

SOUTHERN  
MIDLANDS  
COUNCIL



# **MINUTES**

## **ORDINARY COUNCIL MEETING**

---

Wednesday, 24<sup>th</sup> November 2021  
10.00 a.m.

Oatlands Municipal Offices  
71 High Street, Oatlands

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## OPEN COUNCIL MINUTES

MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD  
ON WEDNESDAY, 24<sup>th</sup> NOVEMBER 2021 AT THE OATLANDS MUNICIPAL  
OFFICES COMMENCING AT 10:00 A.M.

### 1. PRAYERS

Rev Dennis Cousens recited prayers.

### 2. ACKNOWLEDGEMENT OF COUNTRY

Mayor A O Green recited Acknowledgement of Country.

### 3. ATTENDANCE

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

Mr T Kirkwood (General Manager), Mr A Benson (Deputy General Manager), Mr D Richardson (Manager, Infrastructure & Works), Mrs L Brown (Planning Officer), Mr D Mackey (Special Projects Officer), ( Mrs J Crosswell (Executive Assistant).

### 4. APOLOGIES

Nil.

### 5. MINUTES

#### 5.1 Ordinary Council meeting

The Minutes (Open Council Minutes) of the previous meeting of Council held on the 27<sup>th</sup> October 2021, as circulated, are submitted for confirmation.

#### DECISION

*Moved by Clr R McDougall, seconded by Clr K Dudgeon*

**THAT the Minutes (Open Council Minutes) of the previous meeting of Council held on the 27<sup>th</sup> October 2021, as circulated, be confirmed.**

#### CARRIED

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

## 5.2 Special Council meeting

The Minutes of the Special Council Meeting held on the 8<sup>th</sup> November 2021, as circulated, are submitted for confirmation.

### DECISION

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

**THAT the Minutes of the Special Council Meeting held on the 8<sup>th</sup> November 2021, as circulated, be confirmed.**

### CARRIED

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

## 5.3 Special Committees of Council Minutes

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

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

- Arts Advisory Committee Minutes – 16<sup>th</sup> September 2021
- Woodsdale Community Memorial Hall Minutes – 4<sup>th</sup> October 2021

### RECOMMENDATION

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

### DECISION

*Moved by Clr R McDougall, seconded by Clr D Fish*

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

### CARRIED

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

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

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

- Arts Advisory Committee Minutes – 16<sup>th</sup> September 2021
- Woodsdale Community Memorial Hall Minutes – 4<sup>th</sup> October 2021

#### RECOMMENDATION

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

#### DECISION

*Moved by Deputy Mayor E Batt, 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
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

### 5.4 Joint Authorities (Established Under Division 4 of the *Local Government Act 1993*)

#### 5.3.1 Joint authorities - Receipt of Minutes

Nil.

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

Nil.

## **6. NOTIFICATION OF COUNCIL WORKSHOPS**

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

One workshop was held since the last Ordinary Meeting.

A workshop was held on the 8<sup>th</sup> November 2021 at the Council Chambers, Oatlands commencing at 9.30 a.m.

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

Apologies: Nil

Also in Attendance: T Kirkwood, A Benson, D Mackey, D Richardson (part attendance) and J Crosswell.

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

### **1. Briefings**

#### **a) Recent storm / rain events**

The Manager – Infrastructure & Works (David Richardson) briefed Council in relation to the considerable damage to Council's roads (and associated infrastructure) following recent heavy rain events which were widespread throughout the municipal area.

A review of the Budget will be required in order to enable urgent remedial works. A report will be submitted to the Council Meeting scheduled for 23<sup>rd</sup> November 2021.

#### **b) Tunbridge Bridge Replacement**

The Planning Officer (Louisa Brown) informed Council that the Department of State Growth has lodged an Appeal with the Resource Management and Planning Appeals Tribunal in response to Council's decision to approve the renewal of Bridge (subject to conditions). The Appeal primarily relates to the condition relating to the use of timber decking.

### **2. Oatlands Accommodation Proposal (Heads of Agreement)**

Refer Closed Session Agenda Item relating to this matter.

The Workshop concluded at approximately 11.30 a.m.

## RECOMMENDATION

**THAT the information be received.**

## DECISION

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

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

## CARRIED

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



## **7. COUNCILLORS – QUESTION TIME**

### **7.1 Questions (On Notice)**

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

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

Nil.

## 7.2 Questions Without Notice

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

It states:

**“29. Questions without notice**

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

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

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

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

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

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

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

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

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

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

**Clr A E Bisdee OAM** – Expressed disappointment that the 2021 Oatlands Christmas Pageant is not going ahead. Clr Dudgeon commented that this was not a Council decision. The organiser(s) decided that due to COVID-19, cancellation was decided a safer option. Hoping that it will go ahead in 2022.

**Deputy Mayor E Batt** – Requested an update on the walkway from Kempton to Mood Food General Manager responded that we are awaiting an agreement from Department of State Growth for transferring land and it is still a ‘work in progress’.

**Deputy Mayor E Batt** – Queried what funding we provide to Bagdad Community Club Inc. for upkeep of lawns, maintenance etc.

*The General Manager responded that Council provides \$15,000 per year (previously \$10,000) under the Memorandum of understanding between Council and the Community Club. The Club Management Committee has responsibility to allocate this funding.*

**Deputy Mayor E Batt** – Walking Path – Midland Highway, Bagdad – plans to reinstate the washed out section (vicinity of Winstead Road).

*The General Manager to progress work planned.*

**Clr A Bantick** – Commented about the improvement of operations at the Waste Transfer Station(s). Questioned whether the income from charges at the respective sites have increased.

*Question taken on notice with detail to be provided.*

**Clr A Bantick** – Advised Council he has been liaising with residents in Bluff Road. They are concerned a serious accident will occur due to some road users travelling at high speeds. Would it be possible to have the speed limit reduced or can we install a 'High Accident Area' sign or request more police resources? A traffic counter was also suggested.

*To be actioned through a discussion with Tasmania Police.*

**Clr R McDougall** – Eldon Road – can a white line be painted on Eldon Road – particularly on the corners?

*To be investigated.*

**Clr R McDougall** - Coalmine Bend Road, Colebrook – requires maintenance grading. Past grading has been infrequent according to residents.

**Clr R McDougall** – Oatlands Key System (Heritage properties) - Can an updated list of holders of the Oatlands key be provided? It was suggested that it would be timely to approach new business operators to determine whether they may wish to participate in the key system. A list be advertised on the noticeboard at the Community Centre, and.

**Clr R McDougall** – Can a sign (two-sided) be erected on the corner of High Street & Campbell Street providing direction to Lake Dulverton.

*To be investigated.*

**Clr R McDougall** – Informed Council about the community meeting organised by residents held last Wednesday 17<sup>th</sup> November regarding Tunnack Road. Around twenty people from the community including Julia Jabour (Southern Midlands Regional News), Rebecca White (Opposition Leader) and Brian Mitchell (Tasmanian Liberal Party) attended. Concerns were raised about the level of traffic including log trucks and deterioration of the road is quite extreme. Work commenced this week on essential repairs. Clr McDougall has also had concerns from residents regarding trucks going all through the night and using engine brakes. Is it possible to install 'no engine brake' signage in Woodsdale Road at Whitefoord?

*The General Manager advised signs have been ordered for the Whitefoord township but are yet to be installed.*

**Clr K Dudgeon** – Callington Park (old rodeo section) – Boulders to prevent motorhomes / vans entering the top end need to be replaced. They were removed for the Bullock Festival.  
*Boulders to be reinstated when the ground conditions suit.*

**Mayor A Green**

Could notification of Heavy Vehicle permits issued be notified through Council's web site?

*It was indicated that this would not be practical from an administrative perspective.*

**Mayor A Green**

Councillor Business Cards – questioned why residential addresses are printed on the Business Cards.

*Generally, it has just been past practice but where requested, addresses can be removed and cards re-printed.*

## **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 members of the public.

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

Julia Jabour – Southern Midlands Regional News

Julia commented and expressed disappointment in relation to the cancelling of the 2021 Oatlands Christmas Pageant. Julia attended the recent Motorbike Show at Oatlands Recreation Ground. They had COVID-19 safety practices in place and believes the Pageant could have been run a similar way.

Noted the recent Council resolution in Stanley Street to approve a 13 lot subdivision. Expressed concern about the lack of ability to provide adequate services (e.g. medical services; education; supermarket supplies).

*Mayor A Green provided comment in relation to the benefits associated with increased development, provided it is managed strategically and in accordance with Council's Land Use Planning Scheme. Council, in conjunction with the community, will respond and adapt as required noting that there is considerable capacity in existing services, particularly education.*

**10.1 Permission to Address Council**

Nil.



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

Nil.

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

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

**12.1 Development Applications**

Nil.

## 12.2 Subdivisions

### 12.2.1 Development Application (SA 2021/10) for Subdivision (13 lots) at Lot 202 Owens Hill Road, Bagdad owned by E A Booth.

**AUTHOR** PLANNING OFFICER (LOUISA BROWN)

**DATE** 17 NOVEMBER 2021

#### **Enclosure(s)**

*Development Application Documents*

*Representations (1)*

*Taswater SPAN*

#### **PROPOSAL**

The applicant, Rogerson & Birch (surveyor) on behalf of E A Booth, has applied to the Southern Midlands Council for a Permit under the *Land Use Planning and Approvals Act 1993* ("the Act") to subdivide the land described as Lot 202 Owens Hill Road, Bagdad.

The proposal seeks to subdivide the existing 1.261ha title into thirteen (13) lots, as detailed below:

- Thirteen (13) Lots – with a range of lot sizes from 717m<sup>2</sup> to 1063m<sup>2</sup>, plus a road lot of 18.4 wide, terminating in a cul-de-sac arrangement at the southern end of Owens Hill Road.
- The subdivision will be developed in a single stage.

The land is zoned village and is located within a Bushfire Prone Area. The property is currently vacant and contains no buildings or structures.

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

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

The Council gave notice of the application for public comment for 14 days. During the notification period one (1) representation was received.

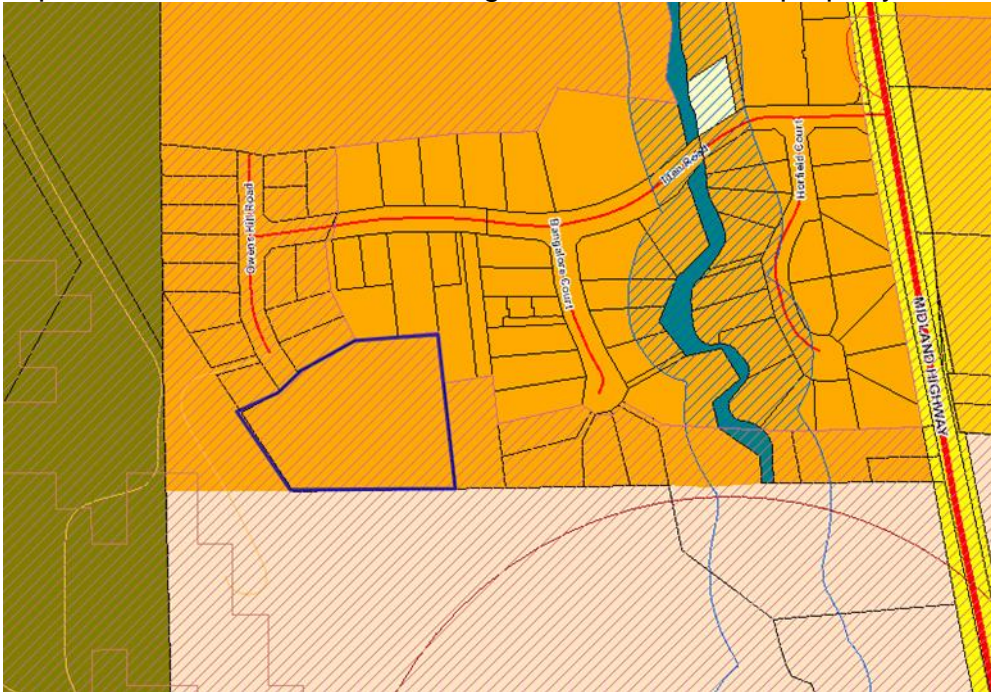
This report will assess the proposal against the relevant provisions of the Act and the Scheme. It is recommended that Council grant a permit for the subdivision subject to conditions.

#### **THE SITE**

The existing 1.261ha property is located to the southern end of Owens Hill Road.

The property is predominantly adjoined by residential properties in the Village Zone to the north, east and west. An area of land zoned Rural Resource is directly south of the site.

