

SOUTHERN
MIDLANDS
COUNCIL



A G E N D A

ORDINARY COUNCIL MEETING

Wednesday, 27th October 2021
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>	<i>7</i>
5.2.2 <i>Special Committees of Council - Endorsement of Recommendations.....</i>	<i>7</i>
5.3 <i>Joint Authorities (Established Under Division 4 of the Local Government Act 1993).....</i>	<i>8</i>
5.3.1 Joint authorities - Receipt of Minutes.....	8
5.3.2 Joint Authorities - Receipt of Reports (Annual & Quarterly).....	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 (SA 2020/12) for Subdivision (1 lot and balance) at 26 Main Street, Kempton owned by J G Ibrahim</i>	<i>18</i>
12.3 MUNICIPAL SEAL (PLANNING AUTHORITY).....	43
12.4 PLANNING (OTHER).....	43
12.4.1 <i>Tasmanian Planning Scheme - Draft Southern Midlands Local Provisions Schedule - Representations Received During Public Exhibition Period</i>	<i>43</i>
13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE) ..59	
13.1 ROADS.....	59
13.2 BRIDGES	59
13.3 WALKWAYS, CYCLE WAYS AND TRAILS.....	59
13.4 LIGHTING.....	59
13.5 BUILDINGS.....	59
13.6 SEWERS / WATER.....	60
13.7 DRAINAGE	60
13.8 WASTE.....	61
13.9 INFORMATION, COMMUNICATION TECHNOLOGY	61
13.10 OFFICER REPORTS – INFRASTRUCTURE & WORKS.....	62
13.10.1 <i>Manager – Infrastructure & Works Report.....</i>	<i>62</i>
14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH).....	68
14.1 RESIDENTIAL	68
14.2 TOURISM.....	68
14.3 BUSINESS.....	68
14.4 INDUSTRY.....	68
15. OPERATIONAL MATTERS ARISING (STRATEGIC THEME –LANDSCAPES).....	69

15.1	HERITAGE	69
15.1.1	<i>Heritage Project Program Report</i>	69
15.2	NATURAL.....	71
15.2.1	<i>NRM Unit – General Report</i>	71
15.3	CULTURAL	72
15.4	REGULATORY (DEVELOPMENT).....	72
15.5	REGULATORY (PUBLIC HEALTH)	72
15.6	REGULATORY (ANIMALS).....	73
15.6.1	<i>Animal Management Report</i>	73
15.7	ENVIRONMENTAL SUSTAINABILITY.....	75
16.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)	76
16.1	COMMUNITY HEALTH AND WELLBEING	76
16.2	RECREATION	76
16.2.1	<i>Kempton Recreation Ground Master Plan (Community Consultation)</i>	77
16.3	ACCESS	86
16.4	VOLUNTEERS.....	86
16.5	FAMILIES	86
16.6	EDUCATION	86
16.7	CAPACITY & SUSTAINABILITY	87
16.8	SAFETY	87
16.9	CONSULTATION & COMMUNICATION.....	87
17.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION).....	88
17.1	IMPROVEMENT	88
17.2	SUSTAINABILITY	88
17.2.1	<i>Tabling of Documents</i>	89
17.2.2	<i>Elected Member Statements</i>	94
17.2.3	<i>Local Government Shared Services – Quarterly Update – Information Only</i>	95
17.2.4	<i>SMC External Grant Projects – Quarterly Update</i>	97
17.2.5	<i>Proposed 2022 Council Meeting Schedule</i>	104
17.2.6	<i>Proposed Christmas / New Year arrangements (including office closure)</i>	106
17.3	FINANCES.....	107
17.3.1	<i>Monthly Financial Statement (period ending 30 September 2021)</i>	107
17.3.2	<i>Monthly Oatlands Aquatic Centre Capital Expenditure Report (period ending 31 August 2021)</i>	119
18.	MUNICIPAL SEAL	122
19.	CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA.....	123
20.	BUSINESS IN “CLOSED SESSION”	125
20.1	CLOSED COUNCIL MINUTES - CONFIRMATION.....	125
20.2	APPLICATIONS FOR LEAVE OF ABSENCE.....	125
20.3	HEAVY PLANT REPLACEMENT TENDER.....	125
20.4	COUNCIL IT STRATEGY (SYSTEM REPLACEMENT).....	125
21.	CLOSURE	126



Dear Sir/Madam

NOTICE OF MEETING

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

Date: Wednesday 27th October 2021

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.*

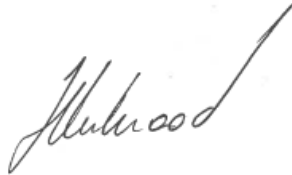
I therefore certify that with respect to all advice, information or recommendation provided to the Council in or with this Agenda:

- (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.*

Councillors please note:

- Public Question Time will be held at 10.30 a.m. – members of the public are invited to attend.

Yours faithfully

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

TF Kirkwood
GENERAL MANAGER

OPEN COUNCIL AGENDA

1. PRAYERS

Rev 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 22nd September 2021, as circulated, are submitted for confirmation.

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

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:

- Lake Dulverton & Callington Park Management Committee Minutes – 11th October 2021
- Kempton Streetscape Committee Meeting Minutes – 25th October 2021 - To be tabled

RECOMMENDATION

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

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

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.

- Lake Dulverton & Callington Park Management Committee Minutes – 11th October 2021
- Kempton Streetscape Committee Meeting Minutes – 25th October 2021 - To be tabled

RECOMMENDATION

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

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

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.

One workshop was held since the last Ordinary Meeting.

A workshop was held on the 11th October 2021 at the Council Chambers, Oatlands commencing at 9.30 a.m.

Attendance: Mayor A Green, Deputy Mayor E Batt, Cllrs A Bantick, A E Bisdee OAM, K Dudgeon, D Fish and R McDougall.

Apologies: Nil.

Also in Attendance: T Kirkwood, A Benson, J Crosswell and D Cundall (Planning Consultant).

The purpose of the workshop was to consider and discuss the following issues:

- **MONA (Representatives from Museum of Old and New Art attended the workshop and made a presentation).**

Mayor Mary Knowles (Northern Midlands Council) and Mr Folko Kooper were in attendance for this part of the workshop.

The presentation related to a concept entitled 'The Missing Project' which involves art installations (i.e. sculptures) being erected along the Midland Highway.

At the conclusion of the presentation, Council expressed its support for the project and will continue to work with MONA to progress the proposal and assist with the process of consultation with key stakeholders.

Mayor A Green left the workshop at approximately 11.0.0 a.m.

- **Planning Scheme - Southern Midlands Local Provisions Schedule**

The outcome(s) of the Workshop are presented in a separate Agenda Report to the October 2021 Council Meeting.

- **Jones Subdivision – Main Street, Kempton (Infrastructure / Development Incentive Agreement)**

Any further consideration by Council to be deferred pending a follow-up discussion with the developers.

The Workshop concluded at approximately 12.00 noon, followed by a site visit of the Oatlands Aquatic Centre.

RECOMMENDATION

THAT the information be received and the outcomes of the workshop(s) noted and endorsed.

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

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 A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

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 members of the public.

Mayor A O Green to then invite questions from members of the public in attendance.

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 (SA 2020/12) for Subdivision (1 lot and balance) at 26 Main Street, Kempton owned by J G Ibrahim

Author: DEVELOPMENT & ENVIRONMENTAL SERVICES (LOUISA BROWN)

Date: 14 OCTOBER 2021

Enclosure(s):

Development Application documents

Representation

Heritage Tasmania Decision

TasWater SPAN

PROPOSAL

The applicant, N Leary of Leary Cox & Cripps (surveyor) on behalf of Mr Ibrahim, 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 26 Main Street, Kempton.

The proposal seeks to subdivide the existing 5.815ha title into two (2) lots, as detailed below:

- Lot 1 – 3.979ha with 133m frontage to Main Road. This lot will contain the new distillery (currently under construction). A new access from Main Road will be constructed.
- Balance – 1.85ha with approximately 96m frontage to Main Road. This lot will contain Dysart House and the associated Stables building, gardens and associated infrastructure. There are two existing access points from Main Road which will remain and serve Dysart House.

The land is zoned Village and is currently developed with the heritage listed Dysart House and associated outbuildings and infrastructure. The buildings are largely clustered at the southern end of the title towards Main Road.

The site is used by the Old Kempton Distillery and associated cellar door and cafe. The purpose of the proposed subdivision is to separate Dysart House from the new distillery building and proposed bond stores.

The subdivision will require the separation of services for each lot and provision of a new access for Lot 1.

The application has been lodged under the *Southern Midlands Interim Planning Scheme 2015* (“the Planning Scheme”).

Dysart House and the associated title is listed on the Tasmanian Heritage Register. Approval from Heritage Tasmania has been granted, subject to conditions which must be attached to any Council permit (see enclosure).

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. During the notification period one (1) representation 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 5.815ha property is located on the eastern side of Main Road, with the eastern boundary meeting the Midland Highway. The property is developed with the heritage listed Dysart House including rear courtyard and associated stable. The site has established gardens and several large trees around Dysart House.

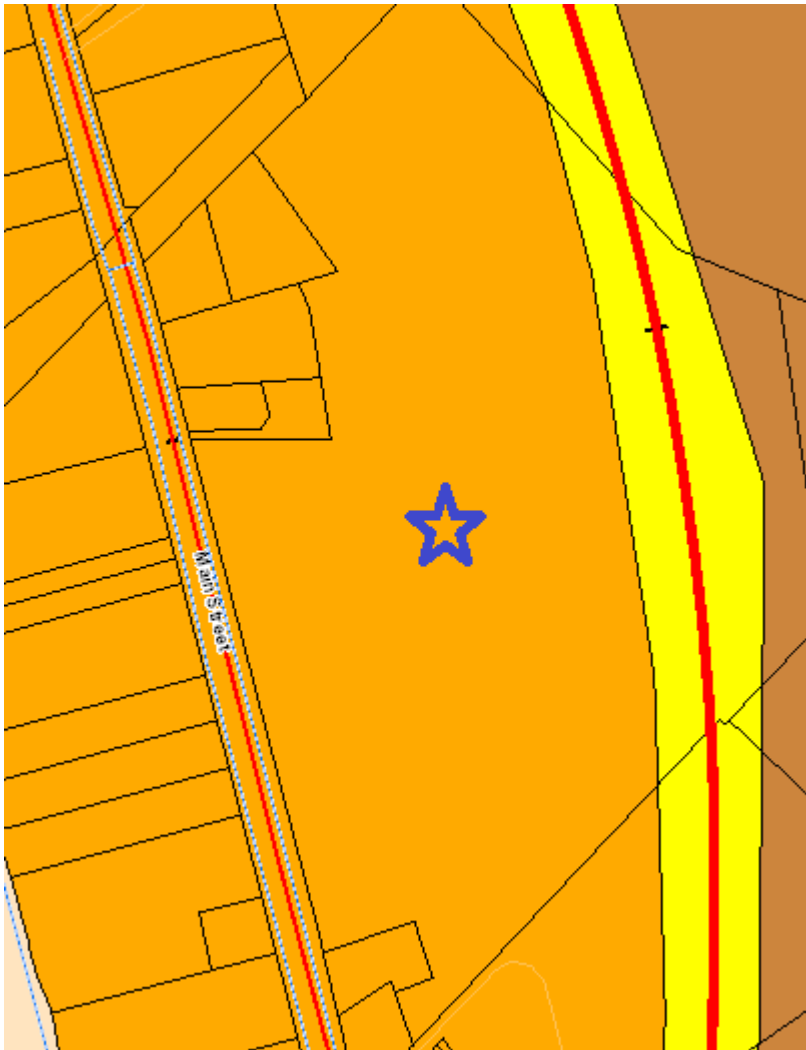
There are two existing access points from Main Road, with the driveways extending to parking behind Dysart House in a 'U' arrangement.

A new distillery building is currently under construction to the north of the stables (see background below).

A drainage line known as Glenfern Creek crosses the northern section of the land from west to east. There is an established belt of vegetation along the creek and then extending south along the boundary with the Midland Highway.

The property is largely adjoined by residential properties to the north, west and south. To the east is the Midland Highway and agricultural land beyond.

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



Map 1_ The subject land and surrounding properties on three sides are in the Village Zone (orange). Midland Highway is a State Road and is in the Utilities Zone (yellow). Agricultural land is in the Rural Zone (Cream) and Significant Agriculture Zone (brown). The subject title is marked with a blue star. Source: theLIST



Map 2 _ Aerial image of the subject land and surrounding area, with the approximate boundaries marked in yellow. Source: theLIST

BACKGROUND

The site is subject to several Development Applications related to the proposed subdivision and associated use of the site as a distillery, as outlined below.

- DA2015/163 – Cellar Door Sales and Signage

Initial establishment of 'Redlands Distillery' at the site (now known as Old Kempton Distillery), with cellar door sales and tasting, but no production of alcohol onsite.

- DA2016/50 – Change of Use to Distillery with Building Works on a Heritage Place

Approval of use of the site for a distillery and construction of new buildings including the new distillery (now under construction) and four bond stores (to be superseded by DA2021/111) and associated access and parking areas. DA2016/50 was determined by full Council in August 2016.

- DA2021/111 – Bond Stores (3)

The proposed bond store buildings have been amended from DA2016/50, necessitating further approval.

This DA has been advertised (at the same time as the subject subdivision) and is currently under assessment, pending provision of an updated bushfire

management plan and some details for Heritage Tasmania. A report will be presented to Council in due course.

THE APPLICATION

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

The proposal has been referred to Taswater and conditions have been provided to be attached to the planning permit if the proposal is approved by Council (see enclosure).

Dysart House and the associated title is listed on the Tasmanian Heritage Register. The proposal has been referred to Heritage Tasmania and approval has been granted, subject to conditions which must be attached to the planning permit if the proposal is approved by Council (see enclosure).

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 9.7.2 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.

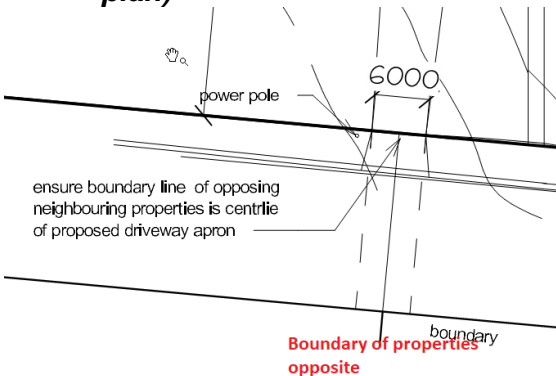
PUBLIC NOTIFICATION AND REPRESENTATIONS


The application was advertised for 14 days from the 10th September 2021. One (1) representation was received.

The matters raised in the representation address both this Development Application and the bond store Development Application (DA2021/111) which was advertised at the same time.

All of the concerns are detailed in the table below however only those relevant to the subdivision are addressed in detail. The other comments will be addressed with the bond store application when it is presented to Council.

<i>Representation 1</i>	<i>Council Officer Comment</i>
We would like to see a greater level of detail provided on the plans for our review and comment in regard to the proposed location of the main entrance into these facilities plus an update of the proposed traffic (ie vehicles including heavy vehicles, bus etc)types and times of operation using the proposed new entrance and the whole complex in general .	<p><i>The location of the proposed access for Lot 1 (which will be occupied by the distillery) is clearly identified on the DA plans (see further discussion below).</i></p> <p><i>The subdivision will not impact traffic and vehicle movements to the site.</i></p> <p><i>It is noted that the applicant has confirmed that the current level of traffic will not change as a result of the proposed bond stores and is consistent with the original approval of the distillery in DA2016/50.</i></p>

<p>We would like to see a sketch outline plan / detail of the proposed car park lighting (if any) plus signage for the sites new road entrance and car park area and the landscaping proposed for the whole site and timing expectations for the latter.</p>	<p><i>This matter will be addressed in assessment of the bond stores DA2021/111.</i></p>
<p>We note that the development plans for this site as originally submitted and approved several years ago are being changed as a result of this new application plus the installation of the new power pole with transformer has materially affected how the entrance was previously to be managed and it visually impairs the site.</p>	<p><i>This matter will be addressed in assessment of the bond stores DA2021/111.</i></p>
<p>Council officers at the time of the original development application and approval indicated to us that the new entrance and new crossover could be accommodated in a location more central to the new distillery building and roughly central and in line with our southern property boundary fence. This location is roughly where the temporary car park entrance is at this time.</p> <p>This location avoids light spill from traffic exiting the site into both our property and that of our Southern neighbour.</p> <p>This remains our preferred entrance location and not what appears on the proposed new site plans to be an entrance further North which would be directly in line with our bedrooms.</p>	<p><i>The proposed location of the new access point for Lot 1 is consistent with what was approved in the original distillery permit of DA2016/50, centred with the boundary between the properties on the opposite side of Main Road.</i></p> <p><i>The images below demonstrate this with the first image taken from the proposed subdivision plans and the second image from the Council report addressing this matter in the assessment of DA2016/50.</i></p> <p><i>The driveway locations are the same on both plans and have been confirmed onsite.</i></p> <p>1. Portion of Subdivision Proposal Plan (Tastech Site plan)</p>  <p>2. Image from Council Report DA2016/50:</p>

	<p style="text-align: right;">PUBLIC COPY</p> <p>Southern Midlands Council Agenda – 24 August 2016</p> 
<p>We once again request that proper consideration be given on this matter and this can only be achieved if some greater level of planning and detail is carried out for both operational vehicular and pedestrian access and egress within and around the site and onto the Main Street .</p>	<p><i>The access has been considered appropriately in regard to the planning scheme requirements for each Development Application relevant to the site.</i></p>
<p>We strongly suggest this planning should incorporate adequate considerations for street parking requirements to ensure through traffic and pedestrian safety risks are minimised. We request this work be undertaken now rather than after planning approval has been granted.</p>	<p><i>This matter will be addressed in assessment of the bond stores DA2021/111.</i></p>
<p>We note that the distillery owners have now had some considerable actual experience with vehicular traffic to and from the existing Dysart house and stable premises and on street car parking matters. Buses do frequent this venue plus long / large delivery trucks. They need large turning circles and currently this presents difficulty for them given temporary car parking</p>	<p><i>See comments above.</i></p> <p><i>This matter will be addressed further in assessment of the bond stores DA2021/111.</i></p>

<p>works and fencing constrains safe operations. These large vehicles impair good through traffic vision so we believe it's important that they park off road.</p>	
<p>We wish to see this development thrive and prosper and have no objections to the proposed bond stores and their location.</p> <p>We however request that greater consideration be given to vehicular traffic, pedestrian traffic, parking and the prevention of light spill into adjoining properties including as appropriate well considered landscaping and screening.</p>	<p>Comments noted.</p>

ASSESSMENT - THE SOUTHERN MIDLANDS INTERIM PLANNING SCHEME

Village Zone

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

<p>Development Standards - Subdivision</p>		
<p>16.5.1 Lot Design</p>		
<p>To provide for new lots that:</p>		
<p>(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;</p> <p>(b) contain building areas which are suitable for development, consistent with the Zone Purpose, located to avoid hazards and values;</p> <p>(c) are capable of providing for a high level of residential amenity including privacy, good solar access; and passive surveillance of public spaces;</p> <p>(d) are not internal lots, except if the only reasonable way to provide for efficient use of land;</p> <p>(e) are provided in a manner that provides for the efficient and ordered provision of infrastructure.</p>		
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>	<p>OFFICER COMMENT</p>
<p>A1 The size of each lot must be no less than as specified below, 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 only to the extent necessary due</p>	<p><i>The proposal is for 2 lots, with areas of 3.979ha and 1.85ha.</i></p> <p><i>The lot sizes exceed the maximum lot size of</i></p>

<p>(a) no less than 600 m2 and no more than 1,000 m2 (except balance lot) if in Bagdad, Campania, Kempton;</p> <p>(b) no less than 800 m2 and no more than 1,500 m2 (except balance lot) if in Colebrook;</p> <p>(c) no less than 5,000 m2 if located in Parattah, Tunbridge or Tunnack.</p>	<p>to demonstrated site constraints;</p> <p>(b) be consistent with the Zone Purpose and any applicable Local Area Objectives or Desired Future Character Statements.</p>	<p><i>1000m² for Kempton, as provided in A1 (b).</i></p> <p><i>Assessment against the Performance Criteria is therefore required.</i></p> <p><i>In this case the size of the lots is considered appropriate given the heritage values of the property and the nature of the use as a distillery. It is considered that the proposal complies with P1 (a).</i></p> <p><i>With regard to P1 (b), there are no Local Area Objectives or Desired Future Character Statements for the Village Zone.</i></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 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) has the long axis of the developable area facing north or within 20 degrees west or 30 degrees east of north;</p>	<p>P2 The design of each lot must contain a building area able to satisfy all of the following:</p> <p>(a) be reasonably capable of 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>The site is subject to the Bushfire Prone Areas Code so does not meet A2 (b).</i></p> <p><i>Therefore assessment against the Performance criteria is required.</i></p> <p><i>The design of each lot is suitable to contain the existing and proposed buildings and uses, with associated access, parking and infrastructure.</i></p> <p><i>The land is not intended for residential use and development at this time.</i></p>

