve out of the submission period and it is expected that a detailed response will be forthcoming in late January early February 2024.

Council must provide its comments on the DAP Paper by November 30<sup>th</sup>, after which the submissions received will be reviewed and inform modifications to the DAP framework. Based on the revised framework, the Government will prepare a draft amendment to the Act which will be further consulted early next year.

It is important that a Councillor led response is provided.

**RECOMMENDATION**

**THAT the information be received and that Council provide a formal response to the State Planning Office no later 30 November 2023.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		

**16.5 Regulatory (Public Health)**

**Strategic Plan Reference 3.5**  
*Monitor and maintain a safe and healthy public environment.*

Nil.

## 16.6 Regulatory (Animals)

### Strategic Plan Reference 3.6

*Create an environment where animals are treated with respect and do not create a nuisance for the community*

### 16.6.1 Animal Management Report

**Author:** ANIMAL MANAGEMENT OFFICER (RACHEL COLLIS)

**Date:** 15 NOVEMBER 2023

**Enclosure(s):**

*Animal Management Statement 2023*

### ISSUE

Consideration of the Animal Management/Compliance Officer's report for November 2023

The purpose of the report is twofold:

1. To inform Council and the Community of infringements issued by Council Officers in relation to Animal Management for the period November; *and*
2. Provide a brief summary of actions and duties undertaken by Council Officers in relation to animal management.

This in turn informs the community of the requirements and expectations of the Council to uphold and enforce the relevant legislation. This reminds Council and the community of the importance of responsible ownership of animals.

The infringements detailed in this report were all issued under the *Dog Control Act 2000*.

### Resource Sharing

Southern Midlands Council currently provide Animal Management services to the Central Highlands Council through resource sharing arrangements. Jobs of note are itemised in the enclosed statement.

### INFRINGEMENT DETAILS:

15/11/23 - Dog attacking person or animal causing non serious injury – Levendale area

15/11/23 – Dog at large X2 – Campania area

### ATTACK DETAILS:

30/10/23 – Australian Post contractor was bitten on the thigh, causing non serious injury, Levendale area

**ENCLOSURE**  
 Agenda Item 15.6.1

**YTD ANIMAL MANAGEMENT STATEMENT  
 2023**

<b>DOG IMPOUNDS</b>	<b>RECLAIMED</b>	<b>ADOPTED/DOGS HOME</b>	<b>EUTHANISED</b>	<b>OTHER IMPOUNDS</b>
16	14	2		3 sheep – claimed 1 sheep – claimed 1 sheep - claimed

**JOBS ATTENDED  
 November 2023**

<b>DOGS AT LARGE</b>	<b>DOG ATTACKS</b>	<b>DOG BARKING</b>	<b>DOG GENERAL</b>
2	1	1	6
<b>NEW KENNEL LICENCES</b>	<b>WELFARE</b>	<b>STOCK</b>	<b>Central Highlands</b>
	2	1	1

**REGISTERED DOGS: 1753**  
**KENNEL LICENCES: 62**  
**INFRINGEMENTS ISSUED: 3**

**RECOMMENDATION**

**THAT the Animal Management Report be received and the information noted.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		



## 16.7 Environmental Sustainability

**Strategic Plan Reference 3.7**

*Implement strategies to address the issue of environmental sustainability in relation to its impact on Councils corporate functions and on the Community.*

Nil.

## **17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)**

### **17.1 Community Health and Wellbeing**

**Strategic Plan Reference 4.1**  
*Support and improve the independence, health and wellbeing of the Community.*

Nil.

### **17.2 Recreation**

**Strategic Plan Reference 4.2**  
*Provide a range of recreational activities and services that meet the reasonable needs of the community.*

#### **17.2.1 Oatlands Aquatic Centre – Coordinators Report**

**Author:** OATLANDS AQUATIC CENTRE COORDINATOR (ADAM BRIGGS)

**Date:** 16 NOVEMBER 2023

#### **ISSUE**

Oatlands Aquatic Centre – Coordinator’s Report for October 2023.

#### **BACKGROUND**

The Oatlands Aquatic Centre opened to the public on Monday 14<sup>th</sup> November 2022.

#### **DETAIL**

The purpose of the report is twofold:

1. To report on the financial performance of the Centre compared to budget for the relevant month ending; and
2. To provide details regarding usage of the facility.

**Financial Reporting:**

**Operating Budget:**

Income		Annual Budget 2023/24	October 2023	YTD Total	% of Budget
Pool – Admission Fees	Casual Fees	\$37,360	\$6,410	\$17,116	45.8%
	Memberships & Season Passes	\$157,426	\$4,725	\$15,960	10.1%
	Group Bookings & Learn to Swim	\$81,714	\$7,851	\$28,582	35.0%
	Sale of Goods	\$9,500	\$1,164	\$3,496	36.8%
Local Gov't Loan Subsidy (Year 3 of 3)		\$45,107	\$0	\$0	0%
Get Active Program	“Lets get moving”	\$0	\$0	\$800	
CBA Community Donation		\$0	\$0	\$500	
<b>Sub-Total</b>		<b>\$331,107</b>	<b>\$20,150</b>	<b>\$66,454</b>	<b>20.1%</b>

Expenditure		Annual Budget 2023/24	October 2023	YTD Total	% of Budget
Salaries (incl. On-Costs)		\$504,561	\$38,569	\$71,379	34.0%
Operating Costs - Other		\$245,072	\$50,347	\$109,401	44.6%
Loan Interest		\$45,107	\$0	\$0	0%
<b>Total Expenditure</b>		<b>\$794,740</b>	<b>\$88,916</b>	<b>\$280,780</b>	<b>35.3%</b>

*Note – Includes ‘Splash in Good Fun’ Grant related expenses*

<b>Budgeted Deficit</b>		<b>(\$463,633)</b>	<b>(\$68,766)</b>	<b>(\$214,326)</b>	<b>46.2%</b>
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**Group Bookings & Programs – October/November:**

<b>Event / Booking</b>	<b>School / Group</b>	<b>Participation Numbers</b>
Centre Hire / Student Visits	Oatlands District School	16 participants
Public Visits	Reclink Community Program	22 participants
Learn to Swim	Term 4 Program	9 week program – 130 participants
Physio Rehab Sessions	Annabel Butler – Physiotherapist	4 individual bookings
NDIS Gym Sessions	NDIS Client	4 individual bookings
Learn to Swim	Bagdad Primary School	Prep – Grade 2 – 55 Students
Lane Hire	Campbell Town District School	2 group bookings
Swimming Carnival	Bothwell District School	Prep – Grade 10 Students

