



ATTACHMENTS

ORDINARY COUNCIL MEETING

Campania Hall
Reeve Street, Campania
Wednesday 26th April 2023
10.00 a.m.

Item 5.1	Draft Council Meeting Minutes (Open) – 22 nd March 2023
Item 5.2	Draft Special Council Meeting Minutes – 12 th April 2023
Item 16.1.1	Proposed Changes to Midlands Memorial Community Centre, 68 High Street, Oatlands
Item 17.1.1	Audio Records of Council Meeting Policy
Item 17.1.2	Recruitment Policy & Procedure Selection Policy & Procedure
Item 17.3.3	Letters – Saint Regina Limited – Application for Rate Remission

SOUTHERN
MIDLANDS
COUNCIL



MINUTES ORDINARY COUNCIL MEETING

Wednesday, 22nd March 2023
10.00 a.m.

Tunnack Hall
2147 Tunnack Main Road, Tunnack

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OPEN COUNCIL MINUTES

MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD
ON WEDNESDAY 22ND MARCH 2023 AT THE TUNNACK HALL COMMENCING AT
10.02 A.M.

1. PRAYERS

Reverend Dennis Cousens recited prayers.

2. ACKNOWLEDGEMENT OF COUNTRY

Deputy Mayor recited Acknowledgement of Country.

3. ATTENDANCE

Deputy Mayor K Dudgeon, Clr A E Bisdee OAM, Clr D Blackwell, Clr D Fish Clr R McDougall and Clr F Miller.

Mr T Kirkwood (General Manager), Mr A Benson (Deputy General Manager), Mr G Finn (Manager Development and Environmental Services), Mrs W Young (Manager Community & Corporate Development), Mrs J Crosswell (Executive Officer).

4. APOLOGIES

Mayor E Batt, Mr D Richardson (Manager, Infrastructure & Works)

DECISION

Moved by Clr D Blackwell, seconded by Clr A E Bisdee OAM

THAT the above apologies be received.

CARRIED

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

5. MINUTES**5.1 Ordinary Council meeting**

The Minutes (Open Council Minutes) of the previous meeting of Council held on the 21st February 2023, as circulated, are submitted for confirmation.

DECISION

Moved by Clr R McDougall, seconded by Clr D Fish

THAT the Minutes (Open Council Minutes) of the previous meeting of Council held on the 21st February 2023, as circulated, be confirmed.

CARRIED

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

5.2 Special Committees of Council Minutes**5.2.1 Special Committees of Council - Receipt of Minutes**

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

- Woodsdale Community Memorial Hall Minutes – 6th March 2023
- Lake Dulverton & Callington Park Management Committee Minutes – 14th March 2023 (tabled at meeting).

RECOMMENDATION

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

DECISION

Moved by Clr R McDougall, seconded by Clr A E Bisdee OAM

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

CARRIED

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

5.2.2 Special Committees of Council - Endorsement of Recommendations

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

- Woodsdale Community Memorial Hall Minutes – 6th March 2023
- Lake Dulverton & Callington Park Management Committee Minutes – 14th March 2023

RECOMMENDATION

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

DECISION

Moved by Clr R McDougall, seconded by Clr A E Bisdee OAM

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

CARRIED

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

Note: Clr Bisdee OAM – Callington Park (Unisex Accessible Toilet) – requested that the Committee consider the option of cladding the building in a sandstone product (photographic sample) to be circulated.

5.3 Joint Authorities (Established Under Division 4 of the *Local Government Act 1993*)**5.3.1 Joint Authorities - Receipt of Minutes**

Minutes prepared by the following Joint Authority, as circulated, are submitted for receipt:

- STCA Board Meeting Minutes – 20th February 2023

RECOMMENDATION

THAT the Minutes for the above Joint Authority be received.

DECISION

Moved by Clr A E Bisdee OAM, seconded by Clr D Blackwell

THAT the Minutes for the above Joint Authority be received.

CARRIED

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

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

Nil.

6. NOTIFICATION OF COUNCIL WORKSHOPS

DECISION

Moved by Cllr D Fish, seconded by Cllr R McDougall

THAT the information be received.

CARRIED

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

7. COUNCILLORS – QUESTION TIME

7.1 Questions (On Notice)

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

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

Clr R McDougall submitted the following questions at the previous Council Meeting. The following is included in the Minutes for the purpose of documenting the response(s):

Clr R McDougall - I have some questions relating to issues with both the entrance and exit to the Oatlands Aquatic Centre car park. These issues have been raised with me by several people and some I also have personal experience with.

Exit onto High Street:

1. People are still using this as a vehicular entrance from High St, despite the signage;
2. Cars are being parked in High St on either side of the OAC exit driveway so that the exiting car has to move well out onto the pavement of High St to get a sufficient view of traffic coming in either direction; this is especially the case if the exiting vehicle is turning right into High St - the vehicle has to go further out onto the road whilst still making sure there is no oncoming car in the left lane; and
3. Cars (this would be smaller cars and SUVs) bottom out as you exit as the camber of High St is very high compared with the exit roadway surface

Entrance from South Parade:

1. People in cars are apparently speeding into the OAC entrance from South Parade. As they approach the entrance they actually accelerate rapidly into the driveway (whichever direction they are coming from Church St or Gay St). At least one adult has nearly been hit as they step off to cross the road, by a car coming around the Gay St corner and accelerating into the entrance.
2. Children on bikes and skateboards are riding down the car park slope from High St, then along the long entrance driveway, the view of which from South Parade is obliterated by the high timber paling fences that line it such that vehicles cannot see into the driveway, then the children continue riding out into and across South Parade, without any consideration that there may be cars entering and at speed, or proceeding in either direction along South Parade.

With regard to the cars parking by the exit, yellow lines could be painted on either side to indicate no parking, however this means the loss of 2 car parking spaces in an area with a lot of businesses and, if not policed, then it is likely to be ineffective in any case.

My question with regard to the above is this:

Why can't we follow a safer and more logical option and reverse the direction of entry and exit to the OAC, as with the entrance from the High St the safety issues for both the exiting vehicles and vehicles travelling along High St are entirely eliminated?

This would also eliminate the issue of vehicles accelerating into the OAC entrance driveway and as exiting vehicles would be driving along the driveway into South Parade, they would already be driving slowly and would then more likely continue their exit onto South Parade in like manner.

Then there is still the issue of the children on bikes and skateboards using the driveway. An immediate short term response would be to install temporary signage in South Parade visible from Gay St & Church St sides warning of the proximity of active children and bikes etc or imposing a very low speed limit?

Signs however do contribute to unwelcome visual clutter in the rural village streetscape so a more effective and permanent solution may be to install two speed humps in that driveway which will slow vehicles down?

With regard to the use of the driveway by children on bikes & boards one solution might be to install a boom gate perhaps at the point where the driveway begins inside the car park? one which responds to an approaching vehicle automatically. This would also discourage pedestrians from using that driveway which is also happening currently (alternatively if this is to be a pedestrian way as well then it should be demarcated as such for safety but if there is no pedestrian barrier put across then bikes & boards would continue to use it so a system of bars that can be walked around but not ridden etc would be required).

South Parade:

I think it a missed opportunity and a costly one, that South Parade was not made one way in the direction from Church St to Gay St, as put forward on previous occasions by 2 councillors (Cllr Dudgeon and myself). Also it would have made South Parade more a shared pedestrian and vehicle zone instead of one dominated by cars travelling in two directions.

It would have allowed the retention of the spacious green verges on South Parade which give it a pleasant rural character as the vehicle pavement necessary would have been much narrower. Parking areas could have been created with the use of spaced pavers along the edges which not only allow for the growth of grass between the pavers but also provide a more environmentally friendly but hardstand option that also allows for the percolation of water. Less concrete is required as there is no need for kerbing and guttering at least along an area such as this.

[Not only do we need to look at reducing the costs of such roadworks in terms of both dollars and carbon emissions, we need to be thinking about how we impact the amenity of our villages so as to not detract from or reduce amenity and also how we can provide a more environmentally attractive and positive solution.]

Response by the Deputy General Manager

There are a number of questions within this document and are responded to in the following manner;

- A. The original design for the one way traffic flow in the Oatlands Aquatic Centre (OAC) was brought about by the narrow balance of the title to accommodate the car parking, as such, in a set of circumstances like this angled parking reduces the width of a carpark but requires a one way traffic flow. This matter of ingress and egress as articulated in the question was debated extensively at the Oatlands Aquatic Centre, Community Consultation with adjoining owners and previous OAC appellants, prior to the Development Application being lodged. It was the considered opinion that the Traffic Engineer's design would remain as proposed***

(and now, as constructed), as the ingress and egress of the site was developed through sound traffic engineering rationale, and that potential queuing in High Street, awaiting access to the site could provide a significant traffic hazard and accident potential. During the Community Consultation prior to the DA being lodged, a neighbour in South Parade mounted a strong counter argument to the one way traffic entering from High Street and exiting on to South Parade.

There is no recommendation to change the existing ingress and egress for the site.

B. Cars parking either side of the driveway exit in High Street will be addressed by the High Street Parking Working Group.

C. The exit on High Street from the OAC is well signed, access location and a No Entry sign. Refer to the image below.

Whilst Exit Only line marking could improve the visual cues for potential entering motorists, no other recommendations are made.



D. In respect of the matter of vehicles bottoming-out in the exit of the OAC, this was reviewed and two marks on the footpath apron were noted. One was attributed to one of Council's fully loaded, long wheel base light trucks with a 'low hanging tow bar'. This is not the normal vehicular use of the exit. There was one other mark on the apron that could not be attributed. The writer advises that he has been exiting the site with a standard vehicle and has not registered any marks on the apron or the pavement, or the vehicle. Refer to the image above, no significant marks are apparent.

E. Driver behaviour is a significant issue in many areas, not just Oatlands, and not just South Parade. Poor driver behaviour in South Parade is what the question above refers to. This is a matter for Tasmania Police and a site meeting is being arranged with Tasmania Police and Council officers to see if this type of driver behaviour can be addressed with engineering solutions. It is noted that Tasmania Police have purchased the parcel of land at the rear of the Oatlands Aquatic Centre, which faces South Parade. This land is for two Police residences. It is the writers considered view that the close proximity of those dwelling to the entrance of the carpark, will have a considerable bearing on driver behaviour at that particular location, with, one would think, dire consequences for offenders. This would be the best traffic management solution that could be put in place.

F. The matter with the children using the driveway as a skate venue is a matter that will also be discussed with Tasmania Police during the site visit. A 'Share-way' speed limit is being investigated with an entry delineation road marking.

An entry boom gate is not a recommended solution.

G. One-way traffic in South Parade was raised during the Oatlands Structure Plan community consultations. Traffic Engineer, Milan Prodanovic considered the suggestion and responded saying that it is not warranted with such low traffic flows, however there is a recommendation in the Structure Plan for an analysis to be undertaken once the Aquatic Centre has been in operation for twelve months. That review has been locked in and traffic counters will be in place for gathering some benchmark data once the reconstruction of South Parade has been completed.

The data will be gathered and Report provided to Council in twelve month's time in respect of one way traffic considerations for South Parade.

H. The car parking in the South Parade road reconstruction design has been influenced by the large number of cars from employees of the Midlands Multi-Purpose Health Centre that parked on the nature strip near the corner of South Parade and Church Street. They reversed out onto South Parade at the end of their working day. Parking on the nature strip effectively forced pedestrians to walk onto the road. Therefore a logical car parking arrangement was required to be considered.

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.

Clr R McDougall – Requested an update on the Lake Dulverton directional signs to be erected on High Street.

General Manager – Question taken on notice.

Clr R McDougall – Water Fill Station Oatlands and Kempton – are these still to be installed?
General Manager – One Water Fill Station has been installed in the vicinity of the Drivers Hut at Callington Park, Oatlands. The Water Fill Station at Kempton has been deferred pending completion of the Dog Park where the filler station is proposed to be installed.

Clr R McDougall – Update on solar panel installation at Oatlands Aquatic Centre?
Deputy General Manager – This is still work in process. Responsibility of VOS Construction through its Electrical Contractor. Needs to be resolved as completion of the works is required to enable final report(s) to be submitted to the funding bodies.

Clr F Miller – Made reference to the Workshop held 14th March 2023 and in particular the presentation made by the NBN Co. representative. Would appreciate further communication and discussion with NBN management (in conjunction with Tas Irrigation) to progress the possibility of installing ‘in-ground’ infrastructure for future development of the network.

Clr F Miller – Increase of dwellings being constructed that would appear not to have correct permissions. Also queried whether Council are required to provide dwellings for those in need of housing.

Deputy Mayor advised Clr Miller to provide Manager Development & Environmental Services with details of dwellings so these can be followed up.

Clr A E Bisdee OAM – Development – Franklin Street, Colebrook – has Mr Daintree been provided with an update/response?

The General Manager advised that the current status of the development has been confirmed and needs to clarify whether Mr Daintree has been informed.

Clr A E Bisdee OAM – Queried how regularly the pool is emptied into the tanks? Is there a possibility the tanks overflow?

Deputy General Manager – A ‘backwash’ procedure occurs every 7-10 days and it is anticipated that the pool will be totally drained every 8 years (or thereabouts). The recycled water is being used on a regular basis to maintain capacity in the Tanks to receive the water.

Deputy Mayor K Dudgeon – Is an update available for the Keep Australia Beautiful judging?

Deputy General Manager – A visit was scheduled by Keep Australia Beautiful National Judge for the 16th March 2023 but Council were contacted to say due to health reasons they would be unable to attend. A new national judge has been appointed to undertake an assessment via a Zoom meeting on 20th April 2023.

Deputy Mayor K Dudgeon – Requested an update on Levendale School.

General Manager – the ‘Surrender of Land Deed’ has been prepared and is to be executed by both parties (i.e. State Government and Council). Abetz Curtis Lawyers, acting on behalf of Council, has indicated that the matter should be finalised this week.

Deputy Mayor K Dudgeon – Any updates on the transfer of ownership of the Woodsdale Cemetery to Council?

General Manager – no further update available. Responsibility rests with the State Government to meet the requirements of the Burial and Cremation Act 2019 prior to transfer of ownership.

Deputy Mayor K Dudgeon – Tunbridge Bridge – any further update?

Manager Heritage Projects (Brad Williams) provided comment on the current status of the project. In summary, it is the responsibility of the Department of State Growth to progress based on the Planning Permit that has been issued.

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*.

Nil.

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.

Nil.

10. PUBLIC QUESTION TIME (SCHEDULED FOR 10.30 A.M.)

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

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

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

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

Janine Scott – Tunnack Resident

Tunnack Community Hall – external mowing of grounds – damage to vinyl weatherboards from ‘rocks’ being thrown by the Mower.

General Manager – to be inspected and Council employees to be advised accordingly.

Julia Jabour – Southern Midlands Regional News

Informed Council that she had requested an update on the Tunbridge Bridge from Minister Michael Ferguson. For information, the following response was received:

“Minister for Infrastructure and Transport, Michael Ferguson, said the original design proposed by State Growth would replace the existing timber superstructure and barrier with new engineered timber beams, a concrete deck with timber facades and new barriers.

“The Development Application approved by Northern Midlands Council and Heritage Tasmania accepted the department’s proposal for a concrete deck with one condition that the steel barrier be painted to look like a white timber barrier,” Minister Ferguson.

“However, the Southern Midlands Council (SMC) planning approval included two conditions, including that the bridge deck must be constructed from timber rather than concrete as had been proposed.

“Engineering advice was that this construction approach would not meet contemporary bridge design standards and the department appealed the decision before TASCAT.

“The appeal was unsuccessful and works were halted pending further discussions with SMC on an acceptable solution.

“SMC has only recently agreed to the department’s proposed timber construction using an engineered wood deck that can properly provide for the necessary barriers to be affixed to meet contemporary standards.

“Pending confirmation by NMC and Heritage Tasmania that an engineered timber approach is acceptable, the department will proceed to tender as a priority.”

Julia Jabour – Southern Midlands Regional News – Oatlands Aquatic Centre

Julia Jabour also commented about the entry and exit to the Oatlands Aquatic Centre. Cars have been seen on multiple occasions entering the pool carpark via High Street (which is exit only). Current signage is inadequate.

Carol Byers – Tunnack Resident

Expressed appreciation to Council and thanked Clr R McDougall and Graham Green (Council Officer) for facilitating the work in conjunction with the Tunnack Streetscape Committee.

DECISION

Moved by Clr A E Bisdee OAM, seconded by Clr D Fish OAM

THAT the meeting be adjourned for morning tea at 10.51 a.m.

CARRIED

DECISION

Moved by Clr R McDougall, seconded by Clr D Blackwell

THAT the meeting reconvene at 11.15 a.m.

CARRIED

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

12.1.1 Development Application (DA230005) for Subdivision (3 lots & balance) at 91 & 103 Main Street, Tunbridge owned by A & K Rowan

DECISION

Moved by Clr A E Bisdee OAM, seconded by Clr D Fish

THAT, in accordance with the provisions of the *Tasmanian Planning Scheme - Southern Midlands* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application DA230005 for Subdivision (3 lots & balance) at 91 & 103 Road, Tunbridge owned by A & K Rowan subject to conditions detailed below.