<p>(f) is a minimum of 10 m x 15 m in size.</p>	<p>(i) on-site parking and manoeuvring;</p> <p>(ii) adequate private open space.</p>	
<p>A3 The frontage for each lot must be no less than 15 m, 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><i>Both of the proposed lots have frontage in excess of 15m, complying with A3.</i></p>
<p>A4 No lot is an internal lot.</p>	<p>P4 An internal lot must satisfy all of the following:</p> <p>(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;</p> <p>(b) it is not reasonably possible to provide a new road to create a standard frontage lot;</p> <p>(c) the lot constitutes the only reasonable way to subdivide the rear of an existing lot;</p> <p>(d) the lot will contribute to the more efficient utilisation of residential land and infrastructure;</p> <p>(e) the amenity of neighbouring land is unlikely to be unreasonably affected by</p>	<p><i>The proposal does not include any internal lots, complying with A4.</i></p>

	<p>subsequent development and use;</p> <p>(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;</p> <p>(g) passing bays are provided at appropriate distances to service the likely future use of the lot;</p> <p>(h) the access strip is adjacent to or combined with no more than three 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 Setback from a new boundary for an existing building must comply with the relevant Acceptable Solution for setback.</p>	<p>P5 Setback from a new boundary for an existing building must satisfy the relevant Performance Criteria for setback.</p>	<p><i>The proposed new boundary will be located less than 2m from the existing stables building, which does not meet the Acceptable Solution for setback in accordance with A5.</i></p> <p><i>Therefore assessment against the Performance criteria is required.</i></p> <p><i>The proposed location of the new boundary is appropriate given the existing and intended use and development of the site for the distillery and new bond stores. The proximity of the new boundary to the stables will</i></p>

		<p><i>not cause any amenity or other issues as the two titles will stay in the same ownership and continue to be occupied by Old Kempton Distillery for the foreseeable future.</i></p>
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Development Standards - Subdivision

16.5.2 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 roads and pedestrian lanes, where appropriate, to common boundaries; (d) 	<p><i>The subdivision does not include a new road and therefore complies with A1.</i> (a)</p>

	<p>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>	
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<p>Development Standards - Subdivision 16.5.4 Services</p>		
<p>To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Each lot must be connected to a reticulated potable water supply in Bagdad, Campania,</p>	<p>P1 No Performance Criteria.</p>	<p><i>The proposal complies with the Acceptable Solution</i></p>

Kempton, Colebrook and Tunbridge.		
A2 Each lot must be connected to a reticulated sewerage system in Bagdad, Campania, Kempton and Colebrook.	P2 Where a reticulated sewerage system is not available, each lot must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.	<i>The proposal complies with the Acceptable Solution.</i>
A3 Each lot must be connected to a stormwater system able to service the building area by gravity.	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.	<i>The proposal complies with the Acceptable Solution.</i>

E1.0 Bushfire Prone Area Code

The purpose of this Code is to ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

The Code applies to the development as the land is identified as a Bushfire Prone Area in the Planning Scheme mapping.

A Bushfire Hazard Assessment Report *Bushfire Hazard Management Plan Report, 26 Main Street, Kempton (Rhys Menadue, dated June 2021)* prepared by an accredited person has provided with the Development Application. It is noted that the report addresses both the subdivision and the bond stores which are subject to a separate application. Only the sections relevant to the subdivision are considered in this report.

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

Development Standards - Subdivision

E1.6.1 Subdivision: Provision of hazard management areas

Subdivision provides for hazard management areas that:

- (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> <p>(i) shows all lots that are within or partly within a bushfire-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</p>	<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> <p>(a) the dimensions of hazard management areas;</p> <p>(b) a bushfire risk assessment of each 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>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 there the plans provided are acceptable to manage/mitigate risk or that the development will result in an insufficient risk from the hazard.</p> <p>The Certificate/Report demonstrates a Hazard Management Area can be provided for each lot and complies with A1 (b).</p> <p>The hazard management areas will extend across the proposed new boundary, so a Part V agreement will be necessary in accordance with A1 (c) to ensure that maintenance continues regardless of the ownership of either lot.</p>

<p>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>(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>		
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Development Standards - Subdivision

E1.6.2 Subdivision: Public and fire fighting access

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;

<p>(d) provide access to water supplies for fire appliances; and</p> <p>(e) are designed to allow connectivity, and where needed, offering multiple evacuation points.</p>		
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 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>P1</p> <p>A proposed plan of subdivision shows access and egress for residents, fire-fighting 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><i>The Report states that the access will comply with the standards for road access.</i></p>

	<p>(xiii) fire trails;</p> <p>(b) the provision of access to:</p> <p>(i) bushfire-prone vegetation to permit the undertaking of hazard management works; and</p> <p>(ii) fire fighting water supplies; and</p> <p>(c) any advice from the TFS.</p>	
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Development Standards - Subdivision

E1.6.3 Subdivision: Provision of water supply for fire fighting purposes

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</p>	<p>P1 No Performance Criterion.</p>	<p><i>The reticulated water supply complies with the Table E4 as certified in the Report.</i></p>

<p>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>		
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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 Climie Street and the new vehicle crossings for the lots. This will result in an intensification of the local road network in additional traffic movements. The details of which are captured in the Traffic Impact Assessment provided by the Applicant.

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

<p>Development Standards</p>		
<p>E5.6.2 Road accesses and junctions</p>		
<p>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 No new access or junction to roads in an area subject to a speed limit of more than 60km/h.</p>	<p>P1 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; 	<p><i>Not applicable.</i></p> <p><i>No new access or junction with a road subject to a speed limit of more than 60km/h is proposed.</i></p>

	(f) any traffic impact assessment; and (g) any written advice received from the road authority.	
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.	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: (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.	<i>The proposal includes one new access point for Lot 1m which complies with the Acceptable Solution.</i>

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
A1 Sight distances at: a. an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and b. rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards	P1 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: (a) the nature and frequency of the traffic generated by the use; (b) the frequency of use of the road or rail network; (c) any alternative access;	<i>The Sight distances at the new access to Main Road comply the Acceptable Solution A1.</i>

Association of Australia.	of	(d) the need for the access, junction or level crossing; (e) any traffic impact assessment; (f) any measures to improve or maintain sight distance; and (g) any written advice received from the road or rail authority.	
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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 for Lot 1 will comply with the Acceptable Solution and are addressed in the proposed conditions.

Internal parking and access is relevant to the Development Application for the bond stores and will be assessed with that DA.

CONCLUSION

The report has assessed a Development Application for subdivision of one lot and balance at 26 Main Road, Kempton.

One (1) representation was 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 Village 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 (SA 2020/12) for Subdivision (1 lot and balance) at 26 Main Street, Kempton owned by J G Ibrahim.

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.

2. This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, which ever is later, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

Easements

3. The final plan of survey must include easements over all drains, pipelines, wayleaves and services to the satisfaction of Council's General Manager.

Heritage Tasmania

4. Compliance with any conditions or requirements of the Tasmanian Heritage Council in the attached 'Notice of Heritage Decision' No. 6347 dated 5 October 2021.

Bushfire

5. The development must be in accordance with the endorsed Bushfire Hazard Management Plan and Report, or as otherwise required by this permit, whichever standard is greater.
6. A Part 5 agreement relating to the Hazard Management Areas established by the approved Bushfire Hazard Management Plan and Report must be submitted with or prior to the final plan.

Agreements

7. 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.

Covenants

8. 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

9. 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.
10. A fee of \$250.00, 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.
11. 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) Council 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.

12. 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 for each stage. 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.
13. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

Engineering

14. The subdivision must be carried out in accordance with the Tasmanian Subdivision Guidelines October 2013 or as otherwise agreed by Council's General Manager or required by conditions of this permit.

Services

15. Property services must be contained wholly within each lots served or an easement to the satisfaction of the Council's General Manager or responsible authority.
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.

Drainage

17. The developer is to provide a piped stormwater property connection to each lot in accordance with Council standards and to the satisfaction of Council's General Manager.

Tas Water

18. The development must meet all required Conditions of approval specified by Tas Water Submission to Planning Authority Notice, TWDA 2020/01137-STM, Dated 21/07/2021.

Telecommunications and electrical reticulation

19. Electrical and telecommunications services can be provided to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's General Manager.
20. Prior to sealing the final plan of survey the developer must submit to Council:
 - (a) Evidence that each lot has existing electrical and telecommunication connections; or
 - (b) A "Provisioning of Telecommunications Infrastructure – Confirmation of final payment" or "Certificate of Practical Completion of Developer's Activities" from Telstra or NBN Co.

- (c) Written advice from TasNetworks confirming that all conditions of the Agreement between the Owner and authority have been complied with and/or that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections at the time each lot is further developed.

Access

21. A reinforced concrete vehicle access with a minimum width of 6m must be provided from the road carriageway to Lot 1 in accordance with Council's Standard Drawings and to the satisfaction of Council's General Manager.

Construction

22. The subdivider must provide not less than forty eight (48) hours written notice to Council's General Manager before commencing construction works on-site or within a council roadway.
23. 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

24. The development must only be carried out between the following hours unless otherwise approved by the Council's Manager Environment and Development Services:
- 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
25. 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.
 - (b) Transport of materials, goods or commodities to or from the land.
 - (c) Appearance of any building, works or materials.
26. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Municipal Engineer.
27. 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 project during the construction period.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -

- A. This permit does not imply that any other approval required under any other legislation has been granted.
- B. 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.

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

12.3 Municipal Seal (Planning Authority)

Nil.

12.4 Planning (Other)

12.4.1 Tasmanian Planning Scheme - Draft Southern Midlands Local Provisions Schedule - Representations Received During Public Exhibition Period

Author: PLANNING CONSULTANT (DAVID CUNDALL)

Date: 19 OCTOBER 2021

Attachment:

Representations

SUMMARY

This report relates to the exhibition of the draft Southern Midlands Local Provisions Schedule (LPS) which has been prepared as part of the transition to the *Tasmanian Planning Scheme – Southern Midlands*.

In accordance with the requirements of section 35F of the *Land Use Planning and Approvals Act 1993* (LUPAA), Council is required to prepare a report to the Tasmanian Planning Commission (the Commission) on the representations received during the public exhibition period, including its opinions on whether the matters raised in those representations are of sufficient merit to necessitate a modification to the draft LPS.

Each representation was workshopped with the Council on Monday the 11th October 2021 at the Oatlands Council Chambers. A transcript of the workshop (workshop summary) is provided as part of the October 2021 meeting agenda (this agenda).

BACKGROUND

Through amendments to LUPAA, the State Government has legislated for the introduction of a single state-wide planning scheme to be known as the Tasmanian Planning Scheme. The Tasmanian Planning Scheme will replace all existing local council planning schemes and will come into effect for each council once the relevant LPS is declared/approved for that local government area.

As Council would recall, the LPS forms a part of the overall Tasmanian Planning Scheme (TPS). The scheme is comprised of the State Planning Provisions (SPPs) and the Local Provisions Schedules (LPSs). The SPPs were prepared by the State Government (declared by the Minister February 2017) and the LPS is to be prepared by each Council in Tasmania. The TPS does not come into effect until the LPS has been approved by the Minister for Planning. This will be subject to public consultation, further consideration by Council and hearings held by the Commission.

The content of the LPS consists of two parts:

- A. Zone maps and overlay maps; and
- B. Written ordinance

The overlay maps and zone maps spatially define the application of the zones, specific area plans and the application of certain planning scheme codes.

The draft LPS is supported by a "Supporting Report" which explains the content of the LPS and provides justification against the particulars of LUPAA.

Council endorsed the draft LPS and Supporting Report for submission to the Commission at the November 2018 Council Meeting.

Since the endorsement of the draft LPS at the November 2018 meeting a number of technical changes and reviews were undertaken by the Commission. Many of these matters have been discussed with Council over the past 24 months with regular updates provided to the Council (through the publicly available agenda).

The most significant changes however were made in response to the notice issued by the Commission in accordance with the 'Section 35 Directions Notice' in late 2020. This notice, in addition to minor technical changes, required that Council abandon proposals to rezone land at Blackbrush Road, Mangalore, Kempton and Campania.

Despite numerous attempts by Council planning staff to convince the TPC that the draft rezoning proposals were compliant with LUPAA; the Commission delegates were ultimately not persuaded and did not consider the draft LPS process to be the appropriate avenue for strategic zone changes in the Southern Midlands. This is in line with the Minister's letter of expectations. This matter was considered by Council at the November 2020 meeting.

Council resolved to writing to the Minister for Planning to raise the issues in making zone changes in the rural settlements in Southern Tasmania. The letter, and the lobbying by the Mayor, was successful in progressing a review of the *Southern Tasmanian Regional Land Use Strategy* (STRLUS). This is the guiding strategic document for settlement and the growth of settlements in Southern Tasmania. The policies of STRLUS were the reason cited by the TPC in their reticence to accept any residential type rezoning(s) in the draft LPS.

The issues raised in the directions notice by the Commission and the issues experienced by the Southern Midlands Council in delivering a more timely LPS were not in isolation. Many of the 29 Councils that were seeking to make modifications to their planning schemes through the draft LPS process were limited by the many tests for determining compliance with LUPAA. It is estimated that a draft LPS requires approximately 122 tests under various parts of LUPAA and associated/referenced strategic documents and plans.

On 22nd June 2021, the Commission directed Council to exhibit the draft LPS for the statutory 60-day exhibition period required under LUPAA.

The draft LPS that was exhibited was ultimately a more simplified version of the draft LPS that was considered by Council at the November 2018 meeting.

STATUTORY REQUIREMENTS

Following the statutory public exhibition of the draft LPS (carried out in accordance with the requirements of sections 35C and 35D of LUPAA), Council must now prepare this report to the Tasmanian Planning Commission regarding that exhibition.

The report is to consider the representations received during the public exhibition period including an assessment and recommendation on whether the matters raised in those representations are of sufficient merit to necessitate a modification to the draft LPS. The specific legislative requirements for this post exhibition report are set out under section 35F of LUPAA and are reproduced below.

LUPAA - Section 35F – Report by planning authority to Commission about exhibition

- 1) A planning authority, within 60 days after the end of the exhibition period in relation to a draft LPS in relation to the municipal area of the planning authority or a longer period allowed by the Commission, must provide to the Commission a report in relation to the draft LPS.
- 2) The report by the planning authority in relation to the draft LPS is to contain –
 - a) a copy of each representation made under section 35E(1) in relation to the relevant exhibition documents in relation to the draft LPS before the end of the exhibition period in relation to the draft LPS, or, if no such representations were made before the end of the exhibition period, a statement to that effect; and
 - b) a copy of each representation, made under section 35E(1) in relation to the relevant exhibition documents in relation to the draft LPS after the end of the exhibition period in relation to the draft LPS, that the planning authority, in its discretion, includes in the report; and
 - (i) a statement containing the planning authority's response to the matters referred to in an LPS criteria outstanding issues notice, if any, in relation to the draft LPS; and
 - c) 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 –
 - (i) whether the planning authority is of the opinion that the draft LPS ought to be modified to take into account the representation; and
 - (ii) the effect on the draft LPS as a whole of implementing the recommendation; and
 - d) a statement as to whether it is satisfied that the draft LPS meets the LPS criteria; and
 - e) the recommendations of the planning authority in relation to the draft LPS.
- 3) Without limiting the generality of subsection (2)(e), the recommendations in relation to a draft LPS may include recommendations as to whether –
 - a) a provision of the draft LPS is inconsistent with a provision of the SPPs; or
 - b) the draft LPS should, or should not, apply a provision of the SPPs to an area of land; or
 - c) the draft LPS should, or should not, contain a provision that an LPS is permitted under section 32 to contain.

COMMUNITY ENGAGEMENT

In accordance with the requirements of LUPAA, the draft LPS was made available for public exhibition and representation for a period of 60 days. The public exhibition period was conducted from 5th July 2021 until the close of business on 3rd September 2021. During this exhibition period, the community could inspect and make representation on the content of the draft LPS.

In addition to the statutory requirements of LUPAA Council also engaged further with the community through other Council resources to exhibit and communicate the draft – this included:

- Council website,
- Council Facebook,
- Readily available information at Kempton and Oatlands Offices;
- Three (3) information “drop-in” sessions. These were held at Kempton, Oatlands, and Campania and provided additional “after-hours” time for the public to speak with Council Officers and review maps, reports and other supporting documents.
- Officers were available to discuss matters with the public and stakeholders either at the Kempton Office, over the phone or email and otherwise by appointment.

Council has fulfilled its statutory obligations under sections 35C and 35D of LUPAA to inform and notify the public regarding the exhibition of the draft LPS.

The drop-in sessions had a lower than expected attendance by the public. This is in comparison to the 2014-2015 sessions on the draft Southern Midlands Interim Planning Scheme. Of note, however, is the fact that the draft LPS is limited to the mapping and local provisions which are largely a translation of the current *Southern Midlands Interim Planning Scheme 2015* (SMIPS).

The exhibition was also advertised and circulated by planning firms, planning interest groups, conservation groups and through the Tasmanian Planning Commission website. This is a strong indication that the documentation was widely circulated and available through a range of means – and that people have made a decision to access information predominately “online” by viewing and downloading material from the Council website and TPC website.

Greater access and engagement with digital (online) content is certainly not unusual during the COVID-19 pandemic.

The representations are a mixture of landowners, interest groups and state agencies. This is the expected ‘mix’ of representations.

Content of Representations

19 representations were received during the public exhibition period and a further one (1) representation was received post exhibition. This brings the total to 20. The Planning Commission have informed planning staff that representations received after the close of the exhibition period may be accepted by Council.

A table categorising the type of representation is provided below.

Representation Category	Total Number received	Content of Rep (issues raised)
Landowners	10	6 representations request Council to apply the Landscape Conservation Zone to their covenanted land.
		one (1) is opposed to Council applying the Landscape Conservation Zone
		one (1) is supportive of the application of the Agriculture Zone to their land and opposes application of the Rural Living Zone to their neighbouring land
		One (1) is seeking entire property to be zoned Rural Zone (not split with the agriculture zone)
		One (1) is seeking part of land to be Rural Zone and clarification of zoning.
Planning Consultant	1	One (1) seeking that land in Mangalore (Blackbrush Road) be zoned Rural Living Zone as endorsed by Council at the November 2018 meeting.
State Agency	7	Four (4) seek particular zoning for their asset/infrastructure.
		Two (2) highlight and seek further mapping of dispersive soil mapping
		One (1) seeks the Planning Authority make every endeavour to map flood prone areas
Organisation	2	One (1) Seeks 29 properties are rezoning to the Landscape Conservation Zone
		One (1) seeks that land with conservation covenants is included in the Landscape Conservation Zone
Other	nil	

Table 1: Category of Representations

An assessment of each representations and recommendations in response to the matters raised in each representation is provided as Attachment 1 – Part A. Copies of each of the received representations are enclosed with Attachment 2.

DISCUSSION

Statutory requirements for a draft LPS – the LPS criteria (section 34(2) LUPAA)

The draft LPS has been prepared in accordance with the requirements of LUPAA. As instructed and set out under section 34(2) of LUPAA, a draft LPS must satisfy a set of criteria which are detailed below. A draft LPS must:

- (a) contain all the provisions that the State Planning Provisions specify must be contained in an LPS;
- (b) comply with the content requirements specified by section 32 of LUPAA;
- (c) further the objectives set out in Schedule 1 of LUPAA;
- (d) be consistent with each State Policy;
- (e) be, as far as practicable, consistent with the relevant regional land use strategy;
- (f) have regard to the relevant strategic plan, prepared under section 66 of the Local Government Act 1993;
- (g) be, as far as practicable, consistent with and co-ordinated with any LPS's that apply to adjacent municipal areas; and
- (h) have regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*.