**USAGE FOR THE PERIOD 17/10/2023 – 14/11/2023  
 PAID UPFRONT**

<b>Type</b>	<b>Units</b>
<b>Gym &amp; Fitness</b>	
Gym & Fitness Class Passes/10 Sessions	1
Gym & Fitness Class Passes/5 Sessions	0
Gym & Fitness Class Session (17 years) PAYG	5
Gym & Fitness Class Session (Concession) PAYG	9
PAYG Class Pass (16 years)	0
<b>Gym</b>	
PAYG Gym (17 years)	15
PAYG Gym (Concession)	8
<b>Personal Training</b>	
Personal Training – 30 Mins	4
Personal Training – 1 Hr	0
<b>Learn to Swim</b>	
4 Day School Holiday Learn to Swim	0
5 Day School Holiday Learn to Swim	0
11 Week Learn to Swim	0
10 Week Learn to Swim	80
Adult Learn to Swim	0
<b>Pool</b>	
Pool Passes 10 Sessions (Child)	6
Pool Pass 10 Session (17 years)	3
Upfront 6 Months Pool Membership (17 +)	0
Upfront 6 Months Pool Membership (concession)	1
Upfront 6 Months Pool Membership (Family)	0
PAYG – Pool (4 years and under)	38
PAYG - Pool (5-16)	175
PAYG - Pool (17)	262

PAYG - Pool (Concession)	169
PAYG - (Family)	13
Pool/Gym Combo PAYG	4
Upfront 6 Months Pool Membership - Renewal	0
GYM/Pool Pass 10 Session (17 years)	2

## DIRECT DEBITS – Current Numbers

Type	Units
DD Pool/Gym	7
DD Class/Pool	27
DD Pool/Gym/Class	1
DD Gym	4
DD Class/Gym	6
DD 6 Months Pool – 17 years +	8
DD 6 Months Pool – Child/Concession	3
DD 6 Months Pool – Family	2

## Grant Applications

See below an update on the current Grant Application:

- Tasmanian Government - Premier's Fund for Children & Young People:** We applied for \$50,000.00 to put towards programs at Oatlands Aquatic Centre, which we have been successful in receiving. This funding has already been used to purchase large Learn to Swim Equipment with the remainder of the money to be used in 2023 on Learn to Swim lessons and training courses.

The Term 4 Learn to Swim program has seen a 30% increase of participants from previous term programs, we are seeing new students access the Centre due to this funding.
- Commonwealth Bank Small Community Grant Program:**

We were successful in applying for a small \$500.00 grant to put towards acquiring further Learn to Swim equipment to help continue the growth in and around our current programs. The Aquatic Centre has now used this funding to purchase 30 new pairs of flippers to help students of our Learn to Swim programs into the future develop a life skill of swimming.

## **Marketing Opportunity**

In response to suggestions that there should be an active marketing program for the Oatlands Aquatic Centre, we have been in conversation with a marketing team to discuss the opportunities of promoting the Oatlands township but with a focus on the Aquatic Centre through radio.

The thought process around these discussions is to raise awareness, lift the profile of the Aquatic Centre, and promote the facility to the wider community of Tasmania. This is

particularly relevant now that we are coming into the school holiday period and the warmer months.

It has been recommended that the radio campaign be built around the 'Rediscover Tasmania' solution and a pricing proposal is included as an attachment. Councillors will note that the radio commercial would include reference to other attractions in the township (e.g. heritage; playground; Lake Dulverton etc.) and there is an opportunity (or potential) to include private operators going forward. An example of a similar type commercial will be played at the meeting.

There is a minimum six (6) month membership at a cost of \$3,000 per month, with the cost of production being included in that fee. Whilst there is a small marketing budget allocated direct to the Aquatic Centre, this would only cover approx. one and half months of the six-month advertising period. Through discussion with the General Manager and the Manager Infrastructure & Works, it is suggested that the balance could be sourced from the 'Tourism Program' (there is \$10K allocated for marketing and special projects), and the balance of \$3,500 being carried in the overall expenditure budget.

**Human Resources & Financial Implications – Refer above detail.**

**Community Consultation & Public Relations Implications – Not applicable.**

**Policy Implications – N/A**

**Priority - Implementation Time Frame – Not applicable.**

## **RECOMMENDATION**

**THAT:**

- a) the information be received and noted; and**
- b) Council consider the 'Discover Tasmania' marketing proposal and the conduct of a radio marketing campaign.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		



rediscovertasmania

The best holiday is not a world away...



**Rediscover Tasmania is Southern Midlands Council's opportunity to present the beautiful Southern Midlands region to a statewide audience via a unique, informative and compelling marketing solution.**

Our Rediscover Tasmania solution for tourism promotion is supported by the network to provide substantial discounts, enabling businesses and organization's such as Southern Midlands Council to conduct activity that helps stimulate visitor activity to the region, promoting business confidence and demonstrating council's strong connection to the community.

Your Rediscover Tasmania campaign will provide statewide radio coverage with 3 x 60 second primetime commercials weekly plus 1 x 60 second BONUS Run of Station commercial weekly on each of the following stations: 7HOFM, LAFM, Chilli, 7SD, Chilli North East, 7BU, SeaFM Burnie, 7XS Queenstown and 7AD Devonport. This airtime is valued at over \$12,800 per month.

For additional NO-CHARGE exposure the station will support your campaign with a substantial amount of free fillers on each radio station when airtime is available - this is another way our radio stations support the Tasmanian visitor economy. There are no additional costs for commercial production as this is built into the package.

The 60 second commercial can be utilized for an individual business or can be shared across a combination of 2-3 visitor assets in the Southern Midlands region. Such as the Oatlands Aquatic Centre, Visitor attractions in the area and Lake Dulverton area.

**Your minimum 6 month membership is at an all exclusive investment of \$3000 + GST per month**

**Authority to Broadcast**

\_\_\_\_\_  
Program Start & Finish Dates

\_\_\_\_\_  
Program \$ Cost

\_\_\_\_\_  
Authorised Representative Tasmanian  
Broadcasters  
ABN 93 129 643 545

\_\_\_\_\_  
Station General Manager  
Tasmanian Broadcasters

\_\_\_\_\_  
Client Business Name and ABN

\_\_\_\_\_  
Authorised Representative



### **17.3 Access**

**Strategic Plan Reference 4.3**

*Continue to explore transport options for the Southern Midlands community / Continue to meet the requirements of the Disability Discrimination Act.*

Nil.

### **17.4 Volunteers**

**Strategic Plan Reference 4.4**

*Encourage community members to volunteer.*

Nil.

### **17.5 Families**

**Strategic Plan Reference 4.5**

*Ensure that appropriate childcare services as well as other family related services are facilitated within the community / Increase the retention of young people in the municipality / Improve the ability of seniors to stay in their communities.*

Nil.

### **17.6 Education**

**Strategic Plan Reference 4.6**

*Increase the educational and employment opportunities available within the Southern Midlands*

Nil.

## 17.7 Capacity & Sustainability

**Strategic Plan Reference 4.7**

*Build, maintain and strengthen the capacity of the community to help itself whilst embracing social inclusion to achieve sustainability.*

Nil.

## 17.8 Safety

**Strategic Plan Reference 4.8**

*Increase the level of safety of the community and those visiting or passing through the municipality.*

Nil.

## 17.9 Consultation & Communication

**Strategic Plan Reference 4.8**

*Improve the effectiveness of consultation & communication with the community.*

Nil.