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. The development and works must be carried out in accordance with:
Bushfire Hazard Report, Proposed Subdivision 9 & 103 Main Road, Tunbridge (Mark Van den Berg, GES) J8055v1 dated December 2022
3. Prior to Council sealing the final plan of survey for any stage the developer must provide certification from a suitably qualified person that all works required by the approved Bushfire Hazard Management Plan has been complied with.

Agreements

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

Easements

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

Public Open Space

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

The cash contribution amount is to be equal to 5% of the value of the land (excluding the balance lot) at the date of lodgement of the Final Plan of Survey. The value is to be determined by a Land Valuer within the meaning of the Land Valuers Act 2001 at the developers' expense.

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

Covenants

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 \$265.00, 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. 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.
12. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

Services

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

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

Access

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

Water

16. Each lot must be connected to a reticulated potable water supply.

Tas Water

17. The development must meet all required Conditions of approval specified by Tas Water Submission to Planning Authority Notice, TWDA 2023/00102-STM, dated 02/02/2023.

Telecommunications and electrical reticulation

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

Construction

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

20. The subdivider must provide not less than forty eight (48) hours written notice to Council's Manager Infrastructure and Works before reaching any stage of works requiring inspection by Council unless otherwise agreed by the Council's Manager Infrastructure and Works.

Construction amenity

21. The development must only be carried out between the following hours unless otherwise approved by the Council's General Manager

- Monday to Friday 7:00 AM to 6:00 PM
- Saturday 8:00 AM to 6:00 PM
- Sunday and State-wide public holidays 10:00 AM to 6:00 PM

22. All works associated with the development of the land must be carried out in such a manner so as not to unreasonably cause injury to, or unreasonably prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of -

- (a) emission from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property; and/or
- (b) transport of materials, goods or commodities to or from the land; and/or
- (c) appearance of any building, works or materials.

23. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the land in an approved manner. No burning of such materials on-site will be permitted unless approved in writing by the Council's General Manager.

24. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the subdivision during the construction period.

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 permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.

- C. 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.
- D. The developer is advised that portions of the application site have been subject to flooding events/inundation in recent years. Development of Proposed Lots 1-3 (inclusive) will require consideration of potential for future flooding when considering design and location of buildings, works and wastewater disposal areas.

CARRIED

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

12.2 Subdivisions

Nil.

12.3 Municipal Seal (Planning Authority)

Nil.

12.4 Planning (Other)

12.4.1 Update - Amendments to the Southern Midlands Local Provisions Schedule (LPS)

DECISION

Moved by Clr R McDougall, seconded by Clr D Blackwell

THAT the information be received.

CARRIED

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

**[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.

13.7.1 Natural Disaster Risk Reduction Grant Program (NDRRGP) – Bagdad - Mangalore Hydraulic Assessment

DECISION

Moved by Cllr A E Bisdee OAM, seconded by Cllr R McDougall

THAT the information be received.

CARRIED

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

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

Clr F Miller – Colebrook Main Road / Mudwalls Road – made comment in relation to recent repair works which appear to ‘fail’ within a short period of time as the extent of repair work is inadequate. Can Council raise this matter with the Department of State Growth as the responsible agency for the Road? Traffic is becoming increasingly heavy through this area and the road is particularly poor near the turn off to Brown Mountain Road, Campania.

Manager Infrastructure & Works to convey concerns and issues to the Department of State Growth.

Clr D Blackwell – Would like to pass on appreciation from Broadmarsh/Elderslie residents to Manager Infrastructure and Works regarding the current condition of the road(s) in that area. Made reference to Cliftonvale Road and Blackbrush in particular.

RECOMMENDATION

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

DECISION

Moved by Clr D Fish, seconded by Clr R McDougall

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

CARRIED

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

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

DECISION

Moved by Cllr A E Bisdee OAM, seconded by Cllr D Blackwell

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

CARRIED

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

15.1.2 Use Policies, Oatlands Gaol, Supreme Court House, Commissariat & 79 High Street

DECISION

Moved by Cllr R McDougall, seconded by Cllr D Blackwell

THAT

- A. Council endorse the Oatlands Gaoler's Residence, Supreme Court House and Commissariat Use Policy;**
- B. Rescind the 79 High Street and Oatlands Commissariat Use Policy.**

CARRIED

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

15.2 Natural

Strategic Plan Reference – page 23/24

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

15.2.1 NRM Unit – General Report

DECISION

Moved by Clr D Fish, seconded by Clr A E Bisdee OAM

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

CARRIED

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

15.3 Cultural

Strategic Plan Reference 3.3

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

Nil.

15.4 Regulatory (Development)

Strategic Plan Reference 3.4

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

15.4.1 Southern Tasmania Regional Land Use Strategy

DECISION

Moved by Clr A E Bisdee OAM, seconded by Clr D Blackwell

THAT

- A. The information be received;
- B. Consideration be given to a submission simply acknowledging the proposed amendments and the fact that they do not affect land within our Municipality.

CARRIED

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

15.5 Regulatory (Public Health)

Strategic Plan Reference 3.5

Monitor and maintain a safe and healthy public environment.

Nil.

15.6 Regulatory (Animals)

Strategic Plan Reference 3.6

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

15.6.1 Animal Management Report

DECISION

Moved by Cllr R McDougall, seconded by Cllr D Blackwell

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

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Deputy Mayor K Dudgeon	✓	
Cllr A E Bisdée OAM	✓	
Cllr D Blackwell	✓	
Cllr D F Fish	✓	
Cllr R McDougall	✓	
Cllr F Miller	✓	

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.

16.1.1 Australia Post – Introduction of Household Delivery Service (Campania)

DECISION

Moved by Cllr R McDougall, seconded by Cllr D Blackwell

THAT:

1. the information be received; and
2. THAT Council proceed to prepare and circulate an initial Petition to gauge the level of interest in household mail delivery in Campania.

CARRIED

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

16.2 Recreation

Strategic Plan Reference 4.2

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

16.2.1 Oatlands Aquatic Centre – Coordinators Report

DECISION

Moved by Cllr A E Bisdee OAM, seconded by Cllr R McDougall

THAT the information be received and noted.

CARRIED

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

16.2.2 Official Opening of the Oatlands Aquatic Centre**AUTHOR** DEPUTY GENERAL MANAGER (ANDREW BENSON)**DATE** 16 MARCH 2023**ISSUE**

Given the Oatlands Aquatic Centre is the largest infrastructure project that Southern Midlands Council has ever commissioned, it is important to recognise its official opening on the 15th March 2023.

BACKGROUND**Funding Frameworks for the Oatlands Aquatic Centre**

Council had prepared many funding submissions to both the Australian Government and the State Government through the years, with the break through being when the State Government, through primarily, Michael Polley the then Speaker of the House and Member for Lyon, supported by the then Premier, Paul Lennon said that the State Government would match any Australian Government funding for the Oatlands Aquatic Centre.

At the same time, Eric Hutchinson the then Federal Member for Lyons was pushing energetically for the Australian Government to provide funding for the Oatlands Aquatic Centre. That magic day that everyone in Oatlands had been waiting for, came when Eric Hutchinson arranged for the then Minister for Foreign Affairs, Julie Bishop to travel to Oatlands to make the announcement of the Australian Government funding commitment to the Oatlands Aquatic Centre.

The Deeds of Agreement were locked in, then the Station Childcare Centre, which was about to go through winding up of their incorporated organisation, in readiness for the Lady Gowrie Childcare takeover of the Oatlands operations of the Station Childcare Centre Inc., asked Council if they could transfer the balance of their accrued funds of \$80,533.00 to the Oatlands Aquatic Centre project. Council gratefully accepted the very kind offer from the Management Committee.

Council agreed to fund the balance of the project through, siting the Oatlands Aquatic Centre on the former Council Works Depot site (including extensive site decontamination works), some Capital funding and the remainder via a loan arrangement.

Oatlands Aquatic Centre – The Proposal

Construction of a new single storey indoor aquatic centre comprising:

- 25 x 12m main pool
- 12 x 5m child pool
- Change amenities, including Male / Female / Parenting, Accessible / Carers
- Activities room
- Administration area and associated facilities
- Internal circulation and egress
- External recreational spaces and playgrounds
- Plant and services
- 37 carparking spaces, including 2 accessible spaces, emergency vehicles and road access
- Associated civil and services infrastructure

The proposal saw the demolition of the small existing retail building known as the CT Fish building, together with miscellaneous fences, and a redundant dilapidated shed. The public park to High Street was to be retained, redeveloped and incorporated into the design

Oatlands Aquatic Centre - Project Team

Client Representatives	Southern Midlands Council	Tim Kirkwood / Andrew Benson
Project Manager	Stanton Management Group	Patrick Stanton
Architects	Philp Lighton Architects	Peter Gaggin Maciek Salacinski
Services Engineers	COVA	Simon Little and Julian Cook
Structural Engineers	RARE	Alan Leake
Civil Engineers	RARE	Alan Leake
Acoustic Engineers	Tarkarri Engineering	Alex McLeod
Aquatic Engineers	Geoff Ninnes Fong & Partners	Brad Fong
ESD + Energy	RED Sustainability	Steve Watson
Surveyors	Leary + Cox	Noel Leary
Landscape Design	PLA + Land Solutions	Paul Bramich
Building Surveyors	Pitt & Sherry	Roland Wierenga
Heritage	Wadsley Heritage Planners	John Wadsley
Builder	Vos Constructions	Nathan Murfet PM
Carpark & S/W	Southern Midlands Council	David Richardson
Landscaping	Southern Midlands Council	David Richardson

Oatlands Aquatic Centre - Project Timeline

Consultant engagement + start up	11 May 2020
Site inspection & audit	20 May 2020
Senior Council management	25 May 2020
Council Planners + Heritage	28 May 2020
Council Workshop	03 June 2020
Site neighbours + previous appellants consultation	09 June 2020
Planning Permit Application + Advertising	22 June 2020
Council consideration of Permit	17-23 July 2020
Planning Permit issued	23 July 2020
Community presentation	10 August 2020
Tender issue	21 August 2020
Tender close	14 October 2020
Council Workshop	09 November 2020
Council meeting Tender decision	25 November 2020

Oatlands Aquatic Centre – Planning Permit DA2020 – 63

Planning Application submitted to Council 23 June 2020
Unanimous approval at Council meeting 23 July 2020

Main concerns of representations

Landscaping – consideration of planting and community building

Comment: Met by minor redesign of the garden

Traffic management on South Parade

Comment: addressed by SMC in their traffic management plan under way

Noise

Comment: covered in conditions of permit and by redesign

Stormwater disposal

Comment: covered in conditions of permit and by redesign

Lot 3 proposed use

Comment: addressed by SMC

Archaeology and heritage

Comment: covered in conditions of permit)

Opening hours

Comment: covered in conditions of permit)

Site



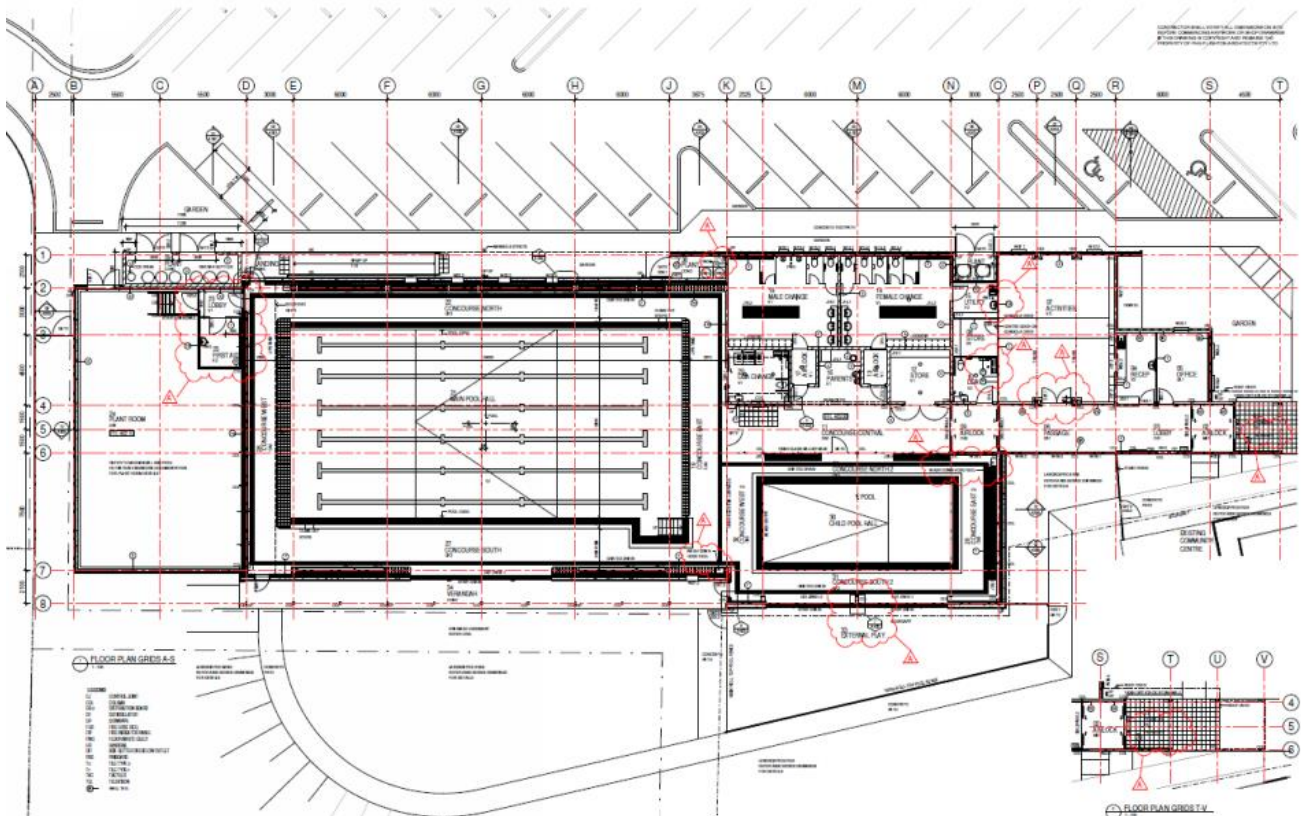
Proposed Oatlands Aquatic Centre – Aerial View



Proposed Oatlands Aquatic Centre - View from High Street



Proposed Oatlands Aquatic Centre – Plan View



Oatlands Aquatic Centre – Tender Documents

The Tender Documents comprised:

- 120 x A1 drawings
 - 32 x Architectural drawings
 - 49 x civil and structural engineers' drawings
 - 21 x building services engineers drawings - electrical, data & comms, mechanical, fire and hydraulic services
 - 18 x aquatic engineer's drawings (pool systems)
- 2 x Volumes of Project Specifications

The documents addressed all requirements, including all *Planning Permit* conditions.

Oatlands Aquatic Centre – Tender Inclusions

The Tender Documents included:

- The building, car-parking, infrastructure and surrounds as previous

Additionally:

- Roof top solar panel array (40% saving on electrical pool heating running cost)
- Redesigned steel roof structure to support the solar panels
- Fully sound attenuated (acoustically designed) enclosed Plant Room (*Planning Permit* requirements)
- Tiled pool surfaces
- Gas boiler back-up for emergency pool heating / boost should power fail
- Specialty high density acoustic sandwich panels over the pool area that acoustically treated the pool area, were resistant to the pool environment, and met the *Planning Permit* requirements for zincalume finish "galvanised" finished roof

- Concrete wall panels to support the natural sandstone panel finishes (*Planning Permit* requirement)
- Decorative marine plywood finishes to the internal pool hall
- Higher perimeter fences (2100mm in lieu of 1800mm)

Oatlands Aquatic Centre – Tender

Tenders were publically advertised and seven (7) Contractors responded through Tenderlink.

A site inspection was held 18 October 2020 with 4 tendering contractors attending and some sub-contractors

Three tenders were received by the close of the tender period:

- Vos Constructions Launceston
- JMK Constructions Hobart
- GLB Constructions Westbury

Vos Constructions were appointed as the successful Tenderer for a contract price of \$7,783,604.00 (GST excl.), and the Contract was awarded on Tuesday 15 December 2020

Oatlands Aquatic Centre – Construction

Commencement on site	Monday 18 th January 2021
First Site Meeting was held on	Wednesday 20 th January 2021
Target date for Practical Completion	Friday 04 th February 2022

COVID -19 was a major barrier in the construction of the Oatlands Aquatic Centre, with supply chain issues, and labour availability issues.

A 'soft opening' of the Aquatic Centre was on the 14th November 2022 after the Occupancy Permit was issued by the Building Surveyor.

DETAIL

10.30am on Wednesday 15th March 2023 was the date and time of the official opening of the Oatlands Aquatic Centre. There were approximately eighty guests who participated in the opening event.

The official party for the formal part of the proceedings were.

Mayor Edwin Batt;

The Hon Michael Ferguson MP, Deputy Premier;

Brian Mitchell MP, Federal Member for Lyons;

Mrs Alli McShane, former President of The Station Childcare Centre;

With Deputy General Manager Andrew Benson as the MC.

Amongst the guests in attendance were the following dignitaries.