Before the draft LPS was made available for public exhibition, the Commission was required to be satisfied that the above criteria, under section 34(2) of LUPAA, were met.

Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application

The principal point of instruction for the allocation of zones and codes made with the draft LPS is *Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application*, June 2018, (the *Ministerial Guidelines*). This Guidelines were issued by the Commission in accordance with section 8A of LUPAA.

The application of all zones and code overlays included with the draft LPS must be in accordance with Guideline No.1. This Guideline is specifically used in assisting to determine compliance with the LPS criteria described previously.

Zone allocations made with the Southern Midlands draft LPS

The draft LPS assigns all land with the Southern Midlands local government area to a zone and it is that zoning that provides the primary mechanism for regulating land use and development under the planning scheme. The zoning makes provision for what use and development can occur in particular areas and under what circumstances.

The allocation of zones made with the draft LPS has sought to find an appropriate balance between: (1) the instruction contained in the LPS Zone and Code Application Guideline; and;

(2) zoning assignments that provide for an appropriate recognition of existing and well-established land use and development patterns in the Southern Midlands local government area.

Broader strategic planning considerations

A key challenge in preparing the draft LPS has been the need to differentiate between what is necessary to prepare a draft LPS versus what could be described as broader strategic planning considerations (for example the rezoning areas of land not currently used or zoned for residential purposes to accommodate future settlement growth). The Minister for Planning has, on multiple occasions, advised local councils that the State Government's position is that the LPS process is not about the opportunity to undertake significant strategic land use planning reviews.

This position is emphasised in a previous statement issued by the Minister for Planning which is reproduced below:

'The current process of preparing draft LPS's to give effect to the Tasmanian Planning Scheme is a priority for the Government and the efficient conversion of current interim planning schemes to the LPSs should not be unnecessarily complicated by the introduction of strategic changes that are not related to the facilitation of that process.'

[Minister's Advisory Statement, June 2017]

Council had endorsed a draft LPS that included some land zoning reviews and strategic 'housekeeping' changes to zoning in Kempton, Campania and Mangalore however the Commission dissuaded and directed Council to remove the zone applications.

These modifications were removed to the satisfaction of the Commission and then exhibition of the documentation commenced.

Planning Authority Consideration (and Council Workshop Consideration)

The representations were workshopped with the Council on Monday the 11th October 2021. The following matters were considered in relation to the matters raised in the representations. The content is reproduced here for the benefit of the public, the stakeholders and those that lodged a representation.

This also further demonstrates the Planning Authorities decision making and consideration(s) of the representations.

A. Landscape Conservation Zone

Seven (7) of the ten (10) representations, from landowners, are regarding the application of the Landscape Conservation Zone. This was largely prompted by the information circulated by the Conservation Landholders Tasmania (CLT) to those persons in their network of landholders.

The CLT is largely an educational network for landholders with conservation covenants. It is a branch of Landcare. CLT lodged a representation recommending that 29 properties, with conservation covenants, be mapped Landscape Conservation Zone. The CLT have lodged similar representations with other Councils across Tasmania (that have exhibited their draft LPSs). It is evident from other Section 35F reports (which are available online) that other Council's have recommended the application of the Landscape Conservation Zone to lands identified through the representations.

What is the Landscape Conservation Zone?

This zone is a new zone.

The zone was available in the suite of zones available to Council in the State Planning Provisions (SPPs). The Ministerial guidelines for the application of the zones, Guideline No.1 provide four criteria:

LCZ 1 The Landscape Conservation Zone should be applied to land with landscape values that are identified for protection and conservation, such as bushland areas, large areas of native vegetation, or areas of important scenic values, where some small scale use or development may be appropriate.

LCZ 2 The Landscape Conservation Zone may be applied to:

- a) large areas of bushland or large areas of native vegetation which are not otherwise reserved, but contains threatened native vegetation communities, threatened species or other areas of locally or regionally important native vegetation;
- b) land that has significant constraints on development through the application of the Natural Assets Code or Scenic Protection Code; or

- c) land within an interim planning scheme Environmental Living Zone and the primary intention is for the protection and conservation of landscape values.

LCZ 3 The Landscape Conservation Zone may be applied to a group of titles with landscape values that are less than the allowable minimum lot size for the zone.

LCZ 4 The Landscape Conservation Zone should not be applied to:

- a) land where the priority is for residential use and development (see Rural Living Zone); or
b) State-reserved land (see Environmental Management Zone).

The Landscape Conservation Zone was not applied to the Southern Midlands draft LPS. The zone is a challenging zone to manage from a strategic policy position. There are varying land uses, interests and ideology in the community with regard to the conservation of native vegetation through the planning system.

The application of the zone on a 'whole of local government area' basis brings challenges strategically in identifying landscapes of important scenic value without first undergoing a detailed analysis of such landscapes and determination of the values within such landscapes.

A landscape study and analysis is something that *should* be undertaken with meaningful landowner and community consultation; and is not an exercise that should be 'rushed' in order to prepare the LPSs.

It is therefore simpler for the draft LPS to be exhibited with the transitional interim planning scheme zoning on a 'like for like' basis and allow for the landowners to lodge their representation on this zone. It would appear the landowners have made an informed decision through their contact with the Conservation Landholders Tasmania. The Planning Authority should be able to determine a suitable zoning on a 'case by case' basis for the zone.

The purpose of the Landscape Conservation Zone is to

- To provide for the protection, conservation and management of landscape values.
- To provide for compatible use or development that does not adversely impact on the protection, conservation and management of the landscape values.

There are many land uses that can still continue and commence in the zone. The Use Table (Table 1) provides the different uses that are allowable in the zone. Farms that are included in the zone may continue to farm within the zone. The application of the zone does not prevent grazing or holding of stock in bush runs (for example).

An assessment of each title identified in the representations is provided in Attachment 1 with a recommendation. Council may opt to discuss each parcel or may agree to simply recommending to the TPC that the land be zoned Landscape Conservation Zone.

There are challenges in split zoning or 'spot zoning' titles. This can lead to an inconsistent application of zoning and therefore not an orderly application of the zones consistent with the objectives of the Act. Also split zoning should be well informed and be applied with a high level of information including ground truthing and consultation with the landowner. There is a risk also that split zoned property may unnecessarily inhibit a dominant land use i.e. what is allowable on one part of the property may be prohibited on another part of the property. This leads to an inconsistent and potentially ad-hoc or unstable application of zoning and future land use and can make planning assessment complicated.

22.0 Landscape Conservation Zone

22.1 Zone Purpose

The purpose of the Landscape Conservation Zone is:

- 22.1.1 To provide for the protection, conservation and management of landscape values.
- 22.1.2 To provide for compatible use or development that does not adversely impact on the protection, conservation and management of the landscape values.

22.2 Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Permitted	
Residential	If for a: (a) home-based business; or (b) single dwelling located within a building area, if shown on a sealed plan.
Utilities	If for minor utilities.
Discretionary	
Community Meeting and Entertainment	If for a place of worship, art and craft centre or public hall.
Domestic Animal Breeding, Boarding or Training	
Emergency Services	
Food Services	If for a gross floor area of not more than 200m ² .
General Retail and Hire	If associated with a Tourist Operation.
Residential	If for a single dwelling.
Resource Development	If not for intensive animal husbandry or plantation forestry.

Use Class	Qualification
Sports and Recreation	If for an outdoor recreation facility.
Tourist Operation	
Utilities	If not listed as No Permit Required.
Visitor Accommodation	
Prohibited	
All other uses	

Table 2: Landscape Conservation Zone Table of Uses

B. Utilities Zone

The representations from TasRail, State Growth, and TasNetworks are all seeking land containing or related to their infrastructure be included in the Utilities Zone. Council Officers made every endeavour to identify these parcels of land in preparing the draft LPS for Council endorsement. Some further parcels were identified by the TPC during the ‘post lodgement’ discussions and hearings. Clearly there are several more titles that should have been included.

These are regarded as fairly benign suggestions in the greater scheme of things and aligns with the Planning Authority’s draft LPS. The utilities zone was applied to assets such as major roads, sewer and water assets, TasRail line and stations, and waste transfer stations etc. This included many more additional sites than currently identified in the Interim Planning Scheme.

The purpose of the zone is:

- To provide land for major utilities installations and corridors.
- To provide for other compatible uses where they do not adversely impact on the utility.

The zone allows for infrastructure and other service providers to use, maintain and further develop land for the utilities onsite with limited or no planning requirements i.e. ‘No Permit Required’. There are already a number of exemptions and the like for the maintenance and repair of utilities however given the strategic interests at stake the application of the zone is the right approach to reserving such land for future infrastructure development.

Assessment of each representation is provided in Attachment 1.

C. Rural Living Zone

Black Brush Road

The Council endorsed draft LPS included the application of the Rural Living Zone to five (5) lots at BlackBrush Road, Mangalore. The land is identified in Figure 1 as:

- Lot 6 Black Brush Road Mangalore CT152939/6
- Black Brush Road CT123830/1
- 40 Black Brush Road CT14381/1
- 42 Black Brush Road CT47455/1
- 26 Black Brush Road CT6519/1



Figure 2 Black Brush Road Rural Living Zone Area (as endorsed at the November 2018 Meeting)

The land has been subject to two (2) previous attempts by the Council to rezone the land to a Rural Residential zone.

The TPC have directed Council to remove the Rural Living Zone from these properties as they are not convinced the zoning is consistent with the STRLUS. There will be further opportunity for Council to seek to rezone the land through later scheme amendments once the regional land use strategy has been reviewed/amended.

4.3.2 Hall Lane/Quarrytown Road

The representation (#20) has asked Council to consider the application of the Rural Living Zone to three (3) lots along Hall Lane as identified in Figure 2. This is considered in the representation table.

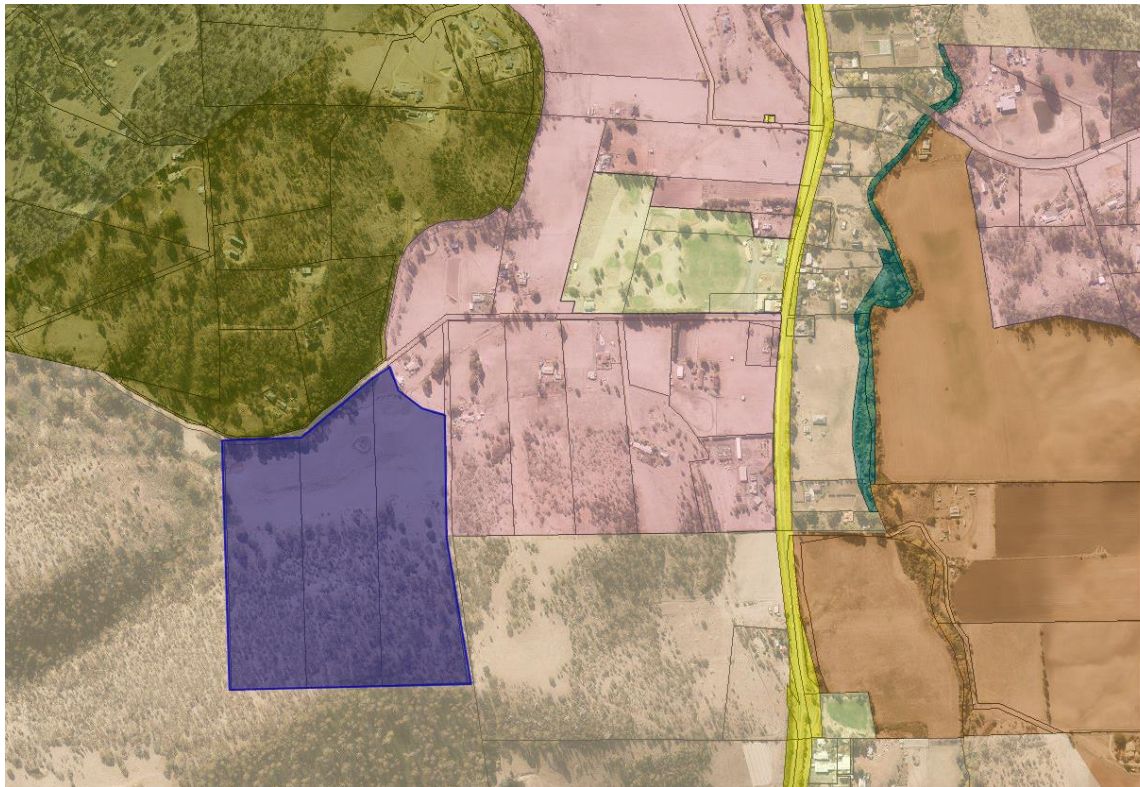


Figure 3 Hall Lane/ Quarrytown Road

D. Dispersive Soil Mapping

The Interim Planning Scheme provides a Potential Dispersive Soils Overlay that applies to land in Green Valley Road extending up toward Huntingdon Tier Road and Kings Road in Bagdad. The area is identified in Figure 2. The previous Southern Midlands Planning Scheme 1998 had a similar overlay in the scheme.

The overlay, under the Interim Planning Scheme, applies the Dispersive Soils Code. The purpose of the Code is to ensure that development on land potentially containing dispersive soils is appropriately located & constructed and that adequate measures are taken to reduce risk to property and the natural environment to an acceptable level. The Code provides a set of standards in which new development that may cause further erosion or instability should be assessed.

The Tasmanian Planning Scheme does not provide an equivalent code or any standards for Council to assess dispersive soils (such as tunnel erosion) during the planning phase of a development. This is considered to be a deficiency in the Tasmanian Planning Scheme.

The only means in which to apply standards in which to consider soil instabilities and erosion under the draft LPS is to create a Specific Area Plan.

Interestingly, many other Council's have also created a Specific Area Plan to deal with this specific issue.

The State Growth representation and Department of Primary Industries Parks Water and Environment (DPIPWE) have also identified dispersive soils as an environmental issue that should be considered during the planning phase.

The representations from State Growth and DPIPWE both support the mapping of dispersive soils. DPIPWE have also completed mapping in 2018 of sodic soils across Tasmania. This mapping can be used to determine further areas of dispersive soils in Southern Midlands. The mapping identifies areas around Tunbridge, Tunnack, Colebrook, and Campania.

There is no mechanism under the LPS Criteria or provisions of the Tasmanian Planning Scheme to simply apply a new Code for Dispersive Soils across the Southern Midlands. A code that specifically deals with this matter would be the most appropriate means to provide a mechanism for planners to create a set of standards that are consistently applied between the municipalities in Tasmania.

The only alternative is to create a Specific Area Plan for each area with the mapped sodic soils. This would require further ground truthing and reporting to spatially apply the mapping.

It is considered such an exercise would result in significant changes to the draft LPS that could necessitate a re-exhibition of the modifications to the LPS under Section 35KB of the Act. There is also some risk an introduction of further Specific Area Plans to the LPS post exhibition may test the LPS Criteria and the objectives of the Act.

An alternative is that Council/Planning Authority makes a submission recommending that a Dispersive Soils Code be included in the Tasmanian Planning Scheme and that be consistently applied across Tasmania. This has merit as it not only furthers the objectives of the Act but also is consistent with the Regional Land Use Strategy (Particularly the 'Managing Risk and Hazards' Policies of STRLUS) and consistent with past planning practices. Council may include a submission with regard to the draft LPSs as part of the Section 35F report to the Commission. Alternatively a report specifically on the SPPs can include assessment and recommendations with regard to the dispersive soils – but this is only as resources allow. This would need to be a detailed and well informed submission that would logically include a drafted code for dispersive soils. This is not regarded a high priority for the Southern Midlands. There is a likelihood the matter may be resolved through future reviews of the TPS.

A comment in the table of representations is all that is recommended.

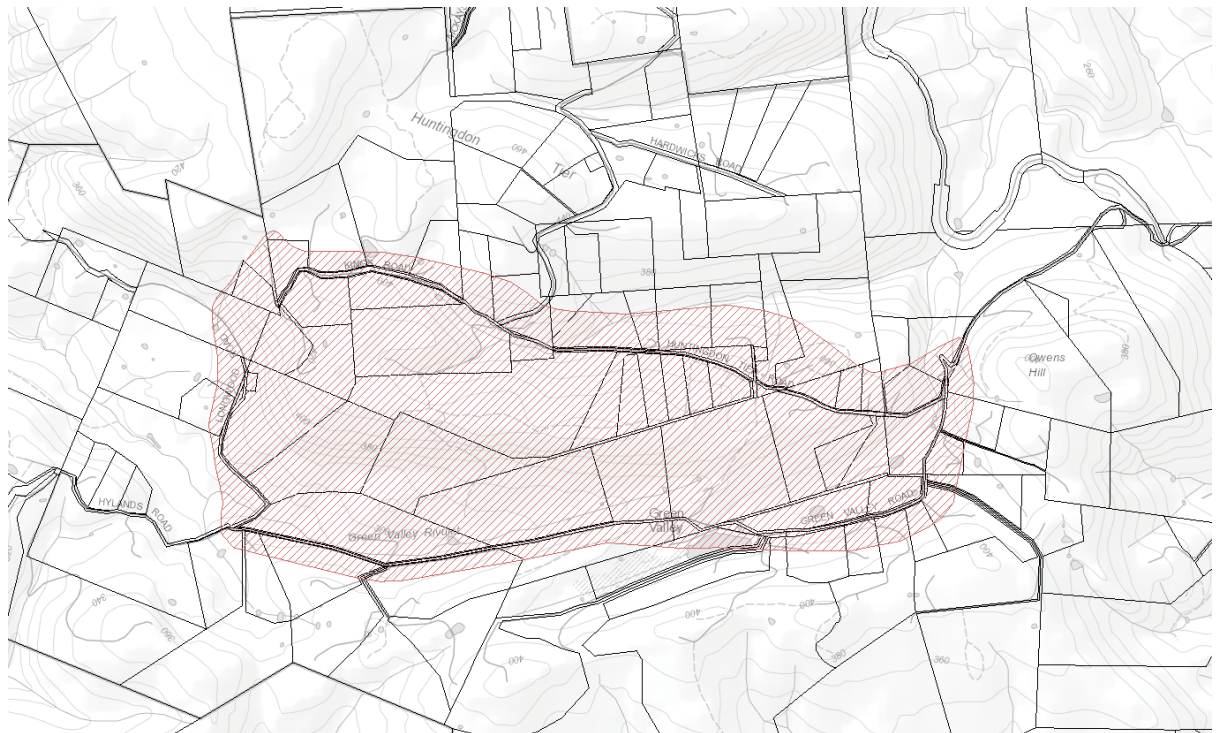


Figure 4 Dispersive Soils Area under IPS (Bagdad)

E. Flood Mapping

The State Emergency Services (SES) representation highlights the importance of flood mapping data to inform the flood prone area overlay maps in the Planning Scheme.

The Flood Prone Area Code under the SPPs is applied through both mapping flood prone area overlay and through a request for additional information by the Planning Authority where the Authority reasonably believes, based on information in its possession that the land is subject to risk from flood or has the potential to cause increased risk from flood. Council applies the mapping through the draft LPS maps. The mapping used was a translation of the existing mapping; as there is no further mapping available to Council.

The SES remind the Planning Authority there are multiple sources of publicly available information that can be used to both map flood prone areas or to make an informed decision as to whether a new development warrants a flood hazard report to determine the risk of flooding (and the associated level of risk).

The SES are continuing to work with the Department of Justice to prepare statewide flood mapping. This is an ongoing project that will include consultation with Council to determine areas at risk of flooding and importantly areas of land where Council may possess information in relation to past flooding events or likely flooding events (i.e. from past qualified reporting).

It is anticipated that the statewide mapping, to be created through the 'state-wide flood hazard maps' project will be created and later applied through a planning scheme amendment. A date for the completion of the project was not provided in the SES representation.

The recommendation in the table of representations is simply to acknowledge and note the representation and that the Planning Authority note the importance of making use of all resources available to determine if land is potentially subject to flooding.

MODIFICATIONS TO THE DRAFT LPS FOLLOWING PUBLIC EXHIBITION / HEARINGS

The Commission after receiving this report will commence hearings on the draft LPS. Persons that lodged a representation may also attend the hearings to further their representation (or otherwise participate in the hearings process).

The Commission will further consider matters raised in the representations and the recommendations of this report.

The Commission, per Section 35K of LUPAA allows the Commission to direct the Council to make further modifications to the draft LPS. This will be on matters agreed at the hearings associated with the representation and this report. The Section 35K matters are to be 'non-substantial' changes to the draft LPS.