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



Map 1\_ The subject land and surrounding properties on Owens Hill Road are in the Village Zone (orange). Agricultural land is in the Rural Resource Zone (Cream) immediately south of the site. Environmental Living Zone is located to the west (Green). The Bushfire Prone Area Code Overlay is shown as pink hatched area. The subject title is marked with a blue line. Source: theLIST



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

## **BACKGROUND**

*The site is subject to Development Applications related to the proposed subdivision, as outlined below.*

- GP-102 17 lot Subdivision 13 April 1987 - staged subdivision
- SA1986/102 (GP102-1986) Minor Amendment 10/2//2015
- SA1986/102 (GP102-1986) Minor Amendment 31/10/2021

## **THE APPLICATION**

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

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

## **USE/DEVELOPMENT DEFINITION**

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

## **Use/Development Status under the Planning Scheme**

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

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

## **PUBLIC NOTIFICATION AND REPRESENTATIONS**

**The application was advertised for 14 days, plus an extra day to allow for a Public Holiday (Royal Hobart Show) from the 18<sup>th</sup> October 2021. One (1) representation was received and is summarised in the table below. Please refer to enclosure to view the full copy of the representation.**

<i>Representation 1</i>	<i>Council Officer Comment</i>
<p>I have a few concerns / objections to the development as I believe it will negatively impact the current privacy, outlook, views and therefore value of my property.</p> <p>I purchased my home in Bagdad as it has excellent views, it is private, it has solid fences where needed for privacy and privacy screens separating the close neighbours from view.</p> <p>I see that the owner intends to split the land into a new subdivision, he has included a fencing covenant stating he takes no responsibility for fencing, I strongly oppose this fencing covenant as the current fencing on my boundary adjacent to the proposed development is suitable for livestock, however it is not suitable to ensure my privacy is not degraded from two new boundary properties,</p>	<p><b><i>Views from a property and property values are not a Planning matter.</i></b></p> <p><b><i>While it is acknowledged that this represents a change from the existing paddock, it must be recognised that development of suitably zoned and serviced land within the existing township is to be expected. The land has been Zoned Village and is therefore suitable for subdivision since the adoption of the Interim Planning Scheme in 2015. A permit for subdivision of the land predates this 2015 date.</i></b></p> <p><b><i>The size of the proposed lots are larger than the minimum size for this zone. The proposed number of lots</i></b></p>

<p>multiple new neighbours and the new subdivision.</p> <p>I believe the developer should be responsible to provide new suitable fencing to ensure this development will only cause minimal negative impact to the adjacent properties.</p> <p>The new subdivision will negatively impact the outlook from my property, degrade the views and leave me with a lot less privacy than I once had.</p>	<p><b>meets the requirement for Subdivision in the Village Zone.</b></p> <p><i>Covenants are not a Planning or Council matter, but an agreement between Title Owners and the land holder.</i></p> <p><i>It is not the developer's responsibility to provide fencing. Once planning applications come forward on the individual plots, advice will be given in the conditions of any permit as to the height recommendations of rear and side fences.</i></p>
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## ASSESSMENT - THE SOUTHERN MIDLANDS INTERIM PLANNING SCHEME

### Village Zone

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

<p>Development Standards - Subdivision 16.5.1 Lot Design To provide for new lots that:</p> <ul style="list-style-type: none"> <li>(a) have appropriate area and dimensions to accommodate development consistent with Purpose and any relevant Local Area Objectives or Desired Future Character Statement;</li> <li>(b) contain building areas which are suitable for development, consistent with the Zone Purpose and located to avoid hazards and values;</li> <li>(c) are capable of providing for a high level of residential amenity including privacy, good solar access; and passive surveillance of public spaces;</li> <li>(d) are not internal lots, except if the only reasonable way to provide for efficient use of land;</li> <li>(e) are provided in a manner that provides for the efficient and ordered provision of infrastructure.</li> </ul>
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Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1 The size of each lot must be no less than as specified below, except if for public open space, a riparian or littoral reserve or utilities:</p> <ul style="list-style-type: none"> <li>(a) no less than 600 m<sup>2</sup> and no more than 1,000 m<sup>2</sup> (except balance lot) if in Bagdad, Campania, Kempton;</li> <li>(b) no less than 800 m<sup>2</sup> and no more than 1,500 m<sup>2</sup></li> </ul>	<p>P1 The size of each lot must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) variance above the maximum lot size only to the extent necessary due to demonstrated site constraints;</li> <li>(b) be consistent with the Zone Purpose and any applicable Local Area Objectives or Desired Future Character</li> </ul>	<p>The proposal is for 13 lots, of which the lot sizes meet the minimum size of 600 m<sup>2</sup>.</p> <p>The Acceptable Solution A1 (a) is met.</p>

<p>(except balance lot) if in Colebrook;</p> <p>(c) no less than 5,000 m2 if located in Parattah, Tunbridge or Tunnack.</p>	<p>Statements.</p>	
<p>A2 The design of each lot must provide a minimum building area that is rectangular in shape and complies with all of the following, except if for public open space, a riparian or littoral reserve or utilities:</p> <p>(a) clear of the frontage, side and rear boundary setbacks;</p> <p>(b) not subject to any codes in this planning scheme;</p> <p>(c) clear of title restrictions such as easements and restrictive covenants;</p> <p>(d) has an average slope of no more than 1 in 5;</p> <p>(e) has the long axis of the developable area facing north or within 20 degrees west or 30 degrees east of north;</p> <p>(f) is a minimum of 10 m x 15 m in size.</p>	<p>P2 The design of each lot must contain a building area able to satisfy all of the following:</p> <p>(a) be reasonably capable of accommodating residential use and development;</p> <p>(b) meets any applicable standards in codes in this planning scheme;</p> <p>(c) enables future development to achieve maximum solar access, given the slope and aspect of the land;</p> <p>(d) minimises the need for earth works, retaining walls, and fill and excavation associated with future development;</p> <p>(e) provides for sufficient use</p> <p>(i) on-site parking and manoeuvring;</p> <p>(ii) adequate private open space.</p>	<p>The layout of lots makes efficient use of the available land, without compromising on creating generous lot sizes.</p> <p>(a) residential development can be accommodated as shown by the building area on the drawings submitted.</p> <p>(b) the standards within the applicable codes Bushfire Prone Area and Parking &amp; Access Code are met, as discussed below.</p> <p>(c) Lot sizes and shape will enable solar access.</p> <p>(d) the need for earthworks, excavation and fill will be minimised.</p> <p>(e) on site car parking and private open space are more than sufficient.</p> <p>The proposal meets Performance Criteria P2.</p>
<p>A3 The frontage for each lot must be no less than 15 m, except if for public open space, a riparian or littoral reserve or utilities or if an internal lot.</p>	<p>P3 The frontage of each lot must satisfy all of the following:</p> <p>(a) provides opportunity for practical and safe vehicular and pedestrian access;</p> <p>(b) provides opportunity for passive surveillance between residential development on the lot and the public road,</p>	<p>The layout and orientation of the blocks around the cul-de-sac creates opportunities for passive surveillance of the public realm.</p> <p>Safe vehicular access into lots can be achieved. No frontage is less than 6m.</p> <p>Performance Criteria P3 is met</p>

<p>A4          No lot is an internal lot.</p>	<p>(c) is no less than 6m.</p> <p>P4          An internal lot must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) the lot gains access from a road existing prior to the planning scheme coming into effect, unless site constraints make an internal lot configuration the only reasonable option to efficiently utilise land;</li> <li>(b) it is not reasonably possible to provide a new road to create a standard frontage lot;</li> <li>(c) the lot constitutes the only reasonable way to subdivide the rear of an existing lot;</li> <li>(d) the lot will contribute to the more efficient utilisation of residential land and infrastructure;</li> <li>(e) the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use;</li> <li>(f) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m;</li> <li>(g) passing bays are provided at appropriate distances to service the likely future use of the lot;</li> <li>(h) the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road;</li> <li>(i) a sealed driveway is</li> </ul>	<p>The Acceptable Solution A4 is met, there are no internal lots.</p>
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	<p>provided on the access strip prior to the sealing of the final plan.</p> <p>(j) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces.</p>	
<p>A5 Setback from a new boundary for an existing building must comply with the relevant Acceptable Solution for setback.</p>	<p>P5 Setback from a new boundary for an existing building must satisfy the relevant Performance Criteria for setback.</p>	<p>The Acceptable Solution A5 is met.</p>

Development Standards - Subdivision  
16.5.2 Roads  
To ensure that the arrangement of new roads within a subdivision provides for all of the following:

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

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	<b>OFFICER COMMENT</b>
<p>A1 The subdivision includes no new road.</p>	<p>P1 The arrangement and construction of roads within a subdivision must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) the route and standard of roads accords with any relevant road network plan adopted by the Planning Authority;</li> <li>(b) the appropriate and reasonable future subdivision of the entirety of any balance lot is not compromised;</li> <li>(c) the future subdivision of any neighbouring or nearby land with subdivision potential is facilitated through the provision of connector roads and pedestrian lan</li> </ul>	<p>(a) satisfied. Road standards will be conditioned to the acceptable standards.</p> <p>(a) there is no balanced lot.</p> <p>(c) adjacent neighbouring land does not have the potential for subdivision, due to zone restrictions.</p>

	<p>where appropriate, to common boundaries;</p> <p>(d) an acceptable level of access, safety, convenience and legibility is provided through a consistent road function hierarchy;</p> <p>(e) cul-de-sac and other terminated roads are not created, or their use in road layout design is kept to an absolute minimum;</p> <p>(f) connectivity with the neighbourhood road network is maximised;</p> <p>(g) the travel distance between key destinations such as shops and services is minimised;</p> <p>(h) walking, cycling and the efficient movement of public transport is facilitated;</p> <p>(i) provision is made for bicycle infrastructure on new arterial and collector roads in accordance with Austroads Guide to Road Design Part 6A;</p> <p>(j) any adjacent existing grid pattern of streets is extended, where there are no significant topographical constraints</p>	<p>(d) satisfied. The proposed cul-de-sac will terminate the southern section of the existing Owens Hill Road.</p> <p>(e) satisfied, cul-de-sac use is kept to a minimum.</p> <p>(f) satisfied.</p> <p>(g) not applicable.</p> <p>(h) satisfied. Footpaths will be provided to join existing routes.</p> <p>(i) satisfied.</p> <p>(j) satisfied. Owens Hill Road will be extended into the development.</p>
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<p><b>Development Standards - Subdivision</b> 16.5.3 Ways &amp; Public Open Space To ensure that the arrangement of ways and public open space provides for all of the following:</p> <p>(a) the provision of safe, convenient and efficient connections to assist accessibility and mobility of the community;</p> <p>(b) the adequate accommodation of pedestrian and cycling traffic.</p>		
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	<b>OFFICER COMMENT</b>
A1	P1	

<p>No Acceptable Solution.</p>	<p>The arrangement of ways and public open space within a subdivision must satisfy all of the following:</p> <p>(a) connections with any adjoining ways are provided through the provision of ways to the common boundary, as appropriate;</p> <p>(b) connections with any neighbouring land with subdivision potential is provided through the provision of ways to the common boundary, as appropriate;</p> <p>(c) connections with the neighbourhood road network are provided through the provision of ways to those roads, as appropriate;</p> <p>(d) convenient access to local shops, community facilities, public open space and public transport routes is provided;</p> <p>(e) new ways are designed so that adequate passive surveillance will be provided from development on neighbouring land and public roads as appropriate;</p> <p>(f) provides for a legible movement network;</p> <p>(g) the route of new ways has regard to any pedestrian cycle way or public open space plan adopted by the Planning Authority;</p> <p>(h) Public Open Space must be provided as land or cash in lieu, in accordance with the relevant Council policy.</p> <p>(i) new ways or extensions to</p>	<p>(a) satisfied, connections to Owens Hill Road are proposed.</p> <p>(b) neighbouring land does not have subdivision potential.</p> <p>(c) satisfied, connections to Owens Hill Road are proposed, from here Iden Road connects to the Midland Highway.</p> <p>(d) satisfied, connections to Owens Hill Road are proposed, from here Iden Road connects to the Midland Highway.</p> <p>(e) satisfied, all new ways are within the public realm, to the street frontage.</p> <p>(f) satisfied, connections to Owens Hill Road are proposed.</p> <p>(g) satisfied, connections to Owens Hill Road are proposed.</p> <p>(h) satisfied, cash in lieu as Condition.</p>
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	<p>existing ways must be designed to minimise opportunities for entrapment or other criminal behaviour including, but not limited to, having regard to the following:</p> <ul style="list-style-type: none"> <li>(i) the width of the way;</li> <li>(ii) the length of the way;</li> <li>(iii) landscaping within the way;</li> <li>(iv) lighting;</li> <li>(v) provision of opportunities for 'loitering';</li> <li>(vi) the shape of the way (avoiding bends, corners or other opportunities for concealment).</li> </ul>	<p>(i) satisfied, connections to Owens Hill Road are within the public realm.</p>
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<b>Development Standards – Subdivision</b>		
<b>16.5.4 Services</b>		
To ensure that the subdivision of land provides adequate services to meet the projected needs of future development.		
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	<b>OFFICER COMMENT</b>
<p>A1 Each lot must be connected to a reticulated potable water supply in Bagdad, Campania, Kempton, Colebrook and Tunbridge.</p>	<p>P1 No Performance Criteria.</p>	<p><i>The proposal complies with the Acceptable Solution.</i></p> <p><i>The application was referred to TasWater who have provided a Submission to Planning Authority Notice (SPAN).</i></p>
<p>A2 Each lot must be connected to a reticulated sewerage system in Bagdad, Campania, Kempton and Colebrook.</p>	<p>P2 No Performance Criteria.</p>	<p><i>The proposal complies with the Acceptable Solution.</i></p> <p><i>The application was referred to TasWater who have provided a Submission to Planning Authority Notice (SPAN).</i></p>
<p>A3 Each lot must be connected to a stormwater system able to service the building area by gravity.</p>	<p>P3 If connection to a stormwater system is unavailable, each lot must be provided with an on-site stormwater management system adequate for the</p>	<p><i>The proposal complies with the Acceptable Solution.</i></p> <p><i>A condition requiring a stormwater management plan be submitted with the engineering design plans is recommended. The</i></p>

	future use and development of the land.	<i>stormwater management plan is to include calculations, design, construction and maintenance details of stormwater system including treatment, detention, and conveyance.</i>
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### E1.0 Bushfire Prone Area Code

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

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

A Bushfire Hazard Assessment Report (ERA Planning & Environment 12/10/2021) for Lot 202 Owens Hill Road prepared by an accredited person has been provided with the Development Application.

