

SOUTHERN
MIDLANDS
COUNCIL



AGENDA

ORDINARY COUNCIL MEETING

Wednesday, 25th October 2023
10.00 a.m.

Kempton Municipal Offices
85 Main Street, Kempton

INDEX

1. PRAYERS	6
2. ACKNOWLEDGEMENT OF COUNTRY	6
3. ATTENDANCE	6
4. APOLOGIES	6
5. MINUTES	6
5.1 ORDINARY COUNCIL MEETING	6
5.2 SPECIAL COMMITTEES OF COUNCIL MINUTES	7
5.2.1 <i>Special Committees of Council - Receipt of Minutes</i>	7
5.2.2 <i>Special Committees of Council - Endorsement of Recommendations</i>	7
5.3 JOINT AUTHORITIES (ESTABLISHED UNDER DIVISION 4 OF THE LOCAL GOVERNMENT ACT 1993).....	8
5.3.1 <i>Joint Authorities - Receipt of Minutes</i>	8
5.3.2 <i>Joint Authorities - Receipt of Reports (Annual & Quarterly)</i>	8
6. NOTIFICATION OF COUNCIL WORKSHOPS	9
7. COUNCILLORS – QUESTION TIME	11
7.1 QUESTIONS (ON NOTICE)	11
7.2 QUESTIONS WITHOUT NOTICE	12
8. DECLARATIONS OF PECUNIARY INTEREST	13
9. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA	14
10. PUBLIC QUESTION TIME (SCHEDULED FOR 10.30 A.M.)	15
10.1 PERMISSION TO ADDRESS COUNCIL	15
11. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN UNDER REGULATION 16 (5) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2015	16
12. COUNCIL ACTING AS A PLANNING AUTHORITY PURSUANT TO THE LAND USE PLANNING AND APPROVALS ACT 1993 AND COUNCIL'S STATUTORY LAND USE PLANNING SCHEME	17
12.1 DEVELOPMENT APPLICATIONS	17
12.2 SUBDIVISIONS	18
12.2.1 <i>Development Application (SA2200005) for subdivision (14 Lots at 14 Queen Anne Street, Oatlands submitted by R Mandelson</i>	18
12.2.2 <i>Development Application (DA2300013) for Subdivision (3 lots) at 17 Oakwood Place, Mangalore owned by WW TAS Pty Limited</i>	43
12.3 MUNICIPAL SEAL (PLANNING AUTHORITY).....	69
12.4 PLANNING (OTHER)	70
12.4.1 <i>Development Application (DA2023/040) for Rezoning from Future Urban Zone to Village Zone at 1844 Midlands Highway Bagdad owned by 1844 Midlands Highway Pty Ltd</i>	70
13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE).. 77	
13.1 ROADS	77
13.2 BRIDGES.....	77
13.3 WALKWAYS, CYCLE WAYS AND TRAILS	77
13.4 LIGHTING	77
13.5 BUILDINGS	77
13.6 SEWERS / WATER	77
13.7 DRAINAGE.....	78
13.8 WASTE	78
13.9 INFORMATION, COMMUNICATION TECHNOLOGY.....	78
13.10 OFFICER REPORTS – INFRASTRUCTURE & WORKS	79
13.10.1 <i>Manager – Infrastructure & Works Report</i>	79
14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)	85
14.1 RESIDENTIAL.....	85
14.2 TOURISM	85
14.3 BUSINESS	85
14.4 INDUSTRY	85

15.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME –LANDSCAPES)	86
15.1	HERITAGE.....	86
15.1.1	<i>Heritage Project Program Report.....</i>	<i>86</i>
15.2	NATURAL	87
15.2.1	<i>NRM Unit – General Report.....</i>	<i>87</i>
15.3	CULTURAL	89
15.3.1	<i>Heritage & Bullock Festival 2023</i>	<i>89</i>
15.3.2	<i>Proposal to Rename Brodribbs Road in Campania</i>	<i>91</i>
15.4	REGULATORY (DEVELOPMENT).....	95
15.5	REGULATORY (PUBLIC HEALTH).....	95
15.6	REGULATORY (ANIMALS)	96
15.6.1	<i>Animal Management Report</i>	<i>96</i>
15.7	ENVIRONMENTAL SUSTAINABILITY	98
16.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY).....	99
16.1	COMMUNITY HEALTH AND WELLBEING.....	99
16.2	RECREATION.....	100
16.2.1	<i>Oatlands Aquatic Centre – Coordinators Report</i>	<i>100</i>
16.3	ACCESS.....	105
16.4	VOLUNTEERS	105
16.5	FAMILIES.....	105
16.6	EDUCATION.....	105
16.7	CAPACITY & SUSTAINABILITY	106
16.8	SAFETY	106
16.9	CONSULTATION & COMMUNICATION	106
17.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION).....	107
17.1	IMPROVEMENT	107
17.1.1	<i>Performing Artist Residencies in Southern Midlands (Prism) Policy</i>	<i>107</i>
17.2	SUSTAINABILITY	111
17.2.1	<i>Tabling of Documents</i>	<i>111</i>
17.2.2	<i>Elected Member Statements.....</i>	<i>111</i>
17.3	FINANCES	114
17.3.1	<i>Monthly Financial Statement (Period ending 30 September 2023)</i>	<i>114</i>
17.3.2	<i>Amendment to Schedule of Fees and Charges 2023-2024.....</i>	<i>125</i>
17.3.3	<i>SMC External Grant Projects - Quarterly Update</i>	<i>127</i>
18.	MUNICIPAL SEAL	131
18.1.1	<i>Head of Agreement and Licence Department of Health (The Crown in Right of Tasmania) and Southern Midlands Council – 16 Church Street, Oatlands – Accommodation Units (Locum General Practitioners; visiting Specialists and Medical Staff)</i>	<i>131</i>
19.	CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA	133
20.	BUSINESS IN “CLOSED SESSION”	135
20.1	CLOSED COUNCIL MINUTES - CONFIRMATION	135
20.2	APPLICATIONS FOR LEAVE OF ABSENCE	135
20.3	AUDIT PANEL MINUTES.....	135
20.3.1	<i>Receipt of minutes.....</i>	<i>135</i>
20.3.2	<i>Endorsement of Recommendations.....</i>	<i>135</i>
20.4	HEAVY PLANT REPLACEMENT TENDER (WHEEL LOADER).....	135
20.5	HEAVY PLANT REPLACEMENT TENDER (BACKHOE X2)	135
20.6	PROPERTY MATTER – COLEBROOK	135
20.7	SOUTHERN MIDLANDS COMMUNITY INFRASTRUCTURE PLAN	135
21.	CLOSURE.....	136



Dear Sir/Madam

NOTICE OF MEETING

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

Date: Wednesday, 25th October 2023

Time: 10.00 a.m.

Venue: Kempton Municipal Offices, 85 Main Street, Kempton

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



Andrew Benson
ACTING 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. MINUTES

5.1 Ordinary Council Meeting

The Minutes (Open Council Minutes) of the previous meeting of Council held on the 27th September 2023, as circulated, are submitted for confirmation.

RECOMMENDATION

THAT the Minutes (Open Council Minutes) of the Council Meeting held 27th September 2023 be confirmed.

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

5.2 Special Committees of Council Minutes

5.2.1 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 18th September
- Woodsdale Hall – Annual General Meeting 18th September
- Woodsdale Hall – General Committee Meeting 9th October
- Oatlands Community Shed Annual General Meeting 9th October
- Campania Recreation Ground Management Committee Meeting 19th September

RECOMMENDATION

THAT the minutes of the above Special Committees of Council be received.

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

5.2.2 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 18th September
- Woodsdale Hall – Annual General Meeting 18th September
- Woodsdale Hall – General Committee Meeting 9th October
- Oatlands Community Shed Annual General Meeting 9th October
- Campania Recreation Ground Management Committee Meeting 19th September

RECOMMENDATION

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

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

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

5.3.1 Joint Authorities - Receipt of Minutes

Nil.

5.3.2 Joint Authorities - Receipt of Reports (Annual & Quarterly)

Nil.

6. 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.

Two Workshops have been held since the last Ordinary Meeting.

A workshop was held on the 9th October 2023 at the Council Chambers, Oatlands commencing at 9.30.

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

Also in Attendance: T Kirkwood, A Benson, D Richardson, and W Young

Apologies: Nil.

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

1. Bagdad Community Club Precinct – Precinct Master Plan

General discussion of issues and options relating to the progression of the Master Plan.

2. Campania Subdivision – off Climie Street / Water Lane (Council Development)

Update provided in relation to the subdivision layout and engineering design. It was acknowledged that there is still a need to resolve the stormwater disposal system with Tas Rail in terms of impact (if any) on the rail corridor. Following adoption of the preferred disposal system, more accurate engineering construction costs can be determined.

3. Keep Australia Beautiful – Tidy Towns Sustainability Awards

Acknowledgement and presentation of KAB Certificates awarded to Council personnel.

4. General Discussion Items:

- a) Campania Car Park – explanation of final 'lay-out' as constructed which was determined based on roads safety and engineering standards.

It was acknowledged that additional works are required to address the condition of pavement within the car-park; lighting; and landscaping. To be considered as part of the 2024-25 Budget, noting that some initial maintenance works can be undertaken.

- b) Pontville Detention Centre – noted that the responsible State Government Minister has made arrangements to meet with the Mayor and General Manager. Request that the Minister brief full Council.

- c) Telstra – Digital Connectivity Plan

General Manager confirmed that the workshop scheduled for Monday 16th October 2023 will proceed (10.30 a.m. to 12.30 p.m.)

d) LGAT – Deputy’s Mayor’s Workshop

Deputy Mayor confirmed that her recent attendance at the workshop conducted by the LGAT for Deputy Mayors was extremely beneficial from a professional development (and networking) perspective.

The workshop concluded at approximately 12.10 p.m.

The second workshop was held on the 16th October 2023 at the Council Chambers, Oatlands commencing at 10.30 a.m.

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

Also in Attendance: T Kirkwood, A Benson, G Finn, D Richardson, W Young and A Burbury.

Apologies: Mayor E Batt.

The purpose of the Workshop was to meet with representatives from Telstra as part of the process to prepare a Digital Connectivity Plan for the municipal area. Workshop discussion included:

- Digital literacy
- Connectivity (e.g. mobile coverage) and investment
- 3G Network closure
- Solutions
- Telstra Emergency Services
- Telstra Cyber Security

A number of actions were identified and will be documented and allocated to the relevant personnel.

The workshop concluded at 12.45 p.m.

RECOMMENDATION

THAT the information be received.

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

7. COUNCILLORS – QUESTION TIME

7.1 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.*

Nil.

7.2 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.

8. 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*.

9. 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*.

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

10. 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.

10.1 Permission to Address Council

Nil.

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

Nil.

12. 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.

12.1 Development Applications

NIL.

12.2 Subdivisions

12.2.1 Development Application (SA2200005) for subdivision (14 Lots at 14 Queen Anne Street, Oatlands submitted by R Mandelson

AUTHOR: SENIOR PLANNING OFFICER (LOUISA BROWN)

DATE: 18 OCTOBER 2023

Attachment(s)

Development Application documents
Representations
Taswater SPAN

PROPOSAL

The applicant, Richard Mandelson on behalf of the owners Cartney ZEM Pty Ltd, has applied to the Southern Midlands Council for a Permit under the *Land Use Planning and Approvals Act 1993* (“the Act”) to subdivide the land at 14 Queen Anne, Oatlands.

The proposal seeks to subdivide the existing 1.01ha title into fourteen (14) lots, as detailed below:

- Fourteen (14) Lots – with a range of lot sizes and a new road via the existing Queen Anne Street, creating a Cul-de-Sac.
- Lot 1 – 550m² accessed via new internal road;
- Lot 2 – 545m² accessed via new internal road;
- Lot 3 – 546m² accessed via new internal road;
- Lot 4 – 529m² accessed via new internal road;
- Lot 5 – 634m² accessed via new internal road;
- Lot 6 – 549m² accessed via new internal road;
- Lot 7 – 580m² accessed via new internal road;
- Lot 8 – 580m² accessed via new internal road;
- Lot 9 – 580m² accessed via new internal road;
- Lot 10 – 580m² accessed via new internal road;
- Lot 11 – 577m² accessed via new internal road;
- Lot 12 – 556m² accessed via new internal road;
- Lot 13 – 556m² accessed via Queen Anne Street; and
- Lot 14 – 556m² accessed via Queen Anne Street.

The land is vacant and zoned General Residential within the Southern Midlands Interim Planning Scheme 2015 and contains no overlays.

The application has been lodged under the *Southern Midlands Interim Planning Scheme 2015* (“the Planning Scheme”) as this was the Planning Scheme in operation at the time of lodgement, being March 2022.

Under the Planning Scheme subdivision is defined as development. The proposal is to be assessed against the development standards of the zone and the development standards of the applicable Codes. These matters are described and assessed in this report. This is a discretionary application under the Planning Scheme.

The Council gave notice of the application for public comment for 14 days from 14 August 2023 to 28 August 2023. During the notification period four (4) representations were received. The application was advertised for a second time from 28 September, until 5pm on Friday 13th October and during which time one representations was received.

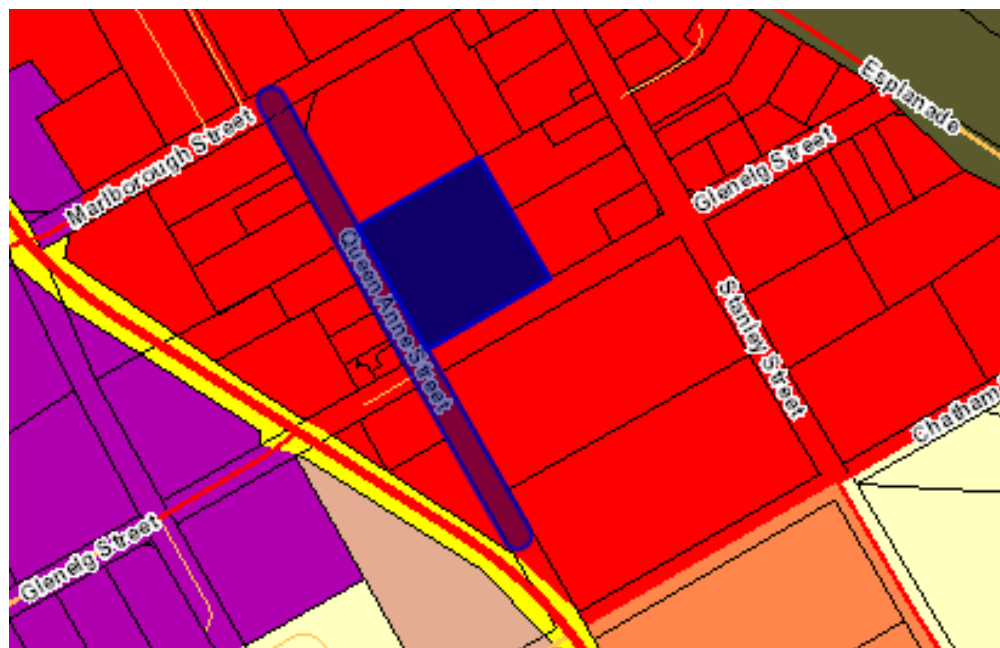
This report will assess the proposal against the relevant provisions of the Act and the Scheme. It is recommended that Council grant a permit for the subdivision subject to conditions.

THE SITE

The existing 1.01ha property is located on the eastern side of Queen Anne Street, with the southern boundary adjacent to Glenelg Street, where a recently Council approved 14 lot subdivision has commenced on the ground. The northern boundary is formed by boundary with 15 Marlborough Street, a Local Heritage Place and eastern boundary formed by the rear gardens of four properties fronting onto Stanley Street. Tunnack Street is located further west to the property, but no direct access to this road is currently possible. The property contains no structures and is currently vacant paddock.

The property is predominantly adjoined by residential properties to all sides, with various lot sizes and containing dwellings built in different eras. To the west is Tunnack Road and areas of Light Industrial. The walking track to Lake Dulverton is situated within a five minute walk (400m) to the east.

Map 1 below shows the land zoning and location of the property.



Map 1_ The subject land and surrounding properties are in the General Residential Zone (red). Agricultural land is in the Rural Resource Zone (Cream). Light Industrial (Purple). Environmental Management – Lake Dulverton (Dark Green). Future Urban Growth (Orange) The subject title is marked with a blue line. Source: theLIST (20.09.23)



Map 2 _ Aerial image of the subject land and surrounding area, Source: theLIST (20.09.23)

THE APPLICATION

The Applicant has submitted the attached Plans and information to accompany the Development Application form:

- *Plan of Subdivision, Civil Services Roads & Stormwater, drawing number 332.37 – C01, Revision D;*
- *Planning Assessment prepared by Peter Coney Town Planner;*
- *Stormwater Management Report prepared by Glenn Allen, Civil Engineer;*
- *Certificate of Title documents; and*
- *Stormwater layout revision by NTCADS.*

The proposal has been referred to Taswater and conditions have been provided which will form part of the Conditions of any planning permit approved by Council (see enclosure) SPAN TWDA 2022/00331 – STM dated 10.03.2023

USE/DEVELOPMENT DEFINITION

The proposed use and development is defined, under the Planning Scheme, as development for Subdivision, which is Discretionary in accordance with Clause 9.10.2 of the Southern Midlands Interim Planning Scheme 2015.

Use/Development Status under the Planning Scheme

As a discretionary development, the application was advertised in accordance with Section 57 of the Act.

Council has the discretion to grant a permit for this proposal with or without conditions, or refuse to grant a permit.

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised for 14 days from and four (4) representations were received and are summarised in the table below. Please refer to enclosure to view the full copies of representations received.

<i>Public Notice Period 14 August to 28 August</i>	
<i>Representation 1</i>	<i>Council Officer Comment</i>
<p>1) There is capacity for 14 dwellings to be built on this single block. This is very high density building on a block of this size. The environmental impact of such intensive housing, with fourteen separate households and associated noise, traffic flow and household activity, has the potential to negatively effect our lifestyle and well-being.</p> <p>2) Oatlands prides itself on being a village of noteworthy Georgian architecture, unique in Australia. Preserving the architectural value of Oatlands heritage buildings should be a high priority for Council and every effort should be made to ensure the street appeal of this town is maintained.property may have its' heritage value negatively impacted by a crowded suburban development on its' perimeter, especially if the design and architectural quality is not compatible with this property. This may significantly affect the appeal of Oatlands as a heritage village in the long term; and</p> <p>3) There are currently significant water drainage issues related to flooding through We require a guarantee from council that the proposed development would not exacerbate an already potentially problematic storm water flow issue for our property and the surrounding area. There's a need for greater detail regarding where storm water currently flowing through this lot will be directed.</p>	<p><i>The proposed number of lots meets the requirement for Subdivision in the General residential Zone. The size of the proposed lots are larger than the minimum size for this zone. In addition, the layout of the blocks makes efficient use of the available land.</i></p> <p><i>The development site is not within a Heritage Precinct or contains a Heritage Place. Therefore the Historic Heritage Code does not apply to the development. There is no provision in the Planning Scheme which requires new development adjacent to a Local Historic Place to be compatible or sympathetic to nearby Historic Buildings. Additionally, there are no character statements for this zone to guide the design criteria of what development may look like.</i></p> <p><i>The application contains several documents and designs which satisfactorily address the requirements for Stormwater Management at subdivision stage. Council's Municipal engineer has guided the applicant in stormwater management and is satisfied with the proposal. In addition, detailed stormwater designs will be conditioned in the Planning Permit.</i></p>
<i>Representation 2</i>	<i>Council Officer Comment</i>
<p><i>Firstly, I fully support the sub-division but hope the council include conditions that</i></p>	

cover my concerns regarding the application.

1) From the little information provided with the advertisement, it is unclear whether the current Glenelg Street reserve between Stanley Street and Queen Anne Street will be bitumised or not. As there is a new road being created within the proposed sub-division, I feel it would be compulsory that this portion of Glenelg Street be bitumised as part of the sub-division conditions and works.

2) As Council would be aware, Glenelg Street road reserve between Queen Anne Street and Tunnack Road floods regularly down on to Queen Anne Street causing potholes and minor flooding. I believe the sub-division approval should include addressing this issue at the same time as the sub-division works.

3) As council would be aware there are only street lights on the first two lamp posts in Queen Anne Street with no further lighting down the street. There are a further five lamp posts in the street without any lighting. It is a black hole. At the least a condition of this sub-division approval should include street lighting at the new intersections created by the sub-divisional street and especially at the corner of the new intersection created at Queen Anne Street and Glenelg Street. I feel this is a basic safety requirement.

4) As council would be aware, currently there are at least four or five school age or younger children living towards the end of Queen Anne Street and no doubt if this sub-divisional application is approved, more children would be moving into this sub-division, are any footpath provisions being considered? In addition, several aged residents walk Queen Anne Street regularly and are required to walk on the roadway due to the unlevel verges either side of this street. Could a pathway be constructed at the same time as the sub-divisional works? With extra traffic being created by the new homelots pedestrian safety is a concern

The proposed subdivision relies upon Queen Anne Street only for vehicular access. Glenelg Street is not part of this application. However, a section of Glenelg Street will be developed as a part of the 14 lot subdivision currently being constructed on the adjacent property.