If there are matters that require substantial modification then these will be considered under Section 35KB. This process is likened to a planning scheme amendment and will require re-exhibition of such matters i.e. commence a separate public notification process, Council reporting and further hearings.

This is not a desirable outcome and would add significant delays to what has already been a very lengthy and complex process. It is advised that Council would be best served to finalise the draft LPS as efficiently as possible, which will enable a better focus on preparing the necessary strategic planning to support some of the strategic changes proposed in some of the representations.

A generalised flow chart of the draft LPS approval process is shown in Figure 1 below - with the yellow shaded section indicating the current stage in the process.

TASMANIAN PLANNING COMMISSION

Draft Local Provisions Schedule Approval Process

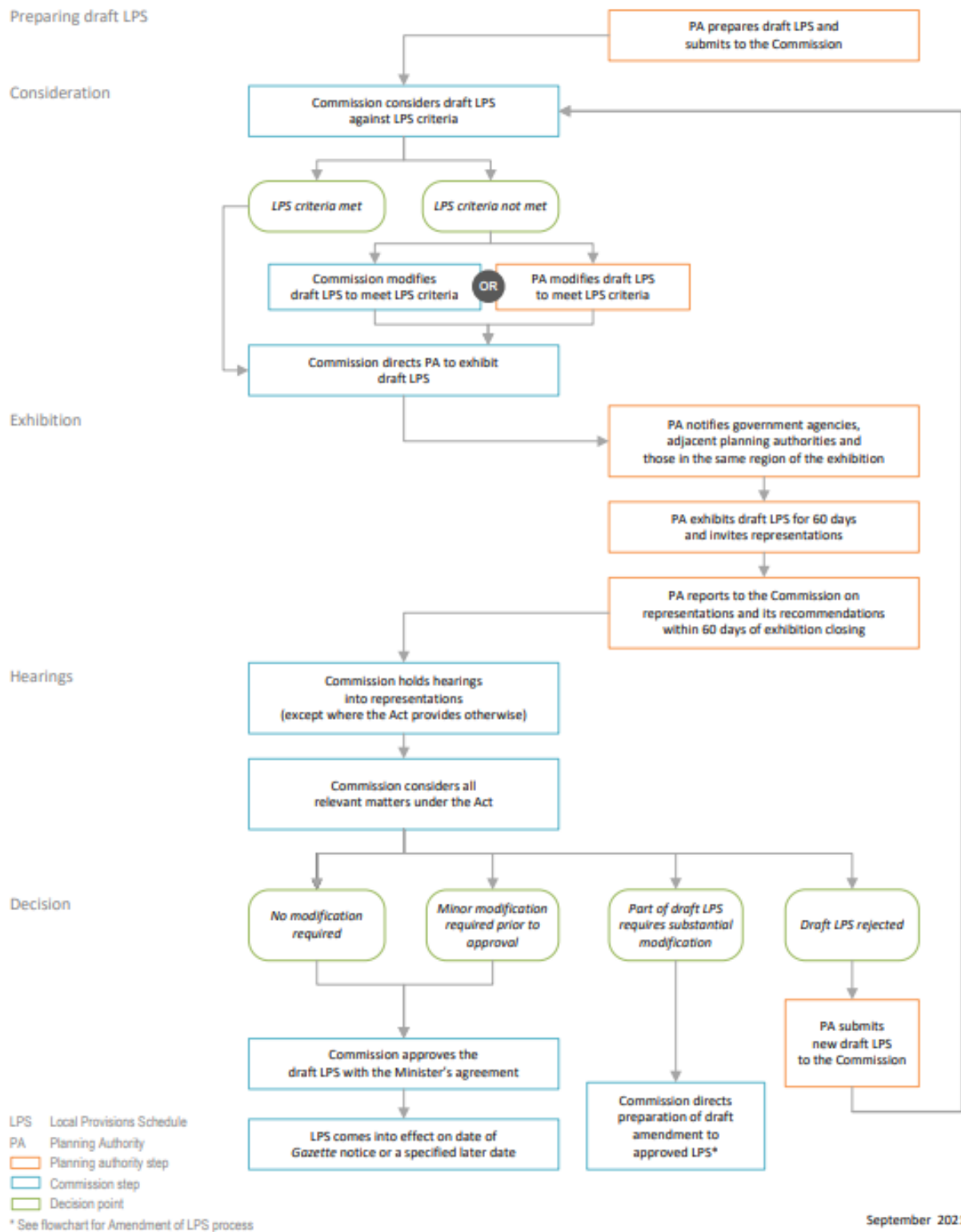


Figure 1: LPS Flowchart/Approval Process

FINANCIAL IMPLICATIONS

No specific financial implications are predicted from the recommendations contained in this report. The preparation of a draft LPS is a statutory requirement for each local council in the State in their role as planning authorities under LUPAA and as part of the transition to a single state-wide planning scheme.

Much of the cost associated with the draft Southern Midlands LPS have been covered by Council's operational budget with the work completed by Council staff.

The technical mapping for the Natural Assets Code, the guidelines for the application of the Rural and Agriculture Zone and the management objectives for the Scenic Protection Code were in part funded by the Tasmanian Government through regional funding to progress the Local Provisions Schedules.

RISK IMPLICATIONS

In general terms, the risk considerations associated with this phase of the draft LPS process are those typical to Council's role as a planning authority under LUPAA and the associated statutory processes thereunder.

Notwithstanding the above, perhaps the most prominent risk consideration, and as detailed previously in this report, is that the draft LPS process should not be unnecessarily complicated or delayed by matters which can be appropriately considered through the usual planning scheme amendment process under LUPAA.

Seeking to make significant changes which are of a more strategic nature (and which may require additional strategic planning to justify those changes) will undoubtedly complicate and delay the finalisation of the draft LPS.

Broader strategic changes can be appropriately considered as part of the usual planning scheme amendment process under LUPAA once the *Tasmanian Planning Scheme – Southern Midlands*.

CONCLUSION

This report, including attachments, is made on the exhibition of the draft Southern Midlands LPS and provides an assessment of the received representations and subsequent recommendations. This report has been prepared to meet the requirements set out under section 35F of LUPAA and is suitable for submission to the Tasmanian Planning Commission.

RECOMMENDATION

That Council in its role as a Planning Authority, and in accordance with section 35F of the *Land Use Planning and Approvals Act 1993*, endorse and submit to the Tasmanian Planning Commission this report on the exhibition of the draft Southern Midlands Local Provisions Schedule, which includes the following particulars:

- A. as set out in Attachment 1 – Part A, the Planning Authority's consideration of the received representations including opinions as to the merit of each representation and any subsequent recommendation for modification to the draft LPS;**
- B. as set out in Attachment 1 - Part B, the Planning Authority's recommended modifications to the draft LPS following the exhibition period made in accordance with section 35F(2)(c) and 35F(2)(e) of the Land Use Planning and Approvals Act 1993;**
- C. a copy of each representation received during the public exhibition period (as enclosed with Attachment 2); and**

- D. determination that the draft LPS (including those recommendations and modifications described in Attachment 1 – Part A and Part B) satisfies the local provisions schedule criteria set out under section 34(2) of the Land Use Planning and Approvals Act 1993**

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

**[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 2021

Enclosure(s):

Capital Works Program Schedule 2021/2022

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 will continue, including a focus on pavement repairs and table drain clearing works being a priority.

Sections of Woodsdale Road have required various pavement repairs due to recent wet weather and heavy vehicle usage that has created defects. Options for repair works are currently being explored including funding models.

Inglewood Road between the Waste Transfer Station and the rail overpass has deteriorated recently due to wet weather and heavy vehicle movements. Manager Infrastructure and Works has met with the contractor currently completing works for Tas-Rail to discuss and agree on a plan to rectify the pavement defects.

Minor gravel re-sheeting works have been completed on various sections of roads throughout the municipality. The gravel re-sheeting programme will commence as soon as weather and resources permit.

Road Rehabilitation Program 2021/22

Council's 2021/2022 road stabilisation programme is scheduled to start in the 1st week of November.

Council's works crews have been completing preparation works at the various sites including Green Valley Road, Huntington Tier Road, Stonor Road and Elden Road over the past month.

Annual Road Re-sealing Tender 2021/22

Council's annual road re-sealing tender is currently advertised.

Lake Dulverton Pathway

Construction of the walkway has commenced with some delays due to wet weather, the contractor undertaking these works has committed to returning in October when the temperature warms up to allow the dirt glue product to stabilise. It is expected these works will re-commence in the coming weeks.

Walkway and Kerbing Works

Stanley Street Oatlands footpath works have commenced.

Installation of kerb and gutter, footpath and associated storm water upgrade works has commenced on Black Brush Road. There has been some alterations to the plans to allow for off street parking outside premises on Black Brush Road.

Waste Management Program

Ongoing safety improvements are being completed as a result of risk assessments that have been undertaken. Further works are required over the coming period.

Dysart waste transfer station is having new waste disposal slides installed.

Parks and Reserves

General maintenance of parks and reserves will continue with a focus on ensuring spring growth is maintained at an acceptable level. The recent wet weather has created favourable growing conditions with grass area maintenance being a priority throughout the spring period.

Planned Works

The following capital works are planned for the coming period

Oatlands Aquatic Centre storm water drainage pipe installation;
Underground power installation Oatlands (almost completed);
Footpath and kerb installation Oatlands to continue as weather permits;
East Bagdad Road complete small section of footpath.

Please refer to the updated Capital Works Program Schedule which is included as an enclosure to this report.

Annual Supply of Plant Hire and Materials Tender

Tenders closed on Friday 24th September and 10 tenders were received for the following

Material Supply

Boral construction materials
RE&JC Scott

Plant Hire

RE&JC Scott
AMI Group Fleet Hire
BK&MM Lang
Richard&Maria Ward
Porter Plant Hire
Peter Jones Mowing
Hall Earthmoving
Hirequip

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 A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

ENCLOSURE(S)
Agenda Item 13.10.1

Current as at 19 October 2021

Capital Works Program 2021/2022 Projected Timelines															
	Total Project Cost	2021						2022							
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June		
Roads Resheeting - Gravel Roads - Allocation through Asset Mgt System	\$ 800,000.00														
Road Resealing - Sealed Roads	\$ 400,000.00														
Road Reconstruction & Seal															
Bagdad - Green Valley Rd / Huntingdon Tier Road (250 metres)	\$ 45,000.00														
Oatlands - South Parade (including kerb/channel/footpath)	\$ 150,000.00														
Stonor - Stonor Road (eastern end) (700 metres) - Changed to Woodsdale Rd	\$ 115,500.00														
Stonor - Stonor Road (western end) (1000 metres)	\$ 165,000.00														
York Plains - York Plains Road (pavement failures) (500 metres)	\$ 82,500.00														
Construct & Seal (Unsealed Roads)															
Bagdad - Green Valley Road (approx. 650 metres)	\$ 136,500.00														
Bagdad - Huntingdon Tier Road (400 metres)	\$ 84,000.00														
Lower Marshes - Lower Marshes Road (approx. 750 Metres)	\$ 150,000.00														
Mangalore - Ballyhooly Road (approx 500 metres)	\$ 96,250.00														
Tunnack - Eidon Road (1,100 metres new seal)	\$ 231,000.00														
Oatlands - Aquatic Centre (New Pool) Carpark	\$ 100,000.00														
Dust Suppressant (FCR & Seal)	\$ 40,000.00														
- Corner of Scott & Pound Rds															
- Rhyndaston Rd - Palmer															
Junction / Road Realignment / Other															
Campania - Estate Road (vicinity of Mallow property)	\$ 49,000.00														
Campania - Climie Street footpath to Water Lane	\$ 70,000.00														
Campania - Reeve St & Climie St Junction plus carpark	\$ 250,000.00														
Elderslie - Bluff Road - Junction Improvements	\$ 150,000.00														
Elderslie - Elderslie Road - Widening - Investigation & Trial - South of Blackbrush Rd Junction	\$ 40,000.00														
Oatlands - Hasting Street Junction	\$ 15,000.00														
Tea Tree - Grices Road Tree removal; set back of embankment and drainage improvements	\$ 15,000.00														
Woodsdale Road ('The Cutting') - Safety Rail (Awaiting availability of Contractor)	\$ 17,000.00														
Bridges															
Woodsdale Road (Nutting Garden Rivulet)	\$ 148,200.00														
York Plains Road (Kitty's Rivulet - Bridge No 457)	\$ 60,000.00														
Interlaken Road (Dulv Rvlt - Bridge No 3861) - Widening	\$ 42,218.00														
Footpaths															
Footpaths - General	\$ 245,000.00														
Bagdad - Midland Highway - Walking Path Upgrade (500 metres)	\$ 50,000.00														
Broadmarsh Township - Streetscape Works	\$ 230,000.00														
Campania Township - Reeve Street - Footpath through to Hall	\$ 30,000.00														
Kempton - Midlands Highway/Mood Food	\$ 147,565.00														
Kempton - Streetscape Plan - Footpath Renewal (southern end)	\$ 60,000.00														
Kempton - Jones' Subdivision - Footpath/kerb & gutter/stormwater (awaiting Developer)	\$ 147,565.00														
Kempton - Old Huntingground Road (Footpath / School Crossing etc.)	\$ 27,000.00														
Kempton - Sophia St to Erskine St (145m) - Footpath/kerb & gutter/stormwater	\$ 52,032.00														
Melton Mowbray - Streetscape Works (Trough / Shelter etc)	\$ 30,000.00														
Oatlands - High Street (Footpath Renewal)	\$ 61,281.00														
Oatlands - Wellington Street (Kerb & Footpath - Anstey Court to High Street - 200 metres)	\$ 54,000.00														
Oatlands - Wellington Street (Footpath - High to Infant Car Park - Gravel to Concrete - 170 metres)	\$ 24,225.00														

Current as at 19 October 2021

Capital Works Program 2021/2022 Projected Timelines																
	Total Project Cost	2021						2022								
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June			
Oatlands - Stanley Street (High to Marlborough St Junction - 350 metres)	\$ 43,000.00															
Oatlands - Church Street (High St to Esplanade - Gravel to Concrete - 240 mtres)	\$ 28,800.00															
Tunbridge - Main Street (Ongoing Kerb & Gutter Renewal)	\$ 20,000.00															
Tunnack Township - Streetscape Concept Plan	\$ 21,000.00															
Lighting																
Esplanade Project (Total Project Cost \$128K)	\$ 384,000.00															
Public Toilets																
Campania - Flour Mill Park - Concrete pathways/drainage/remove pavers	\$ 15,000.00															
Public Toilets - Upgrade Program to be developed	\$ 20,000.00															
Stormwater Drainage																
Bagdad - Lyndon Road	\$ 15,000.00															
Bagdad - Blackbrush Road Drainage (kerb, gutter, footpath)	\$ 430,000.00															
Bagdad - Hall Lane Drainage	\$ 75,000.00															
Oatlands - Aquatic Centre (New Pool) Carpark Stormwater	\$ 100,000.00															
Campania - Estate Road (School Farm)	\$ 10,000.00															
Oatlands - High St/Wellington Street Junction	\$ 10,000.00															
Waste Management																
Wheelie Bins & Crates	\$ 5,000.00															
WTS Safety & Operational Improvements	\$ 25,000.00															
Tourism																
Jericho - Memorial Avenue - Plaques (Stage 1 of 2 - \$20K per year)	\$ 20,000.00															
Kempton - Memorial Avenue Park - Interps (Stage 1 of 2 - \$20K per year)																
Oatlands Accommodation Facility	\$ 20,000.00															
Heritage																
Callington Mill (Asset Renewals)	\$ 20,000.00															
Oatlands - Barrack Street Police House (\$110K over 2 years)	\$ 55,000.00															
Oatlands - Callington Mill (Asset Renewals)	\$ 27,750.00															
Oatlands - Commissariat (79 High Street) Boundary Fence	\$ 6,000.00															
Oatlands - Court House (Sandstone wall restoration)	\$ 15,000.00															
Oatlands - Gaol Aluminium Temporary Steps (Entrance)	\$ 3,500.00															
Oatlands - Gaol Wingwall restoration	\$ 8,000.00															
Oatlands - Roche Hall Forecourt (Interps - Planning Condition of Approval)	\$ 40,000.00															
Parattah - Railway Committee (Shed for Gangers Trolley)	\$ 2,000.00															
Natural																
Chauncy Vale - Wombat Walk (grant app currently with Health Tas)	\$ 39,250.00															
Oatlands - Maher's Point Landscape Plan	\$ 12,500.00															
Oatlands - Lake Dulverton Walkway (Grants \$135K + \$85K)	\$ 220,000.00															
Municipal Area - Preventing Roadkill (Signs)	\$ 5,000.00															
Administration																
Kempton Council Chambers - Chambers Restoration Works	\$ 10,000.00															
Kempton Council Chambers - Solar Proposal	\$ 11,145.00															
Kempton Council Chambers - Clock Restoration Works	\$ 20,000.00															
Kempton Council Chambers - Office Furniture & Equipment	\$ 5,000.00															
Health & Wellbeing																

Current as at 19 October 2021

Capital Works Program 2021/2022 Projected Timelines														
	Total Project Cost	2021						2022						
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	
Water Bottle Refill Stations	\$ 7,980.00													
Kempton Community Health Facility	\$ 400,000.00													
Animals														
Kempton - Off-Lead Dog Park	\$ 43,125.00													
Recreation Committee	\$ 20,000.00													
Recreation Committee	\$ 25,000.00													
Bagdad - Bagdad Community Club (Precinct Plan)	\$ 25,000.00													
Kempton - Skate Park (Council Commitment)	\$ 5,000.00													
Campania - Public Open Space Dev (Justitia Court)	\$ 12,000.00													
Kempton - Recreation Ground (Lighting)	\$ 16,000.00													
Kempton - Recreation Ground (Roof Structure - Entry to Clubrooms)	\$ 15,000.00													
Kempton - Recreation Ground (Site Development & Playground Equipment)	\$ 25,000.00													
Kempton - Memorial Hall Portico	\$ 52,000.00													
Mangalore - Hall (Replace Gutters and Roofing)	\$ 18,000.00													
Oatlands - Aquatic Centre (New Pool) - Current Year Expenditure	\$ 9,379,600.00													
Oatlands - Aquatic Centre (New Pool) - Waste Water Facility	\$ 189,000.00													
Oatlands - Aquatic Centre (New Pool) - Landscaping	\$ 100,000.00													
Oatlands - Callington Park - Two seats with arm rest & back support	\$ 7,000.00													
Oatlands - Callington Park - Lighting and Surveillance	\$ 6,000.00													
Oatlands - Community Hall - Refer Works Program	\$ 51,300.00													
Oatlands - Midlands Memorial Community Centre - Roof & Insulation	\$ 39,000.00													
Tunbridge Hall (Repair Works - Council Contribution)	\$ 12,500.00													
Tunbridge Park - Perimeter Fence (Safety)	\$ 30,000.00													
Access														
All Buildings (Priority Approach - Year 5 of 5)	\$ 50,000.00													
Tunbridge Community Club (Council Cont - Accessible Toilets)	\$ 20,000.00													
Community														
Levendale Community Centre	\$ 38,390.00													
Campania - Cemetery / Bush Reserve / Land Subdivision	\$ 300,000.00													
Oatlands - Stanley Street Master Plan	\$ 20,000.00													
Oatlands - Church Street Sub-Division (fronting South Parade)														
Oatlands Structure Plan	\$ 25,000.00													
Administration Buildings														
Oatlands - Council Chambers - Internal Toilets Upgrade	\$ 100,000.00													
Oatlands - Council Chambers - Damp Issues & Stonemasonry	\$ 15,000.00													
Oatlands - Council Chambers - Works Office (floor coverings)	\$ 5,000.00													
Depot Buildings														
Kempton - Depot - Internal Building Improvements	\$ 15,000.00													
Kempton - Depot - Employee PPE Storage Lockers	\$ 2,000.00													
Oatlands - Depot - Solar Panels (refer Submission)	\$ 16,000.00													
Oatlands Depot - Roof over containers	\$ 34,300													
Legend														
XXXXXXXXXXXXXX	Planned													
XXXXXXXXXXXXXX	WIP / Completed													

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: 27 OCTOBER 2021

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:

- Ongoing MidFM series with podcasts ‘Oatlands True Crime’ series. This is proving to be extremely popular and substantial further research is being undertaken.
- ‘Tales from the Court House’ now a regular column in Southern Midlands Regional News. Launch to SMC website of content.
- Deborah Baldwin has ‘attended’ (online) several collections care workshops and a disaster preparedness workshop – working to update the heritage collections disaster preparedness plan.
- The AUSTA Tasmania chamber music event at the Supreme Court House has been postponed due to lockdown. Riches and Wood (guitar and violin) will be playing on November 7th.
- Continued work on assessing cataloguing, packaging and storage requirements for photographic and corporate document collections. Audit commenced of the Kempton (attic etc.) heritage collection.
- Continued work with two U Tas School of Architecture students on Oatlands projects.
- Continued high volume of development application input.
- Preparation and attendance at the Preliminary Conference for the Blackman River Bridge decision which has been appealed by DSG.
- Continuing social media posts – some posts receiving 2500+ engagements.
- Brad Williams has been on leave for part of the month.