## 18. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

### 18.1 Improvement

#### Strategic Plan Reference 5.1

*Improve the level of responsiveness to Community & Developer needs / Improve communication within Council / Improve the accuracy, comprehensiveness and user friendliness of the Council asset management system / Increase the effectiveness, efficiency and use-ability of Council ICT systems / maintain the Business Process Improvement & Continuous Improvement framework*

#### 18.1.1 Policy Development - Children Safety & Wellbeing Policy

**Author:** MANAGER COMMUNITY & CORPORATE DEVELOPMENT (WENDY YOUNG)

**Date:** 15 NOVEMBER 2023

**Enclosure(s):**

*Nil.*

**Attachment:**

*Children Safety & Wellbeing Policy  
Child & Youth Safe Organisations Act 2023*

#### ISSUE

The Child & Youth Safe Organisations Act 2023 was enacted in June 2023. This Act establishes standards for the safety and wellbeing of children and youth and provides responsibilities of certain entities in relation to those standards and establishes a reportable conduct scheme. Under Schedule 2 of the Act – Councils are an entity that are specifically covered and must comply from the 1 January 2024.

#### DETAIL

The objective of this policy is to meet the Child and Youth Safe Framework, which includes the child and youth safe standards, reportable conduct scheme, the independent regulator and information sharing provisions.

Elected members have been defined as a worker under this Act:-

<b>Worker</b>	a worker, of an entity, is a person who has attained the age of 18 years who –  (a) is employed by the entity, whether or not the person is employed in connection with any work or activity of the entity that relates to children; or  (b) is engaged by the entity to provide services, including as a volunteer, contractor, subcontractor, consultant, director, member of a management committee, office holder or officer, whether or not the person is engaged in connection with any work or activity of the entity that relates to children; or  (c) is elected to a role in respect of an entity, such as an alderman, councillor or member of Parliament, whether or not the person provides services to children in that elected role; or  (d) is engaged in training or work experience with the entity, whether or not the person is engaged in connection with any work or activity of the entity that relates to children.
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The Child and Youth Safe Standards are ten principles that must be put into practice to ensure that the children and young people Council engages with are safe. In complying with the standards an entity must also comply with the universal principal – “provide an environment that ensures that the right to cultural safety of children who identify as Aboriginal or Torres Strait Islander is respected”.

The standards set out below are the child and youth standards:

1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
2. Children and young people are informed about their rights, participate in decision affecting them and are taken seriously.
3. Families and communities are informed and involved in promoting child safety and wellbeing.
4. Equity is upheld and diverse needs respected in policy and practice.
5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
6. Processes to respond to complaints and concerns are child-focused.
7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
9. Implementation of the child and youth safety standards is regularly reviewed and improve.
10. Policies and procedures document how the entity is safe for children and young people.

The Reportable conduct scheme places obligations on the General Manager to notify the Regulator in writing within 3 business days after becoming aware of a reportable conduct, reportable allegation or reportable conviction of a worker.

What is Reportable Conduct:-

- A sexual offence;
- Physical violence;
- Grooming;
- Emotional/psychological harm;
- Neglect

A reportable allegation is:-

Information that leads a person to form a reasonable suspicion that a worker of an entity has committed reportable conduct, whether or not the alleged reportable conduct occurred within the course of the worker’s duties, and regardless of when the alleged reportable conduct occurred.

A reportable conviction is:-

A conviction for an offence that involves reportable conduct, regardless of when the conduct or conviction occurred.

It also requires that General Manager or delegate must investigate the reportable allegation or reportable conviction and provide within 30 days all known detailed information about the reportable allegation or reportable conviction and whether or not any action is to be taken. The obligation to investigate continues to apply even if the worker ceases to be employed or otherwise engaged by the organisation.

At this point in time the Regulator has not been appointed and the reporting & investigating requirements are not entirely clear. Further policies and procedures will be required once this information is known.

The General Manager is required to disclose information to the Independent Regulator, Federal or State Police, an independent investigator is necessary for the purpose of an investigation, The Registrar of the Working with Vulnerable People Act 2013, the Integrity Commission under the Integrity Commission Act, a Government Minister, if the worker who is the subject of the reportable allegation or reportable conviction is a contractor, that worker's direct employer and other workers within the Council if necessary for the purposes of the Framework or to promote the safety and wellbeing of children.

## **RECOMMENDATION**

**THAT Council:**

- 1. Receive and note the report; and**
- 2. Consider the 'Children Safety & Wellbeing Policy' and subject to any amendments, be submitted for formal adoption at the next meeting.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		

## **18.2 Sustainability**

### **Strategic Plan Reference 5.2**

*Retain corporate and operational knowledge within Council / Provide a safe and healthy working environment / Ensure that staff and elected members have the training and skills they need to undertake their roles / Increase the cost effectiveness of Council operations through resource sharing with other organisations / Continue to manage and improve the level of statutory compliance of Council operations / Ensure that suitably qualified and sufficient staff are available to meet the Communities need / Work co-operatively with State and Regional organisations / Minimise Councils exposure to risk / Ensure that exceptional customer service continues to be a hallmark of Southern Midlands Council*

### **18.2.1 Tabling of Documents**

Nil.

### **18.2.2 Elected Member Statements**

An opportunity is provided for elected members to brief fellow Councillors on issues not requiring a decision.

## 18.3 Finances

### Strategic Plan Reference 5.3

*Community's finances will be managed responsibly to enhance the wellbeing of residents / Council will maintain community wealth to ensure that the wealth enjoyed by today's generation may also be enjoyed by tomorrow's generation / Council's financial position will be robust enough to recover from unanticipated events, and absorb the volatility inherent in revenues and expenses.*

### 18.3.1 Monthly Financial Statement (Period ending 31 October 2023)

**Author:** FINANCE OFFICER (MANDY BURBURY)

**Date:** 10 NOVEMBER 2023

#### ISSUE

Provide the Financial Report for the period ending 31<sup>st</sup> October 2023.

#### BACKGROUND

The Operating Expenditure Report includes a Year to Date (YTD) Budget Column, with variations (and percentage) based on YTD Budgets.

*Note: Depreciation is calculated on an annual basis at the end of the financial year. The budget and expense for depreciation are included in the June period.*

#### DETAIL

The enclosed Report incorporates the following: -

- Statement of Comprehensive Income – 1 Jul 2023 to 31 Oct 2023.
- Operating Expenditure Report – 1 Jul 2023 to 31 Oct 2023.
- Capital Expenditure Report – 1 Jul 2023 to 31 Oct 2023.
- Cash Flow Statement – 1 Jul 2023 to 31 Oct 2023.

#### OPERATING EXPENDITURE (OPERATING BUDGET)

Overall operating expenditure to end of October was \$3,320,944, representing 95.0% of the Year to Date Budget.

Whilst there are some variations within the individual Program Budgets (refer following comments), expenditure is consistent with the Budget.

#### **Strategic Theme - Infrastructure**

Nil.

#### **Strategic Theme – Growth**

**Sub-Program – Business** - expenditure to date (\$193,676 – 145.83%). Additional expenditure relates to private works. The additional expense will be offset by an increase in private works income.

**Strategic Theme – Landscapes**

**Sub-Program – Regulatory (Animals)** - expenditure (\$50,075 – 126.02%). Additional expenditure is due to an increase in resources required to address non-compliance issues.