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

<b>Development Standards - Subdivision</b>		
<b>E1.6.1 Subdivision: Provision of hazard management areas</b>		
Subdivision provides for hazard management areas that:		
<p>(a) facilitate an integrated approach between subdivision and subsequent building on a lot;</p> <p>(b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and</p> <p>(c) provide protection for lots at any stage of a staged subdivision.</p>		
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	<b>OFFICER COMMENT</b>
<p>A1</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or</p> <p>(b) The proposed plan of subdivision:</p> <p>(i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each</p>	<p>P1</p> <p>A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to:</p> <p>(a) the dimensions of hazard management areas;</p> <p>(b) a bushfire risk assessment of each lot at any stage of staged subdivision;</p>	<p><i>The Bushfire Hazard Management Plan shows hazard management areas equal, or greater than, the separation distances required for BAL-19 in Table 2.6 of AS 3959-2009 Construction of buildings in bushfire-prone area.</i></p> <p><i>The bushfire hazard management plan is certified by an accredited person and there are no hazard management areas required external to the site.</i></p>

<p>stage of a staged subdivision;</p> <p>(ii) shows the building area for each lot;</p> <p>(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas; and</p> <p>(iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of Australian Standard AS 3959 – 2009 Construction of buildings in bushfire-prone areas; and</p> <p>(c) If hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the</p>	<p>(c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;</p> <p>(d) the topography, including site slope;</p> <p>(e) any other potential forms of fuel and ignition sources;</p> <p>(f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development;</p> <p>(g) an instrument that will facilitate management of fuels located on land external to the subdivision; and</p> <p>(h) any advice from the TFS.</p>	<p><i>The proposal complies with A1 (b).</i></p>
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<p>written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</p>		
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<p><b>Development Standards - Subdivision</b></p>		
<p><b>E1.6.2 Subdivision: Public and fire fighting access</b></p>		
<p>Access roads to, and the layout of roads, tracks and trails, in a subdivision:</p>		
<p>(a) allow safe access and egress for residents, firefighters and emergency service personnel;</p> <p>(b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack and for hazard management works to be undertaken;</p> <p>(c) are designed and constructed to allow for fire appliances to be manoeuvred;</p> <p>(d) provide access to water supplies for fire appliances; and</p> <p>(e) are designed to allow connectivity, and where needed, offering multiple evacuation points.</p>		
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>	<p><b>OFFICER COMMENT</b></p>
<p>A1 (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or  (b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas is included in a bushfire hazard management plan that:</p>	<p>P1 A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:</p> <p>(a) appropriate design measures, including:</p> <p>(i) two way traffic;</p> <p>(ii) all weather surfaces;</p> <p>(iii) height and width of any vegetation clearances;</p> <p>(iv) load capacity;</p>	<p><i>The subdivision includes a new road, and each proposed lot will have direct street frontage. The BHMP demonstrates compliance with the requirements.</i></p> <p><i>Firefighting appliances will be able to defend the building area of each new lot from the proposed road reserve (lot 100), with fire hydrants to be provided at intervals along the road reserve.</i></p> <p><i>A1(b) is satisfied.</i></p>

<p>(i) demonstrates proposed roads will comply with Table E1, proposed private accesses will comply with Table E2 and proposed fire trails will comply with Table E3; and</p> <p>(ii) is certified by the TFS or an accredited person.</p>	<p>(v) provision of passing bays;</p> <p>(vi) traffic control devices;</p> <p>(vii) geometry, alignment and slope of roads, tracks and trails;</p> <p>(viii) use of through roads to provide for connectivity;</p> <p>(ix) limits on the length of cul-de-sacs and dead-end roads;</p> <p>(x) provision of turning areas;</p> <p>(xi) provision for parking areas;</p> <p>(xii) perimeter access; and</p> <p>(xiii) fire trails;</p> <p>(b) the provision of access to:</p> <p>(i) bushfire-prone vegetation to permit the undertaking of hazard management works; and</p> <p>(ii) fire fighting water supplies; and</p> <p>(c) any advice from the TFS.</p>	
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<p><b>Development Standards - Subdivision</b></p>		
<p><b>E1.6.3 Subdivision: Provision of water supply for fire fighting purposes</b></p>		
<p>Adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage and allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.</p>		
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>	<p><b>OFFICER COMMENT</b></p>
<p><b>A1</b> In areas serviced with reticulated water by the water corporation:</p>	<p><b>P1</b> No Performance Criterion.</p>	<p><i>The site is serviced with reticulated water. The BHMP shows each building area to be protected located within</i></p>



<p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes;</p> <p>(b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table E4; or</p> <p>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire</p>		<p><i>120 m of a fire hydrant; with the distance measured as a hose lay, between the firefighting water point and the furthest part of the building area.</i></p> <p><i>The proposal complies with A1 (b).</i></p>
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<p>A2</p> <p>(a) In areas that are not serviced by reticulated water by the water corporation;</p> <p>(b) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of a water supply for fire fighting purposes;</p> <p>(c) (b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with</p> <p>(d) Table E5; or</p>	<p>P2</p> <p>No Performance Criterion.</p>	<p><i>Not applicable.</i></p>
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**E5.0 Road and Railway Assets Code**

The purpose of this provision is to:

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

The proposal includes a cul-de-sac road to terminate Owens Hill Road. This will result in an intensification of the local road network in additional traffic movements.

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

<p><b>Development Standards</b> <b>E5.6.2 Road accesses and junctions</b> To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.</p>		
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>	<p><b>OFFICER COMMENT</b></p>
<p><b>A1</b> No new access or junction to roads in an area subject to a speed limit of more than 60km/h.</p>	<p><b>P1</b> For roads in an area subject to a speed limit of more than 60km/h, accesses and junctions must be safe and not unreasonably impact on the</p>	<p><i>Acceptable Solution A1 met. The new junction with Owens Hill Road and accesses to Lots all comply with the Acceptable</i></p>

	<p>efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature and frequency of the traffic generated by the use;</li> <li>(b) the nature of the road;</li> <li>(c) the speed limit and traffic flow of the road;</li> <li>(d) any alternative access;</li> <li>(e) the need for the access or junction;</li> <li>(f) any traffic impact assessment; and</li> <li>(g) any written advice received from the road authority.</li> </ul>	<p><i>Solution. The speed limit is 50km/h.</i></p>
<p><b>A2</b> No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.</p>	<p><b>P2</b> For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature and frequency of the traffic generated by the use;</li> <li>(b) the nature of the road;</li> <li>(c) the speed limit and traffic flow of the road;</li> <li>(d) any alternative access to a road;</li> <li>(e) the need for the access or junction;</li> <li>(f) any traffic impact assessment; and</li> <li>(g) any written advice received from the road authority.</li> </ul>	<p><i>Acceptable Solution A2 met. The new road will connect to the existing Owens Hill Road, terminating in a cul-de-sac.</i></p>

<b>Development Standards</b>		
<b>E5.6.4 Sight distance at accesses, junctions and level crossings</b>		
To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.		
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	<b>OFFICER COMMENT</b>
<p><b>A1</b></p> <p>Sight distances at:</p> <ul style="list-style-type: none"> <li>a. an access or junction must comply with the Safe Intersection Sight</li> </ul>	<p><b>P1</b></p> <p>The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement</p>	<p><i>No new junctions are proposed.</i></p>

Distance shown in Table E5.1; and	of vehicles, having regard to:	
b. rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.	(a) the nature and frequency of the traffic generated by the use; (b) the frequency of use of the road or rail network; (c) any alternative access; (d) the need for the access, junction or level crossing; (e) any traffic impact assessment; (f) any measures to improve or maintain sight distance; and (g) any written advice received from the road or rail authority.	

**E6.0 Parking and Access Code**

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

The location and design of the new access onto the proposed cul-de-sac of Owens Hill Road will comply with the Acceptable Solution and are addressed in the proposed conditions.

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

**CONCLUSION**

The report has assessed a Development Application for subdivision of thirteen (13) lots at lot 202 Owens Hill Road, Bagdad.

One (1) representation were received and the concerns raised have been addressed in this report.

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

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

**RECOMMENDATION**

**THAT, in accordance with the provisions of the *Southern Midlands Interim Planning Scheme 2015* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application (SA2021/10) for Subdivision (13 lots) at Lot 202 Owens Hill Road owned by E A Booth.**

## **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:
  - a) *Lot 202 Owens Hill Road, Bagdad, Bushfire Hazard Report* dated 12 October 2021, prepared by ERA Planning & Environment.
3. Prior to Council sealing the final plan of survey the developer must provide certification from a suitably qualified person that all works required by the Bushfire Hazard Report have been complied with.

### **Staged development**

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

### **Transfer of reserves**

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

## **Public Open Space**

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

## **Easements**

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

## **Final plan**

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. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Southern Midlands Council. The security must

be in accordance with section 86(3) of the Local Government (Building & Miscellaneous Provisions) Act 1993. The amount of the security shall be determined by the Council's General Manager in accordance with Council Policy following approval of any engineering design drawings.

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. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied.
12. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

### **Engineering**

13. The subdivision must be carried out and constructed in accordance with the:
  - a. *Tasmanian Subdivision Guidelines*
  - b. *Tasmanian Municipal Standard – Specifications*
  - c. *Tasmanian Municipal Standard – Drawings*as published by the Local Government Association of Tasmania and to the satisfaction of Council's General Manager.
14. Engineering design drawings to the satisfaction of the Council's General Manager must be submitted to and approved by Council before development of the land commences.
15. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's General Manager, and must show -
  - a) all existing and proposed services required by this permit;
  - b) all existing and proposed roadwork required by this permit;
  - c) measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
  - d) measures to be taken to limit or control erosion and sedimentation;
  - e) any other work required by this permit.
16. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
17. The developer shall appoint a qualified and experienced Supervising Engineer (or company registered to provide civil engineering consultancy services) who will be required to certify completion of subdivision construction works. The appointed Supervising Engineer shall be the primary contact person on matters concerning the subdivision.

### **Services**

18. 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.
19. Property services must be contained wholly within each lot served or an easement to the satisfaction of the Council's General Manager or responsible authority.

### **Roads and Access**

20. Roadworks must, unless approved otherwise by Council's General Manager, include -
  - (a) Proposed Subdivision Road
    - i. Minimum road reserve of 18.00 metres and 31.00 metres at the cul de sac;
    - ii. Fully sealed, paved and drained carriageway with a minimum carriageway width of 6.9 metres and 24 metre diameter at the cul de sac;
    - iii. Concrete kerb and channel;
    - iv. Concrete footpath (on at least one side);
    - v. Piped stormwater drains
21. All carriageway surface courses must be constructed with a hot mix asphalt in accordance with standard drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and the requirements of Council's General Manager.
22. Kerb ramps must be provided to accommodate the needs of people with disabilities in accordance with standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager.
23. A reinforced concrete vehicle access must be provided from the road carriageway to service each lot.

### ***Drainage***

24. The developer is to provide a minor (piped) stormwater drainage system designed to comply with all of the following:
  - a) be able to accommodate a storm with an ARI of 20 years when the land serviced by the system is fully developed;
  - b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure
25. The developer is to provide a piped stormwater property connection to each lot capable of servicing the entirety of each lot by gravity in accordance with Council standards and to the satisfaction of Council's General Manager. Unless approved otherwise by Council's General Manager the stormwater property connections must be DN150 minimum.
26. The developer is to provide a major stormwater drainage system designed to accommodate a storm with an ARI of 100 years.
27. Unless approved otherwise by Council's General Manager, the stormwater system for the subdivision must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 of the Southern Midlands Interim Planning Scheme 2015.
28. The developer must submit a stormwater management plan to Council for approval with the engineering design plans. The stormwater management plan must be prepared and certified by a suitably qualified person, and include calculations, design, construction and maintenance details of stormwater treatment, detention, and conveyance. The plan must clearly demonstrate that the requirements of this permit

are met and that adjacent properties will not be adversely impacted by the stormwater system.

### ***Sewer & Water***

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

30. Each lot must be connected to a reticulated sewerage system.

### ***Tas Water***

31. The development must meet all required Conditions of approval specified by Tas Water Submission to Planning Authority Notice, TWDA 2021/00963-STM, dated 12/07/2021.

### ***Telecommunications and electrical reticulation***

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

33. Prior to the work being carried out a drawing of the electrical reticulation and street lighting, and telecommunications reticulation in accordance with the appropriate authority's requirements and relevant Australian Standards must be submitted to and endorsed by the Council's General Manager.

34. Prior to sealing the final plan of survey the developer must submit to Council:

(a) An Exemption from the installation of fibre ready pit and pipe, a "Provisioning of Telecommunications Infrastructure – Confirmation of final payment" or "Certificate of Practical Completion of Developer's Activities" from Telstra or NBN Co.

(b) Written advice from TasNetworks confirming that each lot has been provided with a property connection or that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections (basic connections) at the time each lot is further developed.

### ***Soil and Water Management***

35. A soil and water management plan (here referred to as a '**SWMP**') prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, must be approved by Council's General Manager before development of the land commences.

36. Temporary run-off, erosion and sediment controls must be installed in accordance with the approved SWMP and must be maintained at full operational capacity to the satisfaction of Council's General Manager until the land is effectively rehabilitated and stabilised after completion of the development.

37. The topsoil on any areas required to be disturbed must be stripped and stockpiled in an approved location shown on the detailed soil and water management plan for reuse in the rehabilitation of the site. Topsoil must not be removed from the site until the completion of all works unless approved otherwise by the Council's General Manager.

38. All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, must be covered with top soil and, where appropriate, re-vegetated and stabilised to the satisfaction of the Council's General Manager.



### **Construction**

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

### **Construction Amenity**

41. 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
42. All subdivision works associated with the development of the land must be carried out in such a manner so as not to unreasonably cause injury to, or unreasonably prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of -
  - (a) emission from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property; and/or
  - (b) transport of materials, goods or commodities to or from the land; and/or
  - (c) appearance of any building, works or materials.
43. 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.
44. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the subdivision during the construction period.

### **As constructed drawings**

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

### ***Maintenance and Defects Liability Period***

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

### **THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -**

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

### **DECISION**

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

**THAT, in accordance with the provisions of the *Southern Midlands Interim Planning Scheme 2015* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application (SA2021/10) for Subdivision (13 lots) at Lot 202 Owens Hill Road owned by E A Booth.**

### **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:
  - a) *Lot 202 Owens Hill Road, Bagdad, Bushfire Hazard Report* dated 12 October 2021, prepared by ERA Planning & Environment.
3. Prior to Council sealing the final plan of survey the developer must provide certification from a suitably qualified person that all works required by the Bushfire Hazard Report have been complied with.