RECOMMENDATION

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

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

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 PROGRAMS MANAGER (MARIA WEEDING)

Date: 20 OCTOBER 2021

ISSUE: Southern Midlands NRM Unit Monthly Report.

DETAIL

- Maria continues to work on matters in regard to the new pathway on the Lake foreshore (High St to stop over).
- Helen updated the *Lake Dulverton & Dulverton Walking Tack Information Guide*. The Guide is used by visitors / tourists and is available on the Council website or at the Oatlands Council office.
- There is one outstanding minor work task at the Victoria Hall that needs to be completed by HBS prior to the certificate of completion being issued. Work has started on preparing the final grant acquittal report for the Australian Government.
- The Lake Dulverton & Callington Park Management Committee are working to review and update the *Lake Dulverton & Dulverton Walkway Action Plan 2017*. At the last Committee meeting held on 6th September a number of changes were suggested. A draft revised action plan will be considered at the Committee's next meeting. It is proposed that the draft action plan will go Council requesting authority for the draft action plan to go out for public consultation.
- Plans to install CCTV and lighting at the Callington Park playground continue to progress. An order for the CCTV equipment has now been placed.
- Some maintenance work on the Lake Dulverton foreshore plantings has been completed. There is however more to do if time permits.
- Helen has been away on annual leave for some of the last month.

RECOMMENDATION

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

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

15.3 Cultural

Strategic Plan Reference 3.3

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

Nil.

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.

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

Date: 20 OCTOBER 2021

Enclosure: *Animal Management Statement September - October 2021*

ISSUE

Consideration of the Animal Management/Compliance Officer's report for September-October 2021

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 June ; *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

7/10/2021- "Dog attacking animal causing serious injury or death" Parattah area

7/10/2021- "Dog at large" Parattah area

ENCLOSURE

Agenda Item 15.6.1

YTD ANIMAL MANAGEMENT STATEMENT

September-October 2021

DOG IMPOUNDS	RECLAIMED	ADOPTED	EUTHANISED
24	15	5	4
OTHER IMPOUNDS	RECLAIMED	ADOPTED	EUTHANISED

JOBS ATTENDED

September-October 2021

DOGS AT LARGE	DOG ATTACKS	DOG BARKING	DOG GENERAL
2	1		8
Central Highlands	Central Highlands	Central Highlands 1	Central Highlands
NEW KENNEL INSPECT	WELFARE	STOCK	OTHER
2 active licences	3	2	

REGISTERED DOGS: 1658 - Registered & 70- Pending Registrations

KENNEL LICENCES: 5

INFRINGEMENTS ISSUED: 2

RECOMMENDATION

THAT the Animal Management report be received and the information noted.

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

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 Kempton Recreation Ground Master Plan (Community Consultation)

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 20 OCTOBER 2021

Enclosure(s):

Kempton Recreation Ground Master – Community Consultation Document.

ISSUE

To report on the feedback received following the community consultation process relating to the Kempton Recreation Ground Master Plan.

BACKGROUND

The initial draft 'Kempton Recreation Ground Master Plan' was developed based on community input (to date) and local knowledge.

The Master Plan document that was circulated to the community included other relevant background comment.

DETAIL

The Master Plan was circulated to the community through the Kempton Post Office on 5th October 2021 and responses were sought by the 19th October 2021. In addition, 'drop-in' sessions were held on 12th and 19th October at the Council Chambers, Kempton.

The Master Plan has attracted considerable feedback and comment and in the first instance, this feedback is being considered by the Kempton Streetscape Committee at its meeting scheduled for 25th October 2021. The Streetscape Committee will provide input as appropriate, however it is apparent that a number of the issues raised will require a direct determination of Council.

Given the extent of feedback received, the timeframe between closure of the consultation period and the issue of this Agenda has not permitted a full detailed report to be prepared.

When the issues are considered, a separate Council workshop may be required to enable detailed consideration and discussion.

A further report will be tabled at the meeting.

Human Resources & Financial Implications –

Community Consultation & Public Relations Implications –

Policy Implications –

Priority - Implementation Time Frame –

RECOMMENDATION

To be submitted.

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



*Kempton Recreation Ground
Master Plan*

Community Consultation

October 2021

Kempton Recreation Ground and Adjoining Areas – Master Plan

The Kempton Recreation Ground, including the adjacent property, are important recreation and community assets that are being considered for development in the short to medium term.

The development of Public Open Space within a township is an important issue. Council would like to give Kempton residents the opportunity to provide input and comment.

In reference to the attached Master Plan, this has been developed based on community input and local knowledge to date. Whilst the intent of the Plan is not to be too specific in terms of exact location and design (with the exception of the skate park), it is intended to indicate the type of developments that are anticipated.

In relation to the skate park proposal, additional detail is included as an attachment to the overall Master Plan. This proposal has been progressed by local community representatives (in conjunction with the Green Ponds Progress Association) and funding has been secured through the Tasmanian Community Fund.

It is also noted that the dog park area (as shown) was the subject of community consultation earlier in the year. The dog park (in part of the 'Gymkhana Paddock') was overwhelmingly supported by the community, and subsequently endorsed by Council. Funding for the development of this area is secured. The specific dimensions of the dog park areas are yet to be finalised.

Public Consultation Survey Response dates: 5th – 19th October 2021

Drop In Session: Speak with a Council Officer re the Master Plan on Tuesday 19th October, Kempton Council Offices 4.00 – 5.30 p.m.

Prior to advancing these projects, members of the community are invited to provide comment via the survey questions outlined below:

1. From your perspective, are there any key components missing in the Plan?

2. Are the proposed 'uses' as shown on the Plan appropriate? If not – why not?

3. Are there other uses that need to be catered for?

4. Are there any impacts on current uses at this location?

5. Are there any specific on site traffic / parking considerations that need to be taken into account?

6. Any other general comments?

To assist with assessing the feedback received, it would be greatly appreciated if you could **tick one or more of the following that applies to you:**

Dog owner – that may wish to use the dog exercise area from time to time.

Parent/Guardian of children that may use the playground.

Grandparent – that may bring grandchildren to use the area.

Person that plays sport who may use the facility at times- i.e. football or cricket.

Person interested in using the skate park.

Person that uses the area for passive recreation – walking / general exercise.

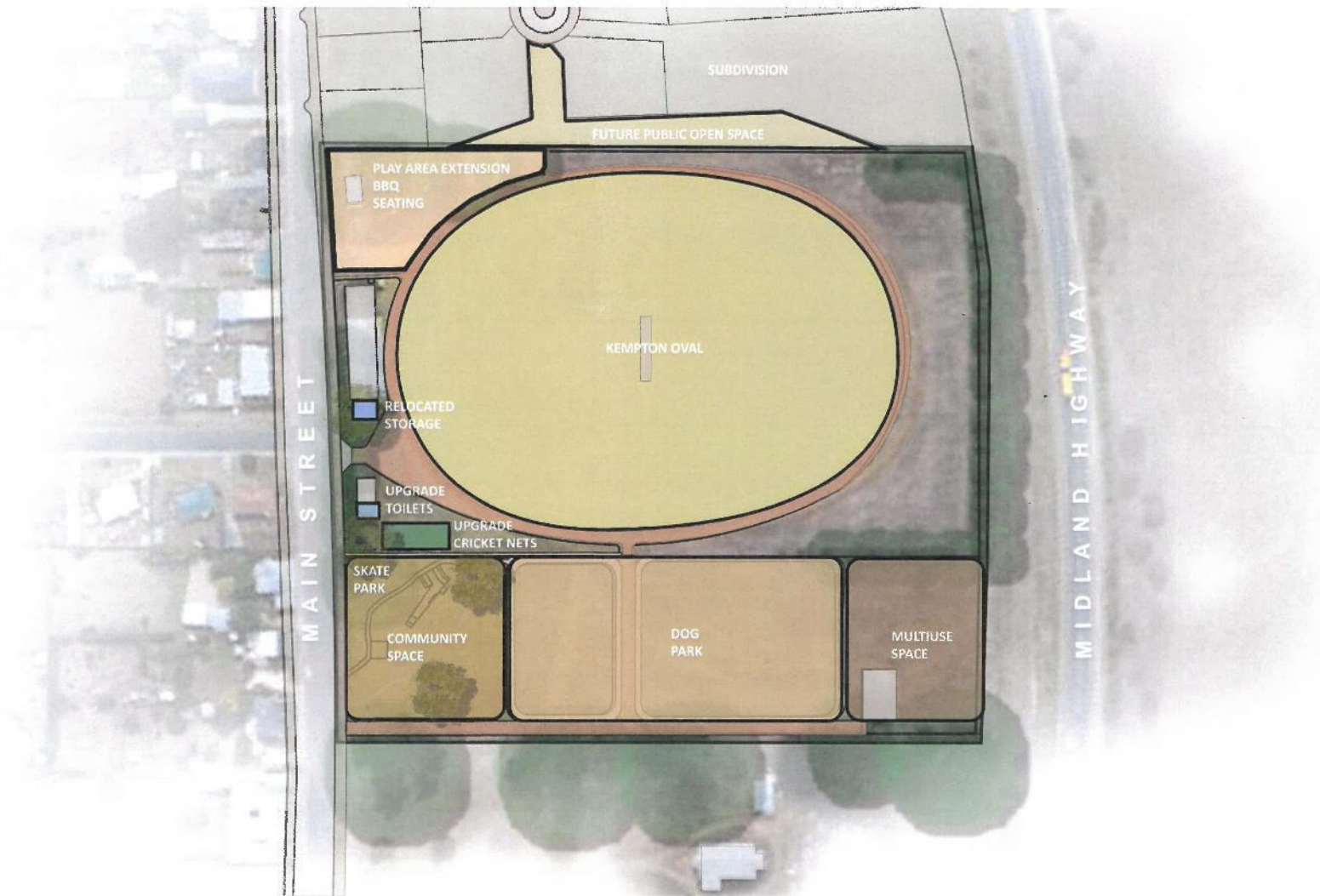
Representative of an organisation/ community group that use the area at times. Name of group _____

Resident that lives in the area, but does not actively use the grounds for activities.

Resident who lives directly opposite the Recreation Ground or 'Gymkhana Paddock'.

Survey responses: Please drop your response in to the Council Office at Kempton or scan and email to mail@southernmidlands.tas.gov.au or post to Southern Midlands Council, 85 Main Road Kempton 7030. **Survey period closes Tuesday 19th October 2021.**

Note: should you require a second copy of the survey response page, this can be collected from the Southern Midlands Council - Kempton Office, or you may choose to make a copy.



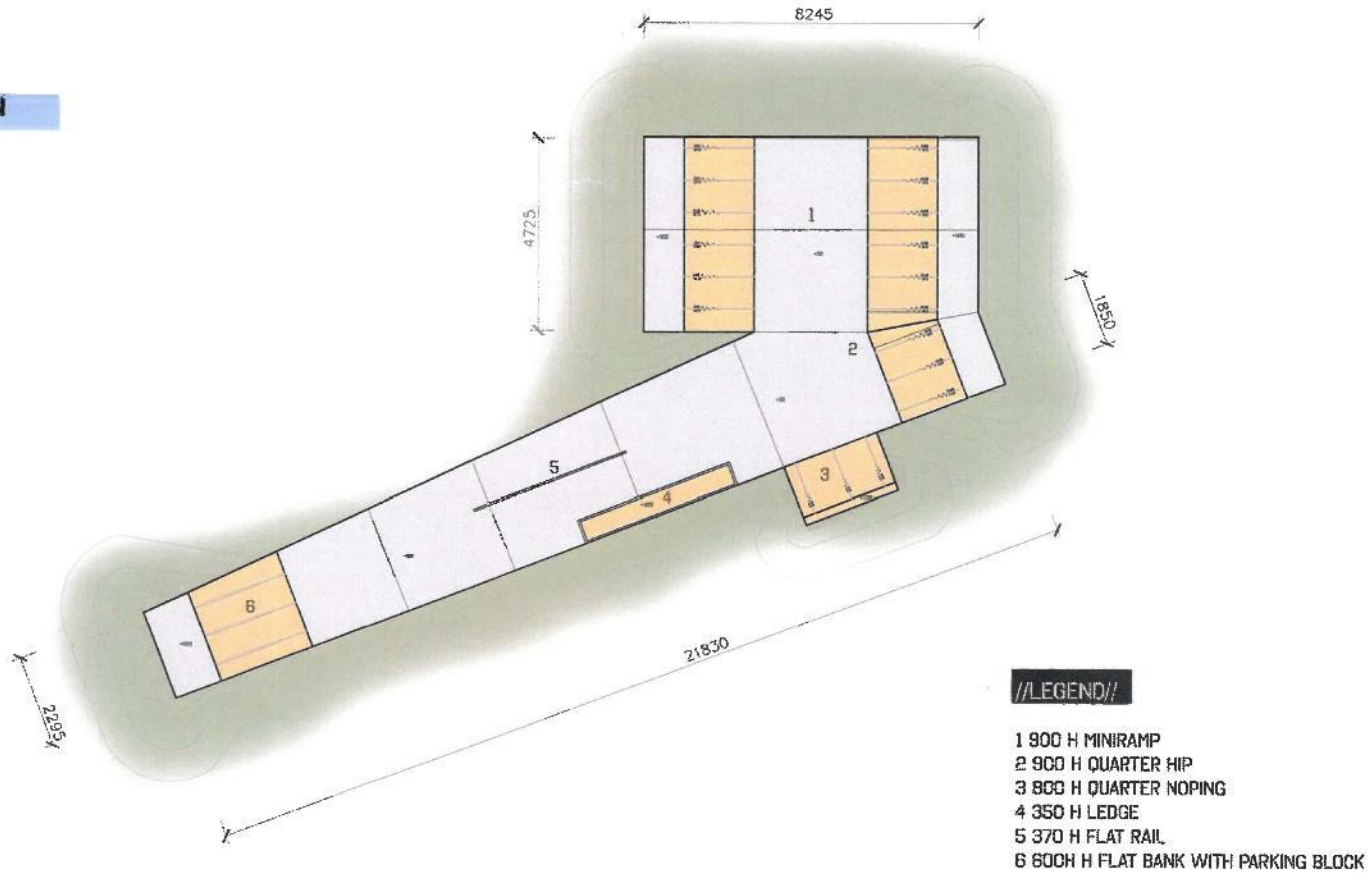
MASTER PLAN
KEMPTON RECREATION GROUND
SOUTHERN MIDLANDS COUNCIL



03

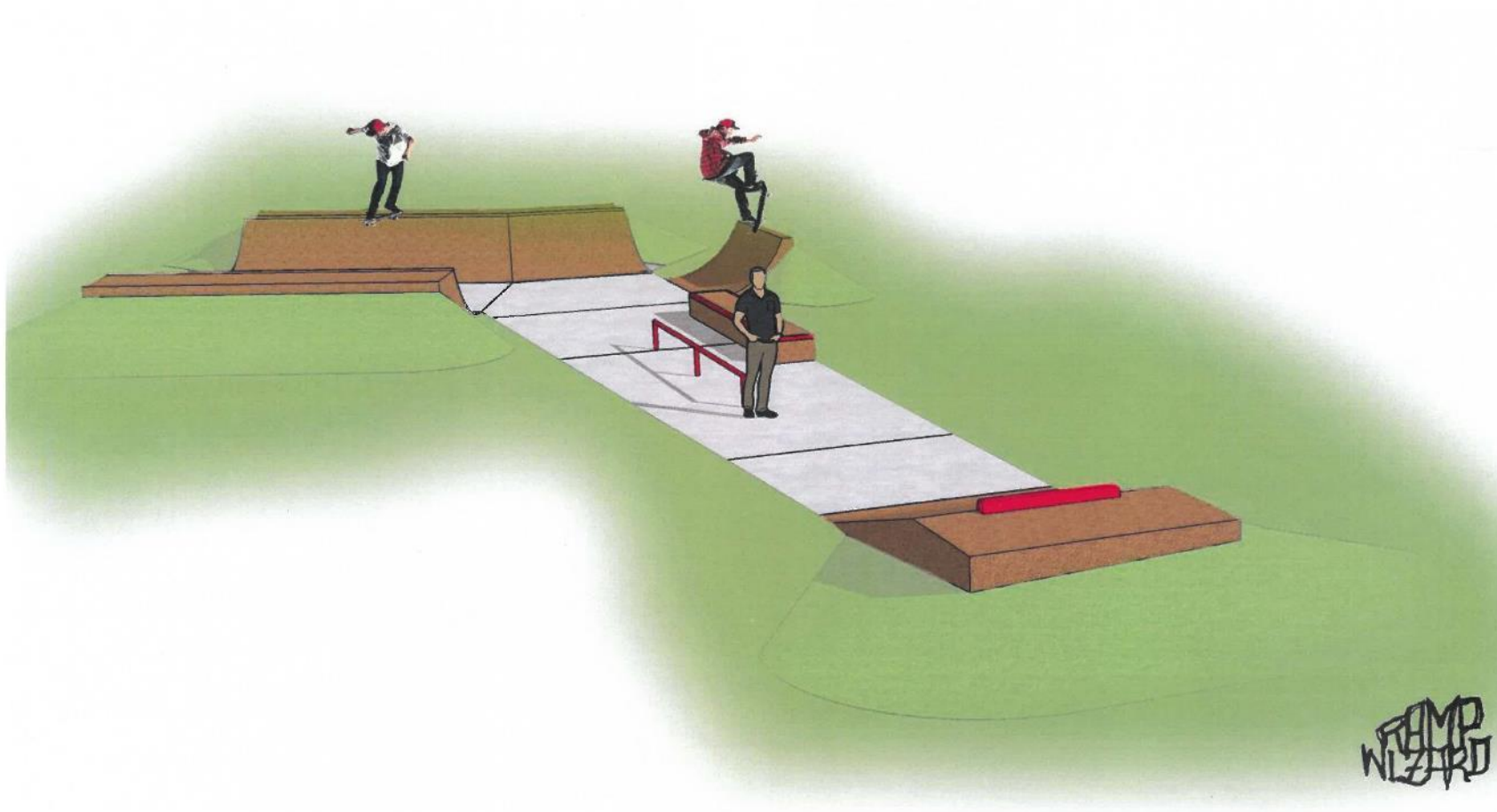
DESIGN PROPOSAL

CONCEPT PLAN

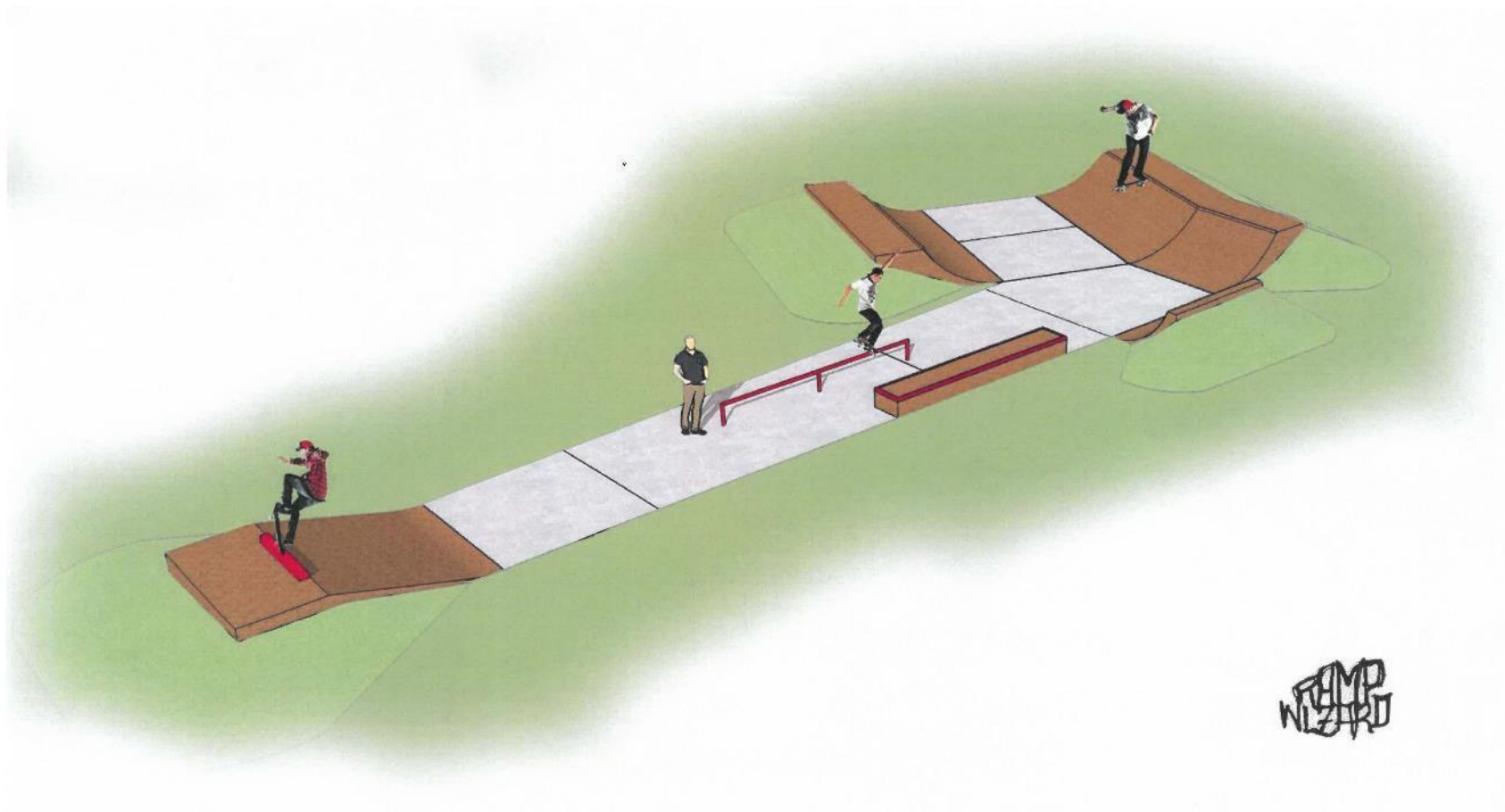


	1:100 @ A3 LENGTHS ARE IN METRES	NORTH POINT 	Client	Project	Drawn	Date
			KEMPTON COMMUNITY GROUP Location KEMPTON (Tas)	Skate space kempton Title SK00 Draft Plan	CC	17.05.2020 Scale 1:100 @A3

Skate Space



Skate Space



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

Nil.