**Strategic Theme – Community**

**Sub-Program – Capacity & Sustainability** - expenditure (\$30,057 – 129.55%). Increased expenditure relates to costs incurred in running the Heritage and Bullock Festival.

**Strategic Theme – Organisation**

Nil.

**CAPITAL EXPENDITURE PROGRAM**

Capital expenditure projects are colour coded to signify the grant program and show the completion deadlines. A legend of the colour coding is as below:

**Legend – Source and completion deadlines for grant funded projects**

Roads to Recovery	It is the Government’s intention that the full allocation is budgeted and spent in the year allocated
Local Road and Community Infrastructure (LRCI)	Phase 3 - 30 June 2024 / Phase 4 – 30 June 2025 (use or lose)
Other Specific Purpose Grants	Completion date as per grant deed or approved extension date

**RECOMMENDATION**

**THAT the Financial Report be received and the information noted.**

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		



**STATEMENT OF COMPREHENSIVE INCOME**  
**for the period 1 July 2023 to 31 October 2023**

	Annual Budget \$	Year to Date (31 October) \$	%	Comments
<b>Income</b>				
General rates	6,971,704	6,914,056	99.2%	Includes Interest & Penalties on rates
User Fees (refer Note 1)	1,332,917	515,305	38.7%	Includes Private Works
Interest	435,000	234,890	54.0%	
Government Subsidies	56,807	0	0.0%	Heavy Vehicle Licence Fees & Interest Subsidy
Other (refer Note 2)	232,400	127,092	54.7%	Includes TasWater Distributions
<b>Sub-Total</b>	<b>9,028,828</b>	<b>7,791,342</b>	<b>86.3%</b>	
Grants - Operating	3,990,758	108,461	2.7%	
<b>Total Income</b>	<b>13,019,586</b>	<b>7,899,804</b>	<b>60.7%</b>	
<b>Expenses</b>				
Employee benefits	-5,534,107	-1,687,980	30.5%	Less Roads - Resheeting (Capitalised)
Materials and contracts	-3,707,133	-1,549,230	41.8%	Less Roads - Resheeting (Capitalised), Includes Land Tax & Private Works
Depreciation and amortisation	-3,723,000	-1,254,600	33.7%	Percentage Calculation (based on year-to-date)
Finance costs	-52,997	-2,917	5.5%	Interest
Contributions	-272,238	-68,060	25.0%	Fire Service Levies
Other	-169,955	-67,997	40.0%	Audit Fees and Councillor Allowances
<b>Total expenses</b>	<b>-13,459,430</b>	<b>-4,630,783</b>	<b>34.4%</b>	
<b>Surplus (deficit) from operations</b>	<b>-439,844</b>	<b>3,269,021</b>	<b>-743.2%</b>	
Grants - Capital (refer Note 3)	3,200,746	1,636,736	51.1%	
Sale Proceeds (Plant & Machinery)	0	58,455		
Sale Proceeds (Land & Buildings)	0	0		
Sale Proceeds (Other Assets)	0	536		
Sale Proceeds (Blackman Water Scheme - 45 shares)	0	45,000		
Net gain / (loss on disposal of non-current assets)	0	0		
<b>Surplus / (Deficit)</b>	<b>2,760,902</b>	<b>5,009,747</b>	<b>181.5%</b>	

**STATEMENT OF COMPREHENSIVE INCOME**  
**for the period 1 July 2023 to 31 October 2023**

	Annual Budget \$	Year to Date (31 October) \$	%	Comments
<b>NOTES</b>				
1. Income - User Fees				
- All other Programs	883,333	425,710	48.2%	
- Private Works	449,584	89,594	19.9%	
	<u>1,332,917</u>	<u>515,305</u>	38.7%	
2. Income - Other				
- Tas Water Distributions	182,400	38,000	20.83%	
- Public Open Space Contributions	50,000	0	0.00%	
- Blue Gum Rovers Donations	0	100		
- Kibbiz Contribution to Bagdad Child Care Centre Fencing	0	3,502		
- Womensport & Recreation Get Active Program	0	800		Oatlands Aquatic Centre 50's & Over Get Active Program
- Co-contribution to Campania Cricket Pitch Project	0	2,000		
- CBA Donation to Oatlands Aquatic Centre	0	500		
- AFL Donation to Mt Pleasant Change Room Upgrade	0	34,365		
- Contribution to Kempton Depot Boundary Fence	0	3,200		
- Transfer from HBS	0	30,000		
- Workers Comp - Premium adjustments/recoveries	0	14,625		
	<u>232,400</u>	<u>127,092</u>	54.7%	
3. Grants - Capital				
- Roads To Recovery	665,531	0	0.00%	
- Rural & Remote Roads Program	1,603,854	1,069,236	66.67%	Interlaken Road Project
- Safer Rural Roads	205,000	102,500	50.00%	
- LRCI - Phase 4	665,531	0	0.00%	
- Natural Disaster Risk Reduction Grant	60,830	0	0.00%	
- Aust Govt - BS Bushfire Recovery Grant - The Haven	0	465,000		Broadmarsh/Elderslie Progress Association Inc Grant
	<u>3,200,746</u>	<u>1,636,736</u>	51.14%	
4. Grants - Operating				
- FAGS 2023/24	3,990,758	103,038	2.58%	
- Navigate Family Services (School Holiday Program)	0	2,983		
- NRM Grant - Eradication of Stemless Thistle	0	2,440		
	<u>3,990,758</u>	<u>108,461</u>	2.7%	