Senator Claire Chandler

The Hon Mark Shelton MP Speaker of the House of Assembly, Member for Lyons

The Hon Guy Barnett MP, Minister for State Growth, Member for Lyons

Southern Midlands Councillors

Deputy Mayor Karen Dudgeon

Councillor Tony Bisdee OAM (former Mayor)

Councillor Don Fish

Councillor Rowena McDougall

Councillor Donna Blackwell

Mayor Sally Doyle from Huon Valley

Michael Polley AM former Speaker of the House of Assembly

Former SMC Mayor Colin Howlett

Kurt Jones, CEO, Vos Construction & Joinery

Stu Lennox, Chair, Destination Southern Tasmania

Helen Langenberg Director of Sport and Recreation Tasmania

Karina Siggins, CEO of Royal Lifesaving

Jamie McIntyre, CEO Swimming Tasmania

Kellie Scott, President of the Oatlands Swim Club

Karen Robinson, CEO Rural Youth Tasmania

Apologies were received from

The Hon Jeremy Rockliff MP, Premier of Tasmania

The Hon Kristy McBain MP, Federal Minister for Regional Development & Local Government

Senator Carol Brown Assistant Minister for Infrastructure & Transport

The Hon Jane Howlett MLC, Member for Prosser

The Hon Nic Street MP, Minister for Sport & Recreation

The Hon Rebecca White MP, Leader of the Opposition, Member for Lyons

The speeches from the official party were led by the 'Acknowledgement of Country'. The speakers then provided an array of well-considered informative, historical along with current perspective, as well as acknowledgement of the funding contributions, consisting of;

\$5,500,000 Council funds (including borrowings);

\$2,000,000 from the State Government;

\$2,000,000 from the Australian Government; and

\$ 80,533 from The Station Child Care Centre upon closure of the Centre.

It is acknowledged that Southern Midlands Council employees played a considerable role in the project as well, including

- a. The Council team that worked with the Designers and Project Managers, took the project through the approval processes, paid the bills & managed the documentation; and
- b. The Council field workforce led by Manager Infrastructure & Works, David Richardson, Senior Works Coordinator, Craig Whatley and Acting Works Coordinator, Cameron Burrill were responsible for the undergrounding power connection civil works, carpark construction as well as the landscaping construction. The coordination by the Manager Infrastructure & Works with Vos Constructions Site Manager, Glenn Donaldson was challenging given the Council segments of the project were at the later end of the project when every trade is trying to complete their works and there being no real clear area to start the carpark. The finished carpark and landscaping are a tribute to the skills, management and dedication of the Southern Midlands Council fieldworks team.

Images from the Opening



(l-r) Lifeguard Georgia Pennicott,
OAC Coordinator Adam Briggs
Lifeguard/Gym Instructor Sophie Smith



Kellie Scott, President of the
Oatlands Swim Club and son Hayden



Mayor Edwin Batt



The Hon Michael Ferguson MP
Deputy Premier



Brian Mitchell MP
Federal member for Lyons



Mrs Alli McShane
Former President
The Station Childcare Centre Inc.



(l-r) Mayor Edwin Batt, Brian Mitchell MP Federal Member for Lyons,
Mrs Allie McShane from the former Station Childcare Centre
and the Hon Michael Ferguson MP Deputy Premier



(l-r) Councillor Don Fish, Deputy Mayor Karen Dudgeon, Mayor Edwin Batt,
Councillor Rowena McDougall, Councillor Donna Blackwell and
Councillor Tony Bisdee OAM (former Mayor)



Former Committee Members of The Station Childcare Centre Inc.
(l-r) Rebecca Moore (green top) Rachael Barwick (blue top), Vanessa Fish (black dress) Sarah Barrington (white & black top), Alli McShane (cream top),
(front) Felicity McShane (bone top) and Karen Dudgeon (floral dress)

Mrs Alli McShane's speech was a thoughtful & moving contribution and it is appropriate at the end of this report to dwell on those sentiments.

Speech by Mrs Alli McShane

Oatlands Aquatic Centre Official Opening

On behalf of the staff and committee members of the former, The Station Childcare Centre..... Good morning and thank you for inviting us to be a part of this celebration today.

The Station Childcare Centre was a not-for-profit day-care Centre, in a former railway building, in Wellington St Oatlands. It was founded by the late Mrs Sue Burbury, and was the only service of its kind in our community at that time. It was run by a Committee of dedicated local volunteers, and for over 30 years the Centre offered a place where families could access affordable, safe, nurturing and fun educational care for their children it also importantly facilitated the return to work for many parents, provided new employment opportunities, and offered a service previously out of reach for many local families.

In 2012, due to the complex nature of new and evolving legislative and compliance requirements the difficult yet necessary decision was made to hand the centre to Lady Gowrie Tasmania. This ensured that the vital service would remain open, and we are very pleased that it continues to operate as a long day-care service in the same location today.

In 2016 when the final committee was looking for a community project to donate our remaining funds towards, the Oatlands Aquatic Centre project stood out above all others. We felt that a facility like this, in our regional area, would have enormous long term health and wellbeing benefits for all children and families alike, and so, we were very pleased make the contribution of \$80,533.00 to the fund.

It was a huge achievement for our small volunteer run business, a clear demonstration of our support for this project, and what we felt was an appropriate dedication to honour the

thousands of hours of work by the former committee members, staff, and many friends of The Station Childcare Centre. A small number of the Station's former committee members and staff are here today representing all those who gave so generously of their skills and time in the 30 plus years its of operation, who made this donation possible, and in doing so played a part in helping bring the project life. If they could please raise their hands I would like to take this opportunity to thank them and acknowledge their contribution with a round of applause.

Rural and regional municipalities deserve more than to just survive, we deserve to flourish, but to do that we need the services and infrastructure like this fantastic facility we are standing inside today that will attract and retain people to our communities. The Southern Midlands Council has clearly demonstrated their recognition of this and along with many volunteer community members have worked with great persistence, and through much adversity towards securing this incredible facility and all it offers for our community, and so On behalf of the former Station Childcare Centre I say Congratulations, and thank you for your determination, we are honoured to have been able to play a part in seeing this fantastic Aquatic Centre become a reality.

Thankyou.

Alli McShane

Former President, The Station Childcare Centre Inc.

RECOMMENDATION

THAT Council

1. **Receive and note the report; and**
2. **Acknowledge the significant contribution by the Southern Midlands Council employees in delivering this project.**

DECISION

Moved by Clr A E Bisdee OAM, seconded by Clr R McDougall

THAT Council

1. **Receive and note the report; and**
2. **Acknowledge the significant contribution by the Southern Midlands Council employees in delivering this project.**

CARRIED

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

16.3 Access

Strategic Plan Reference 4.3

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

Nil.

16.4 Volunteers

Strategic Plan Reference 4.4

Encourage community members to volunteer.

Nil.

16.5 Families

Strategic Plan Reference 4.5

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

Nil.

16.6 Education

Strategic Plan Reference 4.6

Increase the educational and employment opportunities available within the Southern Midlands

Nil.

16.7 Capacity & Sustainability

Strategic Plan Reference 4.7

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

Nil.

16.8 Safety

Strategic Plan Reference 4.8

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

Nil.

16.9 Consultation & Communication

Strategic Plan Reference 4.8

Improve the effectiveness of consultation & communication with the community.

Nil.

17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)**17.1 Improvement****Strategic Plan Reference 5.1**

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

17.1.1 Review of Existing Policy - Customer Service Charter**DECISION**

Moved by Cllr D Blackwell, seconded by Cllr A E Bisdee OAM

THAT Council:

- 1. Receive and note the report; and**
- 2. Adopt the policy.**

CARRIED

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

17.1.2 Review of Existing Policy(s)**DECISION***Moved by Cllr R McDougall, seconded by Cllr D Blackwell***THAT Council:**

1. Receive and note the report;
2. Consider the revised version of the Recruitment Policy & Procedures in preparation for the adoption of the revised policy, at the April 2023 Council meeting, subject to any Council amendments; and
3. Consider the revised version of the Selection Policy & Procedures in preparation for the adoption of the revised policy, at the April 2023 Council meeting, subject to any Council amendments.

CARRIED

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

17.1.3 Review of Existing Policy(s)

DECISION

Moved by Cllr A E Bisdee OAM, seconded by Cllr D Blackwell

THAT Council:

1. Receive and note the report;
2. Consider the revised version of the Work Health & Safety Policy in preparation for the adoption of the Policy at the April 2023 Council Meeting, subject to any Council amendments.
3. Consider the unamended version of the Remote and Isolated Worker Policy in preparation for confirmation of the Policy at the April 2023 Council Meeting, subject to any Council amendments.

CARRIED

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

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

Two discussion papers issued by Local Government Division Discussion Papers:

- Addressing Councillor Misconduct
- Merit Based Recruitment in Councils

Correspondence dated 12th March 2023 from Chris Harman regarding Chauncy Vale Sanctuary.

DECISION

Moved by Clr D Fish, seconded by Clr R McDougall

THAT Council receive and note the information in the above tabled documents.

CARRIED

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

17.2.2 Elected Member Statements

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

Clr D Fish – Oatlands Aquatic Centre – would like to acknowledge Eric Hutchinson (previous MHR) for his assistance in securing the grant funding from the Australian Government during the period as the representative for Lyons. This should be recognised in the documentation for the Pool Opening.

Deputy General Manager to send a letter of appreciation to Mr Eric Hutchinson.

Clr R McDougall – Lake Dulverton Brochure – Has discussed this with local business. The brochure is very popular and tells the story of the Lake and the significance to the local community, details birdlife and wildlife etc.

Clr R McDougall - Tunnack Streetscape Project has now been completed. This was a two year project that Council allocated \$50,000 to. Clr McDougall, Graham Green and various community members were involved in the project which included new rubbish bins, town entry and exit signs, tree planting and a statement eucalypt tree. A new bench and picnic table were installed at the park and silhouettes outside Tunnack Hall were added with an interpretation plaque. Clr McDougall thanked community members and Graham Green for managing the project.

Deputy Mayor K Dudgeon – Advised Council that she recently attended an International Women's Day morning tea that was organised by Mary-Anne Orchard. Deputy Mayor was one of two speakers, the other being the CEO of Hobart City Mission. A very enjoyable event.

Clr F Miller – Advised councillors to be aware of unsolicited mail or emails and always check for clarification before providing financial information. Warned councillors to stay vigilant.

17.2.3 Ordinary Council Meetings – Meeting Commencement Times (outcome of Community Consultation Process)

RECOMMENDATION

THAT:

- a) The information be received; and
- b) Council re - confirm its decision made at the Council Meeting held 23rd November 2022 in relation to the commencement time for Ordinary Council Meetings.

DECISION

Moved by Clr A E Bisdee OAM, seconded by Clr R McDougall

THAT

- a) The information be received; and
- b) Council re - confirm its decision made at the Council Meeting held 23rd November 2022 in relation to the commencement time for Ordinary Council Meetings.

CARRIED

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

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 28 February 2023)

DECISION

Moved by Clr R McDougall, seconded by Clr A E Bisdee OAM

THAT the Financial Report be received and the information noted.

CARRIED

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

18. MUNICIPAL SEAL

Nil.

19. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

Nil.

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.

DECISION

Moved by Clr R McDougall, seconded by Clr D Fish

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.

CARRIED

Matter	<i>Local Government (Meeting Procedures) Regulations 2015 Reference</i>
<i>Closed Council Minutes - Confirmation</i>	15(2)(g)
<i>Applications for Leave of Absence</i>	15(2)(h)
<i>Audit Panel Minutes</i>	15(2)(g)

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

RECOMMENDATION

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

DECISION

Moved by Clr D Blackwell, seconded by Clr A E Bisdee OAM

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.

CARRIED

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

CLOSED COUNCIL MINUTES

20. BUSINESS IN “CLOSED SESSION”

20.1 Closed Council Minutes - Confirmation

In accordance with the Local Government (Meeting Procedures) Regulations 2015, the details of the decision in respect to this item are to be kept confidential and are not to be communicated, reproduced or published unless authorised by Council.

Item considered in Closed Session in accordance with Regulation 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015.

20.2 Applications for Leave of Absence

In accordance with the Local Government (Meeting Procedures) Regulations 2015, the details of the decision in respect to this item are to be kept confidential and are not to be communicated, reproduced or published unless authorised by Council.

Item considered in Closed Session in accordance with Regulation 15(2)(h) of the Local Government (Meeting Procedures) Regulations 2015.

20.3 Audit Panel Minutes

20.3.1 Receipt of Minutes

In accordance with the Local Government (Meeting Procedures) Regulations 2015, the details of the decision in respect to this item are to be kept confidential and are not to be communicated, reproduced or published unless authorised by Council.

Item considered in Closed Session in accordance with Regulation 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015.

20.3.2 Endorsement of Recommendations

In accordance with the Local Government (Meeting Procedures) Regulations 2015, the details of the decision in respect to this item are to be kept confidential and are not to be communicated, reproduced or published unless authorised by Council.

Item considered in Closed Session in accordance with Regulation 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015.

RECOMMENDATION

THAT Council move out of “Closed Session”.

DECISION

Moved by Clr A E Bisdee OAM, seconded by Clr D Fish

THAT Council move out of “Closed Session”.

CARRIED

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

OPEN COUNCIL MINUTES

21. CLOSURE

The meeting closed at 12.46 p.m.

SOUTHERN
MIDLANDS
COUNCIL



MINUTES SPECIAL COUNCIL MEETING

Wednesday, 12th April 2023
9.30 a.m.

Oatlands Municipal Offices
71 High Street, Oatlands

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OPEN COUNCIL MINUTES

MINUTES OF A SPECIAL ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD ON WEDNESDAY 12th APRIL 2023 AT THE OATLANDS MUNICIPAL OFFICES COMMENCING AT 9.30 A.M.

1. ATTENDANCE

Mayor E Batt, Deputy Mayor K Dudgeon, Cllr D Blackwell, Cllr D Fish.

Mr T Kirkwood (General Manager), Mr A Benson (Deputy General Manager), Mr G Finn (Manager Development and Environmental Services), Ms L Brown (Planning Officer), Mrs A Burbury (Finance Officer), Mrs W Young (Manager Community & Corporate Development), Mr D Richardson (Manager Infrastructure & Works), Mrs J Crosswell (Executive Officer).

2. APOLOGIES

Cllr A E Bisdee OAM, Cllr F Miller and Cllr R McDougall (currently on leave of absence)

3. DECLARATION 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*.

Nil.

4. 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.

4.1 Development Application (DA2200131) for Demolition of existing distillery, Construction of new distillery, storage building, seven bond stores and ancillary works at 76 Sheen Road, Pontville, submitted by ERA Planning & Environment.

AUTHOR: PLANNING OFFICER (LOUISA BROWN)

DATE: 12 APRIL 2023

Enclosure:

Development Application Documents

PROPOSAL

An application has been made to Council by ERA Planning & Environment, on behalf of Lark Distilling Co to demolish the existing distillery and construct a larger distillery building at the property described as 76 Shene Road, Pontville. The application includes the following development:

Demolition of:

- Existing distillery building;
- Ablution building;
- Roadside stall; and
- Substation.

Construction and development of:

- New two storey distillery building of 2305m², to include;
 - Production Area;
 - Storage area and rooms;
 - Offices;
 - Board room;
 - Blending lab;
 - Amenities;
- Change of use of an existing storage building to a bottling facility and disgorging area;
- New outbuilding (20ft shipping container);
- Agricultural building;
- Seven bond stores;
- Glass sliding doors and deck to the cellar door barn;
- Reinstating the existing tree lined property access; and
- Changes to car parking areas on the property.

As there is no change to the Cellar Door proposed, no increase in visitor numbers is anticipated and is likely to remain as 15 vehicle movements per day. Additional staff will be required, increasing the current staff vehicle movements from 30 movements per day, to 54 movements per day. A small increase, less than 5 vehicle movements per day, in commercial vehicle movements are expected.

The opening times of the cellar door are unchanged, Wednesday to Sunday 11am-5pm. Bottling will occur between 8am and 4pm Monday to Friday. The distilling process will become a 24 hour, 7 days a week operation. This will enable production to increase to 637 kL of pure alcohol a year.

The Shene Homestead is on the Tasmanian Heritage Register as a permanent Registered Place (No.554). Heritage Tasmania have provided a Notice of Heritage Decision in line with the *Historic Cultural Heritage Act 1995*, this notice must therefore form part of any Planning Permit for the proposal.

THE SITE

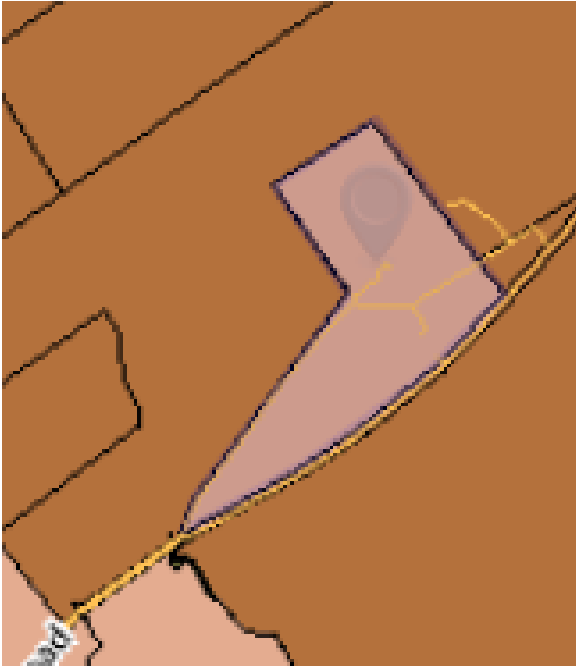
The Shene Homestead is situated to the north of Pontville, towards the end of Shene Road. The total area of the site is 15.08ha and includes Heritage Registered areas including the main farm complex of the homestead, stables, barn, servants quarters, shearing shed, workers cottage, several outbuildings, a stone water tank, water pump and irrigation channels.