#### Staged development

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

#### Transfer of reserves

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

## **Public Open Space**

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

## **Easements**

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

## **Final plan**

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. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Southern Midlands Council. The security must be in accordance with section 86(3) of the Local Government (Building & Miscellaneous Provisions) Act 1993. The amount of the security shall be determined by the Council's General Manager in accordance with Council Policy following approval of any engineering design drawings.
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. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied.
12. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

## **Engineering**

13. The subdivision must be carried out and constructed in accordance with the:
  - a. *Tasmanian Subdivision Guidelines*
  - b. *Tasmanian Municipal Standard – Specifications*
  - c. *Tasmanian Municipal Standard – Drawings*as published by the Local Government Association of Tasmania and to the satisfaction of Council's General Manager.

14. Engineering design drawings to the satisfaction of the Council's General Manager must be submitted to and approved by Council before development of the land commences.
15. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's General Manager, and must show -
  - a) all existing and proposed services required by this permit;
  - b) all existing and proposed roadwork required by this permit;
  - c) measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
  - d) measures to be taken to limit or control erosion and sedimentation;
  - e) any other work required by this permit.
16. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
17. The developer shall appoint a qualified and experienced Supervising Engineer (or company registered to provide civil engineering consultancy services) who will be required to certify completion of subdivision construction works. The appointed Supervising Engineer shall be the primary contact person on matters concerning the subdivision.

### **Services**

18. 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.
19. Property services must be contained wholly within each lot served or an easement to the satisfaction of the Council's General Manager or responsible authority.

### **Roads and Access**

20. Roadworks must, unless approved otherwise by Council's General Manager, include:
  - (b) Proposed Subdivision Road
    - i. Minimum road reserve of 18.00 metres and 31.00 metres at the cul de sac;
    - ii. Fully sealed, paved and drained carriageway with a minimum carriageway width of 6.9 metres and 24 metre diameter at the cul de sac;
    - iii. Concrete kerb and channel;
    - iv. Concrete footpath (on at least one side);
    - v. Piped stormwater drains
21. All carriageway surface courses must be constructed with a hot mix asphalt in accordance with standard drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and the requirements of Council's General Manager.
22. Kerb ramps must be provided to accommodate the needs of people with disabilities in accordance with standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager.
23. A reinforced concrete vehicle access must be provided from the road carriageway to service each lot.

### ***Drainage***

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

### ***Sewer & Water***

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

### ***Tas Water***

31. The development must meet all required Conditions of approval specified by Tas Water Submission to Planning Authority Notice, TWDA 2021/00963-STM, dated 12/07/2021.

### ***Telecommunications and electrical reticulation***

32. Electrical and telecommunications services must be provided underground to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's General Manager.
33. Prior to the work being carried out a drawing of the electrical reticulation and street lighting, and telecommunications reticulation in accordance with the appropriate authority's requirements and relevant Australian Standards must be submitted to and endorsed by the Council's General Manager.
34. Prior to sealing the final plan of survey the developer must submit to Council:
- (a) An Exemption from the installation of fibre ready pit and pipe, a "Provisioning of Telecommunications Infrastructure – Confirmation of final payment" or

“Certificate of Practical Completion of Developer’s Activities” from Telstra or NBN Co.

- (b) Written advice from TasNetworks confirming that each lot has been provided with a property connection or that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections (basic connections) at the time each lot is further developed.

### **Soil and Water Management**

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

### **Construction**

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

### **Construction Amenity**

41. 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

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

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

(c) appearance of any building, works or materials.

43. 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.
44. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the subdivision during the construction period.

**As constructed drawings**

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

**Maintenance and Defects Liability Period**

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

**THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -**

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

**CARRIED**

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

**12.3 Municipal Seal (Planning Authority)**

Nil.

**12.4 Planning (Other)**

Nil.

**[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.*

### 13.6.1 TasWater – Owners Representative Group (Appointment of Deputy Representative)

**Author:** GENERAL MANAGER (TIM KIRKWOOD)

**Date:** 19 NOVEMBER 2021

**Enclosure(s):**

*Owners Representative Group Charter*

#### ISSUE

Appointment of Deputy Representative to the TasWater Owners Representative Group.

#### BACKGROUND

Clr A E Bisdee OAM was Council's appointed Representative to the TasWater Owners Representative Group, with Mayor A Green being the Deputy Representative.

Clr Bisdee OAM resigned from this position effective from 10<sup>th</sup> November 2021 and Mayor Green assumed that role.

*Note: Clr Bisdee's resignation was influenced by the need for TasWater to appoint a new Chief Owners Representative following the resignation of Clarence City Council Mayor Doug Chipman. Mayor Green was subsequently approached to take on this role.*

#### DETAIL

The TasWater Owners Representative Group comprises one representative from each member of the corporation (i.e. Owner Councils).

Each member Council may appoint a deputy representative to fulfil the role of Representative in the absence of the usual Representative. It is expected that only one Representative from each member attends ORG meetings.

In summary, the collective role of the ORG is to make and implement decisions of behalf of Owner Councils within the scope of the Constitution. It includes:

- Recruit, select and appoint directors to TasWater's Board, and set their terms, through the ORG's Board Selection Committee
- Approve a remuneration framework for the Board
- Adopt, amend or rescind the annual Corporate Plan or Shareholders' Letter of Expectations
- Adopt TasWater's annual report, appoint the auditor and declare dividends (based on the Board's recommendation)
- Vote on resolutions at general meetings
- Respond to the Board's requests for input into policy or procedural matters
- Provide formal liaison between member councils and the Board

- Monitor the performance of the Board against the approved Shareholders' Letter of Expectations and the Corporate Plan; and
- Ensure member councils are kept informed about TasWater's performance and other relevant matters in a timely manner.

Please refer to the attached copy of the Charter which provides additional detail in relation to the duties, roles and responsibilities of the Owners Representative Group.

**Human Resources & Financial Implications – Nil**

**Community Consultation & Public Relations Implications – Nil.**

**Policy Implications – N/A**

**Priority - Implementation Time Frame – Immediate**

## **RECOMMENDATION**

**THAT Council:**

- a) Acknowledge Clr A E Bisdee OAM's past service as its Owner Representative, a position held for a considerable number of years; and**
- b) Appoint a Deputy Representative to the TasWater Owners Representative Group.**

## **DECISION**

*Moved by Deputy Mayor E Batt, seconded by Clr R McDougall*

- a) Acknowledge Clr A E Bisdee OAM's past service as its Owner Representative, a position held for a considerable number of years; and**
- b) Appoint Clr A E Bisdee OAM as a Deputy Representative to the TasWater Owners Representative Group.**

## **CARRIED**

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

**ENCLOSURE**  
*Agenda Item 13.6.1*



## Owners' Representatives Group Charter

### 1. Scope

The duties, functions, roles and responsibilities of the Owners' Representatives Group (ORG) are primarily determined by TasWater's Constitution and this Charter.

Additionally, applicable provisions of *Corporations Act 2001*, the *Water and Sewerage Corporation Act 2012* (WSCA) and common law should be considered.

This Charter represents the ORG's policy in areas in which it has discretion.

### 2. Structure/Membership

Under the Constitution, the ORG comprises one representative from each member of the corporation.

Each member may appoint a deputy representative to fulfil the role of Representative in the absence of the usual Representative.

It is expected that only one Representative from each member attends ORG meetings. However, the Chief Representative may agree to the attendance of both the Representative and Deputy Representative at the same meeting if the circumstances are warranted.

Where more than one Representative from a member council attends, only one will be counted towards a quorum and only one will have the voting power of the respective council.

Each council is expected to advise TasWater of the appointment or removal of its Representative and/or Deputy Representative as soon as possible after the appointment or removal is made.

### 3. Duties and Responsibilities

#### Role of Owners' Representatives

Within the scope of the Constitution, the role of the collective ORG is to:

- Make and implement decisions on behalf of owner councils within the scope of the Constitution and this Charter
- Recruit, select and appoint directors to TasWater's Board, and set their terms, through the ORG's Board Selection Committee
- Approve a remuneration framework for the Board
- Adopt, amend or rescind the annual Corporate Plan or Shareholders' Letter of Expectations
- Adopt TasWater's annual report, appoint the auditor and declare dividends (based on the Board's recommendation)
- Vote on resolutions at general meetings
- Respond to the Board's requests for input into policy or procedural matters
- Provide formal liaison between member councils and the Board
- Monitor the performance of the Board against the approved Shareholders' Letter of Expectations and the Corporate Plan and
- Ensure member councils are kept informed about TasWater's performance and other relevant matters in a timely manner, and distribute formal performance.



### Chief Representative and Deputy Chief Representative

Subject to the provisions of the Constitution, the ORG may appoint a Chief Representative and a Deputy Representative.

If such an appointment is made, the role of the Chief Representative includes:

- Sign the appointment letter and other relevant personnel correspondence for the Board Chairman
- Routine liaison and consultation with the Board Chairman on TasWater matters
- With the approval of the ORG, discuss matters regarding Board performance with the Board Chairman or all directors as appropriate
- Convening and chairing ORG meetings in accordance with the Constitution and this Charter
- Developing agenda and papers for meetings of the ORG in conjunction with the Board Chairman and executive support, and authorising minutes of meetings
- Facilitating ORG compliance with this Charter
- Liaison and consultation with chairs of sub-committees of the ORG as required
- Subject to the agreement of the ORG as required by the Constitution, formally represent all owners of the corporation when appropriate circumstances arise.

The role of the Deputy Chief Representative is to provide support to the Chief Representative as required, and to act as Chief Representative in the absence of the usual incumbent.

### Committees

The ORG may form committees and establish the scope and authority of those committees so long as that authority does not exceed that of the ORG itself under the Constitution, the *Corporations Act*, WSCA or this Charter.

Any committees of the ORG will abide by the direction, scope and authority and reporting requirements specified by the ORG.

With the exception of the Board Selection Committee, the ORG may disband any committee it forms at its complete discretion.

### Board Selection Committee

The ORG will establish and maintain a Selection Committee that complies with the relevant provisions in the Constitution, and approve a Charter for the operation of the Committee.

The Selection Committee will operate under the arrangements specified in both the Constitution and the Committee Charter approved by the ORG.

### Corporate Governance Framework

The owners of the corporation expect the Board to maintain compliance with current version of the ASX Corporate Governance Principles and Recommendations.

The ORG, individual Representatives and committees of the ORG will assist the Board in this regard by abiding by TasWater's relevant governance policies and processes.

### The role of the Board

Under the Constitution, the TasWater Board:

- Governs in accordance with the requirements of the WSCA and the Constitution to meet the principal objectives specified in the WSCA



- Is guided by the Shareholders' Letter of Expectations
- Provides entrepreneurial leadership of the corporation within a framework of prudent and effective controls which enable risks to be assessed and managed
- Sets TasWater's strategic aims, ensures that the necessary financial and human resources are in place for it to meet its objectives and reviews management performance
- Sets and monitors strategic requirements for effective financial reporting and risk management
- Sets TasWater's values and standards and ensures that its obligations to its shareholders and others are understood and met
- Manages the business of the corporation within the rules of the Constitution
- Appoints and removes the CEO and company secretary and
- Determines the extent of its powers, if any, that it delegates to any of its committees, management or any other person it considers appropriate.

A Statement of Matters Reserved to the Board is published on TasWater's website for public access.

#### Support to the Owners' Representatives Group

The ORG may engage secretariat and executive support to assist it to perform its functions.

By agreement between the ORG and the Board Chair, TasWater may supply appropriate resources to provide this support.

The Chief Representative and the Board Chair may agree to extend such support provided by TasWater to committees of the ORG.

#### 4. Meetings

##### General meetings

Under common law, the *Corporations Act* and TasWater's Constitution, properly-convened meetings of owners have the power to bind (commit) the corporation *within the powers ascribed to owners acting in general meeting*.

Therefore, to be binding within such powers, meetings of the ORG must be convened in accordance with the corporation's constitution and the *Corporations Act*.

A summary of the basic requirements of a properly-convened meeting are:

- At least 21 days' notice of the meeting is given
- A general description of the intended business of the meeting
- A quorum of at least 50% of members (on numbers) is present
- Formal minutes of the meeting are kept
- The Chief Representative<sup>1</sup> or an alternative representative appointed by the meeting chairs the meeting and
- Voting at meetings complies with the Constitution.

##### Other meetings of Owners Representatives

The ORG may choose to convene other meetings at its discretion. All Owners' Representatives must be invited to attend such meetings.





While good meeting procedures are encouraged, the outcome of those meetings will not likely be binding on TasWater, or on all owners, until the matters are decided at a formally convened general meeting.

#### Quarterly briefings with Board Chair and CEO

The briefings arranged under the provisions of the Shareholders' Letter of Expectations are not intended to be a general meeting of members, particularly as the aim is to ensure all regions have the opportunity to have a conversation with key members of the management of the corporation.

Generally speaking, matters that Owners' Representatives wish to raise formally with all other Representatives and the Board Chairman should be advised to the Chief Representative for inclusion on the agenda for the next general meeting.

#### Forms of meetings

Owners' Representatives agree that general meetings or other informal meetings may be held with all Representatives present in the one location, linked together through technology or a combination of both, provided all relevant provisions in the Constitution are complied with.

#### Circulating Resolutions

Owners' Representatives may consider and vote on resolutions without the need to convene a meeting provided all relevant provisions of the Constitution are complied with.

#### Meeting Papers

On behalf of the ORG, TasWater will prepare and maintain an annual calendar that includes the major, scheduled, activities to be addressed by the ORG or its Committee(s) over the year. The calendar will be updated after each meeting.

The Chief Representative, together with the Board Chairman and any executive support, is responsible for the preparation of the meeting agenda and circulation of papers, whether in hard copy or electronically.

Meeting papers will be distributed to Representatives at least five days before the meeting date.

Meeting papers will be retained by TasWater in accordance with applicable retention and destruction requirements under the *Corporations Act*.

#### Minutes of Meetings

All decisions will be formally recorded in the minutes of the meeting.

Each paper tabled will include a resolution recommended by the author. Where a recommended resolution is not adopted, a brief summary of the reasons for the alternative course of action will be noted in the minutes.