**SOUTHERN MIDLANDS COUNCIL : OPERATING EXPENDITURE 2023/24  
 SUMMARY SHEET**

PROGRAM	YTD ACTUAL (as at 31 Oct 23)	YTD BUDGET (as at 31 Oct 23)	YTD VARIANCE	YTD %	FULL YEAR BUDGET - REVISED INC. GRANTS & OTHER
<b>INFRASTRUCTURE</b>					
Roads	484,505	464,887	-19,618	104.22%	3,695,184
Bridges	7,254	32,226	24,971	22.51%	459,620
Walkways	97,517	89,186	-8,332	109.34%	243,503
Lighting	21,980	28,263	6,284	77.77%	84,790
Public Toilets	34,590	32,367	-2,222	106.87%	96,102
Sewer/Water	-	-	-	-	-
Stormwater	4,673	11,226	6,553	41.63%	85,679
Waste	357,470	448,749	91,279	79.66%	1,373,747
Information, Communication	259	6,667	6,407	-	20,000
<b>INFRASTRUCTURE TOTAL:</b>	<b>1,008,249</b>	<b>1,113,571</b>	<b>105,322</b>	<b>90.54%</b>	<b>6,058,625</b>
<b>GROWTH</b>					
Residential	-	-	-	-	-
Tourism	19,345	28,785	9,439	67.21%	47,718
Business	193,676	132,806	-60,870	145.83%	391,418
Industry	-	-	-	-	-
<b>GROWTH TOTAL:</b>	<b>213,021</b>	<b>161,591</b>	<b>-51,431</b>	<b>131.83%</b>	<b>439,136</b>
<b>LANDSCAPES</b>					
Heritage	147,531	161,511	13,980	91.34%	467,532
Natural	58,010	63,639	5,630	91.15%	206,318
Cultural	-	8,333	8,333	0.00%	25,000
Regulatory - Development	299,266	350,295	51,030	85.43%	1,050,886
Regulatory - Public Health	3,532	6,740	3,208	52.41%	20,220
Regulatory - Animals	50,075	39,736	-10,339	126.02%	115,108
Environmental Sustainability	-	1,667	1,667	0.00%	5,000
<b>LANDSCAPES TOTAL:</b>	<b>558,414</b>	<b>631,921</b>	<b>73,508</b>	<b>88.37%</b>	<b>1,890,064</b>
<b>COMMUNITY</b>					
Community Health & Wellbeing	87,492	106,157	18,665	82.42%	313,472
Recreation	416,246	381,974	-34,272	108.97%	1,212,694
Access	-	-	-	-	-
Volunteers	9,000	17,000	8,000	52.94%	51,000
Families	-	3,333	3,333	0.00%	10,000
Education	-	-	-	-	-
Capacity & Sustainability	30,057	23,202	-6,855	129.55%	49,605
Safety	3,568	11,317	7,748	31.53%	33,950
Consultation & Communication	2,839	12,033	9,194	23.59%	37,300
<b>LIFESTYLE TOTAL:</b>	<b>549,202</b>	<b>555,016</b>	<b>5,813</b>	<b>98.95%</b>	<b>1,708,021</b>
<b>ORGANISATION</b>					
Improvement	-	26,763	26,763	0.00%	80,289
Sustainability	872,314	886,349	14,035	98.42%	2,928,058
Finances	119,744	119,060	-685	100.58%	355,238
<b>ORGANISATION TOTAL:</b>	<b>992,059</b>	<b>1,032,172</b>	<b>40,113</b>	<b>96.11%</b>	<b>3,363,585</b>
<b>TOTALS</b>	<b>\$3,320,944</b>	<b>\$3,494,271</b>	<b>\$173,326</b>	<b>95.0%</b>	<b>\$13,459,430</b>

**CAPITAL EXPENDITURE PROGRAM 2023-24  
As at 31 October 2023**

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION
		\$	\$	\$		DEADLINE
<b>INFRASTRUCTURE</b>						
<b>ROAD ASSETS</b>						
Resheeting Program	Roads Resheeting	500,000	187,950	312,050		
	Elderslie - Bluff Road Resheeting 2km	30,000	22,152	7,848	WIP \$21,096	
	Stonor - Stonor Road Resheeting	30,000	26,756	3,244	WIP \$22,452	
	Rhyndaston - Rhyndaston Road Resheeting	42,272	42,272	0	WIP \$33,280	
Reseal Program	Roads Reseal Program	450,000	0	450,000		
Reconstruct & Seal	Campania - Climie Street (200 metres from Reeve Street to Water Lane)	60,000	0	60,000		
	Colebrook - Arthur Street (500 metres)	90,000	0	90,000	LRCI P4	30 June 2025
	Dysart - Church Lane & Ely Street (approx. 500 metres combined)	100,000	0	100,000		
	Elderslie - Pelham Road (1.0 klm)	180,000	6,465	173,536	RTR \$170K	30 June 2024
	Mangalore - Blackbrush Road (1.0 klm from Midland Hwy to M/Ford Dr)	180,000	0	180,000	RTR \$170K	30 June 2024
	Oatlands - York Plains Road in two sections (1.00 klm)	180,000	0	180,000		
	Woodsdale - Woodsdale Road in two sections (2.0 klms)	360,000	17,038	342,962	RTR \$325,531	30 June 2024
	Drainage (Reset Drains - various Roads)	250,000	162,253	87,747		
Construct & Seal (Unsealed Roads)	Colebrook - Yarlington Road (1.0 klm)	180,000	0	180,000	LRCI P4	30 June 2025
Minor Seals (New)	Oatlands - Interlaken Road (full length) - 23/24 Allocation	2,873,090	183,232	2,689,858	Budget c/f \$1,169,236 WIP \$151,104	30 June 2026
	Oatlands - Bentwick Street	37,777	0	37,777	Budget c/f \$20,000 + \$17,777 LRCI P3	30 June 2024
Junction / Road Realignm	Tin Pot Marsh Road Dust Suppressant	40,000	0	40,000	Budget c/f 2022/23 Commitment	
Other	Bagdad - Green Valley Road - Guard Rail / Line mark. & Sign.	110,000	9,652	100,348	Safer Rural Roads	
	Campania - Estate Road (vicinity Mallow property)	49,000	14,974	34,026	Budget c/f WIP \$13,544	
	Campania - Hall Street (Seal and stormwater upgrade)	70,000	70,438	-438	C/f WIP \$60501.71	
	Campania - Reeve St Junction/footpath/kerb & channel	200,000	269,561	-69,561	WIP \$45,691 Vulnerable Road Users	
	Campania - Structure Plan - Town gateway and Streetscape	40,000	0	40,000		
	Colebrook - Junction Craigboume Road and Colebrook Road	24,000	15,756	8,244	Budget c/f	
	Elderslie - Elderslie Road Widening Investigation & Trial (Sth Blackbrush Rd)	40,000	14,570	25,430	Budget c/f WIP \$6,777	
	Elderslie - Bluff Road Intersection Upgrade	1,530	1,530	0	Budget c/f Black Spot project expenses	
	Kempton - Old Huntingground Road (Footpath / School Crossing etc.)	80,000	81,483	-1,483	Budget c/f WIP \$81,483	
	Mt Seymour - Junction Blackgate Road and Tunnack Road	24,000	32,145	-8,145		
	Oatlands - Hasting Street Junction	15,000	959	14,041	Budget c/f WIP \$959	
	Oatlands - South Parade (including Kerb, Channel and Footpath)	170,000	246,675	-76,675	C/f WIP \$246,675.02	
	Tea Tree - Grices Road (Tree removal, set-back of embankment, drainage)	15,000	0	15,000	Budget c/f	
	Tunbridge - Main Street (Kerb & Gutter Renewal)	40,000	0	40,000		
	Tunnack - Link Road Landslip	25,000	107	24,893	Budget c/f WIP \$107	
	Woodsdale Road - Guard Rail	100,000	0	100,000	Safer Rural Roads	
		<b>6,586,669</b>	<b>1,405,966</b>	<b>5,180,702</b>		
<b>BRIDGE ASSETS</b>	Jones Road Broadmarsh (Jordan River - Bridge 5083) - Flood Damage	130,000	3,302	126,699	C/f WIP \$3,302	
		<b>130,000</b>	<b>3,302</b>	<b>126,699</b>		