As a part of the development stormwater for the proposed lots and new internal road will be addressed. Included in these proposals will be a small section of Queen Anne Street frontage.

As a condition of the Planning Permit, street lighting will be required within the subdivision area. The design of which will come forward at the detailed engineering design stage.

A small section of Queen Anne Street where the property is adjacent to the street will include a 1.5m wide footpath. Council expects that further subdivisions and development within this area of Oatlands will come forward and therefore additional upgrades to the road network will be undertaken. These upgrades may include street lighting and footpaths.

Representation 3

Council Officer Comment

<p>This will make extra traffic and traffic noise in Queen Anne Street. Queen Anne Street is not developed or wide enough to accommodate this extra traffic. With this proposed Development there will also be extra noise in the area.</p> <p>This proposed development also will affect my safety in and out access of the driveway to my residence, because the access to proposed development is very near and this will be alot more busier than it usually is with the extra traffic.</p> <p>I live in Queen Anne Street because I love the country atmosphere and this proposed development will compromise my landscape view.</p>	<p><i>The proposed number of dwellings and increase in vehicles, has been assessed to meet the standards and requirements of the Planning Scheme.</i></p> <p><i>In addition, Council expects that further subdivisions within this area of Oatlands will come forward and therefore additional upgrades to the road network will be undertaken, this may include footpaths and additional street lighting.</i></p> <p><i>While it is acknowledged that this represents a change from the existing paddock, it must be recognised that development of suitably zoned and serviced land within the existing township is to be expected.</i></p> <p><i>Development of this land will contribute to a more efficient utilisation of public services and will contribute to the future of the town and municipality more broadly by providing new housing.</i></p>
<p><i>Representation 4</i></p>	<p><i>Council Officer Comment</i></p>
<p>Blocks of 530 sm are very small for a regional town. 14 Blocks in 3 acres. Higher density must lead to traffic increases and safety issues in a small street.</p>	<p><i>As discussed, The size of the proposed lots are larger than the minimum size for this zone. The proposed number of lots meets the requirement for Subdivision in the General Residential Zone. The layout of the blocks makes efficient use of the available land.</i></p>
<p><i>Public Notice Period 28 September to 13 October 2023</i></p>	
<p><i>Representation 1</i></p>	<p><i>Council Officer Comment</i></p>
<p>Prefacing this representation we want to stress that we are concerned the council processes for the development application SA220005 have been flawed and have contributed to significant confusion related to making our response to the application. Our first representation to council was informed by the wrong</p>	<p><i>Council takes note of these comments.</i></p>

water management plan and consequently a second representation was required. In the letter re-advertising the development application SA220005 the wrong date for representations to be sent to the council was printed. After talking with a council officer about this error yet another re-advertising letter was received.

1) There is capacity for 14 dwellings to be built on this single block. This is very high density building on a block of this size. The environmental impact of such intensive housing, with fourteen separate households and associated noise, traffic flow and household activity, has the potential to negatively effect our lifestyle and well-being.

2) Oatlands prides itself on being a village of noteworthy Georgian architecture, unique in Australia. Preserving the architectural value of Oatlands heritage buildings should be a high priority for Council and every effort should be made to ensure the street appeal of this town is maintained.property may have its' heritage value negatively impacted by a crowded suburban development on its' perimeter, especially if the design and architectural quality is not compatible with this property. This may significantly affect the appeal of Oatlands as a heritage village in the long term; and

3) There are currently significant water drainage issues related to flooding through We require a guarantee from council that the proposed development would not exacerbate an already potentially problematic storm water flow issue for our property and the surrounding area. There's a need for greater detail regarding where storm water

The proposed number of lots meets the requirement for Subdivision in the General residential Zone. The size of the proposed lots are larger than the minimum size for this zone. In addition, the layout of the blocks makes efficient use of the available land.

The development site is not within a Heritage Precinct or contains a Heritage Place. Therefore the Historic Heritage Code does not apply to the development. There is no provision in the Planning Scheme which requires new development adjacent to a Local Historic Place to be compatible or sympathetic to nearby Historic Buildings. Additionally, there are no character statements for this zone to guide the design criteria of what development may look like.

The application contains several documents and designs which satisfactorily address the requirements for Stormwater Management at subdivision stage. Council's Municipal engineer has guided the applicant in stormwater management and is satisfied with the proposal. In addition, detailed stormwater designs will be conditioned in the Planning Permit

currently flowing through this lot will be directed.

ASSESSMENT - THE SOUTHERN MIDLANDS INTERIM PLANNING SCHEME

General Residential Zone

The subject site is in the General Residential Zone. The proposal must satisfy the requirements of the following relevant development standards of this zone:

Development Standards - Subdivision

10.6.1 Lot Design

To provide for new lots that:

- (a) have appropriate area and dimensions to accommodate development consistent with the Zone Purpose and any relevant Local Area Objectives or Desired Future Character Statements;
- (b) contain building areas which are suitable for residential development, located to avoid hazards;
- (c) are a mix of lot sizes to enable a variety of dwelling and household types;
- (d) are capable of providing for a high level of residential amenity including privacy, good solar access; and passive surveillance of public spaces;
- (e) ensure an average net density for new suburban areas no less than 15 dwellings per hectare with higher densities close to services, facilities and public transport corridors;
- (f) are not internal lots, except if the only reasonable way to provide for desired residential density;
- (g) are provided in a manner that provides for the efficient and ordered provision of infrastructure.

Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1 The size of each lot must comply with the minimum and maximum lot sizes specified in Table 10.1, except if for public open space, a riparian or littoral reserve or utilities.</p>	<p>P1 The size of each lot must satisfy all of the following: (a) variance above the maximum lot size in Table 10.1 only to the extent necessary due to demonstrated site constraints; (b) be consistent with any applicable Local Area Objectives or Desired Future Character Statements for the area.</p>	<p>The proposal is for 14 lots, of which the lot sizes meet the minimum and maximum sizes as specified in Table 10.1. these being 450m² – 1000m²</p> <p>The Acceptable Solution A1 is met.</p>
<p>A2 The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for</p>	<p>P2 The design of each lot must contain a building area able to satisfy all of the following: (a) be reasonably capable of</p>	<p>The layout of lots makes efficient use of the available land, without compromising on creating generous lot sizes.</p>

<p>public open space, a riparian or littoral reserve or utilities:</p> <p>(a) clear of the frontage, side and rear boundary setbacks;</p> <p>(b) not subject to any codes in this planning scheme;</p> <p>(c) clear of title restrictions such as easements and restrictive covenants;</p> <p>(d) has an average slope of no more than 1 in 5;</p> <p>(e) the long axis of the building area faces north or within 20 degrees west or 30 degrees east of north;</p> <p>(f) is 10m x 15m in size.</p>	<p>accommodating residential use and development;</p> <p>(b) meets any applicable standards in codes in this planning scheme;</p> <p>(c) enables future development to achieve maximum solar access, given the slope and aspect of the land;</p> <p>(d) minimises the need for earth works, retaining walls, and fill and excavation associated with future development;</p> <p>(e) provides for sufficient useable area on the lot for both of the following;</p> <p>(i) on-site parking and manoeuvring;</p> <p>(ii) adequate private open space.</p>	<p>(a) residential development can be accommodated.</p> <p>(b) the standards within the Parking & Access Code will be achieved.</p> <p>(c) Lot sizes and shape will enable solar access.</p> <p>(d) the need for earthworks, excavation and fill will be minimised.</p> <p>(e) on site car parking and private open space are more than sufficient.</p> <p>The proposal meets Performance Criteria P2.</p>
<p>A3 The frontage for each lot must comply with the minimum and maximum frontage specified in Table 10.2, except if for public open space, a riparian or littoral reserve or utilities or if an internal lot.</p>	<p>P3 The frontage of each lot must satisfy all of the following:</p> <p>(a) provides opportunity for practical and safe vehicular and pedestrian access;</p> <p>(b) provides opportunity for passive surveillance between residential development on the lot and the public road;</p> <p>(c) is no less than 6m.</p>	<p>A single new vehicular access provides safe access from Queen Anne Street. Additionally a new section of footpath 1.5m wide to this frontage of Queen Anne Street will be provided.</p> <p>The layout and orientation of the blocks around the culdesac creates opportunities for passive surveillance of the public realm.</p> <p>No frontage is less than 6m.</p> <p>Performance Criteria P3 is met</p>

<p>A4 No lot is an internal lot.</p>	<p>P4 An internal lot must satisfy all of the following:</p> <ul style="list-style-type: none">(a) the lot gains access from a road existing prior to the planning scheme coming into effect, unless site constraints make an internal lot configuration the only reasonable option to efficiently utilise land;(b) it is not reasonably possible to provide a new road to create a standard frontage lot;(c) the lot constitutes the only reasonable way to subdivide the rear of an existing lot;(d) the lot will contribute to the more efficient utilisation of residential land and infrastructure;(e) the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use;(f) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m;(g) passing bays are provided at appropriate distances to service the likely future use of the lot;(h) the access strip is adjacent to or combined with no more than three	<p>The Acceptable Solution A4 is met, there are no internal lots.</p>
---	--	---

	<p>other internal lot access strips and it is not appropriate to provide access via a public road;</p> <p>(i) a sealed driveway is provided on the access strip prior to the sealing of the final plan.</p> <p>(j) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces.</p>	
<p>A5 Subdivision is for no more than 3 lots.</p>	<p>P5 Arrangement and provision of lots must satisfy all of the following;</p> <p>(a) have regard to providing a higher net density of dwellings along;</p> <p>(i) public transport corridors;</p> <p>(ii) adjoining or opposite public open space, except where the public open space presents a hazard risk such as bushfire;</p> <p>(iii) within 200 m of business zones and local shops;</p> <p>(b) will not compromise the future subdivision of the entirety of the parent lot to the densities envisaged for the zone;</p> <p>(c) staging, if any, provides for the efficient and ordered provision of new infrastructure;</p>	<p>(a) (i) There are no Public Transport corridors adjacent to the property.</p> <p>(a) (ii) There is no adjoining public open space.</p> <p>(a) (iii) There are no shops or business zones within 200m.</p> <p>(b) Future subdivision will not be compromised.</p> <p>(c) Staging will provide a coordinated response to infrastructure.</p>

	<p>(d) opportunity is optimised for passive surveillance between future residential development on the lots and public spaces;</p> <p>(e) is consistent with any applicable Local Area Objectives or Desired Future.</p>	<p>(d) Passive surveillance of the Public realm is created.</p> <p>(e) There are no Local Area Objectives for this zone.</p> <p>Performance Criteria P5 is met.</p>
--	--	---

Development Standards - Subdivision

10.6.2 Roads

To ensure that the arrangement of new roads within a subdivision provides for all of the following:

- (a) the provision of safe, convenient and efficient connections to assist accessibility and mobility of the community;
- (b) the adequate accommodation of vehicular, pedestrian, cycling and public transport traffic;
- (c) the efficient ultimate subdivision of the entirety of the land and of neighbouring land.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 The subdivision includes no new road.</p>	<p>P1 The arrangement and construction of roads within a subdivision must satisfy all of the following:</p> <ul style="list-style-type: none"> (a) the route and standard of roads accords with any relevant road network plan adopted by the Planning Authority; (b) the appropriate and reasonable future subdivision of the entirety of any balance lot is not compromised; (c) the future subdivision of any neighbouring or nearby land with subdivision potential is facilitated through the provision of connector 	<p>The subdivision will create a new road, the proposal is therefore assessed against the Performance Criteria.</p> <p>(a) satisfied. Road standards will be conditioned to the acceptable standards.</p> <p>(a) not applicable, there is no balance lot.</p> <p>(c) satisfied, the subdivision will provide a footpath to Queen Anne Street. Development is already under construction for nearby neighbouring subdivisions. A network</p>

	<p>roads and pedestrian paths, where appropriate, to common boundaries;</p> <p>(d) an acceptable level of access, safety, convenience and legibility is provided through a consistent road function hierarchy;</p> <p>(e) cul-de-sac and other terminated roads are not created, or their use in road layout design is kept to an absolute minimum;</p> <p>(f) connectivity with the neighbourhood road network is maximised;</p> <p>(g) the travel distance between key destinations such as shops and services is minimised;</p> <p>(h) walking, cycling and the efficient movement of public transport is facilitated;</p> <p>(i) provision is made for bicycle infrastructure on new arterial and collector roads in accordance with Austroads Guide to Road Design Part 6A;</p> <p>(j) any adjacent existing grid pattern of streets is extended, where there are no significant topographical constraints.</p>	<p>of roads is provided for in the area and are capable of being improved when further development commences in close proximity to the property.</p> <p>.</p> <p>Whilst the subdivision can be undertaken in its current form Council should consider that it may have to allocate funding to construct, or partially construct, Glenelg St in the future.</p> <p>(d) satisfied.</p> <p>(e) satisfied, culdesac use is kept to a minimum.</p> <p>(f) satisfied, connections to Queen Anne Street are made. From here pedestrian access is achieved to a network of routes.</p> <p>(g) not applicable.</p> <p>(h) satisfied</p> <p>(i) satisfied.</p> <p>(j) satisfied, there is existing roads which are capable of being sealed when further development in the area is brought forward.</p>
--	--	---

Development Standards - Subdivision
10.6.3 Ways & Public Open Space

To ensure that the arrangement of ways and public open space provides for all of the following:
 (a) the provision of safe, convenient and efficient connections to assist accessibility and mobility of the community;
 (b) the adequate accommodation of pedestrian and cycling traffic.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 No Acceptable Solution.</p>	<p>P1 The arrangement of ways and public open space within a subdivision must satisfy all of the following:</p> <p>(a) connections with any adjoining ways are provided through the provision of ways to the common boundary as appropriate;</p> <p>(b) connections with any neighbouring land with subdivision potential is provided through the provision of ways to the common boundary, as appropriate;</p> <p>(c) connections with the neighbourhood road network are provided through the provision of ways to those roads as appropriate;</p> <p>(d) convenient access to local shops, community facilities, public open space and public transport routes is provided;</p> <p>(e) new ways are designed so that adequate passive surveillance will be provided from development on neighbouring land and public roads as appropriate;</p>	<p>(a) satisfied, connections to Queen Anne Street are proposed.</p> <p>(b) satisfied, connections to Queen Anne and Glenelg Street are proposed.</p> <p>(c) connections to Queen Anne and Glenelg Street are proposed.</p> <p>(d) connections to Queen Anne and Glenelg Street are proposed.</p> <p>(e) satisfied, all new ways are within the public realm, to the street frontage.</p>

	<p>(f) provides for a legible movement network;</p> <p>(g) the route of new ways has regard to any pedestrian & cycle way or public open space plan adopted by the Planning Authority;</p> <p>(h) Public Open Space must be provided as land or cash in lieu, in accordance with the relevant Council policy.</p> <p>(i) new ways or extensions to existing ways must be designed to minimise opportunities for entrapment or other criminal behaviour including, but not limited to, having regard to the following: (i) the width of the way; (ii) the length of the way; (iii) landscaping within the way; (iv) lighting; (v) provision of opportunities for 'loitering'; (vi) the shape of the way (avoiding bends, corners or other opportunities for concealment).</p>	<p>(f) connections to Queen Anne and Glenelg Street are proposed..</p> <p>(g) satisfied, connections to Queen Anne and Glenelg Street are proposed.</p> <p>(h) satisfied, cash in lieu as Condition.</p> <p>(i) there are no existing ways or new ways proposed.</p>
--	--	--

Development Standards – Subdivision

10.6.4 Services

To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
----------------------	----------------------	-----------------

<p>A1 Each lot must be connected to a reticulated potable water supply.</p>	<p>P1 No Performance Criteria.</p>	<p>The proposal complies with the Acceptable Solution</p>
<p>A2 Each lot must be connected to a reticulated sewerage system.</p>	<p>P2 No Performance Criteria.</p>	<p>The proposal complies with the Acceptable Solution.</p>
<p>A3 Each lot must be connected to a stormwater system able to service the building area by gravity.</p>	<p>P3 If connection to a stormwater system is unavailable, each lot must be provided with an on-site stormwater management system adequate for the future use and development of the land.</p>	<p>The proposal complies with the Acceptable Solution. A condition requiring a stormwater management plan be submitted with the engineering design plans is recommended.</p>
<p>A4 The subdivision includes no new road.</p>	<p>P4 The subdivision provides for the installation of fibre ready facilities (pit and pipe that can hold optical fibre line) and the underground provision of electricity supply.</p>	<p>Performance Criteria P4 is met. A condition requiring the new lots be provided with underground power and fibre ready pit and pipe is recommended.</p>

CODE ASSESSMENT

E5.0 Road and Railway Assets Code

The purpose of this provision is to:

- (a) protect the safety and efficiency of the road and railway networks; and
- (b) reduce conflicts between sensitive uses and major roads and the rail network.

The proposal includes a new road with access onto Queen Anne Street and new vehicle crossings for the lots 13 & 14 with frontage onto Queen Anne Street. This will result in an intensification of the local road network in additional traffic movements.

The applicable standards of the Code are addressed in the following tables:

<p>Development Standards E5.6.2 Road accesses and junctions To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.</p>		
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>	<p>OFFICER COMMENT</p>
<p>A1</p>	<p>P1</p>	

<p>No new access or junction to roads in an area subject to a speed limit of more than 60km/h.</p>	<p>For roads in an area subject to a speed limit of more than 60km/h, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority. 	<p>Acceptable Solution A1 met. The new junction with Queen Anne Street and accesses to Lots 13 and 14 comply with the Acceptable Solution. The speed limit is 50km/h.</p>
<p>A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.</p>	<p>P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access to a road; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority. 	<p>The Acceptable Solution is met, one point of access for the subdivision is proposed for Queen Anne Street are proposed.</p> <p>The access will be in accordance with the standard drawings.</p>

Development Standards		
E5.6.4 Sight distance at accesses, junctions and level crossings		
To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Sight distances at:</p> <p>a. an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and</p> <p>b. rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.</p>	<p>P1</p> <p>The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:</p> <p>(a) the nature and frequency of the traffic generated by the use;</p> <p>(b) the frequency of use of the road or rail network;</p> <p>(c) any alternative access;</p> <p>(d) the need for the access, junction or level crossing;</p> <p>(e) any traffic impact assessment;</p> <p>(f) any measures to improve or maintain sight distance; and</p> <p>(g) any written advice received from the road or rail authority.</p>	<p>The Sight distances at the new access to Queen Anne Street comply the Acceptable Solution A1.</p>

E6.0 Parking and Access Code

The Parking and Access Code applies to all use and development.

The location and design of the new access onto Queen Anne Street will comply with the Acceptable Solution and are addressed in the proposed conditions.

Internal parking and access is relevant to future Development Applications for dwellings and will be assessed as these applications come forward individually.

CONCLUSION

The report has assessed a Development Application for subdivision of fourteen (14) lots at 14 Queen Anne Street, Oatlands.

Four (4) representations were received and the concerns raised have been addressed in this report.

The proposal has been found to comply with all the relevant standards of the General Residential Zone and the applicable Codes.

It is recommended that the Application be approved and a Permit issued with conditions and advice.

RECOMMENDATION

THAT, in accordance with the provisions of the *Southern Midlands Interim Planning Scheme 2015* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application (SA2200005) for Subdivision (14 lots) at 14 Queen Anne Street, Oatlands.

CONDITIONS

General

1. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.

Staged development

2. The subdivision must not be carried out in stages except in accordance with a staged development plan submitted to and approved by Council's General Manager.

Transfer of reserves

3. All roads or footways must be shown as "Road" or "Footway" on the Final Plan of Survey and transferred to the Council by Memorandum of Transfer submitted with the Final Plan of Survey.

Public Open Space

4. As insufficient provision has been made for recreational space, and having formed the opinion that such a provision should be made in respect of the proposal, Council requires that an amount equal to five percent (5%) of the unimproved POS will be payable on all the subdivision lots except the balance with the existing dwelling and must be provided as cash-in-lieu of public open space in accordance with the provisions of Section 117 of the Local Government (Building & Miscellaneous Provisions) Act 1993. The subdivider must obtain a valuation for the unimproved value of the subdivision from a registered Valuer.

5. The cash-in-lieu of public open space must be in the form of a direct payment made before the sealing of the final plan of survey or, alternatively, in the form of a Bond or Bank guarantee to cover payment within ninety (90) days after demand, made after the final plan of survey has taken effect.

Easements

6. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's General Manager. The cost of locating and creating the easements shall be at the subdivider's full cost.