The property may be accessed by two existing vehicular access points on Shene Road, the first access point is a tree lined avenue which is currently not open to the public. The second, main vehicular access is located a further 500m along Shene Road and is currently the main access onto the property for staff, visitors and commercial vehicles. The existing distillery and associated buildings are located adjacent to this access. The far north of the property contains 5 existing bond stores (three additional bond stores are under construction), the western are of the property remains open paddock.

The site is irregular in shape, relatively level and gently slopes to the south. Existing vegetation on the property includes grassed paddocks, landscaped areas and the mature tree lined avenue.

Surrounding land uses are zoned Agriculture and are predominantly pasture, including some outbuildings and dwellings.

Maps 1, 2 and 3 below indicate the location, zoning and code overlays of the property and immediate area.



Map 1_ The subject land area shown in pink is zoned Rural, surrounding properties are in the Agriculture Zone (brown) (source:thelist. 05/04/23)



Map 2_ The subject land area with the Bushfire Prone Area Code Overlay (black lines), waterway and Coastal Protection Area Code Overlay (light blue lines) (source:thelist. 05/04/23)



Map 3_ The subject land area aerial photograph (source:thelist. 05/04/23)

THE APPLICATION

The Application has been prepared by ERA Planning & Environment. The Development Application documents submitted with the proposal include:

- Planning Report;
- Title Documents;
- Development Plans;
- Bushfire Hazard Management Plan Report;
- Heritage Impact Assessment;
- Landscape Masterplan report;
- Proposed landscape Plans;
- Cultural Landscape Analysis;
- Lark Distillery Design Report: and
- Statement of Archaeological Potential and Development Impacts

Please note, due to the size of the documents, these are not included in the Agenda but are available on request.

USE/DEVELOPMENT DEFINITION

The proposed use and development is defined, under the Tasmanian Planning Scheme (The Planning Scheme), as 'resource processing':

Resource processing

use of land for treating, processing or packing plant or animal resources. Examples include an abattoir, animal sale yard, cheese factory, fish processing, milk processing, winery, brewery, cidery, distillery, and sawmilling.

(Extract: Tasmanian Planning Scheme - Southern Midlands, April 2023)

Use/Development Status under the Planning Scheme

Under the Planning Scheme, a Development Application for resource processing is a permitted use in the Rural Zone. However a number of discretions arise in assessing the application. As a discretionary development, the application was advertised in accordance with Section 57 of the Act. Council has the discretion to grant a permit or refuse to grant a permit.

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised on the 3th March 2023 for fourteen (14) days. During this period no representations were received.

ASSESSMENT – TASMANIAN PLANNING SCHEME - SOUTHERN MIDLANDS

Rural Zone

The subject site is in the Rural Zone of the Tasmanian Planning Scheme.

The use of the proposal as a distillery is defined as use class “Resource Processing”, which is a permitted use in the Rural Zone.

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

20.4 Development Standards for Buildings and Works		
20.4.1 Building height		
To provide for a building height that:		
(a) is necessary for the operation of the use; and		
(b) minimises adverse impacts on adjoining properties.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Building height must be not more than 12m.	P1 Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to: (a) the proposed height of the building; (b) the bulk and form of the building; (c) the separation from existing uses on adjoining properties; and	<i>The height of the proposed development is under 12m, the highest structure is the equipment tower at 11.6m high.</i> <i>The proposal complies with the Acceptable Solution A1.</i>

	(d) any buffers created by natural or other features.	
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20.4.2 Setbacks		
That the siting of buildings minimises potential conflict with use on adjoining sites.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Buildings must have a setback from all boundaries of:</p> <p>(a) not less than 5m; or (b) if the setback of an existing building is within 5m, not less than the existing building.</p>	<p>P1 Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to:</p> <p>(a) the bulk and form of the building; (b) the nature of existing use on the adjoining properties; (c) separation from existing use on the adjoining properties; and (d) any buffers created by natural or other features.</p>	<p><i>The development meets the minimum setback of 5m to all boundaries.</i></p> <p><i>The proposal complies with the Acceptable Solution A1.</i></p>
<p>A2 Buildings for a sensitive use must be separated from an Agriculture Zone a distance of:</p> <p>(a) not less than 200m; or (b) if an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</p>	<p>P2 Buildings for a sensitive use must be sited so as not to conflict or interfere with an agricultural use within the Agriculture Zone, having regard to:</p> <p>(a) the size, shape and topography of the site; (b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties; (c) the location of existing buildings on the site; (d) the existing and potential use of adjoining properties; (e) any proposed attenuation measures; and (f) any buffers created by natural or other features.</p>	<p><i>The proposal does not include a sensitive use.</i></p>

Parking and Sustainable Transport Code

The Code applies to all use and development. The proposal must satisfy the requirements of the following relevant development standards:

<p>C2.5 Use Standards C2.5.1 Car parking numbers</p>
--

That an appropriate level of car parking spaces are provided to meet the needs of the use.		
Acceptable solutions	Performance Criteria	OFFICER COMMENT
<p>A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, excluding if:</p> <p>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p> <p>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</p> <p>(c) the site is subject to Clause C2.5.5; or</p> <p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <p style="padding-left: 20px;">(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</p> <p style="padding-left: 20px;">(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> <p>$N = A + (C - B)$</p> <p>N = Number of on-site car parking spaces required</p>	<p>P1.1 The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</p> <p>(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;</p> <p>(b) the ability of multiple users to share spaces because of:</p> <p style="padding-left: 20px;">(i) variations in car parking demand over time; or</p> <p style="padding-left: 20px;">(ii) efficiencies gained by consolidation of car parking spaces;</p> <p>(c) the availability and frequency of public transport within reasonable walking distance of the site;</p> <p>(d) the availability and frequency of other transport alternatives;</p> <p>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</p> <p>(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</p> <p>(g) the effect on streetscape; and</p> <p>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</p> <p>P1.2</p>	<p><i>The existing resource processing use is proposed to be intensified, with the requirement of 8 additional car parking spaces, a total of 18 car parking bays. These additional spaces will be provided, informally within the staff car park, relocated to the Back of House service area of the estate.</i></p> <p><i>There is no anticipated increase in the number of visitors to Lark Distillery, therefore no increase in the number of car parking requirements to that which is already provided. Visitor car parking will be provided informally on the property, in a new location towards the eastern property boundary.</i></p> <p><i>The proposal meets the acceptable solution A1.</i></p>

<p>A = Number of existing on site car parking spaces B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1 C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>	<p>The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to: (a) the nature and intensity of the use and car parking required; (b) the size of the dwelling and the number of bedrooms; and (c) the pattern of parking in the surrounding area.</p>	
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<p>C2.5.2 Bicycle parking numbers</p>		
<p>That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.</p>		
Acceptable solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Bicycle parking spaces must: (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1.</p>	<p>P1 Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to: (a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and (b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.</p>	<p><i>The requirement for bicycle parking spaces is 4 spaces in accordance with the standard.</i></p> <p><i>No formal bicycle rack is proposed, however there is more than adequate space to accommodate bicycle parking within the property.</i></p> <p><i>The proposal meets the acceptable solution A1.</i></p>

<p>C2.5.3 Motorcycle parking numbers</p>		
<p>That the appropriate level of motorcycle parking is provided to meet the needs of the use.</p>		
Acceptable solutions	Performance Criteria	OFFICER COMMENT
<p>A1 The number of on-site motorcycle parking spaces for all uses must: (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided</p>	<p>P1 Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to: (a) the nature of the proposed use and development; (b) the topography of the site; (c) the location of existing buildings on the site;</p>	<p><i>The existing resource processing use is proposed to be intensified, with the requirement of any additional motorcycle parking spaces, being met on the property within the informal car parking areas.</i></p> <p><i>The proposal meets the acceptable solution A1.</i></p>

the existing number of motorcycle parking spaces is maintained.	(d) any constraints imposed by existing development; and (e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.	
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C2.5.4 Loading bays

That adequate access for goods delivery and collection is provided, and to avoid unreasonable loss of amenity and adverse impacts on traffic flows.

Acceptable solutions	Performance Criteria	OFFICER COMMENT
A1 A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	P1 Adequate space for loading and unloading of vehicles must be provided, having regard to: (a) the type of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the location of the site; (e) the nature of traffic in the surrounding area; (f) the area and dimensions of the site; and (g) the topography of the site; (h) the location of existing buildings on the site; and (i) any constraints imposed by existing development.	<i>Loading bays will be located within the Back of House and staff car parking area.</i> <i>The proposal meets the Acceptable Solution A1.</i>

C2.6 Development Standards for Buildings and Works

C2.6.1 Construction of parking areas

That parking areas are constructed to an appropriate standard.

Acceptable solutions	Performance Criteria	OFFICER COMMENT
A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and	P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to: (a) the nature of the use;	<i>The Back of House and staff car parking area will be constructed from crushed limestone. Visitor car parking will be provided within a non-formal grass area.</i> <i>Stormwater is proposed to drain to existing</i>

<p>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</p>	<p>(b) the topography of the land; (c) the drainage system available; (d) the likelihood of transporting sediment or debris from the site onto a road or public place; (e) the likelihood of generating dust; and (f) the nature of the proposed surfacing.</p>	<p><i>stormwater drains on Shene Road or managed on site. Further information regarding stormwater management will be a condition of a Planning Permit.</i></p> <p><i>Separate access are proposed for visitors, staff and commercial vehicles.</i></p> <p><i>Materials for the car parking areas have been chosen to reflect the rural character and not to detract from the heritage significance of the built form, as recommended in the Heritage Impact Statement provided with the application documents.</i></p> <p><i>The proposal meets the Performance Criteria P1.</i></p>
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C2.6.2 Design and layout of parking areas		
That parking areas are designed and laid out to provide convenient, safe and efficient parking.		
Acceptable solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Parking, access ways, manoeuvring and circulation spaces must either: (a) comply with the following: (i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6; (ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces; (iii) have an access width not less than the requirements in Table C2.2; (iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</p>	<p>P1 All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to: (a) the characteristics of the site; (b) the proposed slope, dimensions and layout; (c) useability in all weather conditions; (d) vehicle and pedestrian traffic safety; (e) the nature and use of the development; (f) the expected number and type of vehicles; (g) the likely use of the parking areas by persons with a disability;</p>	<p><i>Car parking areas are relatively level and will meet the Australian Standard AS 2890. However, as the proposed car parking spaces will not be delineated by lines or markings, the proposal must be assessed against the Performance Criteria P1.</i></p> <p><i>Car parking for both visitors and staff will be informal, as to not visually impact the setting of the heritage buildings, as recommended in the Heritage Impact Assessment prepared for the Development Application.</i></p>

<p>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with Australian Standard AS 2890- Parking facilities, Parts 1-6.</p> <p>A1.2 Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.</p> <p>[S35]</p>	<p>(h) the nature of traffic in the surrounding area;</p> <p>(i) the proposed means of parking delineation; and</p> <p>(j) the provisions of Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking and AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities.</p>	<p><i>There is more than adequate space to accommodate the car parking requirements of the Planning Scheme, in terms of the dimensions of the car parking spaces and the number of spaces.</i></p> <p><i>Car parking for persons with a disability will be located as close as possible to main entry point to the building and will be appropriately signed.</i></p> <p><i>The proposal meets the Performance Criteria P1.</i></p>
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<p>C2.6.3 Number of accesses for vehicles</p> <p>That:</p> <p>(a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;</p> <p>(b) accesses do not cause an unreasonable loss of amenity of adjoining uses;</p> <p>(c) the number of accesses minimise impacts on the streetscape.</p>		
<p>Acceptable solutions</p>	<p>Performance Criteria</p>	<p>OFFICER COMMENT</p>
<p>A1 The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p>	<p>P1 The number of accesses for each frontage must be minimised, having regard to:</p> <p>(a) any loss of on-street parking; and</p>	<p><i>The acceptable solution A1 is met as no more than the existing two access are proposed.</i></p>

<p>(b) no more than the existing number of accesses, whichever is the greater.</p>	<p>(b) pedestrian safety and amenity; (c) traffic safety; (d) residential amenity on adjoining land; and (e) the impact on the streetscape.</p>	
<p>A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>	<p>P2 Within the Central Business Zone or in a pedestrian priority street, any new accesses must: (a) not have an adverse impact on: (i) pedestrian safety and amenity; or (ii) traffic safety; and (b) be compatible with the streetscape.</p>	<p><i>Not applicable, the zone is Rural.</i></p>

<p>C2.6.5 Pedestrian access</p>		
<p>That pedestrian access within parking areas is provided in a safe and convenient manner.</p>		
<p>Acceptable solutions</p>	<p>Performance Criteria</p>	<p>OFFICER COMMENT</p>
<p>A1.1 Uses that require 10 or more car parking spaces must: (a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by: (i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or (ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and (b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</p> <p>A1.2 In parking areas containing accessible car parking spaces for use by persons</p>	<p>P1 Safe and convenient pedestrian access must be provided within parking areas, having regard to: (a) the characteristics of the site; (b) the nature of the use; (c) the number of parking spaces; (d) the frequency of vehicle movements; (e) the needs of persons with a disability; (f) the location and number of footpath crossings; (g) vehicle and pedestrian traffic safety; (h) the location of any access ways or parking aisles; and (i) any protective devices proposed for pedestrian safety.</p>	<p>The acceptable solution is met, as the new car parking areas will connect to the main entrance of the building with a pathway of 1.5m wide, separated from the car parking areas and connecting all parking spaces.</p>

with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.		
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C2.6.6 Loading bays
That the area and dimensions of loading bays are adequate to provide safe and efficient delivery and collection of goods.

Acceptable solutions	Performance Criteria	OFFICER COMMENT
<p>A1 The area and dimensions of loading bays and access way areas must be designed in accordance with Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.</p>	<p>P1 Loading bays must have an area and dimensions suitable for the use, having regard to: (a) the types of vehicles likely to use the site; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; (e) the topography of the site; (f) the location of existing buildings on the site; and (g) any constraints imposed by existing development.</p>	<p><i>The acceptable solution A1 is met, a loading bay designed to meet the Australian Standard is included within the Back of House and staff car parking area of the proposal.</i></p>
<p>A2 The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.</p>	<p>P2 Access for commercial vehicles to and from the site must be safe, having regard to: (a) the types of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; (e) the location of the site and nature of traffic in the area of the site; (f) the effectiveness or efficiency of the</p>	<p><i>The acceptable solution A1 is met, the Australian Standard will be met as commercial vehicles will be able to enter and leave the property in a forward direction.</i></p>

	surrounding road network; and (g) site constraints such as existing buildings, slope, drainage, vegetation, parking and landscaping.	
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Road and Railway Assets Code

The Code applies to all use and development. The proposal must satisfy the requirements of the following relevant development standards:

C3.5 Use Standards		
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction		
To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.		
Acceptable solutions	Performance Criteria	OFFICER COMMENT
<p>A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing.</p> <p>A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p> <p>A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p>A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p>	<p>P1 Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to: (a) any increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road; (d) the speed limit and traffic flow of the road; (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact assessment; and (h) any advice received from the rail or road authority.</p>	<p><i>The proposed vehicular movements provided with the development application does not anticipate an increase in visitor numbers. An additional 24 vehicle movements will occur from the additional staff travelling to and from work. The increase does not exceed the amount of acceptable increase in daily traffic numbers.</i></p> <p><i>The proposal meets the Acceptable Solution A1.</i></p>

<p>(a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of the Roads and Jetties Act 1935 in respect to a limited access road.</p> <p>A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>		
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Natural Assets Code

This Code applies as an area of Waterway & Coastal Protection Code Overlay is located on the property. The proposal must satisfy the requirements of the following relevant development standards:

<p>C7.6 Development Standards for Buildings and Works</p>		
<p>C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area</p>		
<p>That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.</p>		
Acceptable solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Buildings and works within a waterway and coastal protection area must: (a) be within a building area on a sealed plan approved under this planning scheme; (b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or (c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date..</p>	<p>P1.1 Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to: (a) impacts caused by erosion, siltation, sedimentation and runoff; (b) impacts on riparian or littoral vegetation; (c) maintaining natural streambank and streambed condition, where it exists; (d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation; (e) the need to avoid significantly impeding natural flow and drainage; (f) the need to maintain fish passage, where known to exist;</p>	<p><i>An area of the property to the eastern boundary is located within the Waterway and Coastal Protection Area, therefore the proposal must be assessed against the performance criteria.</i> <i>There is no native vegetation in this area, no fill or excavation is proposed and there is no water within the overlay area.</i></p> <p><i>A Soil & Water Management Plan will form a part of the conditions of a planning permit.</i></p> <p><i>The proposal meets the performance criteria.</i></p>