**CAPITAL EXPENDITURE PROGRAM 2023-24**  
**As at 31 October 2023**

		BUDGET \$	EXPENDITURE \$	BALANCE \$	COMMENTS	COMPLETION DEADLINE
<b>WALKWAYS</b>	Footpaths - General Streetscapes	40,000	0	40,000		
	Bagdad - Midland Highway Walking / Riding Path Upgrade	145,480	4,160	141,320	22/23 Budget \$95,840 c/f WIP \$4,160	30 June 2025
	Bagdad - Midland Highway Walking Path Footbridge Repairs	130,000	0	130,000		
	Campania - Reeve Street - Footpath through to Hall	30,000	432	29,568	Budget c/f	
	Kempton - Grange Road (Retaining Wall)	30,000	0	30,000		
	Kempton - Streetscape Plan - Footpath Renewal Southerm End	60,000	50,317	9,683	LRC1 P3 c/f WIP \$47,028	30 June 2024
	Kempton - Streetscape Plan - Footpath Renewal	60,000	38,439	21,561		
	Kempton - Midlands Highway/Mood Food	147,565	0	147,565	\$147,565 Budget c/f	
	Oatlands - Campbell Street (scope of works expanded to include kerb/gutter)	85,000	0	85,000	22/23 Budget \$45,000 c/f	30 June 2025
	Oatlands - Church Street (Sth Parade to William St - north. side - Footpath - 130 m	30,000	0	30,000		
	Oatlands - Stanley Street (High Street to Nelson - 280 metres - kerb & footpath)	75,000	0	75,000	LRC1 P4	30 June 2025
	Oatlands - Stanley Street (Footpath -120 metre link)	25,000	0	25,000		
		<b>858,045</b>	<b>93,347</b>	<b>764,698</b>		
<b>PUBLIC TOILETS</b>	Campania - Flour Mill Park - Concrete Pathways/drainage/remove pavers	15,000	0	15,000	Budget c/f	
	Colebrook - History Room Toilets (Tiling etc.)	10,000	0	10,000		
	Oatlands - Callington Park	158,000	12,338	145,662	22/23 Budget \$140,000 c/f WIP \$5,070	
	General Public Toilets - Upgrade Program	20,000	0	20,000	Budget c/f	
		<b>203,000</b>	<b>12,338</b>	<b>190,662</b>		
<b>DRAINAGE</b>	Bagdad / Mangalore - Hydraulic Assessment (Flood Mapping)	161,660	76,124	85,536	Grant Funding \$80,830 WIP \$40,144	31 December 2023
	Kempton - Erskine Street - Stormwater Upgrade& Kerb	60,000	82,534	-22,534		
	Oatlands - Callington Park (Well - piped overflow system)	20,000	0	20,000		
		<b>241,660</b>	<b>158,659</b>	<b>83,001</b>		
<b>WASTE</b>	Wheelie Bins and Crates	12,500	6,553	5,947		
	WTS Safety & Operational Improvements	25,000	0	25,000		
		<b>37,500</b>	<b>6,553</b>	<b>30,947</b>		
<b>GROWTH TOURISM</b>	Kempton - Heritage Interpretation Panel renewal	1,800	1,768	32		
	Oatlands Accommodation Facility	0	42,283	-42,283	WIP \$42,283 (Offset by Barrack Street Property)	
		<b>1,800</b>	<b>44,051</b>	<b>-42,251</b>		



**CAPITAL EXPENDITURE PROGRAM 2023-24**  
**As at 31 October 2023**

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION
		\$	\$	\$		DEADLINE
<b>LANDSCAPES</b>						
<b>HERITAGE</b>						
	Heritage Collections Store	10,000	3,700	6,300	Budget c/f WIP \$3,700	
	Heritage Collections - Furniture & Equipment	4,177	0	4,177	Budget transferred from Operating	
	Jericho - Memorial Avenue - Plaques	20,000	4,300	15,700	Budget c/f WIP \$4,300	
	Kempton Council Chambers - Clock Restoration Works	10,672	3,546	7,126	Budget c/f WIP \$1,384	
	Kempton - Memorial Avenue Park - Interps	19,545	155	19,390	Budget c/f WIP \$155	
	Melton Mowbray - Streetscape Works (Trough / Shelter etc)	30,000	5,318	24,682	Budget c/f WIP \$5318	
	Oatlands - Callington Mill - Structural Repair & External painting)	20,000	0	20,000		
	Oatlands - Council Chambers - Internal Toilets & Access Upgrade	100,000	9,357	90,643	Budget c/f WIP \$9,357	
	Oatlands Court House (Wall Stabilisation)	15,000	1,187	13,813	WIP \$1,187	
	Oatlands Gaolers Residence (Ceiling Reinstatement)	5,000	8,149	-3,149		
	Oatlands Gaolers Residence (Wingwall)	23,000	0	23,000	Budget \$15K c/f	
	Oatlands - Heritage Buildings (Security Upgrades)	10,000	0	10,000		
	Oatlands - Roche Hall Forecourt (Interps - Planning Condition of Approval)	40,000	7,820	32,180	Budget c/f WIP \$7,820	
	Parattah - Railway Station -Shed for Gangers Trolley	2,000	0	2,000	Budget c/f	
		<b>309,394</b>	<b>43,532</b>	<b>265,862</b>		
<b>NATURAL</b>						
	Chauncy Vale - Day Dawn Cottage Improvements	12,000	7,700	4,300	WIP \$7,700	
	Chauncy Vale - Wombat Walk	39,250	42,513	-3,263	Includes \$29,250 grant WIP \$31,358	31 Dec 2022
	Campania - Bush Reserve / Cemetery	300,000	87,188	212,812	WIP \$72,489	
		<b>351,250</b>	<b>137,402</b>	<b>213,848</b>		
<b>CULTURAL</b>						
	Oatlands - Aquatic Centre (Forecourt - Art Installation)	20,000	0	20,000		
		<b>20,000</b>	<b>0</b>	<b>20,000</b>		
<b>REGULATORY</b>						
<b>- DEVELOPMENT</b>						
	Master / Structure Plans (Bagdad / Mangalore / Campania)	50,000	0	50,000		
	Oatlands - Stanley Street Master Plan	20,000	172	19,828	Budget c/f WIP \$172	
	Oatlands - Structure Plan	25,000	34,155	-9,155	\$25K Budget c/f WIP \$34,155	
	Oatlands - MMPC Church Street Sub-Division	0	4,988	-4,988	WIP \$4,988 Offset by sale of property	
		<b>95,000</b>	<b>39,315</b>	<b>55,685</b>		
<b>REGULATORY</b>						
<b>- PUBLIC HEALTH</b>						
	Unit(s) - GP Accommodation	500,000	0	500,000		
	Oatlands - GP Accommodation Units	100,000	36,670	63,330	Council Commitment (grant funded)	
		<b>600,000</b>	<b>36,670</b>	<b>563,330</b>		