Final plan

7. A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
8. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Southern Midlands Council. The security must be in accordance with section 86(3) of the Local Government (Building & Miscellaneous Provisions) Act 1993. The amount of the security shall be determined by the Council's General Manager in accordance with Council Policy following approval of any engineering design drawings.
9. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied.
10. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

Engineering

11. The subdivision must be carried out and constructed in accordance with the:
 - a. *Tasmanian Subdivision Guidelines*
 - b. *Tasmanian Municipal Standard – Specifications*
 - c. *Tasmanian Municipal Standard – Drawings*as published by the Local Government Association of Tasmania and to the satisfaction of Council's General Manager.
12. Engineering design drawings to the satisfaction of the Council's General Manager must be submitted to and approved by Council before development of the land commences.
13. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's General Manager, and must show -
 - (a) all existing and proposed services required by this permit;
 - (b) all existing and proposed roadwork required by this permit;
 - (c) measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;

- (d) measures to be taken to limit or control erosion and sedimentation;
 - (e) any other work required by this permit.
14. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
15. The developer shall appoint a qualified and experienced Supervising Engineer (or company registered to provide civil engineering consultancy services) who will be required to certify completion of subdivision construction works. The appointed Supervising Engineer shall be the primary contact person on matters concerning the subdivision.

Services

16. The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.
17. Property services must be contained wholly within each lot served or an easement to the satisfaction of the Council's General Manager or responsible authority.

Roads and Access

18. Roadworks must, unless approved otherwise by Council's General Manager, include -
- (a) Proposed Subdivision Road
 - i. Minimum road reserve of 15.00 metres;
 - ii. Fully sealed, paved and drained carriageway with a minimum carriageway width of 6.9m;
 - iii. Concrete kerb and channel;
 - iv. Concrete footpath (on at least one side);
 - v. Piped stormwater drains
 - (b) Queen Anne Street (across the entire frontage of the subdivision)
 - i. Fully sealed, paved and drained carriageway widening to achieve an ultimate minimum carriageway width of 8.9m;
 - ii. Concrete kerb and channel;
 - iii. Concrete footpath;
 - iv. Piped stormwater drains
19. All carriageway surface courses must be constructed with a hot mix asphalt in accordance with standard drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and the requirements of Council's General Manager.
20. Kerb ramps must be provided to accommodate the needs of people with disabilities in accordance with standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager.
21. A reinforced concrete vehicle access must be provided from the road carriageway to service each lot.

Drainage

22. The developer is to provide a minor (piped) stormwater drainage system designed to comply with all of the following:
 - a) be able to accommodate a storm with an ARI of 20 years when the land serviced by the system is fully developed;
 - b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure
23. Unless approved otherwise by Council's General Manager the subdivision stormwater drainage system must be extended to connect to the piped public stormwater network.
24. The developer is to provide a piped stormwater property connection to each lot capable of servicing the entirety of each lot by gravity in accordance with Council standards and to the satisfaction of Council's General Manager. Unless approved otherwise by Council's General Manager the stormwater property connections must be DN150 minimum.
25. The developer is to provide a major stormwater drainage system designed to accommodate a storm with an ARI of 100 years.
26. Unless approved otherwise by Council's general Manager, the stormwater system for the subdivision must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 of the Southern Midlands Interim Planning Scheme 2015.
27. The developer must submit a stormwater management plan to Council for approval with the engineering design plans. The stormwater management plan must be prepared and certified by a suitably qualified person, and include calculations, design, construction and maintenance details of stormwater treatment, detention, and conveyance. The plan must clearly demonstrate that the requirements of this permit are met and that adjacent properties will not be adversely impacted by the stormwater system.

Sewer & Water

28. Each lot must be connected to a reticulated potable water supply.
29. Each lot must be connected to a reticulated sewerage system.

Tas Water

30. The development must meet all required Conditions of approval specified by Tas Water Submission to Planning Authority Notice, TWDA 2022/00331 - STM, dated 10/03/2022.

Telecommunications and electrical reticulation

31. Electrical and telecommunications services must be provided underground to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's General Manager.
32. Prior to the work being carried out a drawing of the electrical reticulation and street lighting, and telecommunications reticulation in accordance with the

appropriate authority's requirements and relevant Australian Standards must be submitted to and endorsed by the Council's General Manager.

33. Prior to sealing the final plan of survey the developer must submit to Council:
- (a) An Exemption from the installation of fibre ready pit and pipe, a "Provisioning of Telecommunications Infrastructure – Confirmation of final payment" or "Certificate of Practical Completion of Developer's Activities" from Telstra or NBN Co.
 - (b) Written advice from TasNetworks confirming that each lot has been provided with a property connection or that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections (basic connections) at the time each lot is further developed.

Soil and Water Management

34. A soil and water management plan (here referred to as a '**SWMP**') prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, must be approved by Council's General Manager before development of the land commences.
35. Temporary run-off, erosion and sediment controls must be installed in accordance with the approved SWMP and must be maintained at full operational capacity to the satisfaction of Council's General Manager until the land is effectively rehabilitated and stabilised after completion of the development.
36. The topsoil on any areas required to be disturbed must be stripped and stockpiled in an approved location shown on the detailed soil and water management plan for reuse in the rehabilitation of the site. Topsoil must not be removed from the site until the completion of all works unless approved otherwise by the Council's General Manager.
37. All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, must be covered with top soil and, where appropriate, re-vegetated and stabilised to the satisfaction of the Council's General Manager.

Construction

38. The subdivider must provide not less than forty eight (48) hours written notice to Council's General Manager before commencing construction works.
39. The subdivider must provide not less than forty eight (48) hours written notice to Council's General Manager before reaching any stage of works requiring inspection by Council unless otherwise agreed by the Council's General Manager.

Construction Amenity

40. The development must only be carried out between the following hours unless otherwise approved by the Council's General Manager
- | | |
|---------------------------------------|---------------------|
| Monday to Friday | 7:00 AM to 6:00 PM |
| Saturday | 8:00 AM to 6:00 PM |
| Sunday and State-wide public holidays | 10:00 AM to 6:00 PM |
41. All subdivision works associated with the development of the land must be carried out in such a manner so as not to unreasonably cause injury to, or unreasonably

prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of -

- (a) emission from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property; and/or
 - (b) transport of materials, goods or commodities to or from the land; and/or
 - (c) appearance of any building, works or materials.
42. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the land in an approved manner. No burning of such materials on-site will be permitted unless approved in writing by the Council's General Manager.
43. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the subdivision during the construction period.

As constructed drawings

44. Prior to the works being placed on the maintenance and defects liability period "as constructed" drawings and data for all engineering works provided as part of this approval must be provided to Council to the satisfaction of the Council's General Manager. These drawings and data sheets must be prepared by a qualified and experienced civil engineer or other person approved by the General Manager in accordance with Council's Guidelines for As Constructed Data.

Maintenance and Defects Liability Period

45. The subdivision must be placed onto a twelve (12) month maintenance and defects liability period in accordance with Council Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.
46. Prior to placing the subdivision onto the twelve (12) month maintenance and defects liability period the Supervising Engineer must provide certification that the works comply with the Council's Standard Drawings, specification, and the approved plans.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- C. The owner is advised that an engineering plan assessment and inspection fee of 1% of the value of the approved engineering works, or a minimum of \$335.00, must be paid to Council in accordance with Council's fee schedule.
- D. All approved engineering design drawings will form part of this permit on and from the date of approval.

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

12.2.2 Development Application (DA2300013) for Subdivision (3 lots) at 17 Oakwood Place, Mangalore owned by WW TAS Pty Limited

AUTHOR MANAGER – DEVELOPMENT & ENVIRONMENTAL SERVICES
(GRANT FINN)

AUTHORISED BY SENIOR PLANNER (LOUISA BROWN)

DATE 16 OCTOBER 2023

Attachment(s)

Development Application documents
TasWater SPAN
Representation

PROPOSAL

The applicant WW Tas P/L have applied to the Southern Midlands Council for a Permit under the *Land Use Planning and Approvals Act 1993* (“the Act”) to subdivide the land described as 17 Oakwood Place, Mangalore.

The existing property is made up of a single title with a total area of 3.046ha.

The application seeks to subdivide the site to create a total of three lots in the following arrangement:

- Lot 1 – 1.012ha, vacant;
- Lot 2 – 1.0ha, vacant;
- Lot 3 – 1.032ha, vacant;

The land is zoned Rural Living and is currently vacant and used for grazing purposes.

The application has been lodged under the *Tasmanian Planning Scheme – Southern Midlands* (“the Planning Scheme”).

Under the Planning Scheme subdivision is defined as development. The proposal is to be assessed against the development standards of the zone and the development standards of the applicable Codes. These matters are described and assessed in this report.

This is a Discretionary Application under the Planning Scheme. The Council gave notice of the application for public comment as required by the Act. During the 14 day notification period (29 Sept – 13 Oct 2023) one representation was received, which has been addressed in this report.

This report will assess the proposal against the relevant provisions of the Act and the Scheme. It is recommended that Council grant a permit for the subdivision subject to conditions.

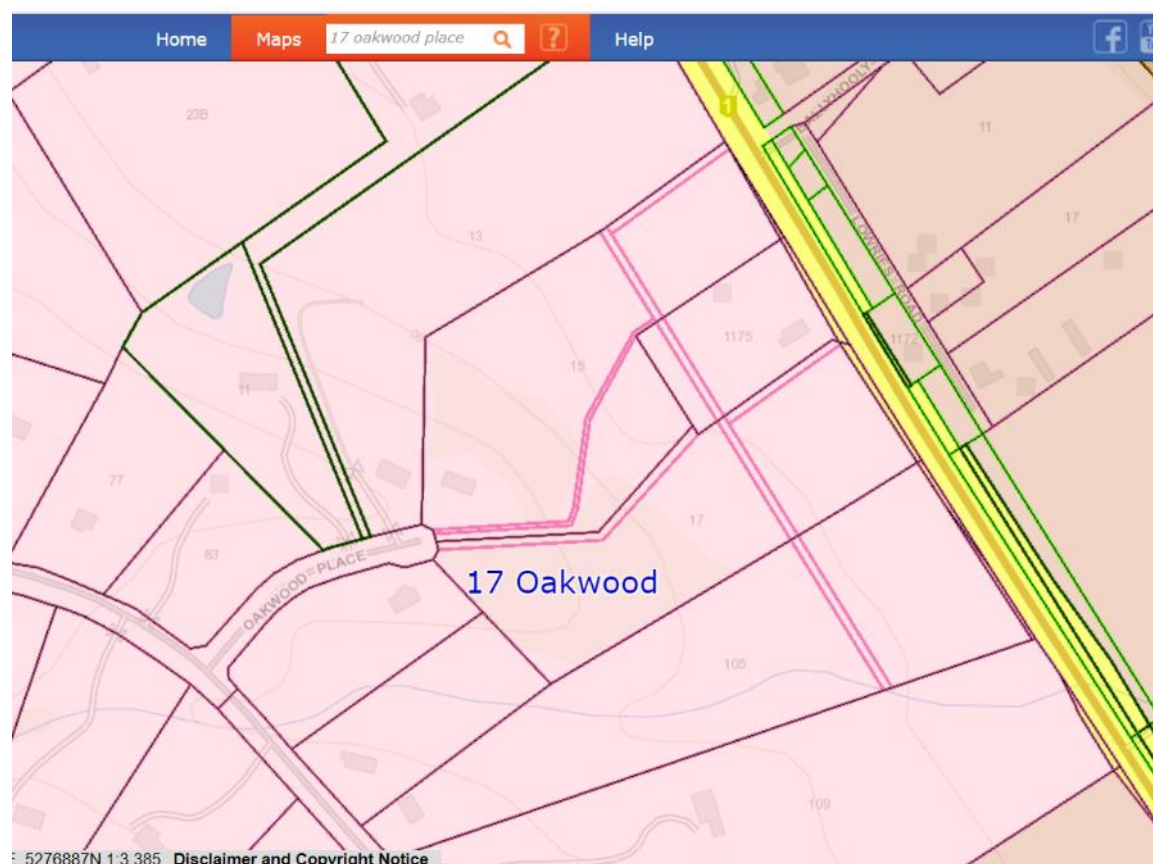
THE SITE

The property sits between Mountford Drive/Oakwood Place on the west and the Midland Highway on the east.

The property borders the existing rural living enclave that includes Oakwood Place and Mountford Drive. Existing dwellings are situated on numbers 15 and 19 Oakwood Place. The immediate area is principally rural residential in character.

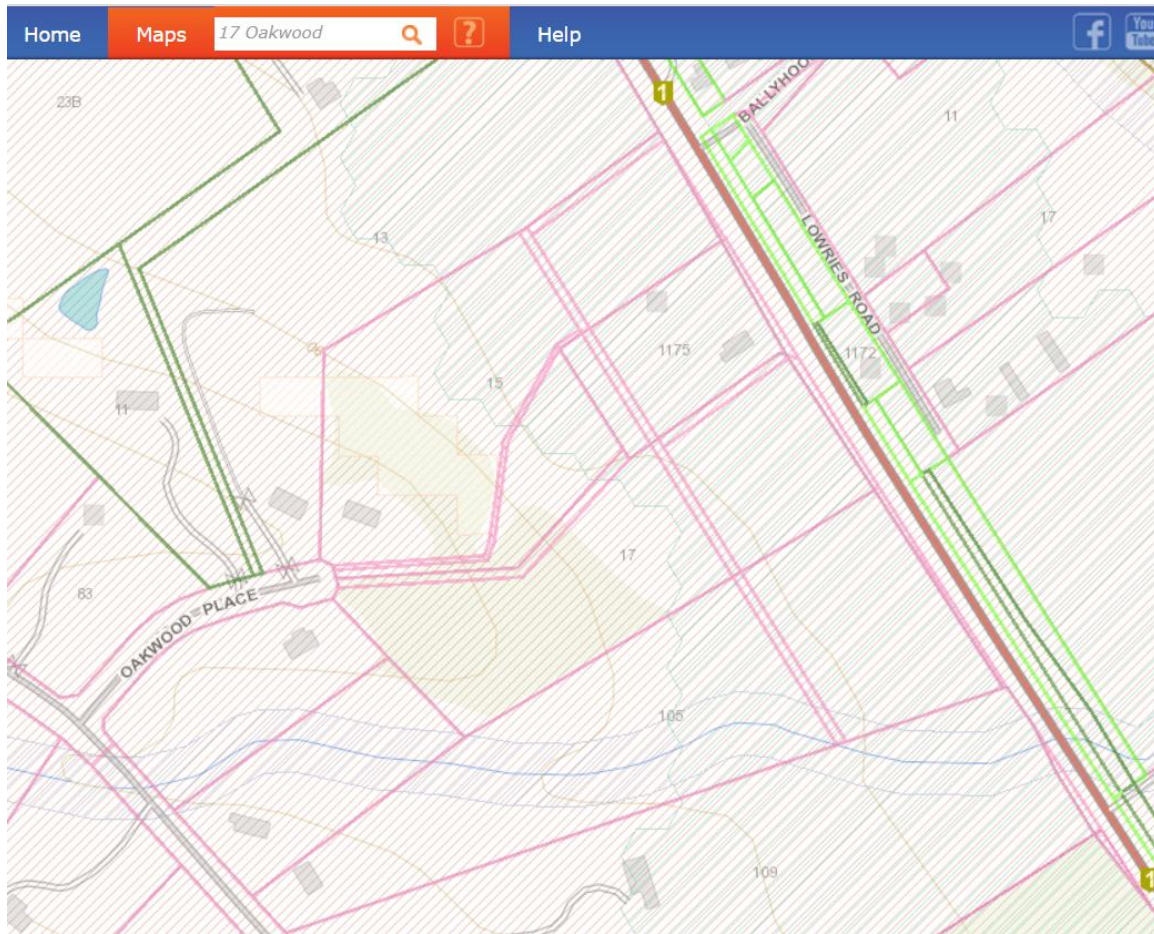
The subject site has frontage to both the Midlands Highway and Oakwood Place, with access being maintained only from Oakwood Place. There is no provision for legal access to the Midlands Highway and there is a covenant imposed to this effect.

Map 1 below shows the land zoning and location of the property.

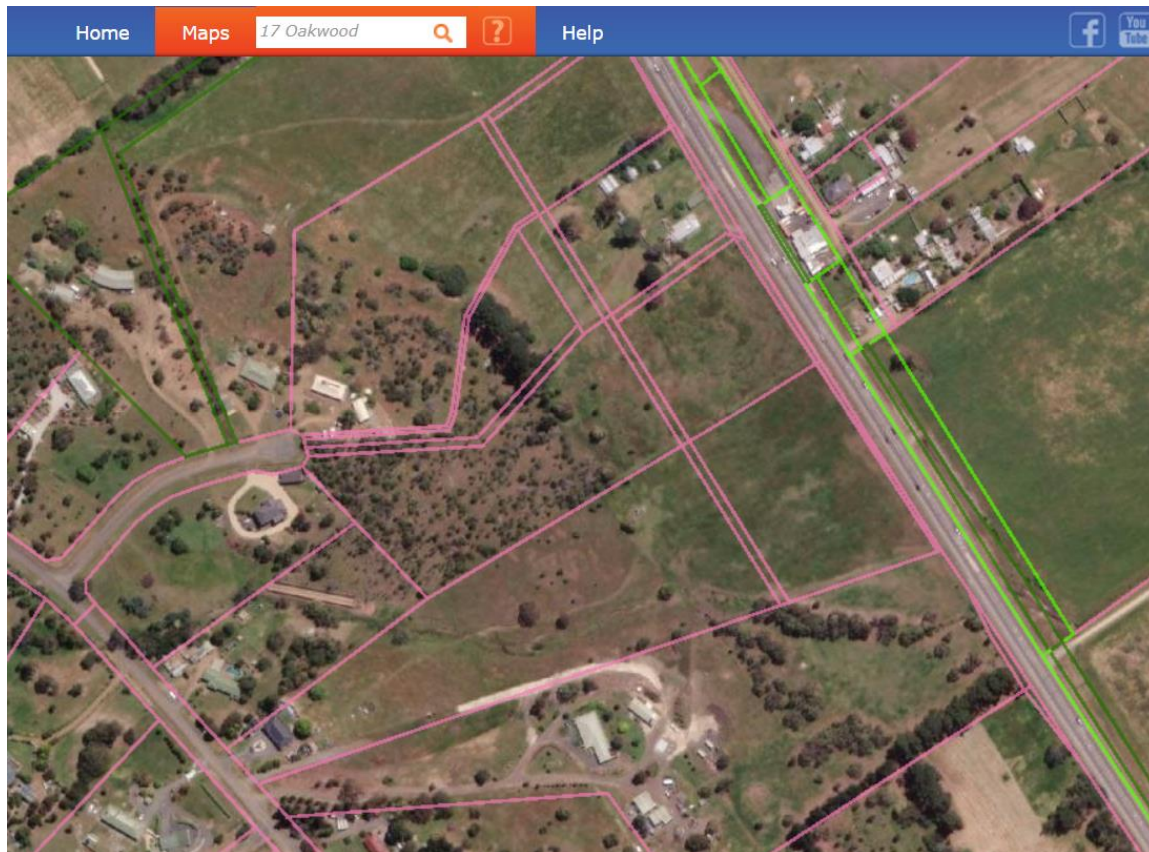


Map 1 The subject land and most surrounding properties are in the Rural Living A Zone (pink). Adjoining land to the east and south is in the Agriculture Zone (brown). The Midland Highway is in the Utilities Zone (bright yellow). Source: LISTmap October 2023

Map 2 shows the planning overlays and Map 3 an aerial image of the property and surrounds.



Map 2 The land is subject to the following overlays: Bushfire-prone areas (brown stripe), Waterway & Coastal protection Area (dark blue hatch) and Priority Vegetation (light green stripe). Source: LISTmap October 2023



Map 3 _ Aerial image of the subject land and surrounding area. Source: LISTmap October 2023

THE APPLICATION

The Applicant has been submitted the attached Plans and reports to accompany the Development Application form.

A detailed planning report had been provided by the Applicant. In addition the application is supported by a number of reports including a Bushfire Hazard Report, Stormwater Report and Natural Values Assessment, prepared by suitably qualified persons.

Specific matters relevant to the application are discussed below.

Access

All lots will have access from Oakwood Place, Mangalore.

Access to Proposed Lots 1-3 will be achieved from an upgraded crossover.

Stormwater and Sewer

Reticulated stormwater and sewer are not available in this location.

All lots are sized sufficiently for wastewater and stormwater to be managed onsite. This is assessed as part of any proposal to develop the vacant lots.

Bushfire

The entirety of the land is identified as bushfire prone.

As such, a Bushfire Hazard Report and Management Plan has been provided to address the requirements of the Bushfire Prone Areas Code (assessed below).

In summary, the proposed subdivision is able to meet the requirements of the Code.

Public Open Space

No land will be provided for Public Open Space in this subdivision. A condition requiring payment of cash in lieu of 5% of the value in accordance with the *Local Government (Building and Miscellaneous Provisions) Act 1994* is included in the recommendation.