	<p>(g) the need to avoid land filling of wetlands;</p> <p>(h) the need to group new facilities with existing facilities, where reasonably practical;</p> <p>(i) minimising cut and fill;</p> <p>(j) building design that responds to the particular size, shape, contours or slope of the land;</p> <p>(k) minimising impacts on coastal processes, including sand movement and wave action;</p> <p>(l) minimising the need for future works for the protection of natural assets, infrastructure and property;</p> <p>(m) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and</p> <p>(n) the guidelines in the Tasmanian Coastal Works Manual.</p> <p>P1.2 Buildings and works within the spatial extent of tidal waters must be for a use that relies upon a coastal location to fulfil its purpose, having regard to:</p> <p>(a) the need to access a specific resource in a coastal location;</p> <p>(b) the need to operate a marine farming shore facility;</p> <p>(c) the need to access infrastructure available in a coastal location;</p> <p>(d) the need to service a marine or coastal related activity;</p> <p>(e) provision of essential utility or marine infrastructure; or</p> <p>(f) provisions of open space or for marine-related</p>	
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	educational, research, or recreational facilities.	
A2 Buildings and works within a future coastal refugia area must be located within a building area on a sealed plan approved under this planning scheme.	<p>P2.1 Buildings and works within a future coastal refugia area must allow for natural coastal processes to continue to occur and avoid or minimise adverse impacts on natural assets, having regard to:</p> <ul style="list-style-type: none"> (a) allowing for the landward transgression of sand dunes and the landward colonisation of wetlands, saltmarshes and other coastal habitats from adjacent areas; (b) avoiding the creation of barriers or drainage networks that would prevent future tidal inundation; (c) allowing the coastal processes of sand deposition or erosion to continue to occur; (d) the need to group new facilities with existing facilities, where reasonably practical; (e) the impacts on native vegetation; (f) minimising cut and fill; (g) building design that responds to the particular size, shape, contours or slope of the land; (h) the impacts of sea-level rise on natural coastal processes and coastal habitat; (i) the environmental best practice guidelines in the Wetlands and Waterways Works Manual; and (j) the guidelines in the Tasmanian Coastal Works Manual. <p>P2.2</p>	<i>Not applicable.</i>

	<p>Buildings and works within a future coastal refugia area must be for a use that relies upon a coastal location to fulfil its purpose, having regard to:</p> <p>(a) the need to access a specific resource in a coastal location;</p> <p>(b) the need to operate a marine farming shore facility;</p> <p>(c) the need to access infrastructure available in a coastal location;</p> <p>(d) the need to service a marine or coastal related activity;</p> <p>(e) provision of essential utility or marine infrastructure; and</p> <p>(f) provision of open space or for marine-related educational, research, or recreational facilities.</p>	
<p>A3 Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.</p>	<p>P3 Development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets, having regard to:</p> <p>(a) the need to minimise impacts on water quality; and</p> <p>(b) the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff.</p>	<p><i>The proposal meets the acceptable solution A3, no new stormwater point will be discharged into a watercourse.</i></p>
<p>A4 Dredging or reclamation must not occur within a waterway and coastal protection area or a future coastal refugia area.</p>	<p>P4.1 Dredging or reclamation within a waterway and coastal protection area or a future coastal refugia area must minimise adverse impacts on natural coastal processes and natural assets, having regard to:</p>	<p><i>The proposal meets the acceptable solution A4, no dredging or reclamation will occur in the watercourse.</i></p>

	<p>(a) impacts caused by erosion, siltation, sedimentation and runoff;</p> <p>(b) impacts on riparian or littoral vegetation;</p> <p>(c) the need to avoid land filling of wetlands;</p> <p>(d) impacts on sand movement and wave action; and</p> <p>(e) the potential for increased risk to inundation of adjacent land.</p> <p>P4.2 Dredging or reclamation within a waterway and coastal protection area or a future coastal refugia area must be necessary:</p> <p>(a) to continue an existing use or development on adjacent land; or</p> <p>(b) for a use which relies upon a coastal location to fulfil its purpose, having regard to:</p> <p>(i) the need to access a specific resource in a coastal location;</p> <p>(ii) the need to operate a marine farming shore facility;</p> <p>(iii) the need to access infrastructure available in a coastal location;</p> <p>(iv) the need to service a marine or coastal related activity;</p> <p>(v) provision of essential utility or marine infrastructure; and</p> <p>(vi) provision of open space or for marine-related educational, research, or recreational facilities.</p>	
<p>A5 Coastal protection works or watercourse erosion or inundation protection works must not occur within a waterway and</p>	<p>P5 Coastal protection works or watercourse erosion or inundation protection works within a waterway and coastal protection area</p>	<p><i>Not applicable.</i></p>

<p>coastal protection area or a future coastal refugia area.</p>	<p>or a future coastal refugia area must be designed by a suitably qualified person and minimise adverse impacts on natural coastal processes, having regard to:</p> <p>(a) impacts on sand movement and wave action; and</p> <p>(b) the potential for increased risk of inundation to adjacent land.</p>	
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Attenuation Code

This Code applies to activities listed in Tables C9.1 and includes the proposed distillery use. The proposed capacity of the distillery is a level 1 activity and requires a 200m attenuation area.

The proposal must satisfy the requirements of the following relevant use and development standards:

<p>C9.5 Use Standards C9.5.1 Activities with potential to cause emissions That an activity with potential to cause emissions is located so that it does not cause an unreasonable impact on an existing sensitive use.</p>		
Acceptable solutions	Performance Criteria	OFFICER COMMENT
<p>A1 The attenuation area of an activity listed in Tables C9.1 or C9.2 must not include: (a) a site used for a sensitive use which is existing; (b) a site that has a planning permit for a sensitive use; or (c) land within the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone A, Rural Living Zone B, Village Zone or Urban Mixed Use Zone.</p>	<p>P1 An activity listed in Tables C9.1 or C9.2 must not cause: (a) an unreasonable loss of amenity or unreasonable impacts on health and safety of a sensitive use which is existing, or has a planning permit; or (b) unreasonable impacts on land within the relevant attenuation area that is in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone A, Rural Living Zone B, Village Zone or Urban Mixed Use Zone, having regard to: (i) operational characteristics of the activity;</p>	<p><i>AS there is an existing sensitive use on the property, the homestead which is currently vacant, the proposal must be assessed against the Performance Criteria P1.</i></p> <p>The proposal is to replace an existing distillery on the property. The distilling process may occasionally generate odour, however these are localised and transient and are not expected to be detected outside of the distilling building.</p> <p>As the distillery is already in operation and the proposal seeks to expand the existing use, it is anticipated that noise generation will remain the</p>

	<p>(ii) scale and intensity of the activity;</p> <p>(iii) degree of hazard or pollution that may be emitted from the activity;</p> <p>(iv) hours of operation of the activity;</p> <p>(v) nature of likely emissions such as noise, odour, gases, dust, particulates, radiation, vibrations or waste;</p> <p>(vi) existing emissions such as noise, odour, gases, dust, particulates, radiation, vibrations or waste; and</p> <p>(vii) measures to eliminate, mitigate or manage emissions from the activity.</p>	<p>same as existing, and unreasonable noise generation will be limited.</p> <p>The use is permitted within the rural zone and surrounded by agriculture zone land, it is therefore anticipated that there will be no unreasonable loss of amenity or impact on health and safety.</p> <p>The proposal meets the Performance Criteria P1.</p>
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Bushfire-Prone Areas Code

The subject site is within a Bushfire Prone Areas Overlay.

A Bushfire Hazard Management Plan Report Hazardous use Distillery & Bond Stores – 76 Shene Road, Pontville, forms part of the application documents. This report was prepared by Bushfire Prone Development Solutions and dated November 2022.

The proposal must satisfy the requirements of the following relevant use and development standards:

C13.5.2 Hazardous uses		
That hazardous uses can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the hazardous use and the bushfire hazard.		
Acceptable solutions	Performance Criteria	OFFICER COMMENT
A1 No Acceptable Solution.	<p>P1 A hazardous use must only be located in a bushfire-prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to:</p> <p>(a) the location, characteristics, nature and scale of the use;</p> <p>(b) whether there is an overriding benefit to the community;</p>	<p><i>A Bushfire Hazard Management Plan has been undertaken by an accredited person and is contained within the application documents.</i></p> <p><i>The proposal is an existing use, which will increase the hazardous use on the site.</i></p> <p><i>The Bushfire Hazard Management Plan concludes that the BAL rating meets requirements and that the development will be able to achieve a</i></p>

	(c) whether there is no suitable alternative lower-risk site; (d) the emergency management strategy (hazardous use) and bushfire management plan; and (e) other advice, if any, from the TFS.	<i>compliant Hazard Management Area.</i> <i>The proposal complies with the Performance Criteria P1.</i>
A2 An emergency management strategy (hazardous use) endorsed by the TFS or accredited person.	P1 No Performance Criterion.	<i>The proposal complies with the Acceptable Solution A2, the Bushfire Hazard management Plan is endorsed by TFS.</i>
A3 A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.	P3 No Performance Criterion.	<i>The proposal complies with the Acceptable Solution A3, the Bushfire Hazard management Plan is endorsed by TFS.</i>

CONCLUSION

This report has assessed a Development Application to demolish the existing distillery and construct a larger distillery building at the property described as 76 Shene Road, Pontville. The application includes the construction and development of:

- New two storey distillery building of 2305m², to include;
 - Production Area;
 - Storage area and rooms;
 - Offices;
 - Board room;
 - Blending lab;
 - Amenities;
- Change of use of an existing storage building to a bottling facility and disgorging area;
- New outbuilding (20ft shipping container);
- Agricultural building;
- Seven bond stores;
- Glass sliding doors and deck to the cellar door barn;
- Reinstating the existing tree lined property access; and
- Changes to car parking areas on the property.

No representations were received to Council during the notice period.

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

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

RECOMMENDATION

THAT, in accordance with the provisions of the Tasmanian Planning Scheme - *Southern Midlands* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application (DA2200131) for Demolition of existing distillery, Construction of new distillery, storage building, seven bond stores and ancillary works at 76 Sheen Road, Pontville, submitted by ERA Planning & Environment obo Kernke Family Shene Estate Pty Ltd. and that a permit be issued with the following conditions:

A GENERAL

- 1) The use 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) Colours, materials and finishes for the external cladding of all buildings must be in accordance with the approved 'materials and finishes schedule' that form part of the approved plans for the development. Any deviation from this may require further Council approval.
- 3) 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, whichever is later, in accordance with section 53 of the Land Use Planning and Approvals Act 1993.

A. PRIOR TO COMMENCEMENT

Heritage Tasmania

- 4) Compliance with any conditions or requirements of the Tasmanian Heritage Council in the attached 'Notice of Heritage Decision' THC WORKS No.8040 and dated 4 April 2023.

Parking and Access

- 5) The siting of vehicular accesses and car parking spaces must generally accord with the endorsed plans.
- 6) At least eighteen (18) car parking spaces must be provided for the use of staff and must be available for car parking at all times.
- 7) The proposed main access for visitors and the existing access to serve the Back of House area must be designed in accordance with the requirements of LGAT standard drawing TSD-RO5-V2 Rural Properties Type A and to the satisfaction of Council's Manager of Works and Infrastructure.
- 8) Unless approved otherwise by Council's Municipal Engineer the internal driveways and areas set-aside for parking and associated access and turning must be provided in accordance with Standards Australia (2009): Australian Standard AS 2890. Parking Facilities Parts 1-6 and include all of the following;
 - i. Constructed with a durable all weather pavement.
 - ii. Drained to an approved stormwater system.
 - iii. On site turning
 - iv. Provision for two way traffic.

- 9) The internal driveway and areas set-aside for parking and associated access and turning must be designed, constructed and maintained to avoid dust or mud generation, erosion and sediment transfer off site or de-stabilisation of the soil on site or on adjacent properties to the standard required by Council's Municipal Engineer.
- 10) All areas set-aside for parking and associated turning, and access must be completed before the use commences or the building is occupied and must continue to be maintained to the satisfaction of the Council's Municipal Engineer.

Services

- 11) The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the development. Any work required is to be specified or undertaken by the authority concerned.

Stormwater

- 12) Prior to the commencement of use and the issuing of a plumbing permit, detailed plans and calculations of the stormwater drainage system, including treatment, retention and outfalls must be prepared by a suitably qualified civil engineer and be submitted to Councils Plumbing Surveyor for approval. Once approved the plans shall form part of the permit.
- 13) The completed stormwater retention and treatment elements must be certified by a practicing civil engineer to the effect that they have been constructed in accordance with the endorsed drawings and specifications approved by Council before the use commences.

Wastewater

- 14) Prior to the commencement of use and the issuing of a plumbing permit, a Wastewater Management Report, prepared by a suitably qualified civil engineer, must be submitted to Councils Plumbing Surveyor and Environmental Health Officer for approval. The report must include detailed plans and calculations of the wastewater system, including any proposed irrigation regime. The use of recycled wastewater and any proposed fertigation must be undertaken in accordance with requirements of the *Environmental Management and Pollution Control Act 1994*. Once approved the plans shall form part of the permit.

Protection of Water Quality

- 15) A Soil and Water Management Plan (SWMP) prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, must be approved by Council's Development and Environmental Services before development of the land commences (refer to advice below). The SWMP shall form part of this permit when approved.
- 16) Before any work commences install temporary run-off, erosion and sediment controls in accordance with the recommendations of the approved SWMP and maintain these controls at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's Development and Environmental Services.

B. DURING WORKS

Hours of Operation

- 17) The Cellar door must only operate between the following hours:
Wednesday to Sunday 11:00 a.m. to 5:00 p.m.
- 18) The bottling facility must only operate between the following hours:
Monday to Friday 8:00a.m to 4:oop.m
- 19) The operating times for the distillery are 24/7.

Bushfire

- 20) The development and works must be carried out in accordance with the Bushfire Hazard Management Plan Report Hazardous use Distillery & Bond Stores – 76 Shene Road, Pontville, prepared by Bushfire Prone Development Solutions and dated November 2022.

Landscaping

- 21) The Landscape Masterplan report prepared by March Studio and dated November 2022, the Concept Site plan, Legend and Plant Schedule drawing number L100, Issue B and the Concept General Arrangements drawing number L201 issue A, drawing number L202 issue A and drawing number L203 issue A Sheets 1-3 must be completed in accordance with the endorsed landscape plan and to the satisfaction of Council's General Manger within six (6) months of the first use of the occupation of the new development. All landscaping must continue to be maintained to the satisfaction of Council.

Construction Amenity

- 22) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager of Development and Environmental Services:
- | | |
|---------------------------------------|-------------------------|
| Monday to Friday | 7:00 a.m. to 6:00 p.m. |
| Saturday | 8:00 a.m. to 6:00 p.m. |
| Sunday and State-wide public holidays | 10:00 a.m. to 6:00 p.m. |
- 23) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or 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:
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - The transportation of materials, goods and commodities to and from the land.
 - Obstruction of any public footway or highway.
 - Appearance of any building, works or materials.
 - 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 Manager of Development and Environmental Services.
- 24) 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.

- 25) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manger of Works and Technical Services.

ADVICE NOTES

The following advice applies to this permit:

- A. This Planning Permit is in addition to the requirements of the Building Act 2016. Approval in accordance with the Building Act 2016 may be required prior to works commencing. A copy of the Directors Determination – categories of Building Work and Demolition Work is available via the CBOS website: [Director's Determination - Categories of Building and Demolition Work \(PDF, 504.4 KB\)](#) or for Low Risk Building Work information go to: [Consumer Guide to Low Risk Building and Plumbing Work](#).
- B. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- C. The issue of this permit does not ensure compliance with the provisions of the *Aboriginal Relics Act 1975*. If any aboriginal sites or relics are discovered on the land, stop work and immediately contact the Tasmanian Aboriginal Land Council and Aboriginal Heritage Unit of the Department of Tourism, Arts and the Environment. Further work may not be permitted until a permit is issued in accordance with the *Aboriginal Relics Act 1975*.
- D. The SWMP must show the following:
- Allotment boundaries, north-point, contours, layout of roads, driveways, building envelopes and reticulated services (including power and telephone and any on-site drainage or water supply), impervious surfaces and types of all existing natural vegetation;
 - Critical natural areas such as drainage lines, recharge area, wetlands, and unstable land;
 - Estimated dates of the start and completion of the works;
 - Timing of the site rehabilitation or landscape program;
 - Details of land clearing and earthworks or trenching and location of soil stockpiles associated with roads, driveways, building sites, reticulated services and fire hazard protection.
 - Arrangements to be made for surface and subsurface drainage and vegetation management in order to prevent sheet and tunnel erosion.
 - Temporary erosion and sedimentation controls to be used on the site.
 - Recommendations for the treatment and disposal of wastewater in accordance with Standards Australia (2000), AS/NZS 1547: *On-site wastewater management*, Standards Australia, Sydney.
- E. Appropriate temporary control measures include, but are not limited to, the following (refer to brochure attached):
- Minimise site disturbance and vegetation removal;
 - Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (e.g. temporarily connected to Council's storm water system, a watercourse or road drain);
 - Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;

- Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains;
 - Stormwater pits and inlets installed and connected to the approved stormwater system before the roadwork's are commenced; and
 - Rehabilitation of all disturbed areas as soon as possible.
- F. 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.
- G. In accordance with s53(4) *Land Use Planning & Approvals Act 1993* where any other approvals under this Act or any other Act are required for the proposed use or development to which the permit relates, the permit does not take effect until all those approvals have been granted.