Representatives who dissent are entitled to ask to have their decision noted in the minutes.

The secretary to the ORG will ensure minutes are prepared in draft form and provided to the meeting chair for review within a reasonable time.

Once the meeting chair has approved the minutes for distribution, they will be circulated to all Representatives and recorded in the Minutes Book.

Pages in the Minutes Book will be numbered sequentially and retained in perpetuity by the corporation.

Once the minutes have been adopted, they cannot be amended unless the requirements of the *Corporations Act* are followed.



## 5. Conflicts of Interest

If a Representative is aware of a conflict, or perceived conflict, regarding a matter that is to be considered by the ORG, or discussed with the ORG by the Chair of the Board, the Representative will declare that conflict or perceived conflict to the meeting. The declaration should be recorded in the minutes of the meeting.

The chair of the meeting will determine whether the Representative may remain in the meeting or should be excused from discussion and decision making on that matter.

## 6. General

### Information Protocols

#### *Non-operational matters*

If a Representative wishes to request non-operational information from TasWater, the Representative should raise the matter directly with the Chief Representative and Board Chairman to determine whether the information can be readily provided.

If the information is not readily available, or would take significant time, or would unreasonably divert TasWater's resources, or is not an obligation specified in the Constitution or Shareholders' Letter of Expectations, the Board Chairman may decline the request.

The Representative may raise the matter with the ORG, and the Board Chairman will explain the inability to provide the information.

If the request is still declined, the Representative may consider applying under the *Right to Information Act 2009* (Tas).

#### *Commercial in confidence information*

The Board has the right to decline to provide information that is genuinely commercial-in-confidence, where the release of the information may impede current or future negotiations, breach bona fide confidentiality clauses or agreements, or release information that may otherwise harm the corporation.

Where any doubt exists, the Board Chairman will be guided by the provisions of the Constitution and *Right to Information Act 2009* (Tas).

#### *Provision of information to all Representatives*

Information provided in response to a request under this Charter will be provided to all Representatives.

### Advice

The ORG may request advice from the Board on any matter relevant to the corporation's business or objectives.

The ORG may also request the Board to access competent, independent advice regarding TasWater matters, at TasWater's expense.

Such requests will be channelled through the Board Chairman and the advice provided to all Representatives.

The Board has the right to decline the provision of independent advice if it considers the request to be contrary to the interests of the corporation.

### Reimbursement of expenses

Expenses incurred while fulfilling the role of Owners Representative or Deputy Representative should be referred to the respective member council for reimbursement in its normal manner.





7. Publication and Review of Charter

This Charter will be published on the Corporation's website.

The ORG will review this Charter at least three yearly or earlier if the need arises.

*Approved by general meeting on 10 May 2018.*

A handwritten signature in black ink, appearing to read "D J Downie".

.....  
*Chief Representative*

## DECISION

*Moved by Clr K Dudgeon, seconded by Clr D Fish*

**THAT the meeting be adjourned for morning tea at 10.55 a.m.**

**CARRIED**

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

## DECISION

*Moved by Clr D Fish, seconded by Clr A Bantick*

**THAT the meeting reconvene at 11.17 a.m.**

**CARRIED**

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

### **13.7 Drainage**

**Strategic Plan Reference 1.7**

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

Nil.

### **13.8 Waste**

**Strategic Plan Reference 1.8**

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

Nil.

### **13.9 Information, Communication Technology**

**Strategic Plan Reference 1.9**

*Improve access to modern communications infrastructure.*

Nil.

## **13.10 Officer Reports – Infrastructure & Works**

### **13.10.1 Manager – Infrastructure & Works Report**

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

**Date:** 18 NOVEMBER 2021

#### **October Rain Event**

The recent rain events has resulted in damage throughout the municipality to council's infrastructure. The damage has been widespread. It includes, but is not limited, to the following:

- Bridge damage
- Roads pavement damage including sealed and unsealed
- Walkways and paths
- Drainage
- Landslips (Eldon Road, Cockatoo Gully Road and Link Road)

Council's works crews have responded to a large number of requests for assistance to mitigate against water inundations into properties throughout the municipal area.

Over the coming period councils resources will be required to rectify the above damage which will have an impact on the planned capital works programme and budget.

#### **Roads Program**

Council's graders have been working on various roads with the bus routes being the priority roads for grading as required. The focus has been to prioritise the higher traffic usage areas of roads. General road maintenance and repairs will continue, including a focus on pavement repairs and table drain clearing works being a priority.

Sections of Woodsdale Road require various pavement repairs due to recent wet weather and heavy vehicle usage that has created defects. It is planned to undertake significant maintenance re-construction patches throughout the entire length of this road including associated drainage works. Woodsdale Road is 36 klms long and serves as a main arterial route from Tunnack to Runnymede, including linking various roads and communities. The sealed pavement is failing due to a number of factors including water, drainage, sub-standard base material and increased usage of the road network.

The planned works will only rectify immediate safety issues, with significant funding being required for Woodsdale Road in the short to medium term.

Inglewood Road between the Waste Transfer Station and the rail overpass has deteriorated recently due to wet weather and heavy vehicle movements. The Manager Infrastructure and Works has met with the contractor currently completing works for TasRail to discuss and agree on a plan to rectify the pavement defects. Remedial works on Inglewood Road are programmed to commence in the coming weeks.

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

## **Roadside Mowing Programme**

Council's annual road verge mowing programme has commenced in the northern part of the road network. It is anticipated that vegetation growth will be a focus over the coming months due to the optimal growing conditions.

## **Road Rehabilitation programme 2021/22**

Council's 2021/2022 road stabilisation programme is scheduled to start in the 19th November at Green Valley Road.

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

## **Lake Dulverton Pathway**

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

## **Walkway and Kerbing works**

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

## **Waste Management Program**

Ongoing safety improvements are being completed as a result of risk assessments that have been undertaken. Further works are required over the coming period. Dysart Waste Transfer Station has new waste disposal slides installed.

## **Parks and Reserves**

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

## **Bridge Works**

Bridge widening works are proposed to be undertaken on Interlaken Road starting Monday 6<sup>th</sup> December. Interlaken Road between Midlands Highway and Cold Blow Lane will be closed for bridge works between 8.00am Monday 6<sup>th</sup> until 4pm Friday 10<sup>th</sup> December to all vehicles. Light vehicle bypass is via Cold Blow Lane and Bowhill Road. Cold Blow Lane is not suitable for heavy vehicles. Heavy vehicle users are being notified of the closure.

## Planned Works

The following capital works are planned for the coming period

- Oatlands Aquatic Centre storm water drainage pipe installation
- Underground power installation Oatlands (completed)
- Footpath and kerb installation Oatlands to continue as weather permits
- Repair various roads and drainage
- Repair landslips on Cockatoo Gully Road and Eldon Road
- Bridge Widening Interlaken Road

## QUESTIONS WITHOUT NOTICE TO MANAGER, INFRASTRUCTURE & WORKS

Clr A Bantick - Bluff Road, Elderslie – it was confirmed that additional sealing works and landscaping is to be undertaken.

Clr A E Bisdee OAM - long range forecast is for a wet summer. Suggested that extra funds will be required for roadside slashing due to the current growth.

Clr Dudgeon – Woodsdale Road, Whitefoord area – pine trees restricting view.  
To be assessed.

Clr Dudgeon – Runnymede Quarry – noticed internal road construction activity. Any update in terms of planned works?  
No information received to date.

Clr Dudgeon – Lake Dulverton – report of snakes. Could signage be considered?  
To be referred to the Lake Dulverton & Callington Park Management Committee.

Clr Dudgeon – Nala Road – on-site meeting to be arranged with Manager – Infrastructure & Works.  
To be scheduled.

Mayor Green – Woolridge Road, Rhyndaston – evidence of a minor landslip.  
To be investigated and remedial action taken as required.

## RECOMMENDATION

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

## DECISION

*Moved by Clr A E Bisdee OAM, seconded by Clr K Dudgeon*

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

## CARRIED

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

## **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**

<b>Strategic Plan Reference – Page 22</b>
---

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

#### **15.1.1 Heritage Project Program Report**

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

**Date:** 24 NOVEMBER 2021

#### **ISSUE**

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

#### **DETAIL**

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

- Install and launch of the Artist in Residence Retrospective exhibition at the Airspace Oatlands. This has showcased council's art collection amassed from that scheme over the last 10 years (open daily until 26<sup>th</sup> November).
- Tour of heritage sites by the kindergarten classes from Oatlands and Campbell Town Schools.
- Progress in scoping future online collection access systems with Council's IT consultant.
- Continued high amount of development application input.
- Providing information and exhibition assistance to Tasmania Police for police history displays in the Kempton Watch House and the Oatlands Police Station (as part of the 50<sup>th</sup> anniversary of the station building).
- Continuation of the 'Oatlands True Crimes' and 'Tales of the Court House' through local media.
- Liaison with UTas for 2021 architecture interns.

**RECOMMENDATION**

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

**DECISION**

*Moved by Cllr K Dudgeon, seconded by Cllr A E Bisdee OAM*

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

**CARRIED**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Cllr A Bantick	✓	
Cllr A E Bisdee OAM	✓	
Cllr K Dudgeon	✓	
Cllr D F Fish	✓	
Cllr R McDougall	✓	

## 15.2 Natural

### Strategic Plan Reference – page 23/24

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

### 15.2.1 NRM Unit – General Report

**Author:** NRM PROGRAMS MANAGER (MARIA WEEDING)

**Date:** 16 NOVEMBER 2021

**ISSUE:** Southern Midlands NRM Unit Monthly Report.

#### DETAIL

- The final project report/ grant acquittal for the Kempton Town Development Project (Victoria Hall works) has been sent to the Australian Government.
- The *Lake Dulverton & Dulverton Walkway Action Plan (Draft) Edition 5* has been released for public comment. Responses are requested to be submitted by Monday 22<sup>nd</sup> November.
- Helen and Maria have been working on a grant application for the building of the new change room and shower and toilet facility for playing team at the Mt Pleasant Recreation Ground. The grant requests funds of \$234,365.00. The grant application was submitted by the Mt Pleasant Football club with the support of Council and the Mt Pleasant Cricket Club. Applications closed on 25<sup>th</sup> October 2021, and results will not be advised until February 2022.
- Helen and Maria have been dealing with Patterson Curse enquiries, and have sent out letters to a number of ratepayers encouraging them of undertake control works.
- Maria and Helen have continued to undertake maintenance work on the Dulverton Walkway plantings, including control of vegetation on some sections of pathway.
- Maria continues to work on matters in regard to the new pathway on the Lake foreshore.
- Helen spent time sorting the code access door lock to the publicly used toilets at the Parattah Railway Station. The problems with the lock have now been solved.
- The Weeds Officer position was advertised.

#### RECOMMENDATION

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

#### DECISION

*Moved by Clr R McDougall, seconded by Clr D Fish*

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

#### CARRIED

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

### 15.3 Cultural

**Strategic Plan Reference 3.3**

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

Nil.

### 15.4 Regulatory (Development)

**Strategic Plan Reference 3.4**

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

Nil.

### 15.5 Regulatory (Public Health)

**Strategic Plan Reference 3.5**

*Monitor and maintain a safe and healthy public environment.*

Nil.

## 15.6 Regulatory (Animals)

### Strategic Plan Reference 3.6

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

### 15.6.1 Animal Management Report

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

**Date:** 22 NOVEMBER 2021

**Enclosure(s):**

*Animal Management Statement October-November 2021*

#### ISSUE

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

The purpose of the report is twofold:

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

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

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

#### Resource Sharing

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

#### INFRINGEMENT DETAILS

25/10/2021- "Dog attacking animal causing serious injury or death" Dysart area

25/10/2021- "Dog at large" Dysart area

#### RECOMMENDATION

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

**DECISION**

*Moved by Cllr R McDougall, seconded by Cllr K Dudgeon*

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

**CARRIED**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Cllr A Bantick	✓	
Cllr A E Bisdee OAM	✓	
Cllr K Dudgeon	✓	
Cllr D F Fish	✓	
Cllr R McDougall	✓	

**ENCLOSURE**  
*Agenda Item 15.6.1*

**YTD ANIMAL MANAGEMENT STATEMENT**  
**January-November 2021**

<b>DOG IMPOUNDS</b>	<b>RECLAIMED</b>	<b>ADOPTED</b>	<b>EUTHANISED</b>
24	15	5	4
<b>OTHER IMPOUNDS</b>	<b>RECLAIMED</b>	<b>ADOPTED</b>	<b>EUTHANISED</b>

**JOBS ATTENDED**  
**October-November 2021**

<b>DOGS AT LARGE</b>	<b>DOG ATTACKS</b>	<b>DOG BARKING</b>	<b>DOG GENERAL</b>
2	3		12
Central Highlands	Central Highlands 1	Central Highlands	Central Highlands
<b>NEW KENNEL INSPECT</b>	<b>WELFARE</b>	<b>STOCK</b>	<b>OTHER</b>
3 active licences	3	4	

**REGISTERED DOGS:** 1695 - Registered & 35 - Pending Registrations

**KENNEL LICENCES:** 56

**INFRINGEMENTS ISSUED:** 2

## 15.7 Environmental Sustainability

**Strategic Plan Reference 3.7**

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

Nil.



**16. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)**

**16.1 Community Health and Wellbeing**

**Strategic Plan Reference 4.1**

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

Nil.

*Clr D Fish departed the meeting at 11.51 a.m.*

## 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 Woodsdale Recreation Ground

**Author:** GENERAL MANAGER (TIM KIRKWOOD)

**Date:** 19 NOVEMBER 2021

**Attachment:**

*AFL Tas Audit template (if available)*

#### ISSUE

Council to consider its position following an approach by representatives of the Woodsdale Football Club seeking an upgrade of facilities at the Woodsdale Recreation Ground to enable its participation in the Oatlands District Football Association competition in 2022.

#### BACKGROUND

The Woodsdale Football Club has had a proud history in the Oatlands District Football Association winning 21 premierships. The Club went into recess in 2015.