TASWater

Water reticulation is available to the land, with the main running within Oakwood Place and the Midlands Highway. Water connections are to be provided for Proposed Lots 1 and 2. Proposed Lot 3 has an existing water connection.

The new water connections will be undertaken in accordance with the requirements of TASWater.

It should be noted the TASWater easement dissects the lower portion of the subject site.

USE/DEVELOPMENT DEFINITION

The proposed use and development is defined, under the Planning Scheme, as development for Subdivision, which in accordance with the Tasmanian Planning Scheme – Southern Midlands is a Discretionary Activity.

Use/Development Status under the Planning Scheme

Given its discretionary activity status, the application was advertised in accordance with Section 57 of the Act.

Council has the discretion to grant a permit for this proposal with or without conditions, or refuse to grant a permit.

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised from the 30th September 2023 until the 13th October 2024.

One (1) representation was received during the 14 day advertised period.

The matters raised in the representations are considered in the table below.

<i>Representation 1</i>	<i>Council Officer Comment</i>
<p>The existence of covenants that restrict the following:</p> <ul style="list-style-type: none">• Not to erect on such lot more than one private dwelling house with the usual and necessary outbuildings of a permanent nature.• That no building will be permitted between the Midland Highway and the points marked 'EF' (Block 15). This is in effect the TasWater Easement.	<p><i>The nature of the representation concerns the existence of two restrictive covenants that relate to the building of a single dwelling within a prescribed location within the site. The application in this instance however concerns a subdivision of land.</i></p> <p><i>These covenants have been applied to the existing CT being Lot 1 Vol 135416.</i></p> <p><i>The scheme plan has identified individual building areas for</i></p>

The overturning of these covenants will set a precedent for others to follow.

I also believe the drainage proposed is inadequate for another subdivision. Adding extra concentrated water from buildings and a road overflow cannot be accepted as being absorbed into the ground when the land is known to flood under heavy rain and history of overflowing catchment drains shows that adding more volume will only increase the risk to nearby properties.

Proposed Lots 1-3 and these would appear to respect the setback from the Midlands Highway.

It is Council's understanding that a single dwelling will be established within the proposed lots. The provisions of Table 11.2 prescribe residential use (if for a single dwelling) as a No Permit Required.

In doing so the restrictive covenants are complied with. However, Covenants are separate to the Planning Process and it is possible to grant a Planning Permit with covenants on the property.

In terms of stormwater it is important to note that this is only at subdivision stage and that future buildings will be subject to additional controls through the application for and issue of appropriate plumbing and building approvals.

The application has been supported by a stormwater plan prepared by a suitably qualified Environmental Engineer.

The engineer notes that 'there is sufficient overland flow to infiltrate the water from the shared driveway prior to entering the highway drainage.'

A number of recommendations are provided within the report which will be adopted as appropriate conditions of approval including the construction of a detention basin and an asphalt spoon drain.

In terms of flood history, the land subject to this application is not covered by a flood-prone hazard area overlay as part of the Flood-prone Areas Hazard Code.

	<p><i>The subdivision proposal plan identifies a potential building area for Proposed Lots 1-3 that is able to accommodate a future development and associated infrastructure free from this area.</i></p> <p><i>The details of the design of any future development including any earthworks and wastewater disposal area would need to be addressed at the time of application.</i></p>
--	--

ASSESSMENT –TASMANIAN PLANNING SCHEME (SOUTHERN MIDLANDS)

Rural Living Zone

The subject site is in the Rural Living Zone and the applicable Development Standards for Subdivision are provided for at Parts 11.5.1-11.5.3 of the Planning Scheme.

The proposal must satisfy the requirements of the following relevant development standards of this zone:

Development Standards		
11.5.1 - Lot Design		
<p>Objective:</p> <ul style="list-style-type: none"> (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; and (c) contains areas which are suitable for residential development 		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) have an area not less than specified in Table 11.1 and: (i) be able to contain a minimum area of 15m x 20m clear of: <ul style="list-style-type: none"> a. all setbacks required by clause 11.4.2 A2 and A3; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the 	<p>P1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> (a) the relevant requirements for development of existing buildings on the lots; 	<p><i>Each of the proposed lots complies with the 1.0ha minimum density as per Table 11.1.</i></p> <p><i>The 15 x 20m potential building envelopes on Lots 1 to 3 have setbacks that accord with Clause 11.4.2 A2 and A3.</i></p> <p><i>Each of the proposed lots are considered to have sufficient area suitable for future development with consideration of topography, intended location of buildings, natural hazards and</i></p>

<p>setback required by clause 11.4.2 A2 and A3;</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	<p>(b) the intended location of buildings on the lots;</p> <p>(c) the topography of the site;</p> <p>(d) any natural or landscape values</p> <p>(e) adequate provision of private open space;</p> <p>(f) the pattern of development existing on established properties in the area; and</p> <p>must be no more than 20% smaller than the applicable lot size required by clause 11.5.1 A1.</p>	<p><i>existing pattern of development.</i></p> <p><i>It is noted that part of the adjoining land is identified as Flood Prone under the Natural Assets Code.</i></p> <p><i>The proposal complies with the Acceptable Solution.</i></p>
<p>A2 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 40m.</p>	<p>P2 Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <p>(a) the width of frontage proposed, if any;</p> <p>(b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</p> <p>(c) the topography of the site;</p> <p>(d) the functionality and useability of the frontage;</p> <p>(e) the ability to manoeuvre vehicles on the site; and</p> <p>(f) the pattern of development existing</p>	<p><i>Access to Proposed Lots 1-3 will be achieved via a 6.0m wide RoW whose frontage is to Oakwood Place which is a sealed and Council maintained road.</i></p> <p><i>The access will respect the contours and topography of the site and there is sufficient area for the on-site manoeuvring of vehicles.</i></p> <p><i>The proposal complies with the Performance Criteria.</i></p>

	on established properties in the area, (g) and is not less than 3.6m wide	
A3 Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.	P3 Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to: (a) the topography of the site; (b) the length of the access; (c) the distance between the lot or building area and the carriageway; (d) the nature of the road and the traffic; (e) the anticipated nature of vehicles likely to access the site; and (f) the ability for emergency services to access the site.	<i>The provision of vehicular access via Rights of Way complies with the Acceptable Solution.</i>

Development Standards – Rural Living Zone
11.5.2 - Roads

Objective:

That the arrangement of new roads with a subdivision provides:

- (a) safe, convenient and efficient connections to assist accessibility and mobility of the community;
- (b) adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and
- (c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 The subdivision includes no new roads	P1 The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility	<i>Each of the Proposed Lots will have frontage to Oakwood Place via RoW. Conditions of approval will be imposed requiring its construction to accord with LGST standards.</i>

	for vehicles, having regard to: (a) any relevant road network plan adopted by the council; (b) the existing and proposed road hierarchy; (c) maximising connectivity with the surrounding road network; (d) appropriate access to public transport; and (e) access for pedestrians and cyclists	<i>The Acceptable Solution A1 is satisfied.</i>
--	--	---

Development Standards – Rural Living Zone
11.5.3 - Services

Objective:

That the subdivision of land provides services for the future use and development of the land.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must:</p> <p>(a) be connected to a full water supply service if the frontage of the lot is within 30m of a full water supply service; or</p> <p>(b) be connected to a limited water supply service if the frontage of the lot is within 30m of a connection to a limited water supply service,</p> <p>unless a regulated entity advises that the lot is unable to be connected to the relevant water supply service.</p>	<p>P1 No Performance Criteria.</p>	<p><i>The Proposed Lots will all be connected to a full water supply service, complying with part (a) of the Acceptable Solution A1.</i></p>

<p>A2 Each lot, or a lot proposed in a plan of subdivision, excluding within Rural Living Zone C or Rural Living Zone D or for public open space, a riparian or littoral reserve or Utilities, must:</p> <p>(a) be connected to a reticulated sewerage system; or</p> <p>(b) be connected to a reticulated sewerage system if the frontage of each lot is within 30m of a reticulated sewerage system and can be connected by gravity feed.</p>	<p>P2 Each lot, or a lot proposed in a plan of subdivision, excluding within Rural Living Zone C or Rural Living Zone D or for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.</p>	<p><i>The application site does not have the ability to connect to a reticulated sewerage system. Assessment against the Performance Criteria is therefore necessary.</i></p> <p><i>Each of the proposed lots are > 1.0ha and will be adequate for provision of on-site wastewater treatment for future development, with detailed design to be undertaken at the time of development.</i></p> <p><i>The proposal complies with the Performance Criteria.</i></p>
---	---	--

C2.0 Parking and Sustainable Transport Code

The proposed subdivision provides for adequate parking to be retained on the balance lot to serve the existing development and vehicle access for each lot will be provided in accordance with the requirements of this Code.

C3.0 Road and Railway Assets Code

Part of the land is within 50m of the Midlands Highway, which is identified as a road attenuation area subject to this Code.

The applicable standards of the Code are addressed in the following table:

<p>Development Standards – Subdivision</p>		
<p>C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area</p>		
<p>Objective: To minimise the effects of noise, vibration, light and air emissions on lots for sensitive uses within a road or railway attenuation area, from existing and future major roads and the rail network.</p>		
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>	<p>OFFICER COMMENT</p>
<p>A1</p>	<p>P1</p>	

<p>A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.</p>	<p>A lot, or a lot proposed in a plan of subdivision, intended for sensitive uses within a road or railway attenuation area, must be sited, designed or screened to minimise the effects of noise, vibration, light and air emissions from the existing or future major road or rail network, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) any buffers created by natural or other features; (c) the location of existing or proposed buildings on the site; (d) the frequency of use of the rail network; (e) the speed limit and traffic volume of the road; (f) any noise, vibration, light and air emissions from the rail network or road; (g) the nature of the road; (h) the nature of the intended uses; (i) the layout of the subdivision; (j) the need for the subdivision; (k) any traffic impact assessment; 	<p><i>Part of the subject land is located within the attenuation area of the Midlands Highway.</i></p> <p><i>The proposed lots will all have sufficient building area for sensitive uses to be located outside the road attenuation area, complying with Acceptable Solution A1.</i></p>
---	---	--

	(l) any mitigating measures proposed; (m) any recommendations from a suitably qualified person for mitigation of noise; and (n) any advice received from the rail or road authority.	
--	--	--

C7.0 Natural Assets Code

Part of the land specifically Proposed Lots 2 and 3 are within a Priority Vegetation Overlay identified under this Code. As a consequence, building areas have been amended not to impact on known threatened species points.

As detailed within the Bushfire Hazard Assessment report, HMAs on proposed Lots 2 and 3 will be confined to grassland outside of known threatened species occurrences.

The applicable standards of the Code are addressed in the following table:

Development Standards – Subdivision		
C7.7.2 - Subdivision within a priority vegetation area		
Objective:		
That:		
(a) works associated with subdivision will not have an unnecessary or unacceptable impact on priority vegetation; and (b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on priority vegetation.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must: (a) be for the purposes of creating separate lots for existing buildings; (b) be required for public use by the Crown, a council, or a State authority; (c) be required for the provision of Utilities;	P1 Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for: (a) subdivision for an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire	<i>Each lot within the subdivision is for the future construction of a single dwelling or and associated buildings.</i> <i>The proposed dwelling footprints and subsequent Bush Fire Management Plan will impact on the defined Priority Vegetation Area overlay within Proposed Lots 2 and 3.</i>

<p>(d) be for the consolidation of a lot; or (e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.</p>	<p>protection, as recommended by the Tasmania Fire Service or an accredited person;</p> <p>(b) subdivision for the construction of a single dwelling or an associated outbuilding;</p> <p>(c) subdivision in the General Residential Zone or Low Density Residential Zone;</p> <p>(d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;</p> <p>(e) subdivision involving clearance of native vegetation where it is demonstrated that ongoing pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or</p> <p>(f) subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.</p> <p>P1.2 Works association with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <p>(a) the design and location of any works, future development likely to be facilitated</p>	<p><i>The Bush Fire Management plan required clearance is contained within the minimum area necessary to be cleared to provide adequate bush fire protection. According to the Natural Assets Code report prepared by Rod Hancl this will not have an unnecessary or unacceptable impact on the priority vegetation.</i></p> <p><i>The proposal complies with the Performance Criteria.</i></p> <p>P1.2</p> <p>(a) <i>As previously advised, Proposed Lots 2 and 3 are subject to Priority Vegetation Area overlay.</i></p> <p><i>The design and location of the planned dwellings within these lots will minimise any adverse impacts and according to Rod Hancl ‘the observed threatened species that appear persisted with this pastureland vegetation community appear to be in the more sheltered sites of the Priority Vegetation area.’</i></p> <p><i>The design of these future development of these Lots has been propose to diminish any impact on the priority vegetation and identified threatened species.</i></p> <p>(b) <i>Access to the proposed future dwellings will avoid</i></p>
---	--	---

	<p>by the subdivision, and any constraints such as topography or land hazards;</p> <p>(b) any particular requirements for the works and future development likely to be facilitated by the subdivision;</p> <p>(c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings;</p> <p>(d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;</p> <p>(e) any on-site biodiversity offsets; and</p> <p>(f) any existing cleared areas on the site</p>	<p><i>the threatened species habitat which are confined to the more sheltered sites of the priority Vegetation area.</i></p> <p>(c) <i>The proposed dwelling footprints and subsequent Bush Fire management plan within Lots 2 and 3 will impact on the defined priority Vegetation Area overlay.</i></p> <p><i>The BFMP will minimise any adverse impacts on the priority vegetation as they are located in more sheltered areas of the site and not the subject of bush fire hazard management measures.</i></p> <p><i>The purpose of the BFMP and dwelling footprint is to clear the minimum area necessary to provide adequate bushfire protection. According to R Hancl this ‘will not have an unnecessary or unacceptable impact on the priority vegetation.’</i></p> <p>(d) <i>As per the above</i></p> <p>(e) <i>No on-site biodiversity offsets are required to minimise the residual impacts on the priority vegetation area or observed threatened species.</i></p> <p>(f) <i>Site inspection reveals that there are no cleared areas of</i></p>
--	---	---

		<p><i>pasture vegetation within the Priority Vegetation Area.</i></p> <p><i>The proposal relies on and complies with the Performance Criteria.</i></p>
--	--	--

C13.0 Bushfire-Prone Area Code

The Code applies to the development as the land falls within a bushfire-prone area as identified by the overlay in the Scheme.

A Bushfire Hazard Assessment Report - *Bushfire Hazard Assessment Report, Proposed 3 Lot Subdivision, 17 Oakwood Place, Mangalore (Samuel Walters BFP-130) Report Code A77-17 dated September 2023 (Rev. 3)* was provided with the Development Application.

The assessment against the development standards of the code is provided in the following tables.

Development Standards - Subdivision		
C13.6.1 Subdivision: Provision of hazard management areas		
Objective:		
That subdivision provides for hazard management areas that:		
<ul style="list-style-type: none"> (a) facilitate an integrated approach between subdivision and subsequent building on a lot; (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and (c) provide protection for lots at any stage of a staged subdivision. 		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or</p> <p>(b) The proposed plan of subdivision:</p> <ul style="list-style-type: none"> (i) shows all lots that are within or partly within a bushfire- 	<p>P1</p> <p>A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to:</p> <ul style="list-style-type: none"> (a) the dimensions of hazard management areas; (b) a bushfire risk assessment of each 	<p><i>A Bushfire Hazard Assessment Report is provided with a Certificate under Section 51(2)(d) of the Act that requires the Planning Authority <u>must accept</u> any certificate issued by an accredited person that certifies the plans provided are acceptable to manage and or mitigate risk or that the development will result in an insufficient risk from the hazard.</i></p>

<p>prone area, including those developed at each stage of a staged subdivision;</p> <p>(ii) shows the building area for each lot;</p> <p>(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas; and</p> <p>(iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas; and</p>	<p>lot at any stage of staged subdivision;</p> <p>(c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;</p> <p>(d) the topography, including site slope;</p> <p>(e) any other potential forms of fuel and ignition sources;</p> <p>(f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development;</p> <p>(g) an instrument that will facilitate management of fuels located on land external to the subdivision; and</p> <p>(h) any advice from the TFS.</p>	<p><i>The provided Certificate and Report demonstrates that Hazard Management Areas can be provided to a BAL-12.5 risk level for all lots.</i></p> <p><i>The report also provides a number of recommendations including the regular mowing of grass, planting of future trees/shrubs and their spacing etc.</i></p> <p><i>Two HMAs have been issued for each building area to give options to build to BAL-19 or BAL-12.5. The report author states that these HMAs can be refined and reduced in size to encompass the specific dwelling location once finalised.</i></p> <p><i>The proposal therefore complies with A1 (b) and sub criteria.</i></p> <p><i>There is no need to extend hazard management areas into the adjoining land and therefore A1 (c) is not applicable.</i></p> <p><i>Mr Walters report provides the following conclusion:</i></p> <p><i>The bushfire prone vegetation of greatest threat is C. Shrubland and G. Grassland.</i></p> <p><i>If all findings and recommendations contained within this report and BHMP are implemented and maintained, the proposal</i></p>
--	---	--

<p>(c) If hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</p>		<p><i>will comply with the Deemed to Satisfy requirements.</i></p> <p><i>Building areas on all lots are approved at the tie of subdivision and will comply with a minimum BAL-19 solution in accordance with C.13.6.1A1(b) in the TPS.</i></p> <p><i>The proposal therefore complies with the Acceptable Solution.</i></p>
---	--	--

Development Standards - Subdivision
C13.6.2 Subdivision: Public and fire-fighting access

Objective:

Access roads to, and the layout of roads, tracks and trails, in a subdivision:

- (a) allow safe access and egress for residents, firefighters and emergency service personnel;
- (b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack and for hazard management works to be undertaken;
- (c) are designed and constructed to allow for fire appliances to be manoeuvred;
- (d) provide access to water supplies for fire appliances; and
- (e) are designed to allow connectivity, and where needed, offering multiple evacuation points.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 (a) TFS or an accredited person certifies that there is an insufficient increase in risk from</p>	<p>P1 A proposed plan of subdivision shows access and egress for residents, fire-fighting</p>	<p><i>A Bushfire hazard Assessment and Bushfire Management Plan has been prepared for the subdivision by Mr. S</i></p>

<p>bushfire to warrant specific measures for public access in the subdivision for the purposes of fire-fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas is included in a bushfire hazard management plan that:</p> <p>(i) demonstrates proposed roads will comply with Table E1, proposed private accesses will comply with Table E2 and proposed fire trails will comply with Table E3; and</p> <p>(ii) is certified by the TFS or an accredited person.</p>	<p>vehicles and emergency service personnel to enable protection from bushfires, having regard to:</p> <p>(a) appropriate design measures, including:</p> <p>(i) two way traffic;</p> <p>(ii) all weather surfaces;</p> <p>(iii) height and width of any vegetation clearances;</p> <p>(iv) load capacity;</p> <p>(v) provision of passing bays;</p> <p>(vi) traffic control devices;</p> <p>(vii) geometry, alignment and slope of roads, tracks and trails;</p> <p>(viii) use of through roads to provide for connectivity;</p> <p>(ix) limits on the length of cul-de-sacs and dead-end roads;</p> <p>(x) provision of turning areas;</p> <p>(xi) provision for parking areas;</p> <p>(xii) perimeter access; and</p> <p>(xiii) fire trails;</p> <p>(b) the provision of access to:</p> <p>(i) bushfire-prone vegetation to permit</p>	<p><i>Walters of Bushfire Tasmania.</i></p> <p><i>This Plan has been both audited and certified by the TFS.</i></p> <p><i>Lot 1 site access length and type will depend on whether the final dwelling location meets the minimum 120m hose length from the reticulated hydrant on Oakwood Place. If this is satisfied to the furthest part of any class 1A proposal (dwelling house), there will be no requirement for site access and will be deemed to comply with Table C13.2 (A).</i></p> <p><i>Proposed RoW access to Lots 2 and 3 must comply with Table C13.2 (C).</i></p> <p><i>Provision of access to a static firefighting water supply is required where property access is >200m in length.</i></p> <p><i>Similarly a passing bay is required on Lot 1 for the provision of access.</i></p> <p><i>The report advises that 'due to potentially moderately sloped land and in order for site accesses to be compliant significant bulk earthworks may be required. Civil design will address these requirements and site construction/ preparation must ensure these specifications are met. EMP condition</i></p>
--	---	---

	the undertaking of hazard management works; and (ii) fire-fighting water supplies; and (c) any advice from the TFS.	
--	---	--

Development Standards - Subdivision
C13.6.3 Subdivision: Provision of water supply for fire-fighting purposes

Objective:

Adequate, accessible and reliable water supply for the purposes of fire-fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 In areas serviced with reticulated water by the water corporation:</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire-fighting purposes;</p> <p>(b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E4; or</p> <p>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire-fighting</p>	<p>P1 No Performance Criterion.</p>	<p><i>The provided Report/Certificate states that the reticulated water supply complies with Table C13.4.</i></p> <p><i>If any dwelling on Proposed Lot 1 is within 120m hose lay to the furthest part of any dwelling from the closest fire hydrant on Oakwood Place, it will be deemed to comply with C13.6.3 A1 (b)(c) and Table C13.4.</i></p> <p><i>If >120m a static water supply will be required as per C13.6.3 A2(b)(c) and Table C13.5.</i></p> <p><i>The proposal therefore complies with A1 (b)(c) and sub criteria.</i></p>

<p>purposes is sufficient to manage the risks to property and lives in the event of a bushfire</p>		
<p>A2 In areas that are not serviced by reticulated water by the water corporation:</p> <p>(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire-fighting purposes;</p> <p>(b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire-fighting, will be provided and located compliant with Table E5; or</p> <p>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire-fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</p>	<p>P2 No Performance Criterion.</p>	<p><i>Future habitable dwellings within building areas on Proposed Lots 2 and 3 will require a static water supply in accordance with C13.6.3 A2 (b)(c).</i></p> <p><i>The proposal therefore complies with A2 (b)(c) and sub criteria.</i></p>

CONCLUSION

The report has assessed a Development Application for a subdivision at 17 Oakwood Place, Mangalore.