DECISION

Moved by Cllr D Fish, seconded by Deputy Mayor K Dudgeon

THAT, in accordance with the provisions of the Tasmanian Planning Scheme - *Southern Midlands* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application (DA2200131) for Demolition of existing distillery, Construction of new distillery, storage building, seven bond stores and ancillary works at 76 Sheen Road, Pontville, submitted by ERA Planning & Environment obo Kernke Family Shene Estate Pty Ltd. and that a permit be issued with the following conditions:

A GENERAL

- 1) The use 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) Colours, materials and finishes for the external cladding of all buildings must be in accordance with the approved 'materials and finishes schedule' that form part of the approved plans for the development. Any deviation from this may require further Council approval.
- 3) 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, whichever is later, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

A. PRIOR TO COMMENCEMENT***Heritage Tasmania***

- 4) Compliance with any conditions or requirements of the Tasmanian Heritage Council in the attached 'Notice of Heritage Decision' THC WORKS No.8040 and dated 4 April 2023.

Parking and Access

- 5) The siting of vehicular accesses and car parking spaces must generally accord with the endorsed plans.

- 6) At least eighteen (18) car parking spaces must be provided for the use of staff and must be available for car parking at all times.
- 7) The proposed main access for visitors and the existing access to serve the Back of House area must be designed in accordance with the requirements of LGAT standard drawing TSD-RO5-V2 Rural Properties Type A and to the satisfaction of Council's Manager of Works and Infrastructure.
- 8) Unless approved otherwise by Council's Municipal Engineer the internal driveways and areas set-aside for parking and associated access and turning must be provided in accordance with Standards Australia (2009): Australian Standard AS 2890. Parking Facilities Parts 1-6 and include all of the following;
 - i. Constructed with a durable all weather pavement.
 - ii. Drained to an approved stormwater system.
 - iii. On site turning
 - iv. Provision for two way traffic.
- 9) The internal driveway and areas set-aside for parking and associated access and turning must be designed, constructed and maintained to avoid dust or mud generation, erosion and sediment transfer off site or de-stabilisation of the soil on site or on adjacent properties to the standard required by Council's Municipal Engineer.
- 10) All areas set-aside for parking and associated turning, and access must be completed before the use commences or the building is occupied and must continue to be maintained to the satisfaction of the Council's Municipal Engineer.

Services

- 11) The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the development. Any work required is to be specified or undertaken by the authority concerned.

Stormwater

- 12) Prior to the commencement of use and the issuing of a plumbing permit, detailed plans and calculations of the stormwater drainage system, including treatment, retention and outfalls must be prepared by a suitably qualified civil engineer and be submitted to Councils Plumbing Surveyor for approval. Once approved the plans shall form part of the permit.
- 13) The completed stormwater retention and treatment elements must be certified by a practicing civil engineer to the effect that they have been constructed in accordance with the endorsed drawings and specifications approved by Council before the use commences.

Wastewater

- 14) Prior to the commencement of use and the issuing of a plumbing permit, a Wastewater Management Report, prepared by a suitably qualified civil engineer, must be submitted to Councils Plumbing Surveyor and Environmental Health Officer for approval. The report must include detailed plans and calculations of the wastewater system, including any proposed irrigation regime. The use of recycled wastewater and any proposed fertigation must be undertaken in accordance with requirements of the *Environmental Management and Pollution Control Act 1994*. Once approved the plans shall form part of the permit.

Protection of Water Quality

- 15) A Soil and Water Management Plan (SWMP) prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, must be approved by Council's Development and Environmental Services before development of the land commences (refer to advice below). The SWMP shall form part of this permit when approved.
- 16) Before any work commences install temporary run-off, erosion and sediment controls in accordance with the recommendations of the approved SWMP and maintain these controls at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's Development and Environmental Services.

B. DURING WORKS

Hours of Operation

- 17) The Cellar door must only operate between the following hours:
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- 19) The operating times for the distillery are 24/7.

Bushfire

- 20) The development and works must be carried out in accordance with the Bushfire Hazard Management Plan Report Hazardous use Distillery & Bond Stores – 76 Shene Road, Pontville, prepared by Bushfire Prone Development Solutions and dated November 2022.

Landscaping

- 21) The Landscape Masterplan report prepared by March Studio and dated November 2022, the Concept Site plan, Legend and Plant Schedule drawing number L100, Issue B and the Concept General Arrangements drawing number L201 issue A, drawing number L202 issue A and drawing number L203 issue A Sheets 1-3 must be completed in accordance with the endorsed landscape plan and to the satisfaction of Council's General Manger within six (6) months of the first use of the occupation of the new development. All landscaping must continue to be maintained to the satisfaction of Council.

Construction Amenity

- 22) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager of Development and Environmental Services:

Monday to Friday	7:00 a.m. to 6:00 p.m.
Saturday	8:00 a.m. to 6:00 p.m.
Sunday and State-wide public holidays	10:00 a.m. to 6:00 p.m.

- 23) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or 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 of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - b. The transportation of materials, goods and commodities to and from the land.
 - c. Obstruction of any public footway or highway.
 - d. Appearance of any building, works or materials.
 - e. 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 Manager of Development and Environmental Services.
- 24) 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.
- 25) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manger of Works and Technical Services.

ADVICE NOTES

The following advice applies to this permit:

- A. This Planning Permit is in addition to the requirements of the Building Act 2016. Approval in accordance with the Building Act 2016 may be required prior to works commencing. A copy of the Directors Determination – categories of Building Work and Demolition Work is available via the CBOS website: [Director's Determination - Categories of Building and Demolition Work \(PDF, 504.4 KB\)](#) or for Low Risk Building Work information go to: [Consumer Guide to Low Risk Building and Plumbing Work](#).
- B. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- C. The issue of this permit does not ensure compliance with the provisions of the *Aboriginal Relics Act 1975*. If any aboriginal sites or relics are discovered on the land, stop work and immediately contact the Tasmanian Aboriginal Land Council and Aboriginal Heritage Unit of the Department of Tourism, Arts and the Environment. Further work may not be permitted until a permit is issued in accordance with the *Aboriginal Relics Act 1975*.
- D. The SWMP must show the following:
 - (a) Allotment boundaries, north-point, contours, layout of roads, driveways, building envelopes and reticulated services (including power and telephone and any on-site drainage or water supply), impervious surfaces and types of all existing natural vegetation;
 - (b) Critical natural areas such as drainage lines, recharge area, wetlands, and unstable land;
 - (c) Estimated dates of the start and completion of the works;
 - (d) Timing of the site rehabilitation or landscape program;
 - (e) Details of land clearing and earthworks or trenching and location of soil stockpiles associated with roads, driveways, building sites, reticulated services and fire hazard protection.

- (f) Arrangements to be made for surface and subsurface drainage and vegetation management in order to prevent sheet and tunnel erosion.
- (g) Temporary erosion and sedimentation controls to be used on the site.
- (h) Recommendations for the treatment and disposal of wastewater in accordance with Standards Australia (2000), AS/NZS 1547: *On-site wastewater management*, Standards Australia, Sydney.
- E. Appropriate temporary control measures include, but are not limited to, the following (refer to brochure attached):
- Minimise site disturbance and vegetation removal;
 - Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (e.g. temporarily connected to Council’s storm water system, a watercourse or road drain);
 - Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
 - Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains;
 - Stormwater pits and inlets installed and connected to the approved stormwater system before the roadwork’s are commenced; and
 - Rehabilitation of all disturbed areas as soon as possible.
- F. 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.
- G. In accordance with s53(4) *Land Use Planning & Approvals Act 1993* where any other approvals under this Act or any other Act are required for the proposed use or development to which the permit relates, the permit does not take effect until all those approvals have been granted.

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
Clr D Blackwell	✓	
Clr D F Fish	✓	

5. CLOSURE

The Meeting closed at 9.44 a.m.