A meeting, convened by interested persons, was held in October 2021 to determine the level of interest regarding the Woodsdale Football Club fielding a team in the ODFA in 2022. There was good interest and attendance at the meeting. A new Committee has been established. Since the demise of the club many people feel as though they have lost their community connection.

One of the main issues discussed was the sustainability of the club's playing group and off field support. To minimise the risk a coach has been appointed for a 3 year period and at this stage, 30 players have expressed an interest.

#### DETAIL

Since the Football Club went into recess in 2015, the Woodsdale Recreation Ground and facilities have only been utilised for an occasional birthday party and the annual Oatlands Golf Club cracker night.

In the absence of the Football Club, the Woodsdale Hall Management Committee has taken responsibility for local management of the facility. Limited maintenance has been carried out by Council, responding to basic maintenance issues and mowing the ground once a year.

The Woodsdale Football Club are seeking support from Council to assist with the following:-

- Rolling the playing surface and mowing of grass (with ongoing mowing)
- Bird proofing the change rooms and clubrooms
- Upgrading ground lighting to LED lights and
- Erecting 2 extra lights.

From a Council risk management perspective, it is anticipated that additional works will need to be undertaken to ensure the safety of players, supporters and officials. These include:

- Further improvements to the playing surface (e.g. addressing any defects following rolling etc.);
- Graveling the road into the ground and the carpark;
- Urgent / safety repairs to change room floor (e.g. – large crack in concrete)
- Modifications to perimeter fencing on left hand side of ground – farm fence.
  - The farm fence contain two strands of barbed wire, with the distance of the “run off” less than 2 metres. For insurance purposes the preferred minimum distance for existing facilities is 3 metres “run off” for local level.
  - A legal precedent has been set in a court decision *Beaurmaris Football Club v Hart & Ors and Bayside City Council v Hart & Ors* {2017} VSACA 226 (30 August 2017). In 2009 a player suffered a knee injury playing U17 football when he flew for a mark in the forward pocket of the ground and landed with his left foot on the boundary fence. He was awarded damages of \$589,525 together with interest. It was found that the Club, Association and Council had been negligent and breached their duty of care to ensure that the boundary line complied with the minimum distance specified under the AFL preferred facilities guidelines (namely, 3 metres). The Club and Association were held liable for 60% of the damages payable and the remaining 40% to the Council.

*Comment: In order to address the fencing situation, the boundary on the northern side of the Recreation Ground would have to be extremely limited to ensure that the boundary line-marking is a minimum of three metres from the boundary fence. In addition, the style of the fence would need to be changed to remove the barbed wire (2 strands – noting the likelihood of cattle in the adjoining paddock).*

In addition to the above, from a health and environmental health perspective, it is apparent that there would also need to be:

- a) a substantial upgrade to the shower facilities (not dissimilar to Council’s other Recreation Grounds which are currently being used);
- b) an assessment of the wastewater system to confirm operational capacity (recognising period between use); and
- c) kiosk / kitchen improvements.

The Woodsdale Football Club Committee has made an in kind contribution to undertake cleaning of the facilities.

Whilst Council may consider a minimal approach to addressing the issues identified, there are also external factors that must be considered:

#### External Considerations:

AFL Tasmania will be undertaking an audit of the facilities and will report against compliance with Australian Standards and AFL Preferred Facilities Guidelines. The audit data is used to provide a rating of each facility, identifying gaps in provisions and standards (condition, size and general provisions). Once the results are available, they will be circulated. This audit may highlight additional work required.

A license needs to be granted by the Oatlands District Football Association. At this stage they are waiting on AFL Tas and Council to provide information on the ground. A further

meeting will be held to discuss the issue of the license and/or conditions upon which the license will be issued.

JLT Marsh Insurance - JLT provide a blanket insurance for each of the ODFA member Clubs. JLT may conduct its own assessment to enable use of the ground for football. It is unknown at this stage what the outcome of that process may be.

Key considerations for Council:

1. Whether to further invest in the Woodsdale Recreation Ground to an extent that would enable football to be played safely at the Ground (noting that no budget has been allocated for this purpose);
2. Should Council request the Woodsdale Football Club play its home games at an alternative venue in 2022. This would provide additional time to confirm the likely sustainability of the Club and allow for the preparation of a 'development plan' (with associated costings) for the facility?
3. Council request the Woodsdale Football Club consider entering into a longer-term 'facility' sharing agreement with another ODFA Club (e.g. Oatlands/Campania/Mt Pleasant) to allow for playing its home games and access to kiosk/bar facilities? Alternatively, the Kempton Recreation Ground could be used.

Depending on Council's position regarding the above, it would be remiss not to mention the final option, this being sale of the property. From an overall asset management and risk perspective, this is a real option that warrants thought, given the overall condition of the property. If this option was progressed, the intent would be to reinvest the proceeds into other local community infrastructure.

From a strategic point of view, the following extracts from Council's 'Southern Midlands Recreation Plan' prepared by Inspiring Place in April 2006 are worthy of noting:

*Under the heading of Changing Situation:*

*'As the makeup of the community has changed, so has the needs and use of these facilities. For instance some sports grounds have limited use due to the decline of the population numbers and changed recreational interest in the community (e.g. loss of football and cricket teams).*

*It is evident that there are patterns of change in the demographics and recreation participation that will continue to impact on the use and provision of facilities and infrastructure programs and services in the municipality. These demographic and participation trends will require Council to monitor and review its future role in recreation planning and provision. Council will also need to consider possible ways of sustaining recreation participation within the community, whilst dealing with changing demands for recreational facilities, programs and services – whilst some areas like Bagdad continue to grow and expect facilities, other areas in decline and existing facilities receive limited use.*

*Under the heading of Existing Facilities*

*A list of Council's recreational assets is provided in Appendix A (not attached) and indicates the existing commitment to managing a disperse range of facilities throughout the whole of the municipality. As a consequence, Council resources are likely to be spread across many*

*different venues with limited scope to undertake major works other than on a shared program, with outside grants or partnership / joint venture arrangements with user groups.*

*Under the heading of Operating Budget and Grants*

*Ultimately, the cost of maintaining facilities which can never be viable will seriously threaten the survival of some user clubs (especially in the face of increased operation and maintenance costs) and may lead to further pressure on the Council for assistance. There are several examples of halls and sportsgrounds within the Southern Midlands that receive limited use, but require ongoing maintenance.*

*Under the heading of Planning and Design*

*..... there will ultimately be a need to review the long-term viability of some of these facilities and in some instances, take action to identify ways by which provision can be rationalised. Viability should not be defined purely in terms of financial issues, as in some rural communities, the local hall may be the only remaining evidence of past achievements and may play an important role in retaining a social identity. In these circumstances, community support and recognition should wherever possible, come ahead of purely economic issues.*

*Under the heading of Summary*

*As the make-up of the community has changed, so has the needs and use of these facilities. For instance some sports grounds have limited use due to the decline of the population numbers and changed recreational interests in the community (e.g. Loss of football and cricket teams). Clubs with a growing population base have been able to upgrade facilities and services to better cater for their sports, whilst others have lost players and seen use of their facilities decline. It is evident that there are patterns of change.....and therefore the use and provision of facilities and infrastructure programs and services in the municipality. These demographic and participation trends will require Council to monitor and review its future role in recreation planning and provision. It will be essential for the Council and other professional agencies, which provide or support recreation provision (e.g. schools, State government, State and regional associations) to take a strong leadership role in directing, facilitating or pursuing the required change.*

*Under the heading of Sportsgrounds*

*Most of the sports grounds have limited support facilities – such as change rooms, public toilets, seating, paths, fencing, car parking – and many facilities that did exist were seen to be adequate by the local community and other user groups but in some cases, not necessarily up to the standard for the regional district competition for which the facility was being used for. The tough financial constraints facing the Council and community will bring into question the feasibility for maintaining all of the existing sportsgrounds in future years, and inevitably some further rationalisation of facilities is likely to occur.*

*The principal sportsgrounds are considered to be the Oatlands Recreation Ground, Bagdad Community Club and the Campania Recreation Ground. It is appropriate for these facilities to be upgraded to meet the expectations of the district and regional based competitions – this might be improved surfaces, night lights for training or extensions to existing facilities to better cater for users and spectators. All these facilities should eventually be subject to Master Plans, which seek to progressively upgrade the facilities to satisfy the needs and requirements of involvement in regional/district competition, particularly for football and*

*cricket as the major users, but with scope for other activities in the future. However if there are some facilities, which no longer service community need, Council should then consider alternative use options.*

*The main direction for managing sportsgrounds is for the Council to:*

*continue supporting and maintaining the principal sportsgrounds for the municipality, those being the Oatlands Recreation Ground, Bagdad Community Club and the Campania Recreation Ground....'*

End Extracts

**Human Resources & Financial Implications** – A full costing has not been undertaken at this stage, with the extent of works being influenced by the outcome of the AFL Tas audit process. It is not practical at this stage to prepare itemised costings until a full list of potential defects is known.

No Budget has been allocated for this facility. Any financial commitment would require funds to be redirected from another budget item.

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

**Policy Implications** – N/A

**Priority - Implementation Time Frame** – To be discussed.

**RECOMMENDATION**

**Submitted for discussion and direction, noting that a final decision may need to be deferred pending advice and information from both AFL Tas and JLT Marsh Insurance.**

**DECISION**

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

**THAT:**

- In the first instance, Council request a formal communication from the Woodsdale Football Club detailing its overall plan (and requirements);
- Council await the outcome of the AFL Tas Audit prior to making any further decision;
- Council await the outcome of an assessment to be undertaken by JLT Marsh Insurance prior to making any further decision; and finally
- Council officers prepare approximate cost estimates to undertake the anticipated works and address any reported defects.

**CARRIED**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr R McDougall	✓	

**ENCLOSURE**  
*Agenda Item 16.2.1*

**Wendy Young**

**From:** Anthony Osborn <Anthony.Osborn@afl.com.au>  
**Sent:** Wednesday, 24 November 2021 8:44 AM  
**To:** Wendy Young  
**Subject:** Re: Woodsdale Rec Ground

Hi Wendy,

Thanks again for your time yesterday.

Here is a quick snapshot and list of next steps from my end:

Area	Condition
Pavilion / club rooms	Moderate (should just need a freshen up)
Change rooms – HOME & AWAY	Poor (general clean would assist, but long-term focus on new change facilities recommended. Small shower block, cracks in concrete slab etc.)
Change rooms – UMPIRES	Very Poor (very small – not suitable for more than two umpires)
Playing surface	Hard to assess due to not being mowed. Drainage seems to be ok considering the amount of recent rain.
Kitchen / kiosk area:	Poor (mould and water damage to ceiling)
Timekeeper room:	Poor (steps up into box are flimsy – splintered wood).
Toilet block	Very poor (will need to reassess following a clean/tidy)

**Key concerns:**

- Barbed-wire fence issue as discussed.
- Umpire room size
- Condition of toilet block
- Car parking – how this looks + the condition of the road into the venue
- Condition of kitchen/kiosk (mould/water damage)
- Condition of playing surface is difficult to fully assess

**Next steps from my end:**

- Consult with national facilities team re: barbed-wire fence issue and look at possible solutions/fixes.
- Check for any national guidelines relating to fencing and car parking

Please feel free to get in touch with any queries out of this morning's meeting.

I'll be in touch with any updates when I have them.

Regards  
Anthony

**Anthony Osborn**  
Media, Government & Facilities Manager  
Blundstone Arena - Bellerive | 15 Denwent Street | Bellerive TAS 7018  
M: 0447 317 922 |





*Clr A E Bisdee OAM departed the meeting at 12.08 p.m.*

### **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.*

### 16.7.1 Midlands Memorial Community Centre Oatlands - Lease Agreement with the Oatlands Community Association Inc. – 68 High Street Oatlands

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

**Date:** 18 NOVEMBER 2021

#### ISSUE

Council's property known as the Midlands Memorial Community Centre (MMCC) at 68 High Street Oatlands, which is Leased by the Oatlands Community Association Inc. (OCA) is coming to the end of the Lease period (December 2021). There are no further extension options within the current Agreement. The President and Office bearers would like to enter into another Lease Agreement with Council for a three year period with an option of a further three years.

#### BACKGROUND

*Council entered into a twelve month Lease Agreement with the Oatlands Community Association Inc in December 2017 for the Midlands Memorial Community Centre at 68 High Street Oatlands. This Agreement contained an option for a further three year lease. That option was taken up. The current Agreement end in December 2021.*

#### DETAIL

Deputy General Manager, Andrew Benson met with OCA President, Patricia Birchall, Treasurer Nan Bray and Secretary Jenny Sims to ascertain the future intentions of OCA in respect of the MMCC, given the current Lease Agreement ends in December 2021.

OCA office bearers painted a very positive picture of the activities of OCA into the future and expressed the Association's desire to seek a three year plus three year Lease Agreement with Council.

It is proposed that there be no other changes to the Lease other than the three year plus three year period.

#### Human Resources & Financial Implications

Nil

#### Community Consultation & Public Relations Implications

The OCA continues to provide services to the local Community through the Midlands Memorial Community Centre.

#### Policy Implications

Nil

## Priority - Implementation Time Frame

Implement the decision as soon as possible.

## RECOMMENDATION

### THAT Council:

1. **Note the Report; and**
2. **Agree to enter into a three year Lease Agreement with a three year extension with the Oatlands Community Association Inc., for the Midlands Memorial Community Centre at 68 High Street Oatlands.**

## DECISION

*Moved by Deputy Mayor E Batt, seconded by Clr R McDougall*

### THAT Council:

1. **Note the Report; and**
2. **Agree to enter into a three year Lease Agreement with a three year extension with the Oatlands Community Association Inc., for the Midlands Memorial Community Centre at 68 High Street Oatlands.**

## CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr K Dudgeon	✓	
Clr R McDougall	✓	

## 16.8 Safety

**Strategic Plan Reference 4.8**

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

Nil.

## 16.9 Consultation & Communication

**Strategic Plan Reference 4.8**

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

Nil.