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

C Harman – Letter dated 11th October 2021 Re: Bagdad Community Club

Refer attached letter dated 11th October 2021 which Mr Harman has requested be brought to the attention of Councillors at a Council Meeting.

General Managers Comments:

The Bagdad Community Club property is owned by the Bagdad Community Club Inc., this being a separate incorporated body. A Management Committee is appointed through the normal processes associated with an incorporated body (i.e. Annual General Meeting) and the Management Committee has responsibility to manage the affairs of the association. It follows that Council has no ability to control or direct the Management Committee.

The letter does refer to the ‘master planning’ process being offered by Council to the Bagdad Community Club.

Councillors are aware that an amount of \$25,000 has been allocated in the 2021/22 Budget for this purpose. This allocation recognises the importance of the Bagdad Community Club as a key provider of recreational; social and other community services.

The preparation of a ‘master plan’ for the Community Club precinct is aimed at providing a long-term development Plan that is consistent with the community’s needs and requirements. The intent is to develop this plan in conjunction with the Management Committee; key user groups and the broader community.

In terms of process, Council will engage a suitably experienced person to consult with the key stakeholders, produce a draft master plan for subsequent comment, and then finalise a plan that can be used to guide future development of the precinct and hopefully secure external funding to assist with implementation. This process is certainly intended to address the issues and comments provided by Mr Harman.

P Le Fevre – Email dated 4th October 2021 Re: R K Gallery

Refer attached Email dated 4th October 2021 which Mr Le Fevre has requested be brought to the attention of Councillors at a Council Meeting.

General Managers Comments:

In response to this Email, Mr Le Fevre has been informed that Council did contact the property owner and requested that an Application for a Planning Permit be made for the mannequins.

An application was received and was advertised for the 14 day statutory period on 8th September 2021. During this timeframe, no representations were received. The mannequins have been subsequently assessed and a Planning Permit was issued on 5 October 2021.

ENCLOSURE(S)
Agenda Item 17.2.1

11 October 2021

183 Longwood Road
Bagdad Tasmania 7030
Ph (03) 6268 6176
Email: c.k.harman@outlook.com

Tim Kirkwood
General Manager
Southern Midlands Council
71 High Street
Oatlands Tasmania 7120

Dear Tim,

For the attention of the Councilors in Council meeting,

Re: Decision by Bagdad Community Club (BCC) to lease parts of the community owned property at Bagdad to a private entrepreneur.

I am a ratepayer/resident of Bagdad with a long held interest in maintaining all lands originally held in trust by the Bagdad Hall and Recreation Ground Committee for community enjoyment and purposeful use.

Consequently I am saddened by the recent news of the abovementioned decision as it is not clear just how the community will benefit from this decision.

I have been particularly saddened by the fact that those who are making the decision have not felt the importance of sharing their reasoning with the wider community. (It needs to be remembered, the responsibility of the BCC is wider than that of just maintaining the membership of a bar).

Consequently many of us, residents of Bagdad, have been left in the dark about the reasons for the decision or what is now proposed as a result of the lease. For example, will our hall still be a place of Public Assembly and able to serve as a refuge to any local family burnt out of their home in times of wild fire?

Recently I contacted our Mayor, Alex Green, by phone to ask if he would intervene in the decision by calling a public meeting where all the reasoning could be shared with the citizens of Bagdad before any final action was taken.

In reply to my request our Mayor said he felt he could not do this as he was sure BCC Management Committee were entitled to do what they proposed. Our telephone call was broken for a minute or so while he got his statement confirmed. He subsequently said the BCC Management Committee (MC) does have the power to make the decision to lease. This power

is based on a precedent; the fact that the MC has done so in the past by leasing portions of the property for the Child Care Centre and other groups.

I accepted this ruling during our telephone conversation.

As an aside, I later thought it could be argued there is a difference between leasing some community owned land or facility for a purpose that clearly benefits the whole community - such as to provide a child care service to the community - as opposed to leasing community owned land, or facility, where it is not so clear that the community will benefit. In this case there are already similar services available in the wider community. In fact I can remember standing in front of the Licensing Board explaining why a licence, if granted to the Club, would serve a different purpose than those held by the then Crown Inn at Pontville or the Huntington Tavern, Kempton. This memory now leaves me feeling a little concerned about the current proposal which I understand is for a privately managed bar/restaurant which will in fact be in direct competition with those existing services in Pontville and Kempton. Obviously, judging by what the Mayor had to say, this matter has been agreed with the relevant parties. Licensing Board?

So, back to the telephone conversation held between me and the Mayor.

During our telephone conversation the Mayor said that Council too had been a little uncertain about what the BCC Committee had proposed and had offered to oversee a comprehensive master plan in conjunction with the Management Committee before decisions were made. He said the Council offer had been declined by the BCC Committee. I said I thought the idea of a master plan overseen by Council made lots of sense. Soon after this our conversation ended. The Mayor had other business he needed to attend to. The conversation ended with me accepting there was apparently no way forward other than to go along with the decision made by the BCC Management Committee. I understood this was now final and alteration works were underway to accommodate the proposed lessee.

Since then two matters have occupied my mind. These are:-

1. What were the details of the master planning process offered by Council to the BCC Management Committee? I like to think, as citizen of a democratic society, it would be useful to know a bit about the content of conversations being conducted on our behalf. In this instance as both organizations involved are meant to represent our best interests.

And

2. To what degree is it possible, given we are still in the hands of the BCC Management Committee, for there to be some further 'community discussion and consultation' which could

lead to a better outcome for all during the period of the lease. For example, if the monies gained from the lease are spent in order to just maintain the current affairs, by filling in the short fall created by what has been happening, then no progress will be made.

If, on the other hand, a full explanation is made to the community about all matters, it could be that our future could be based on closing down all expensive activities which show little financial return and increasing those activities that involve many more members of the Bagdad community and can be arranged to run on a 'break even' pattern. As an example, Car boot sales and clothes exchange. This is how the Club came into being and was originally managed. The oval had a crop of grey peas growing and no thought would have been given towards installing an irrigation system! Such a system costs money and environmental damage way above its meaningful budget allowance when all local needs are taken into account.

Therefore, I recommend to Council it revisit the idea of providing a master plan by ignoring what is currently happening at the Club but rather concerning itself with taking professional and expert advice for developing in Bagdad a self supporting, resilient and resourceful community which is better equipped to cope with health, safety and welfare issues arising as a result of a changing population, climate, fire, storm water, local economy and disease profiles over all living in the vicinity of Bagdad. The community needs to use its commonly owned resources.

Yours sincerely,

Chris Harman.

Jemma Crosswell

From: peter Le fevre <peter_lefevre@hotmail.com>
Sent: Monday, 4 October 2021 8:03 PM
To: SMC Mail
Subject: Fw: Rebecca Kisling Gallery

Please forward this to the next Council meeting if Louisa is not back before hand.
Thank you,
Peter

From: peter Le fevre
Sent: Monday, 4 October 2021 7:00 PM
To: Louisa Brown <lbrown@southernmidlands.tas.gov.au>
Subject: Rebecca Kisling Gallery
Hello Louisa,

I would like to reiterate my opposition to the RK Gallery outdoor display on the awning of the premises. I, (and others), find it totally inappropriate for the area and how we are promoting Oatlands. I have no issues with displaying these statues/mannequins within the Gallery, but that is where they belong.

Numerous people have stated to me, the inappropriateness of the display based on their interpretation of what they represent to them.

The placing of the pink ribbon on the display in an attempt to show their community spirit is just a joke and makes it worse.

I also do not know why the Council's request for their removal has been ignored? Perhaps they did not get the communication or perhaps they are just showing contempt, I don't know? They didn't try the same thing in Hobart did they!

I am all for progress and support all local businesses which have started over the past year or so, I don't object to these displays in the appropriate situation, but there is a right way and there seems their way.

Please have them removed.

Regards,
Peter Le Fevre
0413 658 533

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: 20 OCTOBER 2021

Enclosure:

Shared Services Report – Southern Midlands Council – July - September 2021

ISSUE

To inform Council of the Common Services Joint Venture activities for the period July to September 2021.

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 A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

ENCLOSURE(S)
 Agenda Item 17.2.3

**2021/22 Shared Services Report
 to 30 September 2021**

PROVIDED BY SOUTHERN MIDLANDS COUNCIL					Total Hours Sept 2021 Quarter	
Council	Fortnight Ending	Officer	Service Provided	Hours		
Brighton Council	12/09/2021	P Krause	Planning Compliance	3	28	
	26/09/2021	P Krause	Planning Compliance	25		
Central Highlands	4/07/2021	L Brown	Regulatory	8.25	191.25	
	18/07/2021	D Mackey	Regulatory	5		
		L Brown	Regulatory	8		
	D Mackey	Regulatory	20			
	D Cundall	Regulatory	3			
	1/08/2021	R Collis	Animal Control	4.25		
		D Dwyer	Animal Control	4.5		
		L Brown	Regulatory	4.5		
		D Mackey	Regulatory	13		
	15/08/2021	D Cundall	Regulatory	3		
		R Collis	Animal Control	6.75		
		D Dwyer	Animal Control	6		
		L Brown	Regulatory	6.5		
	29/08/2021	D Mackey	Regulatory	19		
		D Cundall	Regulatory	6		
		L Brown	Regulatory	11.5		
		D Mackey	Regulatory	16		
	12/09/2021	R Collis	Animal Control	3.5		
		L Brown	Regulatory	5.5		
	26/09/2021	D Mackey	Regulatory	5		
L Brown		Regulatory	8			
D Mackey	Regulatory	24				
Derwent Valley	4/07/2021	B Williams	Heritage	3	43.5	
18/07/2021	D Mackey	Regulatory	3			
	B Williams	Heritage	4			
1/08/2021	B Williams	Heritage	6			
15/08/2021	B Williams	Heritage	2.5			
	D Mackey	Regulatory	3			
29/08/2021	D Mackey	Regulatory	5			
12/09/2021	D Mackey	Regulatory	6			
26/09/2021	B Williams	Heritage	6			
	D Mackey	Regulatory	5			
Total Hours Provided by Southern Midlands						262.75
PROVIDED TO SOUTHERN MIDLANDS COUNCIL						
Council	Fortnight	Officer	Service Provided	Hours		
Brighton	28/06 to 09/07/21	L Wighton	Development Engineering	4	29.75	
	12/07 to 23/07/21	L Wighton	Development Engineering	1.75		
	26/07 to 06/08/21	L Wighton	Development Engineering	3.5		
	09/08 to 20/08/21	L Wighton	Development Engineering	4.5		
	23/08 to 03/09/21	L Wighton	Development Engineering	9.75		
	06/09 to 17/09/21	L Wighton	Development Engineering	6.25		
Total Hours Provided to Southern Midlands					29.75	

17.2.4 SMC External Grant Projects – Quarterly Update

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 20 OCTOBER 2021

Enclosure:

Report to Council on Various SMC Grant Projects as at 19th October 2021

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 Communities Sport & Recreation (Tasmanian State Government), with a minimum of 50% funding by Council, others require matching funding.

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.

RECOMMENDATION

THAT Council receive and note the report.

DECISION

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

ENCLOSURE(S)
Agenda Item 17.2.4

Report to Council on Grant Funded Projects as at 19th October 2021

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 Underground Power Project	Undergrounding the overhead power cable on the Esplanade and Barrick Street	Community Development Grant Australian Government (Election Commitment)	\$250,000		Andrew Benson	98%	15.11.21 Extension of time agreed	100% of the original two Stages completed, there is an under spend of the grant funds. Just completing Stage three of the balance of Barrick Street/Mason Street underground power to completed the grant spend
Broadmarsh Streetscape Project	Construction of footpath and bridge construction as well as traffic calming within the Broadmarsh Village	Community Development Grant Australian Government (Election Commitment)	\$230,000		Andrew Benson	95%	30.11.21 Extension of time agreed	Design completed, construction commenced. Remain work is two traffic islands and signage.
Oatlands Aquatic Centre	Development of the proposed Aquatic Centre in Oatlands	1. Australian Government 2. Tasmanian Government 3. Community Development Grant Australian Government (Election Commitment) 4. Station Child Care Centre 5. Loan Funds by SMC	\$1,500,000 \$2,000,000 \$500,000 \$80,350	\$4,365,000	Tim Kirkwood (Project Financials) Andrew Benson (Project Delivery)	Design & Documentation completed, Tender awarded. Construction commenced	04.03.22 Practical Completion	VOS Constructions commencement on site 1 st Feb 2021. Site Meetings held every two weeks to monitor construction. On target for completion as scheduled.
Lake Dulverton Conservation Area Walkway	New path from High Street along foreshore to stop over	Community Development Grant Australian	\$ 220,000		Maria Weeding	30%	1 st Feb 2022	Project on ground works commenced 5th May 2021. Base of path

Report to Council on Grant Funded Projects as at 19th October 2021

Project Title	Brief Description	Grant Body	Project Value Grant Funds	Project Value SMC Funds	Project Manager	Current Project Status (% complete)	Anticipated Completion Date	Remarks
Upgrade Project	area. Upgrade of existing path from Aquatic building to just past school. Total distance 1500M approx..	Government (<i>Election Commitment</i>)					Extension of time agreed.	works completed. Top coat material works put on hold until warmer weather- required by the nature of the product.
Kempton Town Development Project	Alteration to Victoria Memorial Hall entrance and landscaping forecourt area. Clock tower – lettering works as required.	Community Development Grant Australian Government (Election Commitment) and Southern Midlands Council	\$75,000	\$25,000	Maria Weeding	98%	October 2021	Final report to Aust Govt to be sent in. Waiting on final accounts to arrive for payment prior to finalising the report.
Campania Bush Reserve Shared Pathway	Widening the 650m walking track within the Reserve. Pathway surface is to be upgraded to polymer hardened aggregate gravel.	Community Development Grant Australian Government (Election Commitment) and Southern Midlands Council	\$100,000		Jack Lyall (Helen Geard)	99%	June 2021	Final report submitted to Aust Govt. Query on report. Now awaiting response from Aust Govt.
South Central Subregion – Workforce Development Coordinator Project	The submission of grant for a workforce co-ordinator for the Southern Midlands, Central Highlands, Brighton and Derwent Valley to (three year position). The coordinator will then work under a project management committee. partnership with the three other Councils.	Tasmanian Community Fund	\$400,000 over three years	\$15,000	Andrew Benson	33%	July 2024	Recruited Workforce Coordinator – Anthony McConnon with very active results regular reports to Council. First year's target of 40 people to be employed. Achieved 115 people employed, plus working with schools and employers on a range of activities

Report to Council on Grant Funded Projects as at 19th October 2021

Project Title	Brief Description	Grant Body	Project Value Grant Funds	Project Value SMC Funds	Project Manager	Current Project Status (% complete)	Anticipated Completion Date	Remarks
Mangalore Recreation Ground Twin Arenas Project	Two new arenas for the pony clubs that call Mangalore Rec Grd home	Major Sport & Rec Grants Program Communities Sport & Recreation (Tas Government)	\$36,784		Andrew Benson	100%	Completed	Grant acquitted Official opening delayed because of COVID 19
Rejuvenation of the Runnymede Recreation Ground playing surface	Installation of a bore, pumps and 100,000 ltr tank, sprinklers and surface treatment	Major Sport & Rec Grants Program Communities Sport & Recreation (Tas Government Tas Fire Service Contribution SMC Community Small Grants Program	\$35,142 \$1,000	\$40,000 \$ 3,000 <i>(from SMC Community Small Grants Program for Runnymede Cricket Club)</i>	Andrew Benson	100%	December 2020	Project completed, currently preparing the grant acquittal.
Kempton Medical and Community Centre	Conversion of the former Principal's Residence and establishment of car parking	Department of Communities (Tas) Election Commitment	\$75,000	\$25,000	Tim Kirkwood / Andrew Benson	100%	Completed	Grant Acquittal Received from Tas Audit Office
Elderslie Rd / Bluff Rd Junction Improvements	Junction Improvements	Blackspot Roads Program Department of State Growth	\$150,000		Andrew Benson	90%	Sept 2021	All works completed apart from sealing of the junction and hotmix of Bus Bay. (Waiting for warmer weather) Brighton Rotary Club Bus Shelter installed
Southern Midlands Drought Weeds Grant 2020 –	\$30,000 for on ground works, \$25,000 for wages.	State Government of Tasmania	\$55,000	\$0	Weeds Officer <i>(now Maria Weeding)</i>	80%	Was to be April 2021. Awaiting formal advice as to	More on ground work occurring in Spring 2021.

Report to Council on Grant Funded Projects as at 19th October 2021

Project Title	Brief Description	Grant Body	Project Value Grant Funds	Project Value SMC Funds	Project Manager	Current Project Status (% complete)	Anticipated Completion Date	Remarks
Support for Farmers							extension of time	
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	5%	1 st May 2022	Engineering Survey completed, Engineering Design commenced
Wombat Woodland Walk	Nature interpretation and adventure trail for children at Chauncy Vale	Healthy Tasmania Fund	\$29,250	\$10,000	Graham Green	5%	June 2022	Grant deed signed, some infrastructure ordered and track contractor lined up.
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	\$M1.5	Nil <i>(In-kind)</i>	Andrew Benson/ Natalie Geard BEPA	2%	2024	SMC will work in partnership with the Broadmarsh/Elderslie Progress Assn Inc on this grant program to maximize the benefits to the Community. Grant Application submitted.
2019-20 Black Summer Bushfire Recovery Grants Program	Support impacted Communities – Waste Water Reuse for Fire Services from the Oatlands Aquatic Centre	National Recovery and Resilience Agency	\$290,000	\$85,000 <i>(from 2021/2022 budget)</i>	Andrew Benson	2%	2024	SMC will provide a waste water reuse facility storing firefighting resource of 500,000lts to maximize the benefits and resilience of the Community. Grant Application submitted.