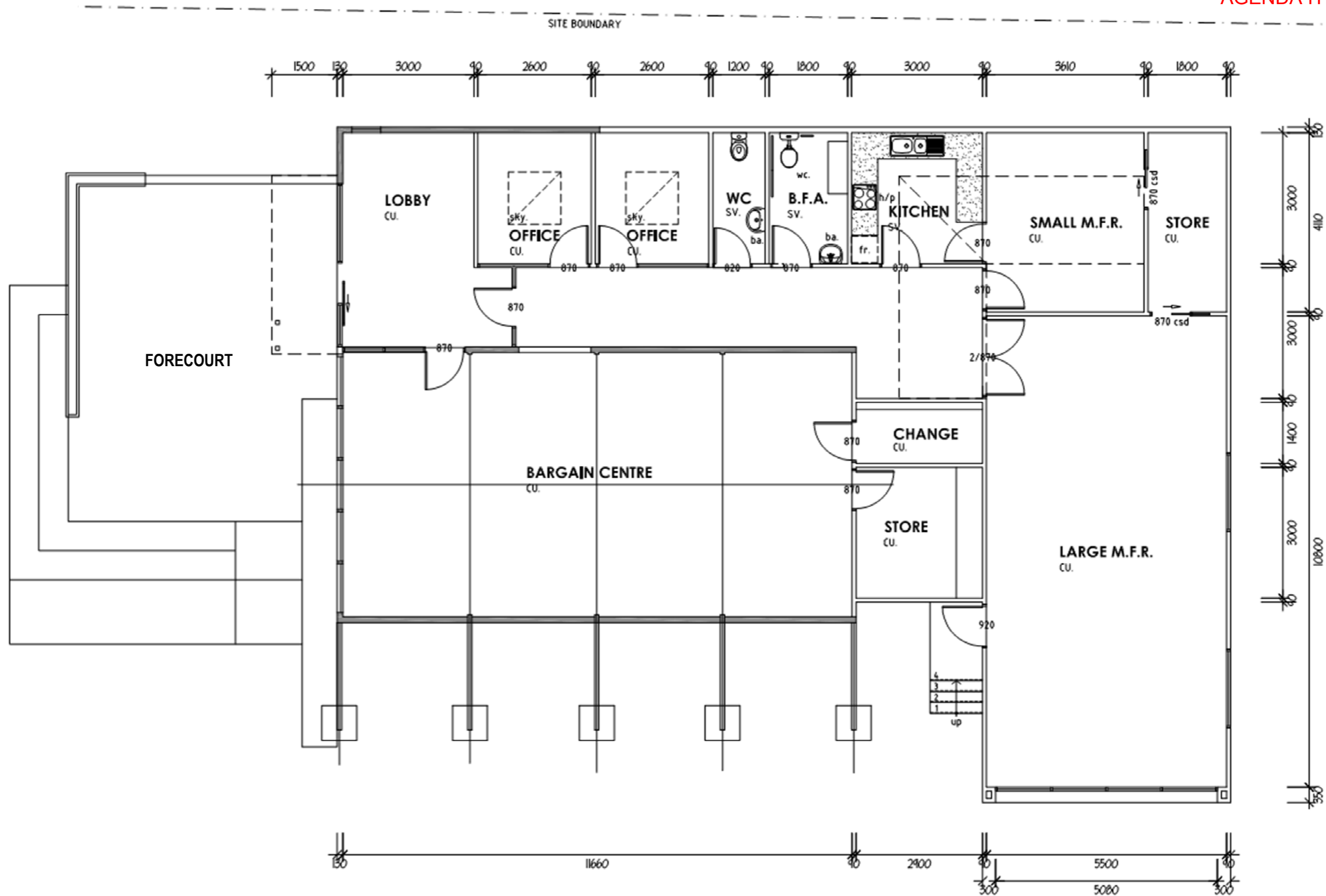
Forecourt Considerations

*Midlands Memorial Community Centre
68 High Street Oatlands*



January 2023

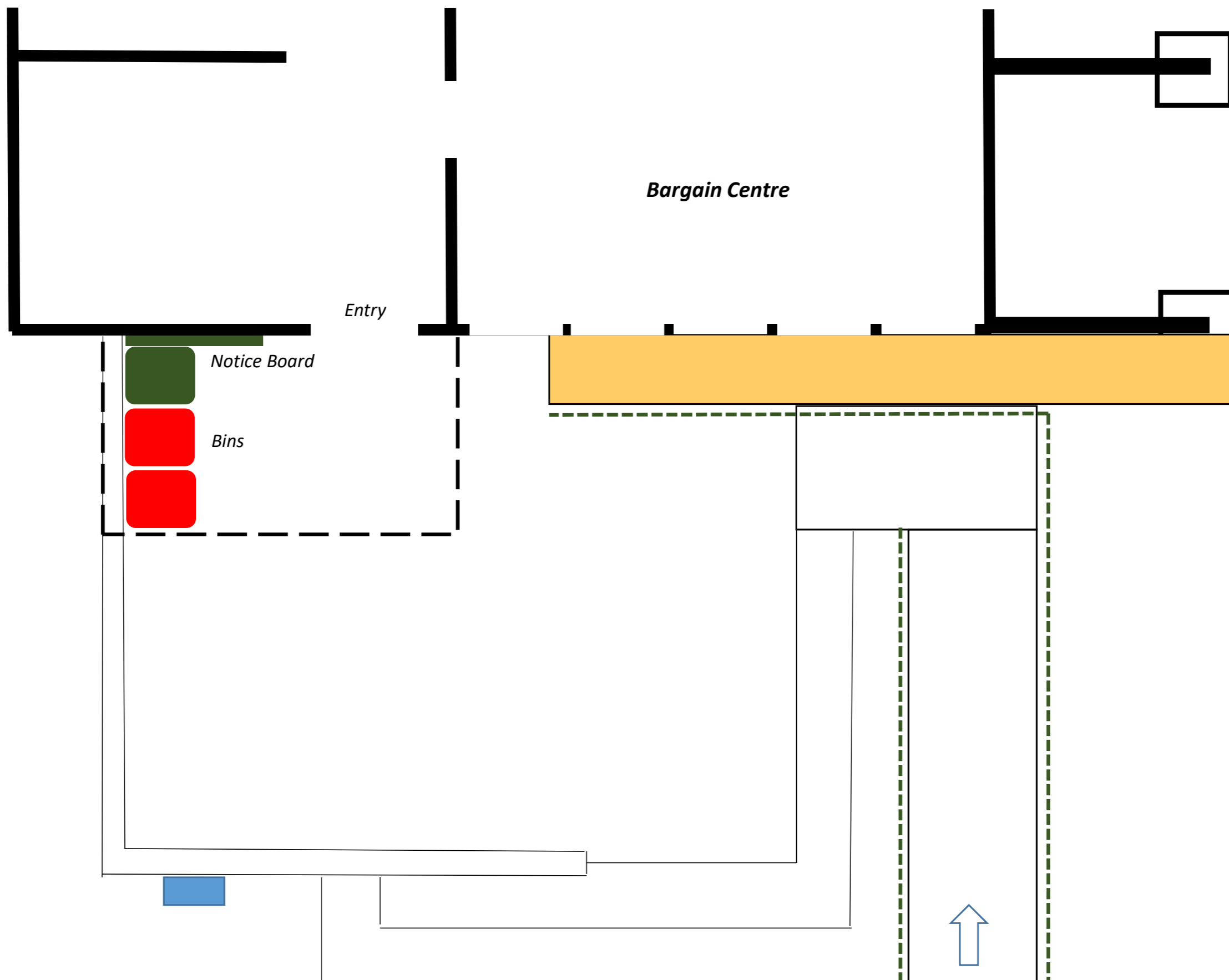
HIGH STREET



FLOOR PLAN

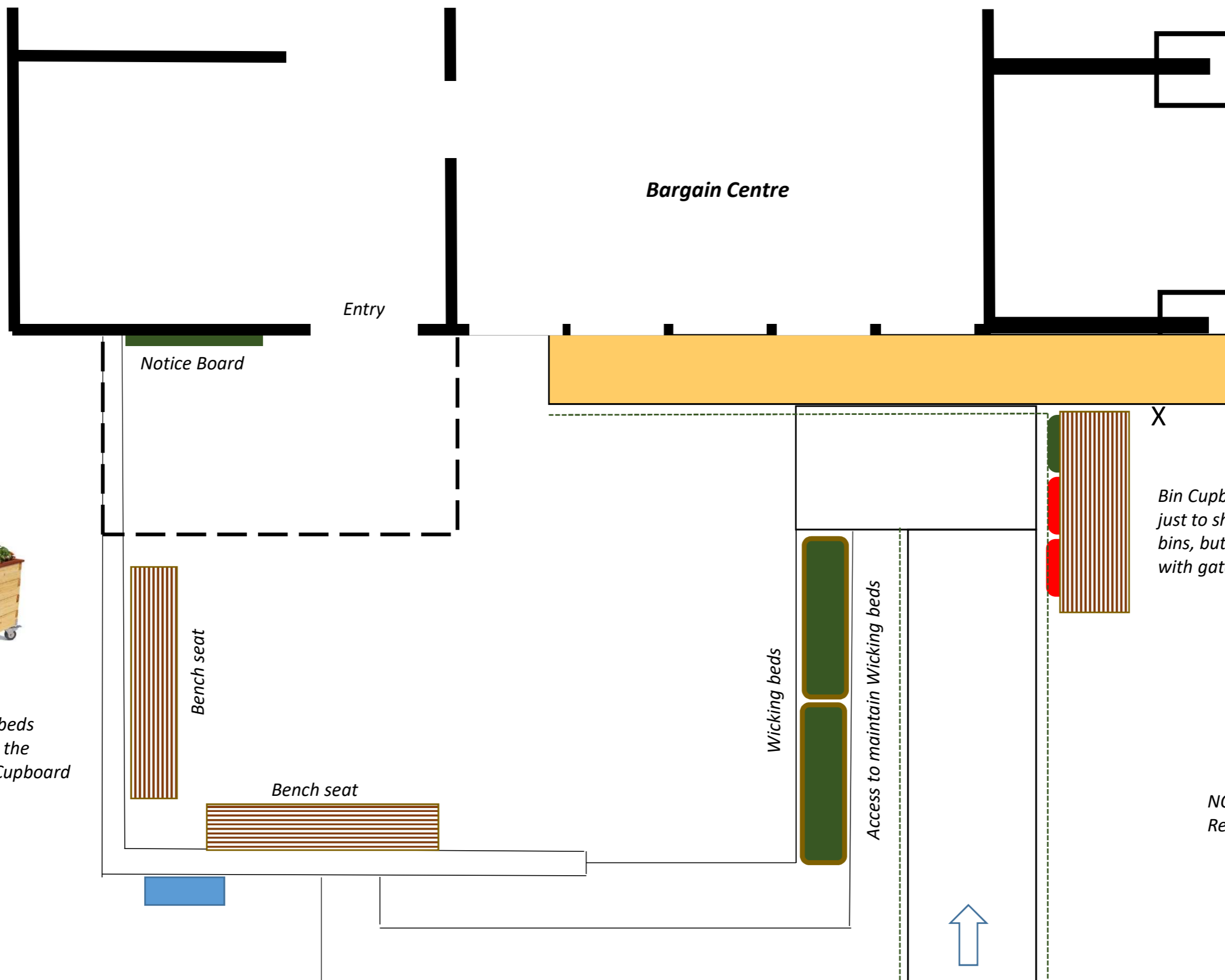
1:100

*Existing Floor Plan
68 High Street Oatlands*



High Street Footpath

*Existing Forecourt
68 High Street Oatlands
Scale 1:50 @ A3*



Bin Cupboard offset in this sketch just to show the location of the bins, but would be fully enclosed with gates at the front

NOTE:
Remove existing pots



Style of Wicking beds stained to match the seating and Bin Cupboard



Style & colour of 'Mod wood' screening for the Bin Cupboard and for the Seating

High Street Footpath

Proposed Forecourt
68 High Street Oatlands
Scale 1:50 @ A3



Existing

*Façade and render painted back to their original colour rather than cream.
A more muted colour with some degree of colour alignment to the front of the OAC*



Proposed

*Proposed Colour Change
68 High Street Oatlands
Scale 1:50 @ A3*

1. PURPOSE

This policy provides a framework and direction as to the management of the audio recording of specific meetings of Council. The purpose of audio recording is to assist in the preparation of minutes, and to ensure that a true and accurate record of debate and discussion is available.

2. SCOPE

This policy applies to all formal Council meetings (including Special meetings).

These meetings are generally held in the Council Chambers at either Oatlands or Kempton, and in various community halls throughout the municipality.

It does not apply to any other meetings of Council (e.g. Council Committees), including the Audit Panel Committee.

Provisions

Under Regulations 33(1) and (4) (Audio recording of Meetings) of the *Local Government (Meeting Procedures) Regulations 2015* (Regulations), Council “may determine that an audio recording is to be made of any meeting or part of a meeting” and “may determine any other procedures relating to audio recording of meetings it considers appropriate”, respectively.

Under Regulation 33(2)(a) and (b), having made that determination that an audio recording is to be made of any meeting or part of a meeting, that audio recording of the meeting that is not closed to the public must:

- be retained by the Council for at least six months, and
- made available free of charge for listening on written request by any person

If after the minutes of a meeting have been confirmed as a true record a discrepancy between the minutes and an audio recording of that meeting or part of that meeting is noticed, the Council, at the next appropriate meeting, is to review the audio recording and either confirm that the minutes are a true record or amend the minutes to reflect the audio recording and then confirm the minutes as amended to be a true record: Regulation 33 (3).

Those parts of meetings which are closed to the public will not be audio recorded by Council.

3. POLICY

All formal meetings of the Council (including Special Meetings) shall be audio recorded as provided for by Regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015*, except for the proceedings of meetings or parts of meetings closed to the public in accordance with Regulation 15 (2).

The recording does not replace the written minutes and a transcript of the recording will not be prepared.

If in the situation of a technical difficulty that an audio recording is not possible, then the Chairperson will advise those present of the circumstances. In the event that an audio recording file becomes corrupt for any reason and therefore unavailable, this information will be provided on the Southern Midlands Council website (or equivalent).

At the commencement of those meetings being audio recorded, the Chairperson will announce to all present that an audio recording of the meeting will be made and that it will last the length of the open to the public part of that meeting, unless otherwise terminated by the Chairperson.

The Chairperson will also announce that members of the public are not permitted to make audio recordings of Council meetings.

The Chairperson has the authority at any time of the proceedings to direct the termination of the audio recording of a meeting. However, the Chairperson should only terminate the audio recording in exceptional circumstances including (but not limited to):

- it is clearly evident that the discussion is (or potentially likely to be):
 - an infringement of copyright
 - a breach of privacy and/or unlawful disclosure of personal information
 - a release of privileged or confidential information of Council.

If recorded, only the audio recording of proceedings made of meetings or parts of meetings open to the public will be made available to the public. The Council may, at its discretion, make any compressed audio recording (preserving adequate voice quality) to be accessible on the Southern Midlands Council website. Such recordings will be considered by Council as a routine disclosure under the *Right to Information Act 2009*. Recordings will be made available on the Council website as soon as practicable (normally within ten (10) business days) from the date of the meeting.

The original unmodified audio recording will be suitably stored in accordance with the Council's Information Management requirements. Under Regulation 33(2)(a), the General Manager will dispose of the audio recordings after six months from the date of recording. The General Manager is authorised, pursuant to section 64 of the *Local Government Act 1993*, to delegate these functions to a Council officer.



Council Policy
AUDIO RECORDING OF MEETINGS OF COUNCIL

Approved by: Council
Approved date:
Review date: April 2023

4. LEGISLATION

- *Local Government Act 1993*
- *Right to Information Act 2009*
- *Local Government (Meeting Procedures) Regulations 2015*

5. DOCUMENT ADMINISTRATION

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

This document is Draft Version 2.0 *effective once approved*. The document is maintained by the General Manager's Unit for the Southern Midlands Council.

1. POLICY AIM

The aim of this policy is to ensure the process for recruitment and selection is based upon the principles of merit, equal employment opportunity and confidentiality.

Council is committed to ensuring recruitment and selection of prospective employees is in accordance with Section 63 of the *Local Government Act 1993* and any other relevant employment legislation, in that:

The General Manager of a Council may:

- *Appoint persons as employees of the Council;*
- *Allocated duties to employees;*
- *Control and direct employees; and*
- *Suspend or dismiss employees*

Effective employee selection and the subsequent management of employees is critical to the success of the Council and the provision of services to the Community. This success depends on Council's ability to identify, attract, retain and develop employees.

Council is committed to an effective and professional method of recruiting and selecting employees that is consistent with its organisational values.

Council aims to attract and appoint skilled and motivated employees who aim to meet agreed objectives and performance improvement goals.

This policy and the associated procedures refer to both permanent as well as permanent part-time positions in all levels of the organisation (excluding the General Manager), both managerial positions as well as casual positions are dealt with under this policy and procedures.

2. POLICY STATEMENT

1. Council will attract, retain and motivate the highest calibre of employees to promote and develop the Council to a leadership position within Local Government.
2. Council will attract employees with competence, technical, customer focused and teamwork skills which support the core values and direction of the Council and who have the aptitude for future development.
3. Recruitment of employees will be merit based.
4. Council will adhere to anti-discrimination guidelines & legislation.
5. Vacant positions will be filled through internal and discretionary external recruiting subject to the suitability of the applicant when measured against the selection criterion.
6. An accurate and up-to-date position description and selection criterion, will be available at the time of advertising a position.



Approved by: Council
Approved date: 24 January 2018
Review date: January 2020

7. To attract and retain skilled employees the Council will endeavour to pay salaries competitive with those paid by other employers in the industry and in applicable markets, in accordance with the relevant Award and National Employment Standards.
8. Permanent or permanent part-time vacancies will be advertised internally for a minimum of 5 working days. Internal advertising will ensure that all Council employees are advised of the vacancy. Employees on leave will be notified at the same time as other employees, to ensure that everyone has the opportunity to apply.
9. For temporary positions, consideration will be given to enhancing the experience and career advancement of existing Council staff.
10. For casual positions consideration of applicants from the "Casual Employment Register" within the Information Management System shall be undertaken.
 - When drawing on the Casual Employment Register, Managers shall ensure that the availability of the Register is regularly (eg annually) advertised to transparently provide opportunities to access employment opportunities. The advertisement could advise that applicants will only be considered if they are on the Casual Employment Register.
11. Casual positions may be filled by either the Casual Employment Register, or by using a labour hire firm. If the Casual Register is used then it should be regularly advertised and consideration must be given to fairly allocating work amongst those registered.
12. Council will consider relocation expenses for new employees.
13. Confidentiality is maintained throughout the recruitment process.
14. Communication with applicants will be prompt and informative.

3. RECRUITMENT PROCEDURES

Staff must follow these detailed procedures to save Council the uncertainty about the terms and conditions of employment of employees. This may then avoid unnecessary inflexibilities in the workforce and expensive litigation.

3.1 Vacancy/Position Occurs

When a vacant position exists within the organisation the Department Manager is responsible for the fulfilment of the position in a timely fashion and in accordance with this policy and procedures and in consultation with the General Manager and the Human Resources Manager.

For a Department Manager position, the General Manager is responsible for the fulfilment of the position. The General Manager shall be responsible in regard to the membership of the interview/selection panel for Managerial positions.

Approved by: Council
Approved date: 24 January 2018
Review date: January 2020

In respect of other positions, the Department Manager is required to assess the position that has become available and in doing so needs to resolve the following issues:-

1. How will the position contribute to Council's efforts to meet its business goals?
2. What particular skills, abilities and attitudes will be required to deliver that contribution?
3. How do we find the person who will most effectively fit the role?
4. Is the position within approved labour strength numbers for the establishment/program?
5. How can the position be improved to be more effective for customers and the organisation?
6. Could other positions assume some or all of the tasks performed?
7. Has the position been budgeted for during this financial year?
8. How will the position be funded?
9. Has there been a high turnover in this position or program. If so why?
10. What can be learnt from the previous employee's performance regarding the effectiveness of the position?
11. What would be the consequences of not filling this position?
12. Could/has technology affected this position/role?
13. Is there a current position description and selection criterion for the vacancy?
14. Who has the authority for recruitment of this position?

3.2 Job Needs Analysis

To assist in finding the best candidate for the position a Job Needs Analysis may be undertaken to identify the essential preferred job requirements. In completing these requirements, Managers must be mindful of the relevant anti-discrimination legislation. This will assist in the review of the relevant position description.

3.3 Position Description Analysis & Evaluation

1. An appropriate position/job description shall be written or re-appraised for all positions and approved by the General Manager before vacancies of any positions are advertised.
2. The position description must accurately reflect the tasks being undertaken as well as the potential future occupational changes to the role and must include the following:-
 - a. Position Description ID.
 - b. Position Title
 - c. Enterprise Agreement Award Stream
 - d. Enterprise Agreement Award Level



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-
- e. Enterprise Agreement Award Grade
 - f. Department Name
 - g. Location
 - h. Position Objectives
 - i. Key responsibility Areas
 - j. Organisational Relationships
 - k. Accountability & Extend of Authority
 - l. Judgement & Decision Making
 - m. Specialist Skills & Knowledge
 - n. Management Skills
 - o. Interpersonal Skills
 - p. Qualifications & Experience
 - q. Performance Standards
 - r. Multiskilling Requirements

3. Points to consider when evaluating or developing a position description:-

Does the position description describe:-

- a. the overall purpose or function of the position - the what, how and why it is done?
- b. the organisational structure?
- c. employee responsibility and authority?
- d. source and destination of the work?

Is this position description as factual and concise as possible?

- a. can it be easily understood?
- b. is job terminology standardised for uniformity and clarity?
- c. does it avoid making two statements where one more carefully worded statement would cover the subject?
- d. are job responsibilities consolidated wherever possible?
- e. have unnecessary words been eliminated?
- f. is the language clear enough to eliminate any confusion about the job function?
- g. is there any trivial information that can be eliminated?

Does this position description provide an accurate picture of the position?

- a. would the responsibilities and associated values of the position be better understood if the responsibilities and duties were listed in order of performance or in order of importance?
- b. are there unusual features of the job eg. remoteness, physical requirements?



Council Policy
RECRUITMENT POLICY & PROCEDURE

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Is this position description well organised?

- a. is every responsibility included in the priority order?
- b. do the responsibilities listed provide a step by step breakdown of the position?
- c. does each statement relate to an end result or clear objective that must be accomplished?

Does the position description describe the Council's hierarchy?

- a. what is the general supervisory order in the program/Department?
- b. who is the employee's immediate supervisor?
- c. does the immediate supervisor have responsibility for appraising performance?

Can this position description serve as a guide in recruitment, training and promoting?

- a. will the unfamiliar reader understand the scope of the position?
- b. if there are minimum requisites in areas are they stated?
 - formal education
 - on the job experience
 - training
 - skills

Can this position description serve as a position evaluation tool?

- a. are there standards for matching people and the position for;
 - recruitment purposes
 - performance review purposes
 - salary analysis purposes
 - b. is there a basis for wage and salary comparison?
4. Position descriptions shall be periodically reviewed in consultation with the affected existing officer and this process may form part of the "Development Review Process".
5. The following statement shall be included in every position description

"Note: As part of any recruitment for this position, Council will may require the applicant to undertake a Vocation Assessment (for operational positions) prior to interview. Council will require the applicant to undertake a Criminal Records Check, , Physical fitness/medical test (fit for position medical), and may require a Working with Children Check, drug or alcohol test, relevant skill test, machine competency test prior to appointment. It is a condition of employment with SMC that all applicants agree to this requirement before appointment."

3.4 Advertising

The purpose of these procedural guidelines is to ensure that, in any external advertising, there is a consistency of format and information content. The aim of advertising is to send the recruitment message, that a vacancy exists, to the attention of as many of the most suitable and appropriate target audience as possible and motivate and persuade them to apply for the position. It is also an opportunity for Council to create a specific corporate image.

The advertisement is also subject to anti-discrimination legislation therefore the wording and descriptions should be gender neutral and non-discriminatory.

The advertisement is a public statement and constitutes an invitation to interested parties to apply for the position. The advertisement will have an outline of the requirements of the position. This will become one of the fundamental terms of the employment contract and it cannot be changed after the employment contract has been formed.

1. Prior to placing the recruitment advertisement, the General Manager must have received the reviewed position description and selection criterion for the position.
2. The General Manager must check the advertisement in relation to the accuracy of all aspects of the terms and conditions of the position.
3. Positions may be advertised internally, externally or simultaneously whichever is considered appropriate by the General Manager in consultation with the Department Manager.
4. The extent and coverage of the advertising must be authorised by the General Manager.
5. A minimum of 10 days shall be provided for the submission of applications from the date of the first advertisement.
6. The position description and related information must be available on the Council website on the day that the advertisement appears in the newspaper.
7. All terminology used should be gender neutral.
8. Advertisement should state that all applications be addressed to the General Manager

3.5 Receipt of Applications

Applications received are to be kept totally confidential and as soon as received they are to be directed to the Information Management Officer for recording in the Information Management System.

1. The position advertisement will clearly state how applications are to be lodged with the organisation. The preferred option is by electronic mail addressed to mail@southernmidlands.tas.gov.au for the General Manager.
2. Applications will be entered on the Information Management System (as per guidelines).



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3. Applications will be placed on the relevant file.
4. Applications will be directed to the Human Resources Manager for acknowledgment of receipt.
5. At the closing date for receipt of applications, the applicants will be sorted alphabetically by the Human Resources Manager for the pre-interview discussions with the Selection Panel, where the shortlisting of candidates is undertaken.
6. The applications are copied for the interview panel and marked "Confidential".



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1. POLICY AIM

The Southern Midlands Councils aim is to select an applicant from within or outside the organisation that can fill the position. Individuals will be thoroughly screened against carefully developed position specifications.

Equal Employment Opportunity and Anti-Discrimination guidelines and legislation will be adhered to at all times. The selection process should provide as much reliable and valid information as possible about the applicant in order that their qualifications may be carefully matched with person specifications and Councils objectives.