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

### 17.1 Improvement

**Strategic Plan Reference 5.1**

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

Nil.

## 17.2 Sustainability

### Strategic Plan Reference 5.2

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

### 17.2.1 Southern Midlands Enterprise Agreement (Number 11 of 2021)

**Author:** GENERAL MANAGER (TIM KIRKWOOD)

**Date:** 19 NOVEMBER 2021

#### ISSUE

To inform Council that the process to negotiate the Southern Midlands Council Enterprise Agreement (Number 11 of 2021) has been finalised and the Agreement approved by the Fair Work Commission.

#### BACKGROUND

Council, at its meeting held 22<sup>nd</sup> September 2021, were informed that negotiations were continuing in relation to the development of an Enterprise Agreement to take affect from 1<sup>st</sup> July 2021.

Enterprise bargaining is the process of negotiation generally between the employer, employees and their bargaining representatives with the goal of making an enterprise agreement. The *Fair Work Act 2009* establishes a set of clear rules and obligations about how this process is to occur, including rules about bargaining, the content of enterprise agreements, and how an agreement is made and approved.

A registered agreement sets out the terms and conditions of employment between an employee or group of employees and one or more employers.

The Southern Midlands Council's Agreement (No 10 of 2017) expired 30 June 2020 however this Agreement was extended (with minor variations) for a twelve month period ending 30 June 2021. This was due to Covid-19 and the inability to conduct meetings to negotiate an entire new Agreement.

#### DETAIL

The Enterprise Bargaining Committee consists of a representative from the Australian Services Union (ASU); an employee representative from each of the workplaces; and management representatives.

At the September meeting, Council endorsed management's latest offer which was the referred to the Enterprise Bargaining Committee for consideration.

From an ASU perspective, its members opted to lodge an application with the Fair Work Commission for approval to conduct a protected action ballot. The intent of this ballot is to survey its members as to whether they endorse the taking of protected industrial action, which may include introducing a number of work bans amongst other things.

At the same, Council management took the view that the Enterprise Agreement in its current form be taken to all vote of all Council employees.

This Vote was conducted in the last week of October 2021 with a majority of employees (i.e. 68%) voting to approve the Agreement. The total number of employees eligible to vote was 51, with 50 votes being recorded. Voting was not compulsory. 34 Voted to approve the Agreement, with 16 Voting not to approve.

Following the conduct of the vote, the relevant applications were then made to the Fair Work Commission seeking final approval of the Agreement. Confirmation of approval was received on 18<sup>th</sup> November 2021.

**Human Resources & Financial Implications** – The following is a summary of the key financial implications:

1. No reduction to current terms and conditions
2. Term of the Agreement – 3 years
3. Wages Increase:
  - a) A wage increase of 2.5%, with a minimum increase of \$32 per week (i.e. the minimum applies to employees that are currently earning less than \$66,500.00 per annum). This will apply in each year of the Agreement; These increases to apply from the first pay period commencing on or after the 1 July 2021 (i.e. 5/7/21).
  - b) A wage increase of CPI (for the period ending March 2022) or 2.5% (whichever is the greater) from the first pay period commencing on or after the 1 July 2022, with a minimum of \$32 per week); and
  - c) A wage increase of CPI (for the period ending March 2023) or 2.5% (whichever is the greater) from the first pay period commencing on or after the 1 July 2023, with a minimum of \$32 per week)

4. Superannuation:

SMC to pay an additional 0.5% over and above the Superannuation Contribution Guarantee for the life of the Agreement, and will pay an additional 3% where the employee elects to contribute 6% from their gross salary. In effect, this is a 0.5% increase in remuneration.

5. SMC will introduce a paid parental leave scheme (as follows);

- 2 weeks for employees with a minimum of 2 years continuous service.
- 3 weeks for employees with a minimum of 3 years continuous service.
- 4 weeks with a minimum of 4 years continuous service.

**Community Consultation & Public Relations Implications** – N/A.

**Priority - Implementation Time Frame** – In accordance with the terms of the Enterprise Agreement.

## RECOMMENDATION

### THAT:

- a) The information be received; and
- b) Council acknowledge that the Southern Midlands Council Enterprise Agreement (Number 11 of 2021) has been approved by the Fair Work Commission.

## DECISION

*Moved by Deputy Mayor E Batt, seconded by Clr K Dudgeon*

### THAT:

- a) The information be received; and
- b) Council acknowledge that the Southern Midlands Council Enterprise Agreement (Number 11 of 2021) has been approved by the Fair Work Commission.

## CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr K Dudgeon	✓	
Clr R McDougall	✓	

*Clr A E Bisdee OAM returned to the meeting at 12.13 p.m.*



### **17.2.1 Tabling of Documents**

Nil.

### **17.2.2 Elected Member Statements**

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

Deputy Mayor E Batt – provided comment that he has been consulting with Mona Foma representatives following a request to locate the art installation(s) on his ‘Woodlands’ property.

Deputy Mayor E Batt – reported on the official opening of the ‘Artists in Residence’ arts display. A well attended event.

Clr Dudgeon – attended the Woolmers Rose Festival as part of the Council sponsored Seniors Program. An excellent day that was greatly appreciated by all 38 participants.

Clr Dudgeon – attended the Oatlands School Fair (in association with Jemma Crosswell). Despite poor weather, very well attended.

Clr Dudgeon – made reference to the AFL Draft which commences tonight. Local footballer Samuel Banks eagerly waiting outcome of the draft.

### **17.2.3 Local Government Board (Nomination) & 2022 Local Government Elections**

**Author:** GENERAL MANAGER (TIM KIRKWOOD)

**Date:** 19 NOVEMBER 2021

**Enclosure(s):**

*Minister for Local Government and Planning (Hon Roger Jaensch MP) – Letter dated 18<sup>th</sup> November 2021*

#### **ISSUE**

1. Council to consider nominating a person to the Local Government Board (to be submitted through the Local Government Association of Tasmania as the LGAT nominated representative).
2. Council to note that the Local Government Elections scheduled for October 2022 will proceed as planned (and not deferred).

#### **BACKGROUND**

Refer letter dated 18<sup>th</sup> November 2021 from the Minister for Local Government and Planning (Hon Roger Jaensch MP) as circulated by the Local Government Association of Tasmania.

#### **DETAIL**

The Minister has written to the Association seeking nominations for the LGAT-nominated position on the Local Government Board to be established under Part 12A of the *Local Government Act 1993* for the purpose of undertaking the 'Future of Local Government Review'.

In order for LGATs General Management Committee to provide the Minister with nominations, they seek recommendations on who may be appropriate.

Accordingly, Councils have been asked to forward this request to anyone who they think should be considered for nomination and provide the Association's CEO with any recommendation.

In considering who may nominate, please note that any proposed member of the Local Government Board will undergo a conflict-of-interest assessment by the Government prior to their appointment. This will exclude any person who has a current role in Local Government, as was indicated by the Minister at the Special General Meeting.

#### **Human Resources & Financial Implications – Nil.**

Note: The position will attract a Board sitting fee in accordance with the Government Board remuneration levels in the following document. The LGAT is waiting on confirmation on which category of Board it will be.

#### **Community Consultation & Public Relations Implications – N/A.**

**Priority - Implementation Time Frame** – In order for the GMC to consider nominations, expressions of interest need to be sent to the Association by close of business **Tuesday 30<sup>th</sup> November**, accompanied by a CV and statement from the nominee on what they would bring to the position.

## RECOMMENDATION

### THAT:

- a) The information be received; and
- b) Council give thought to identifying an appropriate person that could be referred to the Local Government Association of Tasmania for consideration as the LGAT - nominated position on the Local Government Board.

## DECISION

*Moved by Clr K Dudgeon, seconded by Clr A E Bisdee OAM*

**THAT the information be received.**

## CARRIED

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

**ENCLOSURE**  
*Agenda Item 17.2.3*

Minister for State Growth  
Minister for Environment  
Minister for Climate Change  
Minister for Local Government and Planning  
Minister for Aboriginal Affairs  
Minister for Heritage

Level 9, 15 Murray Street, HOBART TAS 7000  
GPO Box 123 HOBART TAS 7001  
Ph: +61 3 6165 7670  
Email: [minister.jaensch@dpac.tas.gov.au](mailto:minister.jaensch@dpac.tas.gov.au)



18 NOV 2021

Mayor Christina Holmdahl  
President  
Local Government Association of Tasmania  
[reception@lgat.tas.gov.au](mailto:reception@lgat.tas.gov.au)

Dear Mayor Holmdahl

Thank you again for the opportunity to speak at the Local Government Association of Tasmania's (LGAT's) Special General Meeting of 4 November 2021. In my view, these conversations were highly productive and demonstrated the willingness of both the Tasmanian Government and the local government sector to work constructively in relation to the Future of Local Government Review (Review).

As I outlined in the meeting, the Government's proposed collaborative approach to local government reform will focus on creating a more robust and capable system of local government to meet current and emerging community needs and support Tasmania's recovery from COVID-19.

The review will be conducted in 3 stages over 18 months, including direct engagement with local government, communities, and users of local government services to identify specific needs and opportunities for reform in the sector. This review will be undertaken by the Local Government Board.

I now write to seek LGAT's nominations for the LGAT-nominated position on the Local Government Board to be established under Part 12A of the *Local Government Act 1993*, for the purpose of undertaking the Future of Local Government Review. I request that LGAT provide a list of at least 3 prospective nominees **by 1 December 2021**. I recognise this timeframe is short, however, my intention is to ensure the Review is ready for formal commencement in January 2022.

The local government sector will be an important partner in this Review. Membership of the Local Government Board ensures that the perspectives and experience of local government contribute to the directions of the review. In considering your nominees, however, it is important to note that this will not be the only mechanism for engaging with this important stakeholder group. The review will regularly engage the General Management Committee of the LGAT, as well as providing multiple additional points of engagement for local government professionals and council employees. My expectation is that the review would leverage the suite of existing meetings and fora organised by LGPro, LGAT, and the Tasmanian Government to the greatest extent possible, as well as formal consultation and engagement as part of the Review process.

MIN21/39293  
21/86885

Finally, I also wish to take this opportunity to confirm the Government's position on the status of local government elections scheduled to occur in October 2022. In doing so I would like to again thank members at the Special General Meeting on 4 November 2021 for their thoughtful contributions to the discussion, which I have considered. Ultimately, I have determined that the election will proceed as planned and I will not be exercising my authority under the *Local Government Act Tasmania 1993* to defer the elections.

I look forward to receiving your nominations for the Board position and working with LGAT and the sector more broadly as we explore the future opportunities presented by the Review. Should you wish to discuss any of these matters further, please contact me directly or Mr Craig Limkin Deputy Secretary on 0405 088 487.

Yours sincerely



Hon Roger Jaensch MP  
Minister for Local Government and Planning

## 17.3 Finances

### Strategic Plan Reference 5.3

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

### 17.3.1 Monthly Financial Statement (period ending 30 October 2021)

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

**Date:** 11 NOVEMBER 2021

#### ISSUE

Provide the Financial Report for the period ending 31<sup>st</sup> October 2021.

#### BACKGROUND

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

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

#### DETAIL

The enclosed Report incorporates the following: -

- Statement of Comprehensive Income – 1 July 2021 to 31 October 2021.
- Operating Expenditure Report – 1 July 2021 to 31 October 2021.
- Capital Expenditure Report – 1 July 2021 to 31 October 2021.
- Cash Flow Statement – 1 July 2021 to 31 October 2021.
- Rates & Charges – as at 12 November 2021.

#### OPERATING EXPENDITURE (OPERATING BUDGET)

Overall operating expenditure to end of October was \$2,493,651, which represents 85.6% of the Year to Date Budget.

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

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

Nil.

**Strategic Theme – Growth**

**Sub-Program – Business** - expenditure to date (\$109,724 – 164.67%). Additional expenditure relates to private works. The additional expense will be offset by an increase in private works income.

**Strategic Theme – Landscapes**

Nil.

**Strategic Theme – Community**

Nil.

**Strategic Theme – Organisation**

Nil.

**CAPITAL EXPENDITURE PROGRAM**

Nil.