**CAPITAL EXPENDITURE PROGRAM 2023-24**  
**As at 31 October 2023**

		BUDGET \$	EXPENDITURE \$	BALANCE \$	COMMENTS	COMPLETION DEADLINE
<b>COMMUNITY FAMILIES</b>	Bagdad - Child Care Centre Building	237,314	298,122	-60,808	Council Commitment (\$100K grant funded)	30 June 2025
		<b>237,314</b>	<b>298,122</b>	<b>-60,808</b>		
<b>RECREATION</b>	Facilities & Recreation Committee	52,000	-	52,000		
	Community Infrastructure Plan	44,600	2,711	41,889		
	Bagdad - Iden Road Park Development	75,000	-	75,000		
	Bagdad - Bagdad Community Club (Precinct Plan)	25,000	17,417	7,583	Budget c/f WIP \$17,417	
	Broadmarsh - Broadmarsh Hall "The Haven"	254,196	254,196	0	Administration of Progress Assoc. Grant	
	Campania - Justitia Court POS - Shelter Hut	16,000	-	16,000		30 June 2025
	Campania - Public Open Space dev (Justitia Park)	6,375	0	6,375	Budget c/f	
	Campania - Hall (LED Lighting)(alternate quote \$1582)	4,250	-	4,250		
	Campania - Recreation Ground (Centre Pitch/Wicket & Nets)	12,004	6,079	5,925		
	Kempton - Recreation Ground (Site Dev and Play Equipment)	24,250	0	24,250	Budget c/f	
	Kempton - Recreation /Skate Park/ Dog Park	31,000	4,453	26,547		
	Kempton - Off-lead Dog Park	60,331	89,097	-28,766	LRCI Phase 3 \$43,125 WIP \$72,093	30 June 2024
	Kempton - Recreation Ground (Irrigation)	60,000	1,637	58,363	WIP \$1,637	
	Mt Pleasant Rec Ground - Building Improvements	279,000	279,225	-225	Dept of Communities Grant WIP \$278,156	
	Oatlands - Aquatic Centre (Construction)	410,501	410,501	0	WIP 2022/23	
	Oatlands - Aquatic Centre (Construction)	482,114	10,763	471,351	Balance of construction phase budget c/f	
	Oatlands - Aquatic Centre (CO2 Gas Monitoring)	7,649	7,649	0		
	Oatlands - Aquatic Centre (Gymnasium (Mirror & Equipment)	4,400	-	4,400		
	Oatlands - Community Hall (Maintenance Program)	51,300	38,477	12,823	Budget c/f WIP \$38,477	
	Oatlands - Gay Street, Hall (Air Lock)	10,000	36,927	-26,927		
	Oatlands - Midlands Community Centre (External Painting - Front of Building)	5,000	0	5,000		
	Oatlands Swimming Pool (Staged demolition)	200,000	18,306	181,694	WIP \$15,756	
	Runnymede Recreation Ground - Play Equipment	20,000	-	20,000	LRCI P4	30 June 2025
	Water Bottle Refill Stations	7,980	0	7,980	Budget c/f	
		<b>2,142,951</b>	<b>1,177,437</b>	<b>965,513</b>		
<b>ACCESS</b>	Tunbridge Community Club - Accessible Toilets	115,000	200	114,800	22/23 Budget \$20,000 c/f WIP \$200	
		<b>115,000</b>	<b>200</b>	<b>114,800</b>		
<b>CAPACITY &amp; SUSTAINABILITY</b>	Property Purchase - 9 Barrack Street, Oatlands (Police Residence)	519,490	0	519,490		
	Kempton - Carriage Shed - Toilets	15,000	11,144	3,856	WIP \$10,419	
		<b>534,490</b>	<b>11,144</b>	<b>523,346</b>		

**CAPITAL EXPENDITURE PROGRAM 2023-24  
 As at 31 October 2023**

		BUDGET \$	EXPENDITURE \$	BALANCE \$	COMMENTS	COMPLETION DEADLINE
<b>ORGANISATION</b>						
<b>SUSTAINABILITY</b>						
	Kempton Council Chambers - Office Furniture & Equipment	5,000	0	5,000		
	Kempton Depot - Fencing/Kitchen	0	16,755	-16,755		
	Oatlands Depot - Wash Bay	0	8,909	-8,909		
	Oatlands - Town Hall (General - Incl. Office Equip/Furniture)	5,000	0	5,000		
	Oatlands Council Chambers - Fire Detection & Security System	18,000	0	18,000		
	Oatlands - Council Chambers - Internal Toilets Upgrade	100,000	0	100,000		
	Oatlands - Council Chambers - Damp Issues & Stonemasonry	15,000	0	15,000	Budget c/f	
	Oatlands - Council Chambers - Works Office (floor coverings/refurbishing)	5,000	16,303	-11,303	Budget c/f	
				0		
	Computer Monitor(s)	8,000	7,453	547		
	PC's; Keyboards & UPS's	14,000	0	14,000		
	Council Website - Upgrade	20,000	0	20,000		
	Ipads (2) (Animal & Building Control)	4,000	0	4,000		
		<b>194,000</b>	<b>49,420</b>	<b>144,580</b>		
<b>WORKS</b>						
	Minor Plant Purchases	9,500	10,397	-897		
	Quickspray Unit (c/w Pump etc)	12,670	14,978	-2,308		
	Radio System	50,000	0	50,000		
	<b>Plant Replacement Program</b>					
	Heavy Vehicles - Refer separate Schedule (Trade Allowance - \$334)	678,867	0	678,867		
	Light Vehicles (Net Changeover) (Trade Allowance - \$132)	249,639	53,437	196,202		
		<b>1,000,676</b>	<b>78,812</b>	<b>921,864</b>		
	<b>GRAND TOTALS</b>	<b>13,658,748</b>	<b>3,596,269</b>	<b>10,062,479</b>		



<b>CASH FLOW 2023/2024</b>	INFLOWS (OUTFLOWS) July 2023 \$	INFLOWS (OUTFLOWS) Aug 2023 \$	INFLOWS (OUTFLOWS) Sep 2023 \$	INFLOWS (OUTFLOWS) Oct 2023 \$	INFLOWS (OUTFLOWS) (Year to Date) \$
<b><i>Cash flows from operating activities</i></b>					
<b>Payments</b>					
Employee costs	(369,019)	(578,131)	(416,390)	(420,834)	(1,784,374)
Materials and contracts	(865,696)	(514,063)	(383,016)	(348,088)	(2,110,863)
Interest	(2,917)	0	0	0	(2,917)
Other	(20,710)	(59,400)	(97,533)	(168,081)	(345,724)
	(1,258,343)	(1,151,593)	(896,939)	(937,003)	(4,243,878)
<b>Receipts</b>					
Rates	393,738	710,319	2,117,560	547,800	3,769,417
User charges	228,018	120,782	117,009	31,823	497,632
Interest received	44,460	51,157	63,218	76,056	234,890
Subsidies	0	0	0	0	0
Other revenue grants	0	103,038	2,983	2,440	108,461
GST Refunds from ATO	0	0	0	0	0
Other	65,230	245,462	12,054	161,652	484,397
	731,446	1,230,759	2,312,823	819,770	5,094,799
<b>Net cash from operating activities</b>	(526,897)	79,165	1,415,885	(117,233)	850,921
<b><i>Cash flows from investing activities</i></b>					
Payments for property, plant & equipment	(111,762)	(321,353)	(470,999)	(283,748)	(1,187,862)
Proceeds from sale of property, plant & equipment	17,818	58,095	0	28,077	103,991
Proceeds from Capital grants	102,500	1,534,236	0	0	1,636,736
Proceeds from Investments	0	0	0	0	0
Payment for Investments	0	0	0	0	0
<b>Net cash used in investing activities</b>	8,556	1,270,979	(470,999)	(255,671)	552,865
<b><i>Cash flows from financing activities</i></b>					
Repayment of borrowings	(8,291)	0	0	0	(8,291)
Proceeds from borrowings	0	0	0	0	0
<b>Net cash from (used in) financing activities</b>	(8,291)	0	0	0	(8,291)
Net increase/(decrease) in cash held	(526,632)	1,350,144	944,886	(372,904)	1,395,494
Cash at beginning of reporting month	17,408,041	16,881,409	18,231,553	19,176,438	17,408,041
<b>Cash at end of reporting period</b>	<b>16,881,409</b>	<b>18,231,553</b>	<b>19,176,438</b>	<b>18,803,535</b>	<b>18,803,535</b>