This policy and procedures refers to both permanent and permanent part-time positions in all levels of the organisation (excluding the General Manager), managerial positions are dealt with as per these procedures, as are casual positions.

2. POLICY STATEMENT

1. Selection of employees will be merit based.
2. Council will adhere to anti-discrimination guidelines and legislation.
3. The selection panel will consist of people who are competent to select the best person for the position.
4. All applicants for positions will be assessed on the basis of a common set of selection criterion and questions. The selection criterion will be derived from the position description.
5. Applicants who are interviewed will be assessed in writing against the selection criterion and written notes will be kept on a confidential application file.
6. All applicants interviewed will be graded in relation to selection criterion using an agreed technique.
7. Reference checks will be conducted by the interview panel against the selection criterion and in accordance with best practice.
8. The final selection of the person to fill the position rests with the General Manager and Department Manager in that particular program, subject to the applicant/applicants being assessed as medically capable of performing the duties of the position without danger to themselves or other persons.
9. The interview panel will be available to counsel any internal applicants who are unsuccessful in being selected and who request to discuss their non-selection.
10. Confidentiality will be maintained through the selection process.
11. The selection process is managed in a timely manner.

3. SELECTION GUIDELINES

3.1 Selection Criterion

The selection criterion for each position allows each application to see how they will be assessed, and provides the interview panel with a clear outline of the requirements for good performance in the position. The selection criterion will facilitate a systematic approach to selecting the best applicant for the position.

1. The selection criterion should be derived from the position description.

They should identify:-

- Essential and desirable experience/qualifications
 - Personal abilities
 - Specific capacities in relation to the position
 - Technical skills
 - Competency level of skill
2. The use of selection methods such as the following may be used where deemed relevant to the position and which will produce a valid and reliable result. It should enable applicants to demonstrate technical, planning and monitoring abilities.
 - Vocational Assessments
 - Technical expertise
 - Competence Standards Level - test against these
 3. A list of skills and qualifications which are mandatory, or essential to the job being done properly, and which are desirable but not essential should be specified and selected against.
 4. Prioritise and weight all selection criterion.

3.2 Short listing written applicants

1. Each applicant is to be compared to the written selection criterion.
2. A copy of the applications and selection criterion will be distributed to all panel members, with instructions that only those criterion's are to be used to screen applicants.
3. A short list of no more than 5-10 applicants is used depending on the position.
4. If an applicant's application is below standard it can be rejected.
5. Applicants who were not short listed are advised in writing that they are unsuccessful.
6. Two references from the highest ranking each applicant should be checked by telephone call and responses documented.



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4. SELECTION/INTERVIEW PANEL

4.1 The Panel

1. The selection panel will be well balanced.
2. The selection panel will consist of 3 members.
3. The selection panel members will have skills and training in interviewing and selection procedures and EEO principles and practices.
4. The selection panel must not have a pecuniary interest in any of the applicants being interviewed.
5. If a selection panel members has a pecuniary interest it must be declared prior to being appointed to the Panel.

4.2 Panels Tasks

1. The Panel must appoint a responsible member/chairperson for the interview process.
2. Responsible Officer/Chairperson to arrange for interview technique training to any Panel member who may need to update their skills.
3. Design measures to assess applicants against the selection criterion.
4. Short listing of applicants (see above).
5. Panel to check references against selection criterion (as above).
6. Design of questions that are relevant and which will provide reliable and measurable information against the selection criterion.
7. Questions should cover each of the selection criterion's
8. Determine who will ask which questions.
9. Responsible Officer/Chairperson to provide interview details to the Human Resources Manager to forward to Applicants.
10. Responsible Officer/Chairperson to arrange room in an informal design.
11. Responsible Officer/Chairperson to welcome and introduce applicant being interviewed to Panel.
12. Responsible Officer/Chairperson to advise applicant of the format of how the interview will be conducted.
13. The Panel Members are required to make a statement and record it, if there is any pecuniary interest or perceived pecuniary of interest
14. If a pecuniary interest is apparent the Responsible Officer/Chairperson will manage that matter in an appropriate manner, and document it.
- ~~13-15~~ Undertake the interview.
- ~~14-16~~ Responsible Officer/Chairperson to conclude and close interview with applicant and advice of notification procedures.
- ~~15-17~~ Selection Panel determines preferred applicant for the position.
- ~~16-18~~ Selection report/interview details are completed.



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5. ORGANISING THE INTERVIEW

5.1 Applicants

1. Applicants will be notified that they are required for an interview either by telephone or in writing at least 5 days prior to the interview date (depending upon time constraints).
2. The applicant should be given the following information:-
 - What they need to bring to the interview,
 - The date, time and venue of the interview,
 - The names of members on the Interview Panel and their Positions,
 - The name of the contact person and telephone number if they need to contact someone in relation to the interview,
 - Expected length of interview,
 - Any testing techniques that will be undertaken.
3. Applicant's interview details will be confirmed in writing (depending upon time constraints).

6. INTERVIEW QUESTIONING

1. The Human Resources Manager will provide "Explanatory Notes" to the Panel to guide their candidate enquires during the interview process. The same questions shall be asked of each candidate, although further exploration to seek clarification will be required in many cases.
2. Encourage the applicant to talk, the objective of a Panel Member is to learn as much about the candidate as possible.
3. Use open questions to encourage conversation.
4. Use of behavioural questions or scenarios may be helpful.
5. Questions must be relevant to the position and provide information that can be assessed as relevant, reliable and measurable against the selection criterion.
6. EEO policies and principles must be considered.
7. Questions must not breach any Legislation eg EEO, Anti-Discrimination Act etc.
8. Applicants can be given an opportunity to make a short presentation on their application.
9. Allow sufficient time for answers.

7. SELECTION OF APPLICANT

1. Once the interviews are concluded the Panel is to then evaluate and decide on the most suitable applicant for the position, based on the Panel member's assessment of the applicants against the selection criterion.
2. The Panel must document their recommendation(s).
3. The Panel's decision is referred to the General Manager for final approval or otherwise.



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4. The position Supervisor is required to contact the successful applicant verbally and offer them the position and is also to advise the applicant of the organisations Pre-Employment Medical Policy and any other requirement prior to appointment that will be covered in the Letter of Offer.
5. Applicants will be advised in writing of the offer (see Item 8).
If the successful applicant declines/refuses the offer, then the second choice applicant is advised as above or if there is not a second choice the position is re-advertised.
7. Once the position has been filled unsuccessful interviewed applicants will be contacted by phone and then also advised in writing.
8. Responsible Officer/Chairperson returns File with interview results included to the Information Management Officer for filing and a new Personnel File is created with the successful applicants details transferred to the file.
9. The Department Manager is to be notified of the appointment.

8. LETTER OF OFFER

1. All new employees will be sent two (2) copies of their letter of offer. Attached to this letter will be the position description.
2. No new employee is to commence work unless they have signed and dated the copy of their letter of offer, the position description for the position and returned it to the General Manager within the specified time indicated.
3. It must state the frequency and nature of performance reviews including when and how these will occur and the length of the probation period.
4. It must state that the employee will be expected to vary their duties during the course of the employment as directed by their supervising officer.
5. It must state that the employee is bound by the organisations policies and procedures as part of their employment and that these can be varied from time to time.
6. It must include a section for the new employee to sign and date the letter.
7. It must include the Enterprise Agreement Stream and Level under which the employee will be paid and the salary amount, Superannuation requirements, hours of duty (include any on-call or roster details) will also be included.
8. Given the “Note” in the position description, namely:
“Note”: As part of any recruitment for this position, Council will require the applicant to undertake a Vocation Assessment (for operational positions) prior to interview. Council will require the applicant to undertake a Criminal Records Check, Physical fitness/medical test (fit for position medical), and may require a Working with Children Check, drug or alcohol test, relevant skill test, machine competency test prior to appointment. It is a condition of employment with SMC that all applicants agree to this requirement before appointment.”
9. Name of Supervisor and/or Officer the new employee must meet on arrival.
10. The letter of offer must be signed by the General Manager.



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SELECTION POLICY & PROCEDURES

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11. Copy of letter to the Supervisor/Department Manager, Paymaster and Personnel File.



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SELECTION POLICY & PROCEDURES

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9. INDUCTION

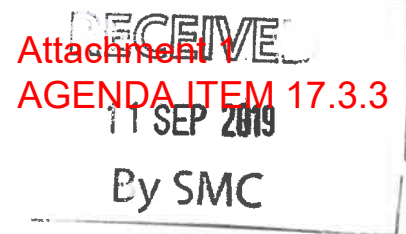
Applicants must undertake an induction on commencement (See Induction Policy).

10. INTERNAL APPLICANTS

The above policy and procedures also includes the selection of applicants from within the organisation.

SAINT REGINA LIMITED
2495 Colebrook Rd
COLEBROOK TAS 7027
ACN: 626 004 108

As Trustee for the St Joseph and Our Lady of Cana Trust ABN: 73 949 955 938



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ATTN: General Manager
Southern Midlands Council
PO Box 21
OATLANDS TAS 7120

RE: Charity concession sought for council rates

To Whom it May Concern,

With regards to our two properties, 2495 Colebrook Rd (ID 3606737) and 515 Rhyndaston Rd (ID 5806731), we are seeking a concession rate for our annual council rates.

We are an Income Tax Exempt Charity (attestation from ATO enclosed) and are registered with the ACNC (certificate also enclosed). We have also recently been granted an exemption from Land Tax for both properties from the State Revenue Office.

We are a Catholic Benedictine monastery, living a life of prayer and work at the 2495 Colebrook Rd property. The majority of the property is currently under lease to a farmer.

The income from the current lease on the property at 2495 Colebrook Rd is used to support the monastery's life of prayer, penance, work and study; this is our order's mission and reason for existence. The lease income also allows us to maintain the facilities necessary for this life, namely the building itself, which is used as residence, chapel for prayer and worship, classrooms for study, and to support our ongoing living out of our charism and mission.

With regards to the property at 515 Rhyndaston, it is used solely by the Monastery for a guest house, as a place of welcome for our ministry of Benedictine hospitality, as storage and as a small monastery garden with fowl etc.

If you should need further clarification, please do not hesitate to email me directly.

In Christo et Maria,

A handwritten signature in black ink that reads "Dom Pius (R.D.) Noonan". The signature is written in a cursive style and is followed by a horizontal line.

Dom Pius Mary (Robert J D) Noonan OSB
Notre Dame Priory
info@notredamemonastery.org

COPY



Australian Government



Australian
Charities and
Not-for-profits
Commission

THIS CERTIFIES THAT

Our Lady of Cana and St. Joseph Trust

ABN: 73949955938

HAS BEEN REGISTERED BY THE

Australian Charities and Not-for-profits Commission

ON THE DATE OF

22/02/2017

CERTIFIED BY

Hon. Dr Gary Johns

Commissioner

Australian Charities and Not-for-profits Commission

COPY



Australian Government
Australian Taxation Office

24 May 2017

Notice of endorsement for charity tax concessions

This endorsement notice has been issued to:

Name **THE TRUSTEE FOR OUR LADY OF CANA AND ST. JOSEPH TRUST**
Australian business number **73 949 955 938**

THE TRUSTEE FOR OUR LADY OF CANA AND ST. JOSEPH TRUST, a registered charity, is endorsed to access the following tax concessions from the dates shown:

Income tax exemption from **22 February 2017** under Subdivision 50-B of the *Income Tax Assessment Act 1997*.

GST concessions from **22 February 2017** under Division 176 of *A New Tax System (Goods and Services Tax) Act 1999*.

Your organisation's endorsement to access charity tax concessions, together with the date or period of effect, is entered in the public register maintained by the Australian Business Registrar at www.abr.business.gov.au

Your organisation must notify us in writing if it ceases to be entitled to endorsement.

Chris Jordan
Commissioner of Taxation
Registrar of the Australian Business Register

SOUTHERN
MIDLANDS
COUNCIL



9th October 2019

Dom Pius Mary Noonan
Saint Regina Limited
2495 Colebrook road
COLEBROOK TAS 7027
By Email: info@notredamemonastery.org

Dear Sir

RE: EXEMPTION FROM PAYMENT OF RATES

I refer to your letter received by Southern Midlands Council ('Council') on 11 September 2019.

You have requested that an exemption from the payment of rates be confirmed by Council in relation to two properties. These two properties are: 2495 Colebrook Road, Colebrook PID 3606737; and 545 Rhyndaston Road, Rhyndaston PID 5896731 ('Properties').

The relevant exemption to the payment of rates falls under section 87(1)(d) of the *Local Government Act 1993* ('Act'). That section states that all land is rateable land except:

- (d) *"land or part of land owned and occupied exclusively for charitable purposes"*.

In order for Council to properly consider your request for the application of the exemption, Council requests that you provide further information that specifically addresses the requirement for each of the Properties that the land or part of the land owned and occupied exclusively for charitable purposes.

This additional information should also specifically address the ownership of 545 Rhyndaston Road, Rhyndaston PID 5896731, as the title records that the land is owned by Mr Robert John Daniel Noonan and not the registered charity or Saint Regina Limited.

In relation to 2495 Colebrook Road, Colebrook PID 3606737, the additional information should outline how the leasing of the majority of the land to a farmer satisfies the test outlined in section 87(1)(d) of the Act.

Address all correspondence to: The General Manager, PO Box 21 Oatlands, Tasmania 7120
Oatlands Office: 71 High Street, Oatlands Phone (03) 62545000 Fax (03) 62545014
Kempton Office: 85 Main Street, Kempton Phone (03) 62545050 Fax (03) 62545014
Email Address: mail@southernmidlands.tas.gov.au Web: www.southernmidlands.tas.gov.au
ABN 68 653 459 589

SOUTHERN
MIDLANDS
COUNCIL



If you have any questions in relation to the above, please do contact me.

Yours sincerely

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

Tim Kirkwood
GENERAL MANAGER

Address all correspondence to: The General Manager, PO Box 21 Oatlands, Tasmania 7120
Oatlands Office: 71 High Street, Oatlands Phone (03) 62545000 Fax (03) 62545014
Kempton Office: 85 Main Street, Kempton Phone (03) 62545050 Fax (03) 62545014
Email Address: mail@southernmidlands.tas.gov.au Web: www.southernmidlands.tas.gov.au
ABN 68 653 459 589



SAINT REGINA LIMITED
2495 Colebrook Rd
COLEBROOK TAS 7027
ACN: 626 004 108

As Trustee for the St Joseph and Our Lady of Cana Trust ABN: 73 949 955 938

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14th November 2019

ATTN: General Manager
Southern Midlands Council
PO Box 21
OATLANDS TAS 7120
By email: mail@southernmidlands.tas.gov.au

RE: EXEMPTION FROM PAYMENT OF RATES – reply to letter dated 9th October 2019

Dear Mr Kirkwood,

Thank you kindly for your letter dated 9 October 2019.

2495 Colebrook Rd has been purchased by us as the site of a Benedictine monastery, represented by the Trustee company Saint Regina Limited, as Trustee for the St Joseph and Our Lady of Cana Trust. The Trust has been endorsed by the ATO and ACNC as a charitable / not-for-profit organisation.

Our particular ministry is grounded in the daily rounds of community prayer and work; we pray in the buildings on the property, we perform our manual and intellectual work on the property, all with the hope of eventually building a purpose-designed monastery on the site to facilitate this life. Once we have the appropriate approved facilities, we will provide physical hospitality together with guidance to those seeking it, at no charge. We believe and hope this satisfies the criteria of “*land or part of land owned and occupied exclusively for charitable purposes*” as referenced in your letter. We will rely on our own work on the property and the generosity of benefactors to support this mission. The proceeds for all activities undertaken on the site goes back into supporting our mission of prayer and to welcome guests to share in the fruits of our life and work. This includes both the work we perform ourselves, as well as any income that may be generated from the farm.

Proceeds go to the upkeep of the monastic presence on site, the servicing of our financial obligations to creditors, and also provides assistance to the monastic community through managing the land itself. This is a charitable endeavour with no profit to be derived. We expect and want to become an integral part of our local community here in the Southern Midlands, and more broadly, in the state of Tasmania. We give back literally everything, contributing to people in the community who may need help.

With regards to the property at 545 Rhyndaston Rd (it should actually be 515 Rhyndaston Rd – Council renumbered the property after we purchased it as the neighbouring property was also 545), it is used solely by the Monastery for a guest house, as storage and as a small Monastery garden with fowl etc. As to the question of ownership of this property, our solicitors have recently lodged documentation with the Land Titles Office to update the title to reflect the new corporate Trustee, Saint Regina Limited. I was originally the Trustee of the registered charity, at the time when the property was purchased.

I sincerely hope this provides you with the additional information you have requested, and that you might look favourably upon this application. If it is successful, please know that in a direct way you are assisting the wellbeing of our community. Please do not hesitate to contact me if you have any further questions and/or I can provide any further written support.

In Christo et Maria,

A handwritten signature in black ink, appearing to read "R J D Noonan". The signature is written in a cursive style with a long horizontal flourish at the end.

Dom Pius Mary (Robert J D) Noonan OSB
Notre Dame Priory
info@notredamemonastery.org