One representation was received and has been considered in the report. The proposal has been found to comply with all the relevant standards of the Rural Living Zone and the applicable Codes.

It is recommended that the Application be approved and a Permit issued with conditions and advice.

RECOMMENDATION

THAT, in accordance with the provisions of the *Tasmanian Planning Scheme - Southern Midlands* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application DA2300013 for Subdivision (3 lots) at 17 Oakwood Place, Mangalore owned by WW Tas Pty Ltd subject to conditions detailed below.

CONDITIONS

General

47. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
48. The development and works must be carried out in accordance with:
Bushfire Hazard Assessment Report, Proposed 3 Lot Subdivision at 17 Oakwood Place, Mangalore (Samuel Walters BFP-130; report code A22-17) dated September 2023 (Rev 3).
49. Prior to Council sealing the final plan of survey, the developer must provide certification from a suitably qualified person that all works required by the approved Bushfire Hazard Management Plan have been complied with.

Agreements

50. Agreements made pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 must be prepared by the applicant on a blank instrument form to the satisfaction of the Council and registered with the Recorder of Titles. The subdivider must meet all costs associated with the preparation and registration of the Part 5 Agreement.

Easements

51. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's Manager Environment and Development Services. The cost of locating and creating the easements shall be at the subdivider's full cost.

Public Open Space

52. In accordance with the provisions of Section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993, payment of a cash contribution for Public Open Space must be made to the Council prior to sealing the Final Plan of Survey.

The cash contribution amount is to be equal to 5% of the unimproved value of the land (excluding the balance lot) at the date of lodgement of the Final Plan of Survey.

The value is to be determined by a Land Valuer within the meaning of the *Land Valuers Act 2001* at the developers' expense.

53. The cash-in-lieu of public open space must be in the form of a direct payment made before the sealing of the final plan of survey or, alternatively, in the form of a Bond or Bank guarantee to cover payment within ninety (90) days after demand, made after the final plan of survey has taken effect.

Covenants

54. Covenants or other similar restrictive controls that conflict with any provisions or seek to prohibit any use provided within the planning scheme must not be included or otherwise imposed on the titles to the lots created by this permit, either by transfer, inclusion of such covenants in a Schedule of Easements or registration of any instrument creating such covenants with the Recorder of Titles, unless such covenants or controls are expressly authorised by the terms of this permit or the consent in writing of the Council's Manager Environment and Development Services.

Final Plan

55. A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
56. A fee of \$325.00, or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey for each stage.
57. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
58. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

Services

59. Property services must be contained wholly within each lot served or an easement to the satisfaction of the Council's Manager Environment and Development Services or responsible authority.
60. The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

Advice: Any redundant services under the subject land are to be removed.

Access

61.

A separate vehicle access must be provided from the road carriageway to the proposed Lots 1, 2 and 3. Accesses must be located and constructed in accordance with the standards shown on standard drawings Standard Drawings TSD-R09-v2 Urban Roads Driveways, or as otherwise agreed by Council's Manager Infrastructure and Works.

Tas Water

62. The development must meet all required Conditions of approval specified by Tas Water Submission to Planning Authority Notice, TWDA 2023/00175-STM, dated 25/09/2023. A copy is attached to this decision.

Telecommunications and electrical reticulation

63. Electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's General Manager.

Construction

64. The subdivider must provide not less than forty eight (48) hours written notice to Council's Manager Infrastructure and Works before commencing construction works on-site or within a council roadway.
65. The subdivider must provide not less than forty eight (48) hours written notice to Council's Manager Infrastructure and Works before reaching any stage of works requiring inspection by Council unless otherwise agreed by the Council's Manager Infrastructure and Works.

Construction amenity

66. The development must only be carried out between the following hours:
- | | |
|---------------------------------------|---------------------|
| Monday to Friday | 7:00 AM to 6:00 PM |
| Saturday | 8:00 AM to 6:00 PM |
| Sunday and State-wide public holidays | 10:00 AM to 6:00 PM |
67. All works associated with the development of the land must be carried out in such a manner so as not to unreasonably cause injury to, or unreasonably prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of -
- (d) emission from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property; and/or
 - (e) transport of materials, goods or commodities to or from the land; and/or
 - (f) appearance of any building, works or materials.
68. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the land in an approved manner. No burning of such materials on-site will be permitted unless approved in writing by the Council's General Manager.
69. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the subdivision during the construction period.

Stormwater

70. Stormwater drainage from the proposed development must be retained on site (or) drain to a legal point of discharge to the satisfaction of Council's Manager of Infrastructure & Works and in accordance with a Certificate of Likely Compliance or Plumbing permit issued by the Permit Authority in accordance with the Building Act 2016.

71. A Stormwater Management Report and Designs must be prepared by a suitably qualified person and must be approved by Council's Manager of Infrastructure & Works before Final Plans for Sealing are submitted to Council. This Stormwater report shall form part of this permit when approved.

Soil & Water Management

72. Before any work commences a soil and water management plan (SWMP) prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, must be approved by Council's General Manager before development of the land commences. The SWMP shall form part of this permit when approved.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -

- E. This permit does not imply that any other approval required under any other legislation has been granted.
- F. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- G. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval unless the development for which the approval was given has been substantially commenced or extension of time has been granted. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development may be treated as a new application.
- H. All conditions to this Permit must be complied with prior to Council Sealing and issuing of the Final Plan of Survey.
- I. There are restrictive covenants on the title. The development approved by this permit may not be able to proceed without the written approval of the venter or other owners in the subdivision.
- J. Appropriate temporary erosion and sedimentation control measures during construction include, but are not limited to, the following -
- a) Minimise site disturbance and vegetation removal;
 - b) Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (e.g. temporarily connected to Council's storm water system, a watercourse or road drain);
 - c) Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;

- d) Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains; and
- e) Rehabilitation of all disturbed areas as soon as possible.

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

12.3 Municipal Seal (Planning Authority)

Nil.

12.4 Planning (Other)

12.4.1 Development Application (DA2023/040) for Rezoning from Future Urban Zone to Village Zone at 1844 Midlands Highway Bagdad owned by 1844 Midlands Highway Pty Ltd

AUTHOR: PLANNING OFFICER (BERNADETTE CONDE)

AUTHORISED BY SENIOR PLANNER (GRANT FINN)

DATE: 13 OCTOBER 2023

Enclosure(s):

Certified and Exhibited Amendment Document

Attachment(s)

Representations

TasWater Submission to Planning Authority Notice

REPORT IN DETAIL

INTRODUCTION:

The Southern Midlands Planning Authority decided to prepare and certify the planning scheme amendment (the draft amendment) at its meeting of 26th July 2023 and place it on exhibition for 28 days.

The draft amendment was publicly advertised in the Mercury newspaper from **Monday 14th August 2023** until **11th September 2023**.

A total of three (3) representations were received during the public notification. Two were from State authorities and one from the general public.

A submission received from the TasWater indicating no objection, one from the Department of State Growth stating for no further comment, and the adjoining owners at 1842 Midland Highway seeking confirmation that the draft amendment was a 'spot rezoning'.

As per Section 40K, the report considers the merit of each representation, a statement as to whether it is satisfied that the draft amendment of an LPS meets the LPS criteria; and any recommendations in relation to the draft amendment that the planning authority thinks fit.

BACKGROUND:

The Amendment

An Application to amend the Southern Midlands Local Provisions Schedule (LPS) was submitted to Council to rezone the land at 1844 Midland Highway, Bagdad from the Future Urban Zone to the Village Zone.

The land subject to the rezoning from the Future Urban Zone to the Village Zone comprised of two (2) separate titles as shown in Figure 1 below.

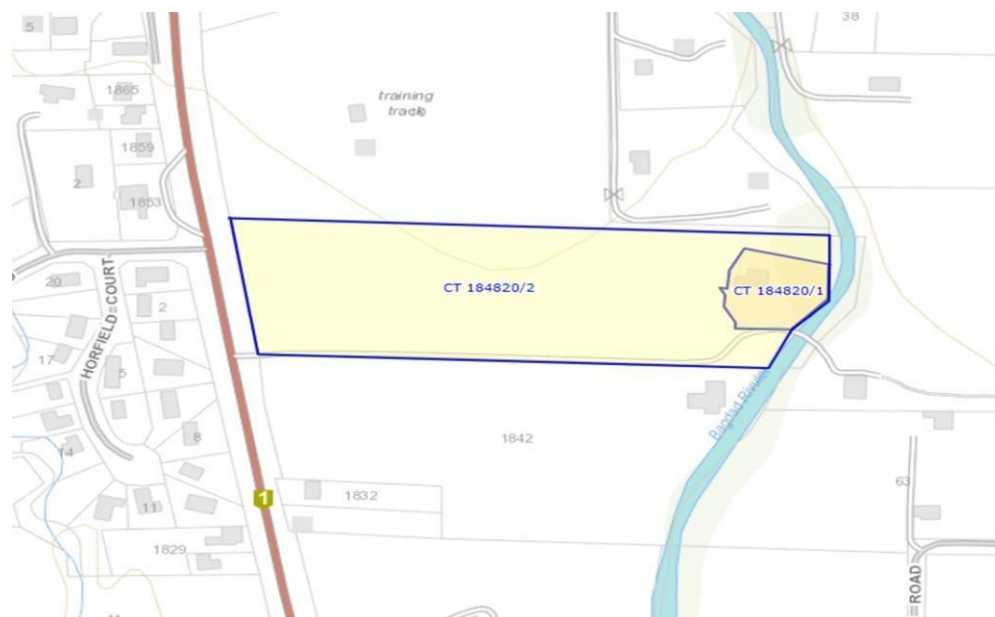


Figure 1: Application for LPS modification comprising of two (2) separate titles at 1844 Midland Highway, Bagdad (Source: LISTmap Tasmania).

The proposed rezoning to village zone is designed to facilitate infill housing development as projected in a 12-15 year supply of residential in the *Bagdad Mangalore Structure Plan 2010*.

The land is within an established urban growth area that can be serviced by existing and recently expanded infrastructure. The indicative future layout of the land shows 39 new residential lots could be created which follows with the existing urban pattern of development within the area as shown in Figure 2.

REPORT SUMMARY

Application No.	DA2300/40
Applicant	JMG Planners
Owner	1844 Midland Pty Ltd
Proposal	Planning Scheme Amendment to rezone the land from the Future Urban Zone to the Village Zone at 1844 Midland Highway, Bagdad
Report Purpose	To consider the merits of representations received.
	The Planning Authority's assessment must be provided to the Commission under Section 40K of the <i>Land Use Planning and Approvals Act 1993</i>.

<p>Representations:</p>	<p>3 ('No objection' from TasWater, stating no further comment from Department of State Growth, and the adjoining owners at 1842 Midland Highway seeking confirmation that the draft amendment was a 'spot rezoning')</p>
<p>Recommendation:</p>	<p>Refer representations and amendment, without changes, to the Commission</p>



Figure 2: Aerial image showing the current zoning of the surrounding area at 1844 Midland Highway with
 (Source: LISTmap Tasmania)

The proposed amendment is consistent with Council's Strategic Plan 2022-2032 and the Bagdad Mangalore Structure Plan 2010.

The proposal is for a rezoning only at this stage. If the draft amendment DA2300/40 is approved, Council approvals will still be required before any new use or development is carried out.

A copy of the certified amendment documents is included in **Attachment 1**.

Public exhibition of the draft amendment

The draft amendment was exhibited in accordance with Section 40G(2) requiring two exhibition notices in the Mercury newspaper once before, and once within the 14 days after the first day of the exhibition period and Section 40H of the Land Use Planning and Approvals Act 1993 (LUPAA) from 14 August 2023 to 11 September 2023.

A number of State Agencies and authorities were also notified in accordance with Section 40FA of the Act.

STATUTORY REQUIREMENTS:

In respect to the draft amendment, section 40K of the LUPAA provides that a planning authority must, not later than 35 days after the end of the exhibition period of a draft amendment or such further period as Commission allows, forward to the Commission a report comprising:

a copy of each representation made under section 40J in relation to the draft amendment before the end of the exhibition period in relation to the draft amendment, or, if no such representations were made before the end of the exhibition period, a statement to that effect; and

a copy of each representation, made under section 40J in relation to the draft amendment after the end of the exhibition period in relation to the draft amendment, that the planning authority, in its discretion, includes in the report; and

*a statement of the planning authority's opinion as to the merit of each representation included under paragraph (a) or (b) in the report, including, in particular, as to –
whether the planning authority is of the opinion that the draft amendment ought to be modified to take into account the representation; and
the effect on the draft amendment, and the LPS to which it relates, as a whole, of implementing the recommendation; and*

a statement as to whether it is satisfied that the draft amendment of an LPS meets the LPS criteria; and

any recommendations in relation to the draft amendment that the planning authority thinks fit.

Representations received

Three representations were received during the public exhibition period as follows:
TasWater provided a notice with no objection or formal comment on the amendment.

The Department of State Growth stated that no further comment is required.

The Department of State Growth gave their preliminary input, informally, during the assessment of the application. The Department encourages a future footpath along the Midland Highway in relation to the *Disability Discrimination Act 1992* (DDA). At the present there is an existing bus stop on the eastern side of Midland Highway with footpath towards 1844 Midland Highway. The proposal is for a planning scheme amendment only at this stage. There is however scope to provide such infrastructure within both the land and Midland Highway road corridor.

The adjoining landowners at 1842 Midland Highway provided a representation with an enquiry as to the nature of the amendment and sought confirmation that the rezoning was a 'spot rezoning'. This is correct. The rezoning only applies to the two (2) titles at 1844 Midlands Highway, Bagdad.

During the preliminary stage, the adjoining owners expressed support of the proposed amendment and registered their interest to have their freehold parcel to be included as part of this rezoning application.

No modifications to the draft amendment are considered necessary in response to the question from the adjoining owners.

CONCLUSION:

This report has provided an assessment of the representations received in relation to the proposed draft amendment to rezone land at 1844 Midland Highway, Bagdad from the Future Urban Zone to the Village Zone.

The amendment is considered to meet the LPS criteria as required under the Section 34 of LUPAA and it is recommended that the amendment be submitted to the Tasmanian Planning Commission in the form it was publicly notified, without change.

THE PROCESS FROM HERE

The representations, this report and attachments will be forwarded to the Commission. The Commission may hold a public hearing prior to making a determination on the amendment.

RECOMMENDATION:

THAT, Council:

- 1. Consider the representations received in regard to draft amendment DA2300/40, together with the responses provided above; and**
- 2. Advise the Tasmanian Planning Commission that three (3) representations were received during the public exhibition;**

3. **A copy of this report be forwarded to the Tasmanian Planning Commission being Council’s assessment of the merit of the representations in accordance with Section 40K(2) of the LUPAA and**
4. **Pursuant to Section 40K(2) of the Act, the Council recommend to the Tasmanian Planning Commission that no modification to the Scheme Amendment DA2300/40 is required.**

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

ENCLOSURE
Agenda Item 12.4.1

TASMANIAN PLANNING SCHEME - SOUTHERN MIDLANDS LOCAL PROVISIONS SCHEDULE

REFERENCE: DRAFT AMENDMENT DA2300/40

The *Tasmanian Planning Scheme – Southern Midlands Local Provisions Schedule Map* is amended by rezoning the land at 1844 Midland Highway, Bagdad described as Certificate of Title 184820/1 and Certificate of Title 184820/2 from the Future Urban Zone to the Village Zone as shown below in Figure 1. The Planning Authority is satisfied that draft amendment DA2300/40 meets the Local Provisions Schedule Criteria as provided in Section 34 of the *Land Use Planning and Approvals Act 1993*.

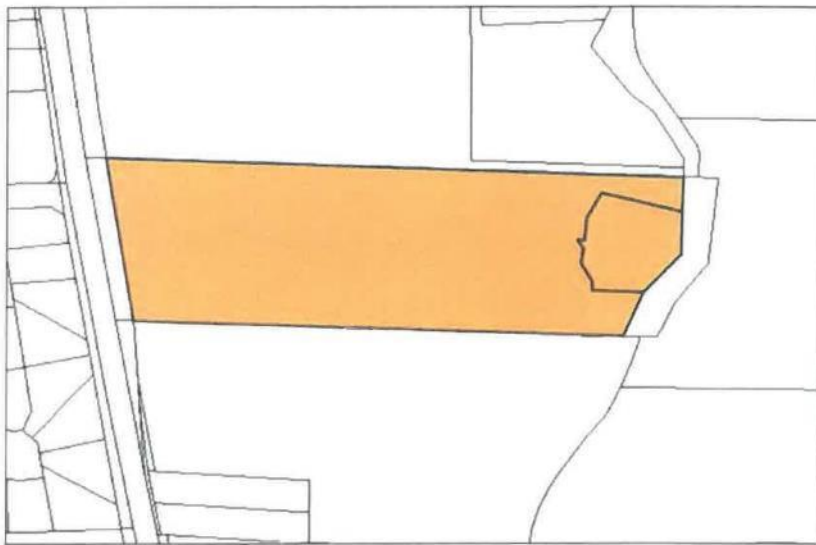


Figure 1: Application of Village Zone to 1844 Midland Highway, Bagdad (CT184820/1 and CT 184820/2)

The seal of the Southern Midlands Council is affixed hereunto per the resolution of the Planning Authority made on the 26th July 2023 in accordance with Section 40F of the *Land Use Planning and Approvals Act 1993* in the presence of:


.....

General Manager

Southern Midlands Council

Date 26/7/2023.....



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

13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)

13.1 Roads

Strategic Plan Reference 1.1

Maintenance and improvement of the standard and safety of roads in the municipal area.

Nil.

13.2 Bridges

Strategic Plan Reference 1.2

Maintenance and improvement of the standard and safety of bridges in the municipality.

Nil.

13.3 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.

13.4 Lighting

Strategic Plan Reference 1.4

Ensure adequate lighting based on demonstrated need / Contestability of energy supply.

Nil.

13.5 Buildings

Strategic Plan Reference 1.5

Maintenance and improvement of the standard and safety of public buildings in the municipality.

Nil.

13.6 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.

13.7 Drainage

Strategic Plan Reference 1.7

Maintenance and improvement of the town storm-water drainage systems.

Nil.

13.8 Waste

Strategic Plan Reference 1.8

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

Nil.

13.9 Information, Communication Technology

Strategic Plan Reference 1.9

Improve access to modern communications infrastructure.

Nil.

13.10 Officer Reports – Infrastructure & Works

13.10.1 Manager – Infrastructure & Works Report

Author: MANAGER INFRASTRUCTURE & WORKS (DAVID RICHARDSON)

Date: 20 OCTOBER 2023

Roads Program

Council's graders have been working on various Roads with the bus routes being the priority roads for grading as required. The focus has been to prioritise the higher traffic usage areas of roads. 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.

Current Capital Work.

Planning design works are completed for the upgrade of Interlaken road, the tender for the works are currently advertised through Vendor Panel local buy.

Council's annual road stabilization tender is currently advertised through Vendor Panel local buy.

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

The Campania oval cricket pitch has been widened and a new synthetic surface has been installed.

A section of footpath in Kempton Main Street has been replaced.

Preparation works for the road stabilization sites is underway.

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 underway 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.
Continue footpath re-newel works Kempton Main Street.-Southern end.
Advertise council's annual road re-sealing tender.