Report to Council on Grant Funded Projects as at 19th October 2021

Project Title	Brief Description	Grant Body	Project Value Grant Funds	Project Value SMC Funds	Project Manager	Current Project Status (% complete)	Anticipated Completion Date	Remarks
Electric Vehicle ChargeSmart Grants – Fast Charging	The proposed charger will be capable of charging two cars simultaneously with up to 100 kW total capacity shared between the two vehicles. This offers a faster charging rate than typical 50kW. Location at the OAC.	Tasmanian Climate Change Office - Department of Premier and Cabinet	\$45,000 <i>(EHT to provide balance of approximately \$100,000 and undertake a lease with SMC on the two spaces in the OAC)</i>	Nil The OAC Project had an allowance for the pre-provisioning of conduits for EV Charging	Andrew Benson / Clive Attwater (EHT)	2%	June 2022	A strategic alliance with Electric Highway Tasmania Grant Application submitted.
Kempton Skate Park Facility	Green Pond Progress Assn applied for funding with TCF and Council contributed \$5,000	Tasmanian Community Fund	\$50,000 <i>(Administered by the GPPA)</i>	\$5,000	Maria Weeding / Tim Kirkwood	2%	June 2022	Design and Master Plan for Kempton Recreation Area subject to Community Consultation
Improving the Playing Field	New Practice Cricket Nets and upgrading of toilets to comply with DDA requirements at Kempton Rec Grd	Department of Communities (Tas)	\$156,605	\$27,636	Wendy Young	2%	Dec 2023	Covered off in the Master Plan for the Kempton Rec Grd. Grant Application submitted
COMPLETED PROJECTS								
Oatlands Destination Playground.	Upgrade of the playground and adjacent ground area (including installation of underground watering system) at Callington Park	Community Development Grant Australian Government <i>(Election Commitment)</i>	\$ 500,000	\$7,400	Maria Weeding	100%	Feb 2021	Completed

Report to Council on Grant Funded Projects as at 19th October 2021

Project Title	Brief Description	Grant Body	Project Value Grant Funds	Project Value SMC Funds	Project Manager	Current Project Status (% complete)	Anticipated Completion Date	Remarks
Mt Pleasant Recreation Ground Facilities Upgrade	Addition of a new unisex toilet block to existing club rooms (3 toilets including D/A toilet)	Australian Govt. Dept of Industry, Innovation and Science- Stronger Communities Program Round 5	\$20,000	\$78,000	Maria Weeding	100%	Dec 2020	Completed
Chauncy Vale Wildlife Sanctuary Pedestrian Bridge Project	Design and construction of two (2) pedestrian bridges across the Browns Cave Creek. The bridges allow for a permanent, safe and pleasant crossing of the creek as part of the overall walking track(s).	Community Development Grant Australian Government (Election Commitment)	\$55,000	Nil	Graham Green	100%	Sept 2020	Completed.
Day Dawn Creek Riparian Rehabilitation	Erosion control, bank stabilization and vegetation plantings for improved biodiversity and ground stability in vicinity of the "Day Dawn Creek".	Communities Environment Program (Australian Government)	\$15,000	Nil	Graham Green	100%	June 2021	Completed

17.2.5 Proposed 2022 Council Meeting Schedule

Author: EXECUTIVE ASSISTANT (JEMMA CROSSWELL)

Date: 12 OCTOBER 2021

Enclosure:
Proposed 2022 Council Meeting Schedule

ISSUE

Council to confirm dates and locations for ordinary Council meetings to be held throughout the Municipal area in 2022.

DETAIL

In 2021, Council held meetings from January to April in various community venues throughout the municipality. These meetings included public question time where members of the public are invited to attend and discuss local issues with Council.

In 2021, meetings were held at the following community venues:

January 2021 – Bagdad Community Club

February 2021 - Tunbridge Hall

March 2021 – Woodsdale Hall

April 2021 – Campania Hall

The proposed 2022 meeting schedule is enclosed for Council’s consideration; including the meeting date, venue and commencement time.

RECOMMENDATION

THAT Council endorse the 2022 Council meeting schedule.

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

ENCLOSURE(S)
Agenda Item 17.2.5



2022 Council Meeting Schedule

DATE	VENUE	TIME
Tuesday, 25th January 2022	Broadmarsh / Elderslie Hall 1218 Elderslie Road, Broadmarsh	10.00 a.m. <i>Public Question Time 10.30 a.m.</i>
Tuesday, 22nd February 2022	Tunbridge Hall 99 Main Road, Tunbridge	10.00 a.m. <i>Public Question Time 10.30 a.m.</i>
Wednesday, 23rd March 2022	Tunnack Hall 2147 Tunnack Main Road, Tunnack	10.00 a.m. <i>Public Question Time 10.30 a.m.</i>
Wednesday, 27th April 2022	Colebrook Hall 45 Richmond Street, Colebrook	10.00 a.m. <i>Public Question Time 10.30 a.m.</i>
Wednesday, 25th May 2022	Oatlands Council Chambers 71 High Street, Oatlands	10.00 a.m. <i>Public Question Time 10.30 a.m.</i>
Wednesday, 22nd June 2022	Kempton Council Chambers 85 Main Street, Kempton	10.00 a.m. <i>Public Question Time 10.30 a.m.</i>
Wednesday, 27th July 2022	Oatlands Council Chambers 71 High Street, Oatlands	10.00 a.m. <i>Public Question Time 10.30 a.m.</i>
Wednesday, 24th August 2022	Kempton Council Chambers 85 Main Street, Kempton	10.00 a.m. <i>Public Question Time 10.30 a.m.</i>
Wednesday, 28th September 2022	Oatlands Council Chambers 71 High Street, Oatlands	10.00 a.m. <i>Public Question Time 10.30 a.m.</i>
Wednesday, 26th October 2022	Kempton Council Chambers 85 Main Street, Kempton	10.00 a.m. <i>Public Question Time 10.30 a.m.</i>
Wednesday, 23rd November 2022	Oatlands Council Chambers 71 High Street, Oatlands	10.00 a.m. <i>Public Question Time 10.30 a.m.</i>
Wednesday, 14th December 2022	Oatlands Council Chambers 71 High Street, Oatlands	2.00 p.m. <i>Public Question Time 2.30 p.m.</i>
Annual General Meeting Wednesday, 14th December 2022	Oatlands Council Chambers 71 High Street, Oatlands	5.00 p.m.

17.2.6 Proposed Christmas / New Year arrangements (including office closure)

Author: EXECUTIVE ASSISTANT (JEMMA CROSSWELL)

Date: 12 OCTOBER 2020

ISSUE

To inform Council and seek endorsement of the proposed Christmas and New Year arrangements (including office closures).

DETAIL

The following arrangements are proposed for the 2021/22 Christmas and New Year period:

Council Offices:

Council Offices to close on Friday, 24th December 2021 at 2.00 p.m., and re-open at 9.00 a.m. on Tuesday, 4th January 2022.

Household Garbage Collection Service:

Some services may be affected during this period but if there are any changes due to public holidays etc. households will be notified accordingly.

Waste Transfer Stations:

Campania, Dysart and Oatlands Waste Transfer Stations will be closed on Christmas Day and New Years Day.

On-Call Arrangements:

On-call arrangements will be in place during this period.

Human Resources & Financial Implications - With the exception of scheduled rostered days off, all staff will take Annual Leave on normal working days that fall during the closure period.

Community Consultation & Public Relations Implications - The proposed arrangements will be advertised following endorsement by Council.

Policy Implications - Consistent with standard Council Policy.

RECOMMENDATION

THAT the information be received and Council endorse the proposed Office closure arrangements over the 2021/22 Christmas and New Year period.

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

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 2021)

Author: FINANCE OFFICER (MANDY BURBURY)

Date: 14 OCTOBER 2021

ISSUE

Provide the Financial Report for the period ending 30th September 2021.

BACKGROUND

The format of the Operating Expenditure Report has been amended to include a Year To Date (YTD) Budget Column, with variations (and percentage) based on YTD Budgets – as opposed to total annual Budget.

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

DETAIL

The enclosed Report incorporates the following: -

- Statement of Comprehensive Income – 1 July 2021 to 30 September 2021.
- Operating Expenditure Report – 1 July 2021 to 30 September 2021.
- Capital Expenditure Report – 1 July 2021 to 30 September 2021.
- Cash Flow Statement – 1 July 2021 to 30 September 2021.
- Rates & Charges – as at 11 October 2021.

OPERATING EXPENDITURE (OPERATING BUDGET)

Overall operating expenditure to end of September was \$1,899,711, which represents 86.0% of the Year to Date Budget.

Whilst there is one variation within the individual Program Budgets (refer following comment), expenditure is consistent with the Budget.

Strategic Theme - Infrastructure

Nil.

Strategic Theme – Growth

Sub-Program – Business - expenditure to date (\$79,201 – 155.75%). Additional expenditure relates to private works. The additional expense will be offset by an increase in private works income.

Strategic Theme – Landscapes

Nil.

Strategic Theme – Community

Nil.

Strategic Theme – Organisation

Nil.

CAPITAL EXPENDITURE PROGRAM

Nil.

RECOMMENDATION

THAT the Financial Report be received and the information noted.

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

STATEMENT OF COMPREHENSIVE INCOME
for the period 1st July 2021 to 30th September 2021

	Annual Budget \$	Year to Date as at 30th September \$	%	Comments
Income				
General rates	5,995,491.00	5,954,319.89	99.3%	Includes Interest & Penalties on rates
User Fees (refer Note 1)	786,810.00	259,345.21	33.0%	Includes Private Works
Interest	125,000.00	6,830.70	5.5%	
Government Subsidies	72,431.00	2,500.00	3.5%	Heavy Vehicle Licence Fees, Road Rescue MAIB reimbursements & Interest Subsidy
Contract Income	0.00	0.00		
Other (refer Note 2)	192,400.00	75,951.76	39.5%	Includes TasWater Distributions
Sub-Total	\$7,172,132.00	\$6,298,947.56	87.8%	
Grants - Operating	3,619,473.00	465,253.68	12.9%	
Total Income	\$10,791,605.00	\$6,764,201.24	62.7%	
Expenses				
Employee benefits	-4,387,132.00	-897,071.00	20.4%	Less Roads - Resheeting (Capitalised)
Materials and contracts	-3,357,595.00	-990,585.50	29.5%	Less Roads - Resheeting (Capitalised), Includes Land Tax
Depreciation and amortisation	-3,004,300.00	-755,179.23	25.1%	Percentage Calculation (based on year-to-date)
Finance costs	-67,891.00	-3,557.53	5.2%	Interest
Contributions	-245,179.00	0.00	0.0%	Fire Service Levies
Other	-147,571.00	-29,316.30	19.9%	Audit Fees and Councillor Allowances
Total expenses	-\$11,209,668.00	-\$2,675,709.56	23.9%	
Surplus (deficit) from operations	-\$418,063.00	\$4,088,491.68	-978.0%	
Grants - Capital (refer Note 3)	3,063,096.00	100,000.00	3.3%	
Sale Proceeds (Plant & Machinery)	0.00	121,818.18		
Sale Proceeds (Land)	0.00	0.00		
Sale Proceeds (Other Assets)	0.00	914.92		Includes old wheelie bins & sale of wheat
Net gain / (loss on disposal of non-current assets)	-7,000.00	0.00		
Surplus / (Deficit)	\$2,638,033.00	\$4,311,224.78	163.4%	

STATEMENT OF COMPREHENSIVE INCOME
for the period 1st July 2021 to 30th September 2021

NOTES	Annual Budget \$	Year to Date as at 30th September \$	%	Comments
1. Income - User Fees (Budget \$681,158) includes:				
- All other Programs	584,279.00	172,808.25	29.6%	
- Private Works	202,531.00	86,536.96	42.7%	
	<u>\$786,810.00</u>	<u>\$259,345.21</u>	33.0%	
2. Income - Other (Budget \$86,000) includes:				
- Tas Water Distributions	182,400.00	38,000.00	20.83%	
- HBS Dividend	10,000.00	0.00	0.00%	
- Public Open Space Contribution	0.00	0.00		
- Donations for use of recreation facilities	0.00	0.00		
- Worker's Comp. Wage Reimbursement	0.00	37,951.76		
	<u>\$192,400.00</u>	<u>\$75,951.76</u>	39.5%	
3. Grant - Capital (Budget \$3,558,627) includes:				
- Midland Hwy/ Mood Food Pathway	147,565.00	0.00	0.00%	
- Elderslie/Bluff Road Junction (Black Spot)	150,000.00	0.00	0.00%	
- Reeve St Intersection Campania (Vuln. Road Users)	200,000.00	0.00	0.00%	
- Federal Grant Oatlands Aquatic Centre	1,500,000.00	0.00	0.00%	
- State Govt. Aquatic Centre - final instalment	400,000.00	0.00	0.00%	
- Roads To Recovery	665,531.00	0.00	0.00%	
Outstanding and future capital grant income				
- Local Roads and Community Infrastructure Phase 1	0.00	0.00		\$66,553 of \$665,531 remaining (10%)
- Local Roads and Community Infrastructure Phase 2	0.00	0.00		\$60,903 of \$609,032 remaining (10%)
- Local Roads and Community Infrastructure Phase 3	0.00	0.00		\$1,331,062 Projects to be completed by 30.06.23
- (CDGP) Oatlands Aquatic Centre (\$500K)	0.00	0.00		\$500K remaining
- (CDGP) Lake Dulverton Walkways (\$220K)	0.00	0.00		\$176K remaining
- (CDGP) Campania Bush Reserve (\$100K)	0.00	100,000.00		
- (CDGP) Kempton Streetscape Project (\$75K)	0.00	0.00		\$45K remaining
- (CDGP) Broadmarsh Streetscape Project (\$230K)	0.00	0.00		\$230K remaining
- (CDGP) Oatlands Underground Lighting (\$250K)	0.00	0.00		\$125K remaining
	<u>\$3,063,096.00</u>	<u>\$100,000.00</u>	3.26%	
4. Grant - Operating (Budget \$3,564,167) includes:				
Operating Grants				
- FAGS	3,619,473.00	462,474.50	12.8%	Actual Grant - \$3,657,903 (\$1,808,005 prepayment in 20/21 + four instalments of \$462,474.50)
- Hobart City Mission - School Holiday Program	0.00	2,779.18		
	<u>\$3,619,473.00</u>	<u>\$465,253.68</u>	12.9%	

CAPITAL EXPENDITURE PROGRAM 2021-22
As at 30 September 2021

INFRASTRUCTURE

ROAD ASSETS

		BUDGET \$	EXPENDITURE \$	BALANCE \$	COMMENTS
Resheeting Program	Roads Resheeting	800,000	89,269	710,731	
Reseal Program	Roads Resealing (as per agreed program)	400,000	0	400,000	
	Woodsdale Road - Asphaltting	0	139,922	-139,922	
Reconstruct & Seal	Bagdad - Green Valley Rd / Huntingdon Tier Road (250 metres)	45,000	0	45,000	RTR 21/22
	Baden - Woodsdale Road (700m Reconstruction)	115,500	0	115,500	Urgent works to be carried out in lieu of Stonor Road (700m)
	Oatlands - South Parade (including Kerb, Channel and Footpath)	170,000	8,753	161,247	WIP 30.06.21 \$2,591 RTR 21/22
	Stonor - Stonor Road (western end) (1000 metres)	165,000	0	165,000	
	York Plains - York Plains Road (pavement failures) (500 metres)	82,500	0	82,500	LRCI P3
Construct & Seal (Unsealed Roads)	Bagdad - Green Valley Road (650m New Seal)	136,500	0	136,500	RTR \$126.5K (project nominated using savings from 20/21 RTR)
	Bagdad - Huntingdon Tier (400m new seal) Two Coat	84,000	271	83,729	
	Lower Marshes - Lower Marshes Road (approx. 750 Metres)	144,375	0	144,375	RTR 21/22
	Mangalore - Ballyhooly Road (approx 500 metres)	96,250	0	96,250	RTR 21/22
	Tunnack - Eldon Road (1,100 metres new seal)	231,000	3,105	227,895	RTR 21/22
Minor Seals (New)	Rhyndaston - Rhyndaston Road Dust Suppressant	20,000	0	20,000	
	Tunnack - Scotts Road Dust Suppressant	20,000	0	20,000	
Junction / Road Realignment / Other	Campania - Estate Road (vicinity Mallow property)	49,000	13,544	35,456	\$10K Budget c/fwd WIP 30/06/21 \$3638.16
	Campania - Main Intersection/Carpark Design Concept	50,000	0	50,000	\$50K c/fwd
	Campania - Reeve St / Clime Street (includes Footpath)	70,000	11,419	58,581	\$70K Budget c/fwd WIP 30/6/20 \$11,418.84
	Campania - Reeve St Junction/footpath/kerb & channel	200,000	894	199,106	Vulnerable Road Users Program
	Dysart - Cliftonvale & Sugarloaf Rd Junction Improvements	50,000	16,884	33,116	WIP 30/06/20 \$16,884.46
	Elderslie - Bluff Road Intersection Upgrade	150,000	99,652	50,348	WIP 30/06/21 \$36992.28
	Elderslie - Elderslie Road Widening Investigation & Trial (Sth Blackbrush Rd)	40,000	6,777	33,223	WIP 30/06/21 \$1078.54
	Oatlands - Hasting Street Junction	15,000	959	14,041	\$15K Budget c/fwd WIP 30/6/19 \$958.52
	Tea Tree - Grices Road (Tree removal, set-back of embankment, drainage)	15,000	0	15,000	
	Woodsdale - Woodsdale Road (400m safety rail in two sections, The Cutting)	17,000	0	17,000	
		3,166,125	391,450	2,774,675	
BRIDGE ASSETS	Interlaken Road (Dulv Rvlt - Bridge No 3861) - Widening	42,218	14,360	27,858	
	Woodsdale Road (Nutting Garden Rivulet - Bridge No 4084)	148,200	212,910	-64,710	Budget c/fwd RTR (\$94,531) WIP 30/06/21 \$16,917.03
	York Plains Road (Kitty's Rivulet - Bride No 457)	60,000	33981.36	26,019	WIP 30/06/21 \$25,945
		250,418	261,252	-10,834	

CAPITAL EXPENDITURE PROGRAM 2021-22
As at 30 September 2021

	BUDGET	EXPENDITURE	BALANCE	COMMENTS
	\$	\$	\$	
WALKWAYS				
Footpaths - General Streetscapes	225,000	0	225,000	Includes \$170K Budget c/fwd, \$20K moved to South Parade
Bagdad - East Bagdad Road	210,000	145,886	64,114	Budget c/fwd WIP 30/6/21 \$143062.53
Bagdad - Midland Highway - Walking Path Upgrade (500 metres)	50,000	0	50,000	
Broadmarsh - Streetscape Works	230,000	198,455	31,545	Budget c/fwd WIP 30/06/21 \$190864.48
Campania - Review Manag. Plan (Site Plan) / Walking Tracks (Bush Reserve)	5,000	0	5,000	\$5K Budget c/fwd
Campania - Reeve Street - Footpath through to Hall	30,000	0	30,000	
Kempton - Midlands Highway/Mood Food	147,565	0	147,565	
Kempton - Streetscape Plan (Review & Implementation)	35,000	1,881	33,119	Budget c/fwd WIP 30/06/21 \$1881.13
Kempton - Streetscape Plan - Footpath Renewal (Dysart House)	23,000	0	23,000	Budget c/fwd
Kempton - Streetscape Plan - Footpath Renewal (southern end)	60,000		60,000	LRCI P3
Kempton - Jones' Subdivision - Footpath/kerb & gutter/stormwater	278,000		278,000	LRCI P3
Kempton - Main St, Sophia to Erskine (145m) - Footpath/kerb & gutter/stormwater	52,032	878	51,154	LRCI P2
Kempton - Streetscape Plan - Victoria Memorial Hall	110,000	111,586	-1,586	Budget c/fwd WIP 30/06/20 \$109,336.52
Melton Mowbray - Streetscape Works (Trough / Shelter etc)	30,000	5,318	24,682	WIP 30/06/20 \$5318.18
Oatlands - High Street (Footpath Renewal)	61,281	67,963	-6,682	LRCI P1
Oatlands - Wellington Street (Footpath, Kerb, Guttering Anstey Crt to High St)	54,000	66,776	-12,776	LRCI - Renominated from P1 savings
Oatlands - Wellington Street (Footpath - High to Infant Car Park - Gravel to Concrete)	24,225	44,770	-20,545	
Oatlands - Wellington Street (Footpath - Oak Court to Anstey Court)		8,025	-8,025	
Oatlands - Stanley Street (Concrete Footpath, Marlborough St to High St)	43,000	12,478	30,522	LRCI - Renominated from P1 savings
Oatlands - Church Street (High St to Esplanade - Gravel to Concrete - 240m)	28,800			
Tunbridge - Main Street (Ongoing Kerb & Gutter Renewal)	20,000	0	20,000	
Tunnack - Streetscape concept Plan	50,000	28,771	21,229	\$45K budget c/fwd WIP 30/06/21 \$28,770.96
	1,766,903	692,786	1,045,317	
LIGHTING				
Oatlands - Esplanade Project	384,000	213,538	170,462	Budget c/fwd WIP 30/6/21 \$162,203.16
	384,000	213,538	170,462	
PUBLIC TOILETS				
Campania - Flour Mill Park - Concrete Pathways/drainage/remove pavers	15,000	0	15,000	Budget c/fwd
General Public Toilets - Upgrade Program	20,000	0	20,000	Budget c/fwd
	35,000	0	35,000	
DRAINAGE				
Bagdad - Lyndon Road	15,000	0	15,000	\$15K Budget c/fwd
Bagdad - Blackbrush Road Drainage (kerb, gutter, footpath)	430,000	34,163	395,837.25	LRCI Phase 2 - WIP 30/06/21 \$6,575.80
Bagdad - Hall Lane Drainage	75,000	11,299	63,701.05	LRCI Phase 2 - WIP 30/06/21 \$3,592.71
Campania - Estate Road (School Farm)	10,000	0	10,000	\$10K Budget c/fwd
Oatlands - High St/Wellington Street Junction	5,000	0	5,000	\$5K Budget c/fwd
Stormwater Management Plan	0	656	-656	
	535,000	46,118	488,882	