**18.3.2 Amendment to 2023/2024 Fees & Charges Schedule and deletion of Water Carrier Licence Fee**

**Author:** MANAGER – DEVELOPMENT & ENVIRONMENTAL SERVICES (GRANT FINN)

**Date:** 14 NOVEMBER 2023

**Enclosure(s):**  
 2023/2024 Schedule of Fees & Charges

**PROPOSAL**

This report is seeking to amend the Schedule of Fees and Charges and delete the Water Carrier Licence (Valid 3 years) fee. The applicable fee is \$242.00

The provisions of the Public Health Act 1997, specifically section 136J only allows for a water carter licence to be granted for up to a 12 month period.

In short the existing fee is inconsistent with the provisions of the Act.

The deleted fee is outlined in the Table below:

Charge Category	Description	Additional Info.	Definition	Amount 2023/24 (ex GST)	GST Treatment	Amount 2023/24 (inc GST)
Environmental Health	Water Carrier Licence	Drafting, assessment, verification and compliance inspections	Three (3) years	\$242	exempt	\$242

**RECOMMENDATION**

**THAT the 2023/24 Fees & Charges Schedule be amended to delete the Water Carrier Licence fee.**

<b>DECISION</b>		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		

### **18.3.3 Currawong Community Choir – Request for Donation**

**Author:** MANAGER COMMUNITY & CORPORATE DEVELOPMENT (WENDY YOUNG)

**Date:** 14 NOVEMBER 2023

**Enclosure(s):**

*Currawong Community Choir – Letter dated 13<sup>th</sup> November 2023*  
*Donations & Community Support Policy*

#### **ISSUE**

Council to consider a request from the Currawong Community Choir (Oatlands) for a donation to fund the organisation's liability and personal accident insurance premium.

#### **BACKGROUND**

Currawong Community Choir (Oatlands) is a newly formed choir in Oatlands. It commenced on the 29<sup>th</sup> October 2023. The choir has attracted 10-20 participants per session. It meets weekly every Sunday. The choir is hoping to provide free access for all participants and they are trying to target a wide audience, from dementia friendly to the disadvantage and for all levels of singing ability.

#### **DETAIL**

As initial support for the group, an amount of \$320 was allocated from the 'Seniors Activity' budget to pay the internal hire for the Oatlands Community Hall, this being 8 sessions at \$40 per session.

The Donations & Community Support Policy sets out Council's position in relation to requests for financial assistance from not-for-profit registered welfare or community service groups working within the Southern Midlands Municipality. However in the Policy it refers to assistance for annual events, and also provision of funding to subsidise the cost of maintaining public liability insurance cover for community owned halls. This request fits outside both these options.

**Human Resources & Financial Implications** – The Choir is requesting an amount of \$317 to pay the full cost of the insurance premium, although Council may elect to donate a lesser amount.

**Community Consultation & Public Relations Implications** – To be considered.

**Policy Implications** – The request is to be considered on merit as the existing Policy does not address this type of activity or request for donation.

**Priority - Implementation Time Frame** – Immediate

#### **RECOMMENDATION**

**THAT Council:**

**3. Receive and note the letter from Currawong Community Choir; and**

**4. Consider the request for financial assistance in paying its public liability and volunteer insurance.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		

The General Manager  
Southern Midlands Council  
PO Box 21  
Oatlands Tasmania 7120



13 November 2023

**RE: Payment of Currawong Community Choir (Oatlands) Public Liability and Volunteer Insurance.**

To the Mayor and Councillors,

I wish for Council to consider paying for the Currawong Community Choirs Public Liability and Volunteer Insurance. Since our first singing session which was launched at the Gay Street Hall on the 29<sup>th</sup> of October 2023. The choir has attracted 10-20 participants per session. We meet weekly every Sunday and it is anticipated numbers will climb once word spreads about the choir.

We are grateful for the Southern Midlands Council help to date and hope to continue to keep access to the choir free for participants. We are a dementia friendly and all-inclusive choir and had staff present from the Wicking Dementia Research Team from UTAS to help celebrate the choir's launch.

We are hoping to find a free venue for participants as we are keen to attract community members from all socio-economic groups. In that attempt to keep costs down to participants we were hoping Council would consider paying for the first year of public liability insurance for the choir.

We have joined the Australian National Choral Association and can receive a discounted insurance rate from AON insurance. The cost quoted is \$317.

Details from the email from AON are included below:

The ANCA quotation for the below coverage is **\$277.00**

Public Liability	\$20,000,000 any one Occurrence
Products Liability	\$20,000,000 any one period of insurance

**Sublimits:**

Care, Custody & Control	\$100,000 limited in the aggregates
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*Professional Liability \$1,000,000 any one claim and limited to \$2,000,000 in the aggregate*

*If you wish to include Personal Accident the additional premium is \$40.00. The total premium would then be \$317.00*

*Please confirm if you wish to go ahead with the quotation.*

I look forward to hearing the Mayor's and Councillors decisions and may be contacted by email [sendittorow@gmail.com](mailto:sendittorow@gmail.com) or by phone 0429023696.

Kind regards

Rowena Howard  
(Currawong Community Choir Contact Person).

**19. MUNICIPAL SEAL**

Nil.

**20. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA**

**RECOMMENDATION**

**THAT in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*, the following items are to be dealt with in Closed Session.**

<b>Matter</b>	<b>Local Government (Meeting Procedures) Regulations 2015 Reference</b>
<i>Closed Council Minutes - Confirmation</i>	15(2)(g)
<i>Applications for Leave of Absence</i>	15(2)(h)
<i>Sale of Property for Unpaid Rates &amp; Charges</i>	15(2)(f)
<i>Tender-Annual Road Stabilisation Program</i>	15(2)(d)
<i>Tender-Annual Road Spray Sealing Program</i>	15(2)(d)
<i>Tender-RFT02/2023 Interlaken Road-Construct and Seal</i>	15(2)(d)

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		

**RECOMMENDATION**

**THAT in accordance with Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015*, Council move into Closed Session and the meeting be closed to members of the public.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		



## CLOSED COUNCIL AGENDA

### 21. BUSINESS IN “CLOSED SESSION”

21.1 Closed Council Minutes – Confirmation

21.2 Applications for Leave of Absence

21.3 Sale of Property for Unpaid Rates and Charges

21.4 Tender – Annual Road Stabilisation Program

21.4 Tender – Annual Road Spay Sealing Program

21.5 Tenders – RFT02/2023 Interlaken Road – Construct and Seal

### RECOMMENDATION

THAT Council move out of “Closed Session”.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D F Fish		
Clr F Miller		

## OPEN COUNCIL AGENDA

### 21. CLOSURE