QUESTIONS WITHOUT NOTICE TO MANAGER, INFRASTRUCTURE & WORKS

RECOMMENDATION

THAT the Infrastructure & Works 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 D F Fish		
Clr R McDougall		
Clr F Miller		

ENCLOSURE

Agenda Item 13.10.1

Capital Works Program 2023-2024 Projected Timelines
 as at 30 September 2023

Project	Total Project Cost (\$)	2023						2024						
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	
Road Resealing - Sealed Roads														
Program not yet finalised	450,000													
Road Reconstruction & Seal														
Campania - Climie Street (200 metres from Reeve Street to Water Lane)	60,000													
Colebrook - Arthur Street (500 metres)	90,000													
Dysart - Church Lane & Ely Street (approx. 500 metres combined)	100,000													
Elderslie - Pelham Road (1.0 klm)	180,000													
Mangalore - Blackbrush Road (1.0 klm from Midland Hwy to M/Ford Dr)	180,000													
Oatlands - York Plains Road in two sections (1.00 klm)	180,000													
Woodsdale - Woodsdale Road in two sections (2.0 klm)	360,000													
Drainage (Reset Drains - various Roads)	250,000													
Construct & Seal (Unsealed Roads)														
Colebrook - Yarlinton Road (1.0 klm)	180,000													
Oatlands - Bentwick Street	37,777													
Oatlands - Interlaken Road (Year 2 of 3 - Total contribution \$300K)	2,873,090													
Junction / Road Realignment / Other														
Tin Pot Marsh Road Dust Suppressant	40,000													
Bagdad - Green Valley Road - Guard Rail / Line mark. & Sign.	110,000													
Campania - Estate Road (vicinity Mallow property)	49,000													
Campania - Hall Street (Seal and stormwater upgrade)	70,000													
Campania - Reeve St Junction/footpath/kerb & channel	200,000													
Campania - Structure Plan - Town gateway and Streetscape	40,000													
Colebrook - Junction Craighourne Road and Colebrook Road	24,000													
Elderslie - Elderslie Road Widening Investigation & Trial (Sth Blackbrush Rd)	40,000													
Elderslie - Bluff Road Intersection Upgrade	1,530													
Mt Seymour - Junction Blackgate Road and Tunnack Road	24,000													
Oatlands - Hasting Street Junction	15,000													
Tea Tree - Grices Road (Tree removal, set-back of embankment, drainage)	15,000													
Tunbridge - Main Street (Kerb & Gutter Renewal)	40,000													
Tunnack - Link Road Landslip	25,000													
Woodsdale Road - Guard Rail	100,000													

Capital Works Program 2023-2024 Projected Timelines
 as at 30 September 2023

Project	Total Project Cost (\$)	2023						2024					
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June
Bridges													
Jones Road Broadmarsh (Jordan River - Bridge 5083) - Flood Damage	80,000												
Footpaths													
Footpaths - General Streetscapes	40,000												
Bagdad - Midland Highway - Walking Path Upgrade	145,480												
Bagdad - Midland Highway - Walking Path Footbridge	130,000												
Campania - Reeve Street - Footpath through to Hall	30,000												
Kempton - Midlands Hwy - pending consultation with DSG re Mood Food access	147,565	Pending funding from grant application											
Kempton - Grange Road (Retaining Wall)	30,000												
Kempton - Streetscape Plan - Footpath Renewal	60,000												
Oatlands - Campbell Street (Footpath)	85,000												
Oatlands - Church Street (Sth Parade to William St - north. side - Footpath - 130 m)	30,000												
Oatlands - Stanley Street (High Street to Nelson - 280 metres - kerb & footpath)	75,000												
Oatlands - Stanley Street (Footpath -120 metre link)	25,000												
Public Toilets													
Colebrook - History Room Toilets (Tiling etc.)	10,000												
Oatlands - Callington Park	158,000	Pending DA approval											
Campania - Flour Mill Park - Concrete Pathways/drainage/remove pavers	15,000	To be deferred											
Stormwater Drainage													
Bagdad / Mangalore - Hydraulic Assessment (Flood Mapping)	161,660												
Kempton - Erskine Street - Stormwater Upgrade& Kerb	60,000												
Oatlands - Callington Park (Well - piped overflow system)	20,000												
Tourism													
Kempton - Heritage Interpretation Panel renewal	1,800												
Heritage													
Heritage Collections Store	10,000												
Jericho - Memorial Avenue - Plaques	20,000												
Kempton Council Chambers - Clock Restoration Works	10,672												
Kempton - Memorial Avenue Park - Interps	19,545												
Melton Mowbray - Streetscape Works (Trough / Shelter etc)	30,000												
Oatlands - Callington Mill - Structural Repair & External painting)	20,000												
Oatlands Council Chambers - Internal Toilets & Access Upgrade	100,000												
Oatlands Court House (Wall Stabilisation)	15,000												
Oatlands Gaolers Residence (Ceiling Reinstatement)	5,000												
Oatlands Gaolers Residence (Wingwall)	23,000												
Oatlands - Heritage Buildings (Security Upgrades)	10,000												
Oatlands - Roche Hall Forecourt (Interps - Planning Condition of Approval)	40,000												
Parattah - Railway Station -Shed for Gangers Trolley	2,000												

Capital Works Program 2023-2024 Projected Timelines
 as at 30 September 2023

Project	Total Project Cost (\$)	2023						2024						
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	
Natural														
Chauncy Vale - Day Dawn Cottage Improvements	12,000													
Chauncy Vale - Wombat Walk	39,250													
Campania - Bush Reserve / Cemetery	300,000													
Cultural														
Oatlands - Aquatic Centre (Forecourt - Art Installation)	20,000													
Regulatory - Development														
Master / Structure Plans (Bagdad / Mangalore / Campania)	50,000													
Oatlands - Stanley Street Master Plan	20,000													
Oatlands - Structure Plan	25,000													
Regulatory - Public Health														
Oatlands - GP Accommodation Units	600,000													
Families														
Bagdad - Child Care Centre Building	237,314													
Recreation														
Bagdad - Iden Road Park Development	75,000													
Bagdad - Bagdad Community Club (Precinct Plan)	25,000													
Broadmarsh - Broadmarsh Hall "The Haven"	160,263													
Campania - Justitia Court POS - Shelter Hut	16,000													
Campania - Public Open Space dev (Justitia Park)	6,375													
Campania - Hall (LED Lighting)(alternate quote \$1582)	4,250													
Campania - Recreation Ground (Centre Pitch/Wicket & Nets)	12,004													
Kempton - Recreation Ground (Site Dev and Play Equipment)	24,250													
Kempton - Recreation /Skate Park/ Dog Park	31,000													
Kempton - Off-lead Dog Park	60,331													
Kempton - Recreation Ground (Irrigation)	60,000													
Mt Pleasant Rec Ground - Building Improvements	279,000													
Oatlands - Aquatic Centre (Construction)	482,114													
Oatlands - Aquatic Centre (CO2 Gas Monitoring)	7,649													
Oatlands - Aquatic Centre (Gymnasium (Mirror & Equipment)	4,400													
Oatlands - Community Hall (Maintenance Program)	51,300													
Oatlands - Gay Street, Hall (Air Lock)	10,000													
Oatlands - Midlands Community Centre (External Painting - Front of Building)	5,000													
Oatlands Swimming Pool (Staged demolition)	200,000													
Runnymede Recreation Ground - Play Equipment	20,000													
Water Bottle Refill Stations	7,980													

Capital Works Program 2023-2024 Projected Timelines
 as at 30 September 2023

Project	Total Project Cost (\$)	2023						2024						
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	
Access														
Tunbridge Comm. Club - Accessible Toilets	115,000	On hold pending advice from TCC Management Committee												
Capacity & Sustainability														
Kempton - Carriage Shed - Toilets	15,000			Completed										
Administration Buildings														
Oatlands Council Chambers - Fire Detection & Security System	18,000					Scheduled	Scheduled							
Oatlands Council Chambers - Damp Issues & Stonemasonry	15,000	To be deferred												
Oatlands Council Chambers - Works Office (floor coverings)	5,000			Completed										
Legend														
	Scheduled	Infrastructure & Works	Infrastructure & Works	Heritage Projects	Heritage Projects									
	Completed	Infrastructure & Works	Heritage Projects											

14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

14.1 Residential

Strategic Plan Reference 2.1

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

Nil.

14.2 Tourism

Strategic Plan Reference 2.2

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

Nil.

14.3 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.

14.4 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.

15. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)

15.1 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.

15.1.1 Heritage Project Program Report

Author: MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)

Date: 25 OCTOBER 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 Jan Liesfield. Jan is an artist & art teacher who works mostly with Lino printmaking, also collagraph, collage & painting.
- Deb Baldwin attended International Day of Disaster Risk Reduction (IDDRR) Blue Shield seminar.
- Collection catalogue nearing completion ready for online launch.
- Relocation of collections material to the ‘temporary store’ at Roche Hall underway.
- Alan Townsend presented an Oatlands tour for the Australian Garden History Society.
- Brad Williams is participating in Heritage Tasmania’s built heritage sector – local government working group.
- Finalising research into the history of the Bagdad Community Club.

Upgrade works to the Gay Street Hall are nearing completion

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 D F Fish		
Clr R McDougall		
Clr F Miller		

15.2 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. |

15.2.1 NRM Unit – General Report

Author: NRM / PROJECTS OFFICER (MARIA WEEDING)

Date: 17 OCTOBER 2023

ISSUE: Southern Midlands NRM Unit Monthly Report.

DETAIL

- Maria continues to work on the proposed toilet block at Callington Park. Plans have gone to Council seeking Planning Approval. No reply to date from Parks regarding the Reserve Activity Assessment that has been submitted for appraisal.
- A final report for the Mt Pleasant Recreation Ground – Player Change Rooms facility upgrade is being compiled. Council managed the payments of the grant on behalf of the Mt Pleasant Football Club and project managed the build.
- Helen and Maria, together with Southern Midlands Councillors and other staff, attended the Telstra - Digital Connectivity Plan workshop. This was held on 16th October with a number of Telstra officers. Helen had worked on much of the background information to discuss at the workshop in relation to Southern Midlands Municipality. Follow up actions have been identified, that Helen will be involved in working through as required.
- Helen and Maria undertook some maintenance work on one of the table and seat units on the Lake Dulverton foreshore. The one seat timber was replaced and the unit was strengthened overall. There has already been a positive reaction from the community, as the seat and table unit on the edge of the walking track at Mahers Point is used extensively.
- The QuickSpray dual reel unit was delivered in early October.
- Mary, Helen and Maria undertook some maintenance on the plantings at the Kempton Recreation Ground.
- Mary and Helen also did an intensive Boneseed hunt for the plant in the Dysart area, removing any plants found. The current main area of concern is now Pritchards Lane. The other area of Dysart (on the old highway road) is finally close to being rid of the plant.
- Maria organised a clock specialist trained person to look at the Kempton clock. They are from Ingrams Time Systems. A report on the clock has been provided and future options to ensure the clock can keep time are being investigated for a quote by Ingrams.
- Mary has been away on family leave and some annual leave, consequently there is no Weeds Officer Report this month.

RECOMMENDATION

THAT the NRM Unit 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 D F Fish		
Clr R McDougall		
Clr F Miller		

15.3 Cultural

Strategic Plan Reference 3.3

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

15.3.1 Heritage & Bullock Festival 2023

AUTHOR: DEPUTY GENERAL MANAGER (ANDREW BENSON)
MANAGER COMMUNITY & CORPORATE DEVELOPMENT
(WENDY YOUNG)

DATE: 17 OCTOBER 2023

Attachment(s):

Event Evaluation – Heritage & Bullock Festival 2023

ISSUE

Provision of a brief report on the Heritage & Bullock Festival 2023 for Council's information and consideration.

DETAIL

The information provided in the attached Report provides a basis for discussion and a documented record to assist with any future event.

The Report covers the following components;

<i>Introduction</i>	3
<i>Background</i>	4 - 7
<i>Why We Did This</i>	8
<i>How Did We Do It</i>	9 - 13
<i>The Street Parade - What a Start!</i>	14 - 15
<i>Spaces & Places Used for the Event</i>	15 - 27
<i>What Was Achieved</i>	28
<i>Acknowledgements</i>	29
<i>Appendices</i>	30 - 37
A. <i>What Allows Us to Formally Undertake This Event</i>	
B. <i>Program Flyer - Festival</i>	
C. <i>Program Flyer - Heritage Speakers</i>	

Summary of what was achieved

The costs to Council of delivering the Festival;

Expenditure \$10,123.03 ex GST (as at 17.10.23)

*Through a careful analysis it is estimated that in the order of **6,200 people attended the 2023 Festival** over the two days.*

*There were an **estimated 718 volunteer hours** provided in the planning, activities and closeout of the Festival.*

To calculate the estimated benefit to the Community from this event, we have based the assumption that an estimated spend in accordance with the Report 'Reinventing

Rural Places’, for the 2018 Festival was \$50/person which is acknowledged as quite a conservative estimate, therefore using that base to gain a longitudinal understanding of a consistent rate we have multiplied the \$50.00 (2018) by the CPI for the following twelve months (CPI 1.6% June quarter 2018 to June 2019) equates to \$0.80 increase. We have compounded the CPI from 2018, which provides for 2023 which equates to,

\$57.09 x the number of attendees 6,200 = \$353,970.51 that stays in the Community as an economic benefit from the Festival.

Brian Fish, Chairman of the Heritage & Bullock Festival said “There were so many high points in the event that they are too numerous to mention, suffice to say that everyone put in a major effort and should rightly be very proud of Oatlands and the Heritage & Bullock Festival 2023.

Council are to be congratulated in facilitating this wonderful event for the Community which engenders such pride in our village of Oatlands and indeed across the whole of the Southern Midlands.

Finally, thanks goes to Wendy Young the Festival Co-ordinator for her attention to detail, her pre-event marketing through Facebook and her supervision over the weekend, well done Wendy”.

CONCLUSION

The Event Evaluation Report is commended for Council’s consideration

Human Resources & Financial Implications

Funds included in the 2023/2024 budget \$10,000.

Community Consultation & Public Relations Implications

The Community have embraced the event and planning has started for the 2024 event.

Policy Implications

Nil.

Priority - Implementation Time Frame

NA

RECOMMENDATION

THAT the information be received and noted.

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

15.3.2 Proposal to Rename Brodribbs Road in Campania

AUTHOR: DEPUTY GENERAL MANAGER (ANDREW BENSON)

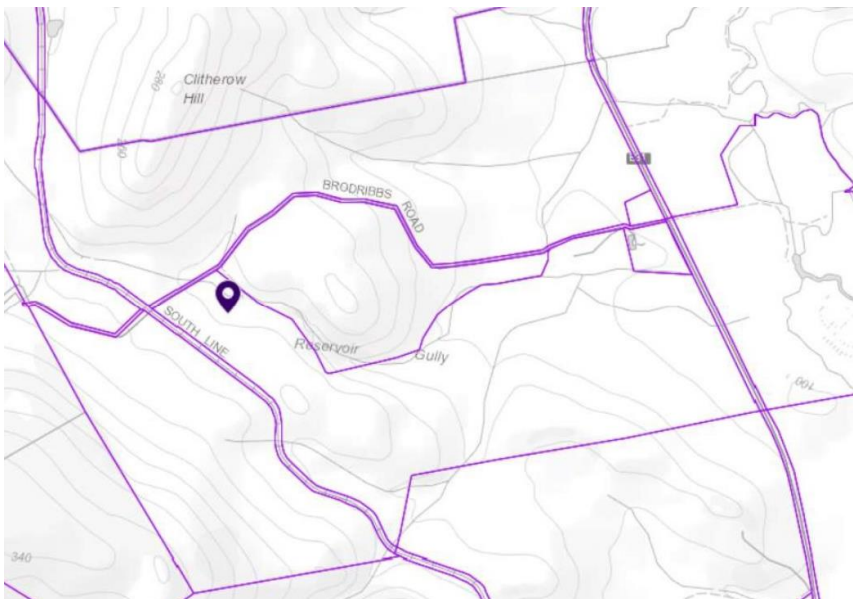
DATE: 20 OCTOBER 2023

ISSUE

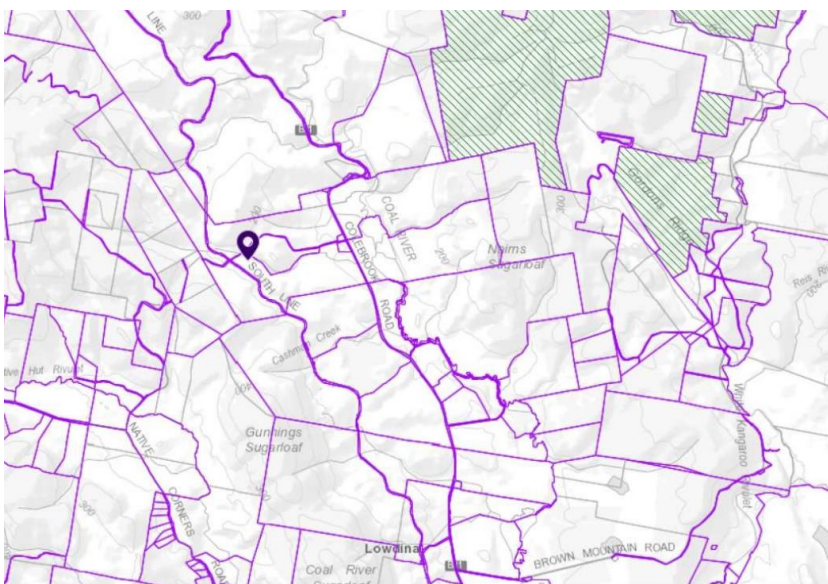
Discussion in relation to a Ratepayer request in the consideration of renaming Brodribbs Road in Campania

DETAIL

A request has been received from local residents seeking Council support for the renaming of Brodribbs Road, with the detail included on the following pages.



Site Plan



Location Plan

Attention: all Councillors, Southern Midlands Council

RE: Restoration of historical name “DANBY” Road

IN CAMPANIA, a Stephen Walker sculpture of ‘A stook of sheaves’ commemorates Arthur Plummer's hundredth birthday and “acknowledges pioneering families for their determination and achievements in our region.”



Tasmanian Country
October 13, 2023

In other areas of the municipality, local Heritage Committees also “keep the memory of our pioneers alive.”



Tunnack Monument

WHEN driving through my local area I often pause to reflect on the richness of rural life. Roadside monuments, such as “In memory of the early settlers of the area, whose remains lay buried within this site” (Tunnack General Cemetery) tap into that intrinsic respect, which derives from my strong association and deep love of the bush and the land.

Every reader has a history, each with a unique story to tell on what it means to identify as a “Tasmanian”. For some it’s generational; for others it’s a timeless sense of belonging and identity.

Whatever your history, we can all be grateful to local Heritage Committees state-wide that keep the memory of our pioneers alive. Authorised by M. Bendor, Mountain Park, Danby, 7026

Arthur was a rich fount of local knowledge, with strong links to the area: from walking to school through *Mountain Park* to Native Corners in the early 1900s; to “opening stock gates for traffic on the road at *Stockdale*”¹ from a young age of 10.

The name “DANBY” derives from Arthur Brodribb², who bought a 250 acre block (sub-division off *Stockdale* Campania) in 1894, west of the railway line (below Clitherow Hill); which later gave rise to railway place name DANBY SIDING (pictured: BAINS map).



In order to preserve the local heritage and based on first-hand local knowledge shared by Mr Plummer, Delia Thompson (and her husband Mick) re-branded their equine business as DANBY PARK, given their property *Mountain Park* is adjacent to the historic Brodribb block at the end of the public road.



Likewise, former owner of *Stockdale* (1988-2002), Jock Long, continued the tradition by naming one of his successful racehorses DANBY ROAD, which ran 3rd place in the 1996 Hobart Cup³.

¹ pers comms 2022 Alex Green, former Mayor Southern Midlands Council

² Nichols, S.J. *In Soil and Stone: A History of Stockdale Estate*, 2005, page 18

³ pers comms 2021 (email) confirmed by Peter Staples, Media Manager, Tasracing Pty Ltd

REQUEST:

The undersigned respectfully request Councillors and the Southern Midlands Council sponsor the restoration of DANBY ROAD - or for a full pioneer heritage acknowledgement – rename Brodribbs Road Campania (circa 1985) as BRODRIBBS DANBY ROAD through formal registration with the nomenclature board.

“It’s always been called Danby⁴ Road”

Arthur Plummer
Sep 12, 1899 - Jul 6, 2001

Delia Fay Thompson
owner *Mountain Park* Campania (1978-)

Robert “Bob” Annells
former owner *Stockdale* Campania (2002-2021)

P: 0362 604 222

P: 0418 371 367

If you have any queries please contact Mick Bendor on 0488 604 222.

⁴ pers comms Arthur Plummer 1995 (*Mountain Park* farm diary notes)

The Manager Heritage Projects has been asked to undertake some research into this matter and will be able to provide a briefing at the November 2023 meeting.

RECOMMENDATION

For discussion

15.4 Regulatory (Development)

Strategic Plan Reference 3.4

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

Nil.

15.5 Regulatory (Public Health)

Strategic Plan Reference 3.5

Monitor and maintain a safe and healthy public environment.

Nil.