CAPITAL EXPENDITURE PROGRAM 2021-22

As at 30 September 2021

		BUDGET	EXPENDITURE	BALANCE	COMMENTS
		\$	\$	\$	
WASTE	Wheelie Bins and Crates	5,000	605	4,395	
	WTS Safety & Operational Improvements	25,000	0	25,000	
		30,000	605	29,395	
GROWTH					
TOURISM	Jericho - Memorial Avenue - Plaques (Stage 1 of 2 - \$20K per year)	\$ 20,000			
	Kempton - Memorial Avenue Park - Interps (Stage 1 of 2 - \$20K per year)	\$ 20,000			
	Oatlands Accommodation Facility	0	11,465	-11,465	To be offset by Barrack Street Property WIP 30/6/21 \$3,502.41
		40,000	11,465	-11,465	
LANDSCAPES					
HERITAGE	Heritage Collections Store	10,000	1,500	8,500	Budget c/fwd WIP 30/06/21 \$1,500
	Oatlands - Barrack Street Police House (\$110K over 2 years)	55,000	0	55,000	
	Oatlands - Callington Mill (Limestone Seal in Precinct)	27,250	935	26,315	
	Oatlands - Commissariat (79 High Street) Boundary Fence	6,000	0	6,000	Budget c/fwd
	Oatlands - Court House (Sandstone wall restoration)	15,000	0	15,000	
	Oatlands - Gaol Aluminium Temporary Steps (Entrance)	3,500	0	3,500	\$3.5K Budget c/fwd
	Oatlands - Gaol Wingwall Restoration	8,000	0	8,000	
	Oatlands - Roche Hall Forecourt (Interps - Planning Condition of Approval)	40,000	0	40,000	\$40K Budget c/fwd
	Parattah - Railway Station - Shed for Gangers Trolley	2,000	0	2,000	
		166,750	2,435	164,315	
NATURAL	Chauncy Vale - Wombat Walk	39,250	10,061	29,190	Includes \$29,250 grant WIP 30/06/21 \$5,030
	Oatlands - Lake Dulverton Walkway (Grants \$135K + \$85K)	220,000	121,583	98,417	\$220K Budget c/fwd WIP \$121583.30
	Municipal Area - Preventing Roadkill (Signs)	5,000	0	5,000	
		264,250	131,644	132,606	
CULTURAL	Nil	0	0	0	
		0	0	0	
REGULATORY - DEVELOPMENT	Kempton Council Chambers - Chambers Restoration Works	15,000	17,885	-2,885	\$5K Budget c/fwd WIP 30/06/21 \$1,818.18
	Kempton Council Chambers - Clock Restoration Works	20,000	502	19,499	Budget c/fwd WIP \$501.50
	Kempton Council Chambers - Office Furniture & Equipment	5,000	656	4,344	
	Kempton Council Chambers - Solar Proposal	11,145	0	11,145	
		51,145	19,043	32,102	

CAPITAL EXPENDITURE PROGRAM 2021-22
As at 30 September 2021

	BUDGET	EXPENDITURE	BALANCE	COMMENTS
	\$	\$	\$	
REGULATORY - PUBLIC HEALTH				
Water Bottle Refill Stations	7,980	0	7,980	
Kempton - Community Health Facility	400,000	324,974	75,026	Budget c/fwd WIP 30/06/21 \$324,497.46
	407,980	324,974	83,006	
REGULATORY - ANIMAL CONTROL				
Kempton - Dog Pound(s)	35,000	20,968	14,032	Budget c/fwd WIP 30/06/21 \$14,370.46
	35,000	20,968	14,032	
COMMUNITY RECREATION				
Recreation Committee	25,000	0	25,000	
Bagdad - Bagdad Community Club (Precinct Plan)	25,000	0	25,000	
Campania - Public Open Space dev (Justitia Park)	12,000	0	12,000	
Campania - Recreation Ground (Internal Toilet Improvements)	40,000	8,636	31,364	Budget c/fwd WIP 30/06/21 \$8,636.36
Kempton - Memorial Avenue Park (Gifted to Council)	0	155	-155	WIP 30/06/20 \$155
Kempton - Memorial Hall Improvements (Online Access Centre)	0	449	-449	
Kempton - Memorial Hall Portico	52,000	54,332	-2,332	Budget c/fwd WIP \$54,332.24
Kempton - Recreation Ground (Lighting)	16,000	0	16,000	Budget c/fwd
Kempton - Recreation Ground (Roof Structure - Entry to Clubrooms)	15,000	468	14,532	Budget c/fwd WIP 30/06/21 \$468.18
Kempton - Recreation Ground (Site Development and Play Equipment)	25,000	750	24,250	
Mangalore - Hall (replace Gutters and Roofing)	18,000	0	18,000	Budget c/fwd
Oatlands - Aquatic Centre (New Pool) - Work in Progress prior to 2020/21	941,987	941,987	0	WIP 30/06/20 \$166,197.29, 30/6/19 \$395,896.00, 30/6/18 \$379,800
Oatlands - Aquatic Centre (New Pool) - 2020/21 & current year expenditure	9,379,600	3,153,771	6,225,830	WIP 30/06/21 \$1,741,641.16
Oatlands - Callington Park (Two seats with arm rest & back support)	7,000	0	7,000	
Oatlands - Callington Park (Lighting & Surveillance)	6,000	0	6,000	
Oatlands - Community Hall (Maintenance Program)	51,300	0	51,300	
Oatlands - Midlands Memorial Community Centre (Roof & Insulation)	39,000	0	39,000	
Tunbridge Park - Perimeter Fence (Safety)	30,000	0	30,000	Budget c/fwd
	10,682,887	4,160,548	6,522,338	
ACCESS				
All Buildings (Priority Approach)	50,000	0	50,000	Budget c/fwd - 5 years @ \$10K per year
Tunbridge Community Club (Council Contribution to Accessible Toilets)	20,000	0	20,000	
	70,000	0	70,000	
CAPACITY & SUSTAINABILITY				
Campania Bush Reserve / Cemetery	300,000	8,241	291,759	WIP 30/06/21 \$5,194.75
Levendale Community Centre	38,390	0	38,390	Budget c/fwd
Oatlands - Church Street Sub-Division	0	8,093	-8,093	Expenses offset on sale of properties WIP 30/06/21 \$6,764.66
Oatlands - Stanley Street Master Plan	20,000	0	20,000	
Oatlands Structure Plan	25,000	34,155	-9,155	\$25K Budget c/fwd WIP \$23,203
	383,390	50,490	332,900	

CAPITAL EXPENDITURE PROGRAM 2021-22
As at 30 September 2021

		BUDGET	EXPENDITURE	BALANCE	COMMENTS
		\$	\$	\$	
SAFETY	Nil	0	0	0	
		0	0	0	
ORGANISATION					
SUSTAINABILITY	Oatlands - Council Chambers - Internal Toilets Upgrade	100,000	0	100,000	Budget c/fwd
	Oatlands - Council Chambers - Damp Issues & Stonemasonry	15,000	0	15,000	Budget c/fwd
	Oatlands - Council Chambers - Works Office (floor coverings)	5,000	0	5,000	Budget c/fwd
	Oatlands - Town Hall (General - Incl. Office Equip/Furniture)	5,000	0	5,000	
	Records System	30,000		30,000	\$20K Budget c/fwd
	Computer System (Hardware / Software)	80,000	18,892	61,108	
		235,000	18,892	216,108	
WORKS	Kempton Depot - Property Purchase (Year 3 Budget of \$180K)	45,000	45,000	0	Total Project Cost - to be funded over 4 yrs (Yr 3 - \$45K)
	Kempton Depot - Internal Building Improvements	30,000	349	29,651	\$15K Budget c/fwd
	Kempton Depot - Storage Lockers	2,000	0	2,000	Budget c/fwd
	Oatlands Depot - Roof over containers/General repairs & alterations	28,000	265	27,735	Budget c/fwd
	Minor Plant Purchases	9,500	0	9,500	
	Radio System	3,000	0	3,000	
	Plant Replacement Program				
	Heavy Vehicles	715,000	189,826	525,174	
	Light Vehicles	108,000	46,704	61,296	
	(Trade Allowance - \$280K)				
		940,500	282,144	658,356	
GRAND TOTALS		19,444,348	6,628,352	12,747,196	

CASH FLOW 2021/2022	INFLOWS (OUTFLOWS) (July 2021) \$	INFLOWS (OUTFLOWS) (Aug 2021) \$	INFLOWS (OUTFLOWS) (Sept 2021) \$	INFLOWS (OUTFLOWS) (Year to Date) \$
Cash flows from operating activities				
Payments				
Employee costs	- 260,616	- 390,947	- 264,569	- 916,132
Materials and contracts	- 491,436	- 202,262	- 287,964	- 981,662
Interest	- 3,558	-	-	- 3,558
Other	- 28,525	- 73,931	- 39,279	- 141,736
	- 784,134	- 667,140	- 591,813	- 2,043,087
Receipts				
Rates	114,192	1,709,936	1,307,712	3,131,839
User charges	126,455	3,059	202,593	325,989
Interest received	1,852	1,900	3,079	6,831
Subsidies	-	-	-	-
Other revenue grants	2,779	462,475	-	465,254
GST Refunds from ATO	-	-	-	-
Other	45,664	13,995	4,476	64,135
	290,942	2,185,246	1,517,860	3,994,048
Net cash from operating activities	- 493,192	1,518,106	926,047	1,950,961
Cash flows from investing activities				
Payments for property, plant & equipment	- 144,440	- 1,208,615	- 1,117,813	- 2,470,868
Proceeds from sale of property, plant & equipment	55	59,027	63,651	122,733
Proceeds from Capital grants	-	100,000	-	100,000
Proceeds from Investments	-	-	-	-
Payment for Investments	-	-	-	-
Net cash used in investing activities	- 144,385	- 1,049,588	- 1,054,161	- 2,248,135
Cash flows from financing activities				
Repayment of borrowings	- 7,651	-	-	- 7,651
Proceeds from borrowings	-	-	-	-
Net cash from (used in) financing activities	- 7,651	-	-	- 7,651
Net increase/(decrease) in cash held	- 645,228	468,517	128,114	304,825
Cash at beginning of reporting period	18,201,458	17,556,231	18,024,748	18,201,458
Cash at end of month	17,556,231	18,024,748	17,896,634	17,896,634

**SOUTHERN MIDLANDS COUNCIL : OPERATING EXPENDITURE 2021/22
 SUMMARY SHEET**

PROGRAM	YTD ACTUAL (as at 30 Sep 21)	YTD BUDGET (as at 30 Sep 21)	YTD VARIANCE	YTD VARIANCE %	FULL YEAR BUDGET - REVISED INC. GRANTS & OTHER
INFRASTRUCTURE					
Roads	332,343	349,578	17,235	95.07%	3,250,313
Bridges	138	5,205	5,067	2.64%	400,987
Walkways	45,087	55,305	10,218	81.52%	226,220
Lighting	6,889	21,300	14,411	32.34%	85,200
Public Toilets	17,911	20,935	3,025	85.55%	77,741
Sewer/Water	-	-	-	-	-
Drainage	5,350	6,904	1,554	77.50%	79,614
Waste	186,600	265,190	78,589	70.36%	1,088,258
Information, Communication	-	-	-	-	-
INFRASTRUCTURE TOTAL:	594,319	724,417	130,098	82.04%	5,208,333
GROWTH					
Residential	-	-	-	-	-
Tourism	18,692	26,275	7,583	71.14%	48,700
Business	79,201	50,851	28,350	155.75%	957,904
Industry	-	-	-	-	-
GROWTH TOTAL:	97,893	77,126	20,767	126.93%	1,006,604
LANDSCAPES					
Heritage	81,632	109,707	28,075	74.41%	414,926
Natural	49,640	52,351	2,711	94.82%	219,603
Cultural	-	3,375	3,375	0.00%	13,500
Regulatory - Development	180,612	222,382	41,770	81.22%	889,530
Regulatory - Public Health	1,179	5,081	3,902	23.21%	20,325
Regulatory - Animals	28,527	29,428	901	96.94%	111,113
Environmental Sustainability	-	-	-	-	-
LANDSCAPES TOTAL:	341,590	422,324	80,734	80.88%	1,668,997
COMMUNITY					
Community Health & Wellbeing	48,541	69,356	20,815	69.99%	267,425
Recreation	77,328	171,375	94,047	45.12%	729,670
Access	-	-	-	-	-
Volunteers	-	3,750	3,750	0.00%	45,000
Families	-	5,875	5,875	0.00%	11,500
Education	-	-	-	-	-
Capacity & Sustainability	19,534	23,201	3,667	84.19%	44,405
Safety	6,507	9,925	3,418	65.56%	39,700
Consultation & Communication	2,356	4,325	1,969	54.48%	17,300
LIFESTYLE TOTAL:	154,267	287,807	133,540	53.60%	1,155,000
ORGANISATION					
Improvement	24,154	26,722	2,569	90.39%	106,890
Sustainability	645,737	626,241	19,495	103.11%	2,500,667
Finances	41,752	44,500	2,748	93.83%	328,179
ORGANISATION TOTAL:	711,643	697,464	14,179	102.03%	2,935,736
TOTALS	1,899,711	2,209,137	309,426	86.0%	11,974,670

SOUTHERN MIDLANDS COUNCIL				
SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED				
		This Financial Year 11th October 2021		Last Financial Year 11th October 2020
Arrears brought forward as at July 1		\$ 434,414.30		\$ 527,651.89
ADD current rates and charges levied		\$ 5,946,701.12		\$ 5,726,271.43
ADD current interest and penalty		\$ 22,112.62		\$ -
TOTAL rates and charges demanded	100.00%	\$ 6,403,228.04	100.00%	\$ 6,253,923.32
LESS rates and charges collected	45.77%	\$ 2,931,039.20	46.15%	\$ 2,886,238.12
LESS pensioner remissions	3.89%	\$ 249,025.97	3.95%	\$ 246,734.30
LESS other remissions and refunds	0.00%	\$ 151.34	-0.03%	-\$ 2,147.86
LESS discounts	0.54%	\$ 34,713.15	0.53%	\$ 33,075.05
TOTAL rates and charges collected and remitted	50.21%	\$ 3,214,929.66	50.59%	\$ 3,163,899.61
UNPAID RATES AND CHARGES	49.79%	\$ 3,188,298.38	49.41%	\$ 3,090,023.71

17.3.2 Monthly Oatlands Aquatic Centre Capital Expenditure Report (period ending 31 August 2021)

Author: FINANCE OFFICER (MANDY BURBURY)

Date: 14 OCTOBER 2021

ISSUE

Provide the capital expenditure report for the Oatlands Aquatic Centre to 31st August 2021.

DETAIL

The enclosed Report includes all capital expenditure relating to the Oatlands Aquatic Centre prior to 2020/2021, and budget and expenditure for 2020/2021 and 2021/2022.

RECOMMENDATION

THAT the Financial Report be received and the information noted.

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

OATLANDS AQUATIC CENTRE CAPITAL EXPENDITURE RECONCILIATION AS AT 30 SEPTEMBER 2021

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
	\$	\$	\$	
Total Expenditure to 30 September 2021		4,262,665		
Council Labour & On-costs		5,255		
Materials - Council		195		
External Plant Hire - Council		6,217		
SMC Planing / Building Permits		6,495		
SMC Planing / Building Permits - June 2020		6,868		
SMC - Other Contractor Costs		901		
August 2012 - Purchase of 70 High Street, Oatlands		166,908		Total Cost (includes legals etc.) Gov't Land Value - \$23,000
Bzowy Architecture & Other Consultants				
2016/17		27,056		Best described as Project Revival
Contract No 1 (part of \$107,660)		16,227		
2017/18				
Contract No 1 (part of \$107,660)		92,471		Includes Disbursements of \$1,038
Other Costs - Variations & Redesign		63,579		Additional Floor / Redesign etc.
Bio-Energy (review & assessment)		24,867		
Appeal Costs		140,153		Various
2018/19				
Bzowy - Other Costs - Variations & Redesign		108,611		Includes Survey & Legal
Engagement Agreements		21,470		
Formal Contract - Tenders / Design etc (part of \$379,960)		265,905		

**OATLANDS AQUATIC CENTRE CAPITAL EXPENDITURE RECONCILIATION
AS AT 30 SEPTEMBER 2021**

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
	\$	\$	\$	
2019/20				
Bzowy - Other Costs - Variations & Redesign		96,779		Includes Survey & Legal
Bzowy - Formal Contract - Tenders / Design etc (part of \$379,960)		39,921		
Building Surveying		350		
Communications (Nylander)		180		
Legal (BMB)		18,488		
Construction Phase (to date) - July 2020 - to 30 September 2021				
Legal (BMB)	0	15,996	-15,996	
Construction Contract (Vos)	7,783,604	2,561,029	5,222,575	Five progress claims made
Consultants Fees (SMG)	581,712	434,653	147,059	
Furniture, Fittings and Equipment (SMG)	50,000	0	50,000	
Principal Supplied Goods (SMG)	62,284	35,867	26,417	
Principal Works (SMC)	300,000	75,228	224,772	
Contingency Sum (SMG)	400,000	0	400,000	
Demolition of CT Fish Building	10,000	24,673	-14,673	
Construction of Waste Water Holding Facility	192,000	6,325	185,675	
Current Year Budget and Expenditure	\$ 9,379,600	\$ 3,153,771	\$ 6,225,830	
Total Expenditure to 30 September 2021		\$ 4,262,665		
Reconciliation to Capital Expenditure Report				
Work in Progress (expenses prior to 2020/21)		941,987		
2020/21 expenditure	1,741,641			
2021/22 expenditure	1,412,129			
Expenditure as per Capital Expenditure Report		3,153,771		
add purchase of 70 High Street		166,908		
		<u>\$ 4,262,665</u>		

18. MUNICIPAL SEAL

Nil.

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	<i>Local Government (Meeting Procedures) Regulations 2015</i> Reference
<i>Closed Council Minutes - Confirmation</i>	15(2)
<i>Applications for Leave of Absence</i>	15(2)(h)
<i>Heavy Plant Replacement Tender</i>	15(2)(c)
<i>Council IT Strategy</i>	15(2)(c)

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

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 A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

CLOSED COUNCIL AGENDA

20. BUSINESS IN “CLOSED SESSION”

20.1 Closed Council Minutes - Confirmation

20.2 Applications for Leave of Absence

20.3 Heavy Plant Replacement Tender

20.4 Council IT Strategy (System Replacement)

RECOMMENDATION

THAT Council move out of “Closed Session”.

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

OPEN COUNCIL AGENDA

21. CLOSURE