15.6 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

15.6.1 Animal Management Report

Author: ANIMAL MANAGEMENT OFFICER (RACHEL COLLIS)

Date: 18 OCTOBER 2023

Enclosure(s):

Animal Management Statement 2023

ISSUE

Consideration of the Animal Management/Compliance Officer's report for October 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 October; *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:

16/10/23 - Dog at large x3, Oatlands area

17/10/23 - Failing to register dog over 6 months, Whitefoord area

17/10/23 - Failing to register dog over 6 months, Campania area

ATTACK DETAILS:

11/10/23 - Lambs attacked – Oatlands area

RECOMMENDATION

THAT the Animal Management 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 D F Fish		
Clr R McDougall		
Clr F Miller		

ENCLOSURE
 Agenda Item 15.6.1

**YTD ANIMAL MANAGEMENT STATEMENT
 2023**

DOG IMPOUNDS	RECLAIMED	ADOPTED/DOGS HOME	EUTHANISED	OTHER IMPOUNDS
12	15	2		3 sheep – claimed 1 sheep – claimed 1 sheep - claimed

**JOBS ATTENDED
 October 2023**

DOGS AT LARGE	DOG ATTACKS	DOG BARKING	DOG GENERAL
3	1	2	10
NEW KENNEL LICENCES	WELFARE	STOCK	Central Highlands
2 active licence	2	2	1

REGISTERED DOGS: 1743
KENNEL LICENCES: 62
INFRINGEMENTS ISSUED: 5

15.7 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.

16. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

16.1 Community Health and Wellbeing

Strategic Plan Reference 4.1

Support and improve the independence, health and wellbeing of the Community.

Nil.

16.2 Recreation

Strategic Plan Reference 4.2

Provide a range of recreational activities and services that meet the reasonable needs of the community.

16.2.1 Oatlands Aquatic Centre – Coordinators Report

Author: OATLANDS AQUATIC CENTRE COORDINATOR (ADAM BRIGGS)

Date: 17 October 2023

Oatlands Aquatic Centre – Coordinator’s Report for the month August/September 2023.

BACKGROUND

The Oatlands Aquatic Centre opened to the public on Monday 14th 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	September 2023	YTD Total	% of Budget
Pool – Admission Fees	Casual Fees	\$37,360	\$3,506	\$3,957	28.1%
	Memberships & Season Passes	\$157,426	\$3,265	\$3,867	7.1%
	Group Bookings & Learn to Swim	\$81,714	\$11,244	\$3,211	25.4%
	Sale of Goods	\$9,500	\$920	\$686	24.5%
Local Gov't Loan Subsidy (Year 3 of 3)		\$45,107	\$0	\$0	0%
Get Active Program	"Let's get moving"			\$800	
CBA Community Donation			\$500	\$500	
Sub-Total		\$331,107	\$18,935	\$46,303	14.0%

Expenditure		Annual Budget 2023/24	September 2023	YTD Total	% of Budget
Salaries (incl. On-Costs)		\$504,561	\$36,769	\$132,810	26.3%
Operating Costs - Other		\$245,072	\$28,015	\$59,054	24.1%
Loan Interest		\$45,107	\$0	\$0	0%
Total Expenditure		\$794,700	\$64,784	\$191,864	24.1%

Note – Includes 'Splash in Good Fun' Grant related expenses

Budgeted Deficit		(\$463,633)	(\$45,848)	(\$145,561)	31.4%
-------------------------	--	--------------------	-------------------	--------------------	--------------

Group Bookings & Programs – September/October:

Event / Booking	School / Group	Participation Numbers
Centre Hire / Student Visits	Oatlands District School	5 group or individual bookings
Public Visits	Reclink Community Program	39 participants
Learn to Swim	October School Holiday Program	2 weeks – 39 participants
Physio Rehab Sessions	Annabel Butler – Physiotherapist	7 individual bookings
NDIS Gym Sessions	NDIS Client	1 individual booking
Swimming Carnival	Orford Primary School	Grade 3 – Grade 6 Students
Swimming Carnival	Campania District School	Grade 3 – Grade 10 Students
Public Visits	Tasmanian Aboriginal Corporation	3 days - 39 participants

USAGE FOR THE PERIOD 15/09/2023 – 16/10/2023

PAID UPFRONT

Type	Units
Gym & Fitness	
Gym & Fitness Class Passes/10 Sessions	2
Gym & Fitness Class Passes/5 Sessions	0
Gym & Fitness Class Session (17 years) PAYG	4
Gym & Fitness Class Session (Concession) PAYG	12
PAYG Class Pass (16 years)	0
Gym	
PAYG Gym (17 years)	7
PAYG Gym (Concession)	7
Personal Training	
Personal Training – 30 Mins	2
Personal Training – 1 Hr	0
Learn to Swim	
4 Day School Holiday Learn to Swim	0
5 Day School Holiday Learn to Swim	39
11 Week Learn to Swim	0
10 Week Learn to Swim	12
Adult Learn to Swim	3
Pool	
Pool Passes 10 Sessions (Child)	4
Pool Pass 10 Session (17 years)	1
Upfront 6 Months Pool Membership (17 +)	0
Upfront 6 Months Pool Membership (concession)	0
Upfront 6 Months Pool Membership (Family)	0
PAYG – Pool (4 years and under)	68
PAYG - Pool (5-16)	374
PAYG - Pool (17)	277
PAYG - Pool (Concession)	193
PAYG - (Family)	33
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	9
DD Class/Pool	29
DD Pool/Gym/Class	1
DD Gym	5
DD Class/Gym	6
DD 6 Months Pool – 17 years +	6
DD 6 Months Pool – Child/Concession	2
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. During October School Holidays we had 39 participants take part in the program using the funding.
- **Women's Sport & Recreation Tasmania's Get Active Small Grant Program:** We applied for a small \$800.00 grant to put towards an 8 week program at Oatlands Aquatic Centre for a small community program, which we have been successful in receiving. This program has been completed and was great success with participants looking at signing up for ongoing activities at the Aquatic Centre.
- **Commonwealth Bank Small Community Grant Program:** We applied 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. We were successful in receiving this Grant and the funding will go towards teaching equipment such as flippers.

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 the information be received and noted.

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

16.3 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.

16.4 Volunteers

Strategic Plan Reference 4.4

Encourage community members to volunteer.

Nil.

16.5 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.

16.6 Education

Strategic Plan Reference 4.6

Increase the educational and employment opportunities available within the Southern Midlands

Nil.

16.7 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.

16.8 Safety

Strategic Plan Reference 4.8

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

Nil.

16.9 Consultation & Communication

Strategic Plan Reference 4.8

Improve the effectiveness of consultation & communication with the community.

Nil.

17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

17.1 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

17.1.1 Performing Artist Residencies in Southern Midlands (Prism) Policy

Author: MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)

Date: 25 OCTOBER 2023

Enclosure(s):

PRISM Policy

ISSUE

To seek Council endorsement of the Performing Residencies in Southern Midlands (PRISM) policy.

BACKGROUND

A draft policy was tabled at Council's September 2023 meeting for consideration. There were no suggested amendments to that draft policy. This report seeks the formal endorsement of the final policy as it was resolved that the policy be brought to Council's October 2023 meeting for endorsement.

DETAIL


Refer to the policy enclosed.

RECOMMENDATION

THAT: Council endorses the Performing Residencies in Southern Midlands Policy.

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

ENCLOSURE
Agenda Item 17.1.1

	Council Policy
	PERFORMING RESIDENCIES IN SOUTHERN MIDLANDS POLICY
Approved by:	Council
Approved date:	25 th October 2023
Review date:	October 2026

1. PURPOSE

The purpose of this policy is to provide a policy basis for the operation of the Performing Residencies in Southern Midlands (PRISM) program which is intended to operate in conjunction with Council's Heritage Projects Program.

2. OBJECTIVE

This policy seeks to further the following program objectives:

- To encourage the pursuit of the performing arts in the Southern Midlands.
- To foster emerging performing artists.
- To utilise Council owned heritage assets.
- To promote the depiction of the Southern Midlands as artistic subject matter.
- To promote the arts, heritage and culture of the Southern Midlands.
- To maximise public engagement in the performing arts.

3. POLICY

3.1 Staffing and administration

The program will be administered by a working group comprising:

- Manager Heritage Projects (or delegate) - the working group Chairperson
- Manager, Community Development (or delegate)
- The Chairperson (or delegate) of Council's Arts Advisory Committee

The working group will meet on an as-needs basis and outcomes of meetings will be reported to Council through the Heritage Projects report and/or Council's Arts Advisory Committee.

3.2 Funding and budget

- Any proposed budget for the PRISM program will be considered by the Manager, Heritage Projects and/or Manager, Community Development through Council's normal budgeting process.
- External funding may be sought for the program on an opportunistic basis.



**PERFORMING RESIDENCIES IN SOUTHERN MIDLANDS
POLICY**

Approved by: Council
Approved date: 25th October 2023
Review date: October 2026

3.3 Partnerships

Partnerships which assist in the delivery of the PRISM program should be encouraged.

3.4 Eligibility for application and application/selection process

- The PRISM program will be advertised as widely as practicable.
- Timing of advertising and assessment of applications will be at the discretion of the Working Group.
- A performing artist is eligible for application if they:
 - Can demonstrate how they will meet the objectives of the PRISM program.
 - Agree to be bound by the provisions of this policy.
- Applications are to include the following (but not be limited to):
 - A c.v.
 - A portfolio of work.
 - Statements detailing how their residency will fulfil the objectives of the program.
- Applications are to be assessed by the Working Group against the eligibility criteria and objectives.
- Successful applicants may be asked to sit an interview with the Working Group who may seek further information on how they intend to meet the objectives of the PRISM program.
- Unsuccessful applicants will be notified as soon as practicable after assessment. The decision of the Working Group is final and not subject to appeal.
- Council's Arts Advisory Committee shall be the arbitrator of any disputes.

3.5 Southern Midlands Council's (SMC's) inputs, expectations and responsibilities

- SMC will provide accommodation at Roche Hall, 73 High Street Oatlands free of charge (including utilities).
- The maximum duration for any single residency will be four weeks.
- SMC will provide in-kind support at the discretion of the Heritage Project Officer (e.g. printing, advertising, access to buildings etc.).
- SMC will provide rehearsal and performance space free of charge (generally in Roche Hall, Oatlands Supreme Court House, the Oatlands Gaol Yard). The artist will have sole use of 73 High Street for the duration of their residency (excluding the two council offices at rear). The duration of exhibition time in other buildings is at the discretion of the Heritage Project Officer and must consider other user groups.
- SMC will promote the program, events and individual artists as widely as practicable (in consultation with the artist). SMC reserve the right to terminate the residency if the provisions of this policy or any other SMC policy are breached.



Council Policy

**PERFORMING RESIDENCIES IN SOUTHERN MIDLANDS
POLICY**

Approved by: Council
Approved date: 25th October 2023
Review date: October 2026

3.6 The Artist's inputs, expectations and responsibilities

- The artist is to be familiar with and abide by the various user manuals and policies for the buildings utilised.
- The artist will provide at least three public performances during their stay.
- The artist will sign a waiver of any liability of Council for loss or damage to their property during the course of their residency.
- To make reasonable effort in promoting their residency and the SMC PRISM program as widely as practicable.

3.7 Copyright and right to profit

- Council's input and support of the PRISM program will be acknowledged in all initiatives directly arising from the PRISM program.
- Whilst the artist will retain intellectual property of their work produced during their residency, they will allow Council to utilise it (e.g. recordings) for not-for-profit purposes, with due acknowledgement, in perpetuity.
- The artist will allow SMC to utilise images and other promotional material resulting from the residency for not-for-profit purposes with due acknowledgement.
- Public admission to performances during the residency must be free.
- The artist and SMC may negotiate joint commercial initiatives arising from the residency.

4. RELATED DOCUMENTS

- Use policies and user manuals for various buildings used.

5. DOCUMENT ADMINISTRATION

This Instruction is a managed document and is to be reviewed every five years or as directed by the General Manager.

This document is Version 1.0 effective 25th October 2023. The document is maintained by the Heritage Projects Program, for the Southern Midlands Council.

17.2 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

17.2.1 Tabling of Documents

Nil.

17.2.2 Elected Member Statements

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

17.2.3 Local Government Shared Services – Quarterly Update – Information Only

Author: FINANCE OFFICER (MANDY BURBURY)

Date: 19 OCTOBER 2023

Enclosure(s):

Shared Services Report – Southern Midlands Council – July- Sept 2023

ISSUE

To inform Council of the Common Services Joint Venture activities for the period July to Sept 2023.

BACKGROUND

There are seven existing members of the Common Services Joint Venture Agreement, with two other Council's participating as non-members.

Members: Brighton, Central Highlands, Glenorchy, Huon Valley, Sorell, Southern Midlands and Tasman.

Council now include a standard internal report for Council's information on SMC hours on a quarterly basis.

DETAIL

Refer to the enclosed summary of services provided by and provided to the Southern Midlands.

RECOMMENDATION

THAT the information be received.

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

ENCLOSURE
 Agenda Item 17.2.2

**2023/24 Shared Services Report
 to 30 September 2023**

PROVIDED BY SOUTHERN MIDLANDS COUNCIL					Total Hours Sept 2023 Quarter
Council	Fortnight Ending	Officer	Service Provided	Hours	
Brighton Council	2/07/2023	P Krause	Planning Compliance	9.25	
	16/07/2023	P Krause	Planning Compliance	5.5	
	31/07/2023	P Krause	Planning Compliance	7.5	
	13/08/2023	P Krause	Planning Compliance	8.25	
	27/08/2023	P Krause	Planning Compliance	14.5	
	10/09/2023	P Krause	Planning Compliance	8.5	
	24/09/2023	G Green	Environment	4	
					57.5
Central Highlands	2/07/2023	L Brown	Regulatory	20	
		D Mackey	Regulatory	17	
	16/07/2023	D Dwyer	Animal Control	6	
		R Collis	Animal Control	9	
		L Brown	Regulatory	12.5	
		D Mackey	Regulatory	10	
	31/07/2023	D Mackey	Regulatory	8	
		R Collis	Animal Control	6.5	
	13/08/2023	D Dwyer	Animal Control	4.5	
		D Mackey	Regulatory	24	
	27/08/2023	L Brown	Regulatory	17	
		D Mackey	Regulatory	19	
	18/09/2023	L Brown	Regulatory	22	
		D Mackey	Regulatory	20	
R Collis		Animal Control	4		
24/09/2023	D Dwyer	Animal Control	4		
	L Brown	Regulatory	23		
	D Mackey	Regulatory	11		
					237.5
Derwent Valley	2/07/2023	B Williams	Heritage	3	
	16/07/2023	D Mackey	Regulatory	2	
	31/07/2023	B Williams	Heritage	5	
	24/09/2023	D Mackey	Regulatory	1	
					11
Tasman	2/07/2023	D Mackey	Regulatory	14	
	16/07/2023	D Mackey	Regulatory	4	
	31/07/2023	D Mackey	Regulatory	1	
	27/08/2023	D Mackey	Regulatory	1	
	10/09/2023	D Mackey	Regulatory	1	
	24/09/2023	D Mackey	Regulatory	8	
					29
Total Hours Provided by Southern Midlands					335
PROVIDED TO SOUTHERN MIDLANDS COUNCIL					
Council	Period Ending	Officer	Service Provided	Hours	
Brighton	30/06/2023	L Wighton	Development Engineering	6.75	
	7/07/2023	L Wighton	Development Engineering	1	
	23/07/2023	L Wighton	Development Engineering	9	
	6/08/2023	L Wighton	Development Engineering	8	
	20/08/2023	L Wighton	Development Engineering	4.5	
	3/09/2023	L Wighton	Development Engineering	4.75	
	17/09/2023	L Wighton	Development Engineering	10.75	
					44.75
Total Hours Provided to Southern Midlands					44.75

17.3 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.

17.3.1 Monthly Financial Statement (Period ending 30 September 2023)

Author: FINANCE OFFICER (MANDY BURBURY)

Date: 18 OCTOBER 2023

ISSUE

Provide the Financial Report for the period ending 30th September 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 Aug 2022 to 30 Sep 2023.
- Operating Expenditure Report – 1 Aug 2022 to 30 Sep 2023.
- Capital Expenditure Report – 1 Aug 2022 to 30 Sep 2023.
- Cash Flow Statement – 1 Aug 2022 to 30 Sep 2023.

OPERATING EXPENDITURE (OPERATING BUDGET)

Overall operating expenditure to end of September was \$2,452,692, representing 92.8% 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 (\$100,479 – 116.84%). 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 (\$37,466 – 121.54%). Additional expenditure is due to an increase in resources required to address non-compliance issues.

Strategic Theme – Community

Sub-Program – Capacity & Sustainability - expenditure (\$28,952 – 139.52%). 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 D F Fish		
Clr F Miller		

STATEMENT OF COMPREHENSIVE INCOME
for the period 1 July 2023 to 30 September 2023

	Annual Budget \$	Year to Date (30 September) \$	%	Comments
Income				
General rates	6,971,704	6,884,229	98.7%	Includes Interest & Penalties on rates
User Fees (refer Note 1)	1,332,917	415,016	31.1%	Includes Private Works
Interest	435,000	158,835	36.5%	
Government Subsidies	56,807	0	0.0%	Heavy Vehicle Licence Fees & Interest Subsidy
Other (refer Note 2)	232,400	48,102	20.7%	Includes Tas/Water Distributions
Sub-Total	9,028,828	7,506,181	83.1%	
Grants - Operating	3,990,758	106,021	2.7%	
Total Income	13,019,586	7,612,203	58.5%	
Expenses				
Employee benefits	-5,534,107	-1,280,343	23.1%	Less Roads - Resheeting (Capitalised)
Materials and contracts	-3,711,309	-1,160,650	31.3%	Less Roads - Resheeting (Capitalised), Includes Land Tax & Private Works
Depreciation and amortisation	-3,723,000	-938,400	25.2%	Percentage Calculation (based on year-to-date)
Finance costs	-52,997	-2,917	5.5%	Interest
Contributions	-272,238	0	0.0%	Fire Service Levies
Other	-169,955	-54,383	32.0%	Audit Fees and Councillor Allowances
Total expenses	-13,463,606	-3,436,692	25.5%	
Surplus (deficit) from operations	-444,020	4,175,510	-940.4%	
Grants - Capital (refer Note 3)	3,200,746	1,636,736	51.1%	
Sale Proceeds (Plant & Machinery)	0	30,500		
Sale Proceeds (Land & Buildings)	0	0		
Sale Proceeds (Other Assets)	0	414		
Sale Proceeds (Blackman Water Scheme - 45 shares)	0	45,000		
Net gain / (loss on disposal of non-current assets)	0	0		
Surplus / (Deficit)	2,756,726	5,888,160	213.6%	

STATEMENT OF COMPREHENSIVE INCOME
for the period 1 July 2023 to 30 September 2023

NOTES	Annual Budget \$	Year to Date (30 September) \$	%	Comments
1. Income - User Fees				
- All other Programs	883,333	362,347	41.0%	
- Private Works	449,584	52,669	11.7%	
	<u>1,332,917</u>	<u>415,016</u>	31.1%	
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		
- Kidbiz 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		
- Contribution to Kempton Depot Boundary Fence	0	3,200		
	<u>232,400</u>	<u>48,102</u>	20.7%	
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		
	<u>3,990,758</u>	<u>106,021</u>	2.7%	

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

PROGRAM	YTD ACTUAL (as at 30 Sep 23)	YTD BUDGET (as at 30 Sep 23)	YTD VARIANCE	YTD %	FULL YEAR BUDGET - REVISED INC. GRANTS & OTHER
INFRASTRUCTURE					
Roads	357,677	358,535	858	99.76%	3,695,184
Bridges	6,604	19,937	13,332	33.13%	459,620
Walkways	75,596	72,486	-3,110	104.29%	243,503
Lighting	14,336	21,197	6,861	67.63%	84,790
Public Toilets	27,141	25,526	-1,616	106.33%	96,102
Sewer/Water					
Stormwater	4,278	8,420	4,142	50.81%	85,679
Waste	244,297	336,562	92,264	72.59%	1,373,747
Information, Communication	-	5,000	5,000	-	20,000
INFRASTRUCTURE TOTAL:	729,930	847,662	117,732	86.11%	6,058,625
GROWTH					
Residential	-		-	-	-
Tourism	19,345	26,418	7,073	73.23%	47,718
Business	117,398	100,479	-16,918	116.84%	391,418
Industry	-		-	-	-
GROWTH TOTAL:	136,743	126,897	-9,846	107.76%	439,136
LANDSCAPES					
Heritage	114,330	123,902	9,572	92.27%	471,709
Natural	45,597	49,030	3,433	93.00%	206,318
Cultural	-	6,250	6,250	0.00%	25,000
Regulatory - Development	230,247	262,722	32,474	87.64%	1,050,886
Regulatory - Public Health	2,972	5,055	2,083	58.80%	20,220
Regulatory - Animals	37,466	30,827	-6,639	121.54%	115,108
Environmental Sustainability	-	1,250	1,250	0.00%	5,000
LANDSCAPES TOTAL:	430,613	479,035	48,423	89.89%	1,894,241
COMMUNITY					
Community Health & Wellbeing	66,728	80,868	14,140	82.52%	313,472
Recreation	304,194	294,488	-9,705	103.30%	1,212,694
Access	-		-	-	-
Volunteers	-	5,250	5,250	0.00%	51,000
Families	-	2,500	2,500	0.00%	10,000
Education	-		-	-	-
Capacity & Sustainability	28,952	20,751	-8,200	139.52%	49,605
Safety	2,352	8,488	6,136	27.71%	33,950
Consultation & Communication	2,448	9,325	6,877	26.25%	37,300
LIFESTYLE TOTAL:	404,674	421,670	16,997	95.97%	1,708,021
ORGANISATION					
Improvement	-	20,072	20,072	0.00%	80,289
Sustainability	707,499	701,823	-5,676	100.81%	2,928,058
Finances	43,234	44,500	1,266	97.15%	355,238
ORGANISATION TOTAL:	750,733	766,395	15,663	97.96%	3,363,585
TOTALS	\$2,452,692	\$2,641,660	\$188,969	92.8%	\$13,463,607

CAPITAL EXPENDITURE PROGRAM 2023-24
As at 30 September 2023

		BUDGET \$	EXPENDITURE \$	BALANCE \$	COMMENTS	COMPLETION DEADLINE
INFRASTRUCTURE						
ROAD ASSETS						
Resheeting Program	Roads Resheeting	500,000	145,407	354,593		
	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	0	180,000	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	0	360,000	RTR \$325,531	30 June 2024
	Drainage (Reset Drains - various Roads)	250,000	144,434	105,566		
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	174,938	2,698,152	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	642	109,358	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	71,013	-1,013	C/f WIP \$60501.71	
	Campania - Reeve St Junction/footpath/kerb & channel	200,000	266,736	-66,736	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	9,331	30,669	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	
		6,586,669	1,297,309	5,289,359		
BRIDGE ASSETS	Jones Road Broadmarsh (Jordan River - Bridge 5083) - Flood Damage	130,000	3,302	126,698	C/f WIP \$3,302	
		130,000	3,302	126,698		

CAPITAL EXPENDITURE PROGRAM 2023-24

As at 30 September 2023

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION
		\$	\$	\$		DEADLINE
WALKWAYS	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 Southern End	60,000	49,919	10,081	LRCI P3 c/f WIP \$47,028	30 June 2024
	Kempton - Streetscape Plan - Footpath Renewal	60,000	0	60,000		
	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	LRCI P4	30 June 2025
	Oatlands - Stanley Street (Footpath -120 metre link)	25,000	0	25,000		
		858,045	54,511	803,534		
PUBLIC TOILETS	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	11,520	146,480	22/23 Budget \$140,000 c/f WIP \$5,070	
	General Public Toilets - Upgrade Program	20,000	0	20,000	Budget c/f	
		203,000	11,520	191,480		
DRAINAGE	Bagdad / Mangalore - Hydraulic Assessment (Flood Mapping)	161,660	43,644	118,016	Grant Funding \$80,830 WIP \$40,144	31 December 2023
	Kempton - Erskine Street - Stormwater Upgrade & Kerb	60,000	73,397	-13,397		
	Oatlands - Callington Park (Well - piped overflow system)	20,000	0	20,000		
		241,660	117,041	124,619		
WASTE	Wheeie Bins and Crates	12,500	6,553	5,947		
	WTS Safety & Operational Improvements	25,000	0	25,000		
		37,500	6,553	30,947		
GROWTH TOURISM	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)	
		1,800	44,051	-42,251		

CAPITAL EXPENDITURE PROGRAM 2023-24
As at 30 September 2023

		BUDGET \$	EXPENDITURE \$	BALANCE \$	COMMENTS	COMPLETION DEADLINE
LANDSCAPES						
HERITAGE						
	Heritage Collections Store	10,000	3,700	6,300	Budget c/f WIP \$3,700	
	Jericho - Memorial Avenue - Plaques	20,000	4,300	15,700	Budget c/f WIP \$4,300	
	Kempton Council Chambers - Clock Restoration Works	10,872	1,384	9,288	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	
		305,217	41,371	263,846		
NATURAL						
	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	82,499	217,501	WIP \$72,489	
		351,250	132,713	218,537		
CULTURAL						
	Oatlands - Aquatic Centre (Forecourt - Art Installation)	20,000	0	20,000		
		20,000	0	20,000		
REGULATORY - DEVELOPMENT						
	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	
		95,000	39,315	55,685		
REGULATORY - PUBLIC HEALTH						
	Unit(s) - GP Accommodation	500,000	0	500,000		
	Oatlands - GP Accommodation Units	100,000	15,340	84,660	Council Commitment (grant funded)	
		600,000	15,340	584,660		

CAPITAL EXPENDITURE PROGRAM 2023-24
As at 30 September 2023

	BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION
	\$	\$	\$		DEADLINE
COMMUNITY FAMILIES					
Bagdad - Child Care Centre Building	237,314	298,122	-60,808	Council Commitment (\$100K grant funded)	30 June 2025
	237,314	298,122	-60,808		
RECREATION					
Facilities & Recreation Committee	52,000	-	52,000		
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"	160,263	160,263	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	-	12,004		
Kempton - Recreation Ground (Site Dev and Play Equipment)	24,250	0	24,250	Budget c/f	
Kempton - Recreation /Skate Park/ Dog Park	31,000	-	31,000		
Kempton - Off-lead Dog Park	60,331	88,890	-28,559	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	9,906	472,207	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	32,596	-22,596		
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	
	2,004,417	1,064,867	939,550		
ACCESS					
Tunbridge Community Club - Accessible Toilets	115,000	200	114,800	22/23 Budget \$20,000 c/f WIP \$200	
	115,000	200	114,800		
CAPACITY & SUSTAINABILITY					
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	
	534,490	11,144	523,346		

CAPITAL EXPENDITURE PROGRAM 2023-24

As at 30 September 2023

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION
		\$	\$	\$		DEADLINE
ORGANISATION						
SUSTAINABILITY	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	16,238	-11,238	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		
		194,000	49,355	144,645		
WORKS	Minor Plant Purchases	9,500	10,397	-897		
	Quickspray Unit (c/w Pump etc)	12,670	0	12,670		
	Radio System	50,000	0	50,000		
	Plant Replacement Program					
	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		
		1,000,676	63,835	936,841		
	GRAND TOTALS	13,516,038	3,250,547	10,265,491		

CASH FLOW 2023/2024	INFLOWS (OUTFLOWS) July 2023 \$	INFLOWS (OUTFLOWS) Aug 2023 \$	INFLOWS (OUTFLOWS) Sep 2023 \$	INFLOWS (OUTFLOWS) (Year to Date) \$
<i>Cash flows from operating activities</i>				
Payments				
Employee costs	(369,019)	(578,131)	(416,390)	(1,363,540)
Materials and contracts	(865,696)	(514,063)	(383,016)	(1,762,775)
Interest	(2,917)	0	0	(2,917)
Other	(20,710)	(59,400)	(97,533)	(177,643)
	(1,258,343)	(1,151,593)	(896,939)	(3,306,875)
Receipts				
Rates	393,738	710,319	2,117,560	3,221,617
User charges	228,018	120,782	117,009	465,809
Interest received	44,460	51,157	63,218	158,835
Subsidies	0	0	0	0
Other revenue grants	0	103,038	2,983	106,021
GST Refunds from ATO	0	0	0	0
Other	65,230	245,462	12,054	322,746
	731,446	1,230,759	2,312,823	4,275,028
Net cash from operating activities	(526,897)	79,165	1,415,885	968,153
<i>Cash flows from investing activities</i>				
Payments for property, plant & equipment	(111,762)	(321,353)	(470,999)	(904,114)
Proceeds from sale of property, plant & equipment	17,818	58,095	0	75,914
Proceeds from Capital grants	102,500	1,534,236	0	1,636,736
Proceeds from Investments	0	0	0	0
Payment for Investments	0	0	0	0
Net cash used in investing activities	8,556	1,270,979	(470,999)	808,536
<i>Cash flows from financing activities</i>				
Repayment of borrowings	(8,291)	0	0	(8,291)
Proceeds from borrowings	0	0	0	0
Net cash from (used in) financing activities	(8,291)	0	0	(8,291)
Net increase/(decrease) in cash held	(526,632)	1,350,144	944,886	1,768,398
Cash at beginning of reporting month	17,408,041	16,881,409	18,231,553	17,408,041
Cash at end of reporting period	16,881,409	18,231,553	19,176,438	19,176,438

17.3.2 Amendment to Schedule of Fees and Charges 2023-2024

Amendment to 2023/2024 Fees & Charges Schedule and the provision of an EPN Fee

AUTHOR MANAGER – DEVELOPMENT & ENVIRONMENTAL SERVICES
 (GRANT FINN)

AUTHORISED BY SENIOR PLANNER (LOUISA BROWN)

DATE 19 OCTOBER 2023

PROPOSAL

This report is seeking the inclusion of an additional fee that is able to account for the issue of Environmental Protection Notices (EPNs).

From time to time Council is required to issue an EPN which is a regulatory tool specified in the *Environmental Management & Pollution Control Act 1994*.

An EPN can be used to require remediation of environmental harm, and/or as a pro-active measure, requiring actions to prevent environmental harm occurring.

The EPN is tied to the person responsible for the environmentally relevant activity to whom it is issued and served. EPNs can be transferred to another person.

There are a number of recent examples where Council has been involved with the issue of EPNs including the spreading of bio-solids and pot ale waste within the Municipality.

The compilation of an EPN involves officer time (generally EHO) and to date the issue of EPNs has been a cost to Council however this year we have cost recovered from one applicant.

The initiation of an appropriate fee will make this applicable to all future applications and assist in a neutral cost to Council.

The recommended 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	Environment Protection Notice fee – issuing and ensuring compliance	Drafting, assessment, verification and compliance inspections	Per hour or part thereof	\$334	exempt	\$334

RECOMMENDATION

THAT the 2023/24 Fees & Charges Schedule be amended to include the provision of an EPN fee.

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

17.3.3 SMC External Grant Projects - Quarterly Update

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 19 OCTOBER 2023

Enclosure:

Report to Council on Various SMC Grant Projects as at 18th October 2023

ISSUE

Council have a quite a number of external grants that are in various stages of implementation and it is meaningful to provide Council with a status report in respect of the external grants on a quarterly basis.

BACKGROUND

The application of grants is a major contributor to Council's infrastructure budget. Some grants are fully funded by the Grant body, for example 'election promises realised', others require part funding, ie Active Tasmania (former Dept. of Communities, Sport & Recreation - Tasmanian State Government), and with a minimum of 50% funding by Council, and others require various funding contributions by Council. Some with no funding contributions by Council.

All Council Business Units are focused on bringing in funded projects that meet the objectives of the Strategic Plan and that add value to our Community. That way the budget goes further and we are able meet, to some extent the expectations of the Community.

DETAIL

This update is provided for Councillors information only and will be updated on a quarterly basis.

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

Report to Council on Grant Funded Projects as at 18th October 2023

Project Title	Brief Description	Grant Body	Project Value Grant Funds	Project Value SMC Funds	Project Manager	Current Project Status (% complete)	Anticipated Completion Date	Remarks
Oatlands Aquatic Centre	Development of the proposed Aquatic Centre in Oatlands	1. Australian Government 2. Tasmanian Government 3. Station Child Care Centre 4. Loan Funds by SMC	\$2,000,000 \$2,000,000 \$80,350	\$5,920,000	Tim Kirkwood <i>(Project Financials)</i> Andrew Benson <i>(Project Delivery)</i>	Acquittal Reports have been sent to the Australian Government and the State Government. State Government Grant has been acquitted	Changed	The Defects Liability period has commenced and will be in place for 12 months from PC date. Final Certificate about to be issued by the Building Surveyor
South Central Sub-region – Workforce Development Coordinator Project	The submission of grant for a workforce coordinator for the Southern Midlands, Central Highlands, Brighton and Derwent Valley to (three year contract). The State Government through Jobs Tas to operate a Jobs Hub for the Sub Region. This is a partnership with the three other Councils.	Tasmanian Community Fund Jobs Tasmania	\$400,000 over three years \$M1.625	\$15,000 \$0	Andrew Benson	100% Triannual funding depending on Annual reviews	July 2023 Nov 2024 +	Contract targets of people to be employed were significantly exceeded, plus working with schools and employers on a range of activities Currently preparing bids for State Government Budget 2024. Currently exceeding expectations
Southern Midlands Drought Weeds Grant 2020 – Support for Farmers	\$30,000 for on ground works, \$25,000 for wages.	State Government of Tasmania	\$55,000	\$0	Mary Smyth Weeds Officer and Maria Weeding	80%	2023	More on ground work to be planned.
Reeve St / Native Crns Rd Junction plus carpark at Campania	Reeve Street Junction with Climie St plus carpark	Department of State Growth, under the Vulnerable Road User Program	\$200,000.00	\$50,000.00	Andrew Benson	100%	Completed October 2023	Funds acquittal being prepared

Report to Council on Grant Funded Projects as at 18th October 2023

Project Title	Brief Description	Grant Body	Project Value Grant Funds	Project Value SMC Funds	Project Manager	Current Project Status (% complete)	Anticipated Completion Date	Remarks
Wombat Woodland Walk	Nature interpretation and adventure trail for children at Chauncy Vale	Healthy Tasmania Fund	\$29,250	\$10,000	Graham Green	80%	April 2023	All work complete except for rope bridge.
2019-20 Black Summer Bushfire Recovery Grants Program	Support impacted Communities – Refurbishment of the Broadmarsh Hall as a Emergency Management Recovery Centre	National Recovery and Resilience Agency	\$M1.55	Nil (<i>In-kind</i>)	Andrew Benson/ Donna Blackwell Broadmarsh Elderslie Progress Assn (BEPA) Wendy Young (Project Finances)	30%	March 2024	SMC working in partnership with the Broadmarsh / Elderslie Progress Assn Inc on this grant program to maximize the benefits to the Community. Planning Approval and Building Approval all in place. Construction commenced
Premier's Fund for Children and Young People	Equipment for the Oatlands Aquatic Centre (OAC)	Department of Premier & Cabinet	\$50,000	Nil	Adam Briggs	80% Equipment side of the funding has been delivered, with the program side to be completed in 2023.	December 2023	Providing tremendous value to the Community using the OAC
Encouraging Active Ageing	Ageing members of our community activity program	Foundation for Rural & Regional Renewal	\$10,000	Nil	Wendy Young	100%	Completed	Acquittal completed
Healthy Lift - Expression of Interest	Lift Local grants are for local government to support activities that strengthen planning for health and wellbeing.	Healthy Tas (Dept. of Health Tas)	\$20,000	Nil	Andrew Benson / Wendy Young	0% EoI submitted in December 2022 Final submission March 2023		Awaiting on recruitment of Community & Corporate Development Officer will now bundle this in with Recreation Plan Review.

Report to Council on Grant Funded Projects as at 18th October 2023

Project Title	Brief Description	Grant Body	Project Value Grant Funds	Project Value SMC Funds	Project Manager	Current Project Status (% complete)	Anticipated Completion Date	Remarks
Road Infrastructure Upgrade	Reconstruction of Interlaken Road from Oatlands to Central Highlands Council boundary	Department of Infrastructure, Transport, Regional Development, communities and the Arts	\$5,346,180	\$300,000	David Richardson	Design work received	June 2024	Tender on Vendor Panel – closing end of October
Natural Disaster Risk Reduction Grant Program	Bagdad/Mangalore hydraulic assessment	Australian Government Attorney General's Department	\$80,830	\$80,830	David Richardson	Consultants/Engineers Engaged	December 2023	Consultant's works progressing
Safer Rural Roads Program	Woodsdale Road – Guard Rail	Department of State Growth	\$95,000	\$5,000	David Richardson	Included in 23/24 Works Program	29 February 2024	
Safer Rural Roads Program	Green Valley Road – Guard Rail & Line Marking	Department of State Growth	\$110,000	\$10,000	David Richardson	Included in 23/24 Works Program	8 January 2024	
ReGeneration Project	Convert 9 Barrack St to Community House style for service delivery by ReGeneration and Hobart City Mission	Tas Community Fund	\$52,000	\$25,400 Maintenance on the building	Andrew Benson with Mary-Ann Orchard (HCM)	Grant applied for	June 2024	This grant EoI was unsuccessful
Commonwealth Bank Community Grant Program	Small grant to help communities around Australia to purchase equipment or group activity.	Commonwealth Bank	\$500		Adam Briggs	Nothing has been started at this stage as the grant was awarded Friday 15/9/23.	December 2023	The grant will be used towards further Learn to Swim equipment such as flippers.
Mood Food Walkway	Footpath connection between Mood Food and Kempton	Local Government Assn Tas	\$336,500	\$146,000	Tim Kirkwood	Application submitted		
COMPLETED PROJECTS								
UNSUCCESSFUL GRANTS APPLICATIONS								

18. MUNICIPAL SEAL

18.1.1 Head of Agreement and Licence Department of Health (The Crown in Right of Tasmania) and Southern Midlands Council – 16 Church Street, Oatlands – Accommodation Units (Locum General Practitioners; visiting Specialists and Medical Staff)

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 4 OCTOBER 2023

Attachment(s):

Heads of Agreement

Licence – 16 Church Street, Oatlands

ISSUE

Council to review (and approve) both the Heads of Agreement and the Licence relating to the construction of two (2) Units at 16 Church Street, Oatlands (and subsequent use) and affix the Common Seal to these documents.

BACKGROUND

Council, at its meeting held 26th October 2022, received confirmation that the Tasmanian Government will contribute \$200,000 towards the cost of constructing two Accommodation Units at the rear of the Council owned property at 16 Church Street, Oatlands.

The contribution was conditional on the Southern Midlands Council:

- a) confirming that the Unit(s) will be made available for use by visiting Department of Health and Tasmanian Health Service staff, when not in use by locum GP's, and
- b) entering into an agreement that provides for the operational arrangements.

The Grant Deed which secured the \$200,000 State Government contribution was approved for signing by Council at its meeting held 27th September 2023.

DETAIL

In summary, the purpose of the Heads of Agreement is to:

- a) record the terms relating to the construction of the two Accommodation Units; and
- b) recognise that the two parties agree to take an exclusive licence of the two Units on the terms and conditions contained in the Licence (this being an annexure to the Heads of Agreement and separate document).

The Licence Agreement documents the arrangements between the two parties relating to:

- a) Permitted use;
- b) Insurance requirements;
- c) Utilities and cleaning;
- d) Responsibilities relating to maintenance and repairs; and

e) Termination (if necessary).

As previously reported, the conditions contained in these documents are consistent with the following Council position:

- SMC will not levy rates and charges on the property;
- SMC will insure the buildings at its own cost;
- SMC will provide building maintenance services; and
- Ongoing operational arrangements, including responsibility for the operational costs, will rest with the MMPHC.

Human Resources & Financial Implications – Previous reports have indicated that the total estimated cost to design and construct is \$500,000 - not including the value of the land which Council will make available at no cost.

The following funding sources have now been confirmed:

- a) MMPHC Community Advisory Committee (Donations Account) - \$100,000
- b) MMPHC Auxiliary - \$100,000;
- c) State Government - \$200,000; and
- d) Southern Midlands Council - \$100,000 (plus the value of the land).

Community Consultation & Public Relations Implications – N/A

Policy Implications – N/A

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

THAT:

1. the information be received;
2. Council approve the Heads of Agreement for signing and sealing; and
3. Council approve the Licence for signing and sealing.

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

19. 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.

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
<i>Closed Council Minutes - Confirmation</i>	15(2)(g)
<i>Applications for Leave of Absence</i>	15(2)(h)
<i>Audit Panel Minutes</i>	15(2)(b)
<i>Heavy Plant Replacement Tender (Wheel Loader)</i>	15(2)(d)
<i>Heavy Plant Replacement Tender (Backhoe x2)</i>	15(2)(d)
<i>Property Matter - Colebrook</i>	15(2)(c)(i)
<i>Southern Midlands Infrastructure Plan</i>	15(2)(g)

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr D F Fish		
Clr R McDougall		
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.

DECISION (MUST BE BY ABSOLUTE MAJORITY)		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr D F Fish		
Clr R McDougall		
Clr F Miller		

CLOSED COUNCIL AGENDA

20. BUSINESS IN “CLOSED SESSION”

20.1 Closed Council Minutes - Confirmation

20.2 Applications for Leave of Absence

20.3 Audit Panel Minutes

20.3.1 Receipt of minutes

20.3.2 Endorsement of Recommendations

20.4 Heavy Plant Replacement Tender (Wheel Loader)

20.5 Heavy Plant Replacement Tender (Backhoe x2)

20.6 Property Matter – Colebrook

20.7 Southern Midlands Community Infrastructure Plan

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 D F Fish		
Clr R McDougall		
Clr F Miller		

OPEN COUNCIL AGENDA

21. CLOSURE