**RECOMMENDATION**

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

**DECISION**

*Moved by Clr K Dudgeon, seconded by Clr R McDougall*

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

**CARRIED**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr R McDougall	✓	

**STATEMENT OF COMPREHENSIVE INCOME**  
for the period 1<sup>st</sup> July 2021 to 31<sup>st</sup> October 2021

	Annual Budget \$	Year to Date as at 31 <sup>st</sup> October \$	%	Comments
<b>Income</b>				
General rates	5,995,491.00	5,960,189.82	99.4%	Includes Interest & Penalties on rates
User Fees (refer Note 1)	786,810.00	321,651.61	40.9%	Includes Private Works
Interest	125,000.00	8,481.89	6.8%	
Government Subsidies	72,431.00	2,500.00	3.5%	Heavy Vehicle Licence Fees, Road Rescue MAIB reimbursements & Interest Subsidy
Contract Income	0.00	0.00		
Other (refer Note 2)	192,400.00	79,461.37	41.3%	Includes TasWater Distributions
<b>Sub-Total</b>	<b>\$7,172,132.00</b>	<b>\$6,372,284.69</b>	<b>88.8%</b>	
Grants - Operating	3,619,473.00	467,454.13	12.9%	
<b>Total Income</b>	<b>\$10,791,605.00</b>	<b>\$6,839,738.82</b>	<b>63.4%</b>	
<b>Expenses</b>				
Employee benefits	-4,387,132.00	-1,150,255.63	26.2%	Less Roads - Resheeting (Capitalised)
Materials and contracts	-3,357,595.00	-1,256,189.74	37.4%	Less Roads - Resheeting (Capitalised), Includes Land Tax
Depreciation and amortisation	-3,004,300.00	-1,009,641.80	33.6%	Percentage Calculation (based on year-to-date)
Finance costs	-67,891.00	-3,557.53	5.2%	Interest
Contributions	-245,179.00	-61,294.75	25.0%	Fire Service Levies
Other	-147,571.00	-60,048.40	40.7%	Audit Fees and Councillor Allowances
<b>Total expenses</b>	<b>-\$11,209,668.00</b>	<b>-\$3,540,987.85</b>	<b>31.6%</b>	
<b>Surplus (deficit) from operations</b>	<b>-\$418,063.00</b>	<b>\$3,298,750.97</b>	<b>-789.1%</b>	
Grants - Capital (refer Note 3)	3,063,096.00	100,000.00	3.3%	
Sale Proceeds (Plant & Machinery)	0.00	121,818.18		
Sale Proceeds (Land)	0.00	0.00		
Sale Proceeds (Other Assets)	0.00	4,096.74		Includes used wheelie bins & sale of Mill assets
Net gain / (loss on disposal of non-current assets)	-7,000.00	0.00		
<b>Surplus / (Deficit)</b>	<b>\$2,638,033.00</b>	<b>\$3,524,665.89</b>	<b>133.6%</b>	



**STATEMENT OF COMPREHENSIVE INCOME**  
for the period 1<sup>st</sup> July 2021 to 31<sup>st</sup> October 2021

NOTES	Annual Budget \$	Year to Date as at 31 <sup>st</sup> October \$	%	Comments
1. Income - User Fees (Budget \$681,158) includes:				
- All other Programs	584,279.00	210,050.49	36.0%	
- Private Works	202,531.00	111,601.12	55.1%	
	<u>\$786,810.00</u>	<u>\$321,651.61</u>	40.9%	
2. Income - Other (Budget \$86,000) includes:				
- Tas Water Distributions	182,400.00	38,000.00	20.83%	
- HBS Dividend	10,000.00	0.00	0.00%	
- Public Open Space Contribution	0.00	0.00		
- Donations for use of recreation facilities	0.00	0.00		
- Worker's Comp. Wage Reimbursement	0.00	41,461.37		
	<u>\$192,400.00</u>	<u>\$79,461.37</u>	41.3%	
3. Grant - Capital (Budget \$3,558,627) includes:				
- Midland Hwyl/ Mood Food Pathway	147,565.00	0.00	0.00%	
- Elderslie/Bluff Road Junction (Black Spot)	150,000.00	0.00	0.00%	
- Reeve St Intersection Campania (Vuln. Road Users)	200,000.00	0.00	0.00%	
- Federal Grant Oatlands Aquatic Centre	1,500,000.00	0.00	0.00%	
- State Govt. Aquatic Centre - final instalment	400,000.00	0.00	0.00%	
- Roads To Recovery	665,531.00	0.00	0.00%	
<u>Outstanding and future capital grant income</u>				
- Local Roads and Community Infrastructure Phase 1	0.00	0.00		\$66,553 of \$665,531 remaining (10%)
- Local Roads and Community Infrastructure Phase 2	0.00	0.00		\$60,903 of \$609,032 remaining (10%)
- Local Roads and Community Infrastructure Phase 3	0.00	0.00		\$1,331,062 Projects to be completed by 30.06.23
- (CDGP) Oatlands Aquatic Centre (\$500K)	0.00	0.00		\$500K remaining
- (CDGP) Lake Dulverton Walkways (\$220K)	0.00	0.00		\$176K remaining
- (CDGP) Campania Bush Reserve (\$100K)	0.00	100,000.00		
- (CDGP) Kempton Streetscape Project (\$75K)	0.00	0.00		\$45K remaining
- (CDGP) Broadmarsh Streetscape Project (\$230K)	0.00	0.00		\$230K remaining
- (CDGP) Oatlands Underground Lighting (\$250K)	0.00	0.00		\$125K remaining
	<u>\$3,063,096.00</u>	<u>\$100,000.00</u>	3.26%	
4. Grant - Operating (Budget \$3,564,167) includes:				
Operating Grants				
- FAGS	3,619,473.00	462,474.50	12.8%	Actual Grant - \$3,657,903 (\$1,808,005 prepayment in 20/21 + four instalments of \$462,474.50)
- Hobart City Mission - School Holiday Program	0.00	4,979.63		
	<u>\$3,619,473.00</u>	<u>\$467,454.13</u>	12.9%	

CAPITAL EXPENDITURE PROGRAM 2021-22  
As at 31 October 2021

			BUDGET	EXPENDITURE	BALANCE	COMMENTS
			\$	\$	\$	
<b>INFRASTRUCTURE</b>						
<b>ROAD ASSETS</b>						
Resheeting Program	Various	Roads Resheeting	800,000	141,720	658,280	
Reseal Program		Roads Resealing (as per agreed program)	400,000	0	400,000	
	C1010015	Woodsdale Road - Asphaltting	0	139,922	-139,922	
Reconstruct & Seal	C1010106	Bagdad - Green Valley Rd / Huntingdon Tier Road (250 metres)	45,000	0	45,000	RTR 21/22
	C1010055	Baden - Woodsdale Road (700m Reconstruction)	115,500	0	115,500	Urgent works to be carried out in lieu of Stonor Road (700m)
	C1010103	Oatlands - South Parade (including Kerb, Channel and Footpath)	170,000	8,753	161,247	WIP 30.06.21 \$2,591 RTR 21/22
	C1010027	Stonor - Stonor Road (western end) (1000 metres)	165,000	6,327	158,673	
	C1010043	York Plains - York Plains Road (pavement failures) (500 metres)	82,500	0	82,500	LRCI P3
Construct & Seal (Unsealed Roads)	C1020084	Bagdad - Green Valley Road (650m New Seal)	136,500	0	136,500	RTR \$128.5K (project nominated using savings from 20/21 RTR)
	C1020073	Bagdad - Huntingdon Tier (400m new seal) Two Coat	84,000	271	83,729	
	C1020007	Lower Marshes - Lower Marshes Road (approx. 750 Metres)	144,375	0	144,375	RTR 21/22
	C1020001	Mangalore - Ballyhooly Road (approx 500 metres)	96,250	0	96,250	RTR 21/22
	C1020067	Tunnack - Eldon Road (1,100 metres new seal)	231,000	21,318	209,682	RTR 21/22
Minor Seals (New)	C1020064	Rhyndaston - Rhyndaston Road Dust Suppressant	20,000	0	20,000	
	C1020085	Tunnack - Scotts Road Dust Suppressant	20,000	0	20,000	
Junction / Road Realignment / Other	C1020078	Campania - Estate Road (vicinity Mallow property)	49,000	13,544	35,456	\$10K Budget c/fwd WIP 30/06/21 \$3638.16
		Campania - Main Intersection/Carpark Design Concept	50,000	0	50,000	\$50K c/fwd
	C1010037	Campania - Reeve St / Clime Street (includes Footpath)	70,000	11,419	58,581	\$70K Budget c/fwd WIP 30/8/20 \$11,418.84
	C1010105	Campania - Reeve St Junction/footpath/kerb & channel	200,000	894	199,106	Vulnerable Road Users Program
	C1020050	Dysart - Cliftonvale & Sugarloaf Rd Junction Improvements	50,000	16,884	33,116	WIP 30/06/20 \$16,884.46
	C1020070	Elderslie - Bluff Road Intersection Upgrade	150,000	100,216	49,784	WIP 30/06/21 \$36992.28
	C1010098	Elderslie - Elderslie Road Widening Investigation & Trial (Sth Blackbrush Rd)	40,000	6,777	33,223	WIP 30/06/21 \$1078.54
	C1020032	Oatlands - Hasting Street Junction	15,000	959	14,041	\$15K Budget c/fwd WIP 30/6/19 \$958.52
	C1020004	Tea Tree - Grices Road (Tree removal, set-back of embankment, drainage)	15,000	0	15,000	
	C1010040	Woodsdale - Woodsdale Road (400m safety rail in two sections, The Cutting)	17,000	9,016	7,984	
			<b>3,166,125</b>	<b>478,022</b>	<b>2,688,103</b>	
<b>BRIDGE ASSETS</b>						
	C1030065	Interlaken Road (Dulv Rvlt - Bridge No 3861) - Widening	42,218	14,360	27,858	
	C1030061	Woodsdale Road (Nutting Garden Rivulet - Bridge No 4084)	148,200	212,993	-64,793	Budget c/fwd RTR (\$94,531) WIP 30/06/21 \$16,917.03
	C1030062	York Plains Road (Kitty's Rivulet - Bride No 457)	60,000	33981.36	26,019	WIP 30/06/21 \$25,945
			<b>250,418</b>	<b>281,335</b>	<b>-10,917</b>	

CAPITAL EXPENDITURE PROGRAM 2021-22  
As at 31 October 2021

		BUDGET	EXPENDITURE	BALANCE	COMMENTS
		\$	\$	\$	
<b>WALKWAYS</b>	Footpaths - General Streetscapes	225,000	0	225,000	Includes \$170K Budget C/ftwd, \$20K moved to South Parade
C1040014	Bagdad - East Bagdad Road	210,000	151,524	58,476	Budget of/ftwd WIP 30/8/21 \$143082.53
C1040036	Bagdad - Midland Highway - Walking Path Upgrade (500 metres)	50,000	0	50,000	
G1040007	Broadmarsh - Streetscape Works	230,000	198,652	31,348	Budget of/ftwd WIP 30/06/21 \$190884.48
	Campania - Review Manag. Plan (Site Plan) / Walking Tracks (Bush Reserve)	5,000	0	5,000	\$5K Budget of/ftwd
C1040005	Campania - Reeve Street - Footpath through to Hall	30,000	0	30,000	
C1040031	Kempton - Midlands Highway/Mood Food	147,565	0	147,565	
C1040004	Kempton - Streetscape Plan (Review & Implementation)	35,000	1,881	33,119	Budget of/ftwd WIP 30/06/21 \$1881.13
C1040004	Kempton - Streetscape Plan - Footpath Renewal (Dysart House)	23,000	0	23,000	Budget of/ftwd
C1040037	Kempton - Streetscape Plan - Footpath Renewal (southern end)	60,000	0	60,000	LRCI P3
C1090034	Kempton - Jones' Subdivision - Footpath/kerb & gutter/stormwater	278,000	0	278,000	LRCI P3
C1090033	Kempton - Main St, Sophia to Erskine (145m) - Footpath/kerb & gutter/stormwa	52,032	878	51,154	LRCI P2
G1040006	Kempton - Streetscape Plan - Victoria Memorial Hall	110,000	111,586	-1,586	Budget of/ftwd WIP 30/06/20 \$109,330.52
G2020002	Melton Mowbray - Streetscape Works (Trough / Shelter etc)	30,000	5,318	24,682	WIP 30/06/20 \$5318.18
C1040016	Oatlands - High Street (Footpath Renewal)	61,281	67,963	-6,682	LRCI P1
C1040032	Oatlands - Wellington Street (Footpath, Kerb, Guttering Anstey Crt to High St)	54,000	66,776	-12,776	LRCI - Renominated from P1 savings
C1040033	Oatlands - Wellington Street (Footpath - High to Infant Car Park - Gravel to Con	24,225	44,770	-20,545	
C1040038	Oatlands - Wellington Street (Footpath - Oak Court to Anstey Court)	0	8,025	-8,025	
C1040034	Oatlands - Stanley Street (Concrete Footpath, Marlborough St to High St)	43,000	35,816	7,184	LRCI - Renominated from P1 savings
C1040035	Oatlands - Church Street (High St to Esplanade - Gravel to Concrete - 240m)	28,800	0	28,800	
C1040022	Tunbridge - Main Street (Ongoing Kerb & Gutter Renewal)	20,000	0	20,000	
C1040030	Tunnack - Streetscape concept Plan	50,000	28,771	21,229	\$45K budget of/ftwd WIP 30/06/21 \$28,770.96
		<b>1,766,903</b>	<b>721,959</b>	<b>1,044,944</b>	
<b>LIGHTING</b>	C1050001 Oatlands - Esplanade Project	<b>384,000</b>	<b>229,305</b>	<b>154,695</b>	Budget of/ftwd WIP 30/8/21 \$162,203.16
		<b>384,000</b>	<b>229,305</b>	<b>154,695</b>	
<b>PUBLIC TOILETS</b>	C1110002 Campania - Flour Mill Park - Concrete Pathways/drainage/remove pavers	15,000	0	15,000	Budget of/ftwd
	General Public Toilets - Upgrade Program	20,000	0	20,000	Budget of/ftwd
		<b>35,000</b>	<b>0</b>	<b>35,000</b>	
<b>DRAINAGE</b>	Bagdad - Lyndon Road	15,000	0	15,000	\$15K Budget of/ftwd
C1090031	Bagdad - Blackbrush Road Drainage (kerb, gutter, footpath)	430,000	48,431	381,569.23	LRCI Phase 2 - WIP 30/06/21 \$8,575.80
C1090032	Bagdad - Hall Lane Drainage	75,000	11,299	63,701.05	LRCI Phase 2 - WIP 30/06/21 \$3,592.71
	Campania - Estate Road (School Farm)	10,000	0	10,000	\$10K Budget of/ftwd
	Oatlands - High St/Wellington Street Junction	5,000	0	5,000	\$5K Budget of/ftwd
C1090024	Stormwater Management Plan	0	656	-656	
		<b>535,000</b>	<b>60,386</b>	<b>474,614</b>	

CAPITAL EXPENDITURE PROGRAM 2021-22  
As at 31 October 2021

		BUDGET	EXPENDITURE	BALANCE	COMMENTS
		\$	\$	\$	
<b>WASTE</b>	C1100001	5,000	605	4,395	
	WTS Safety & Operational Improvements	25,000	0	25,000	
		<b>30,000</b>	<b>605</b>	<b>29,395</b>	
<b>GROWTH</b>					
<b>TOURISM</b>	C2020007	\$ 20,000			
	Jericho - Memorial Avenue - Plaques (Stage 1 of 2 - \$20K per year)	\$ 20,000			
	C2020008				
	Kempton - Memorial Avenue Park - Interps (Stage 1 of 2 - \$20K per year)				
	G2020006	0	11,544	-11,544	To be offset by Barrack Street Property WIP 30/06/21 \$3,502.41
	Oatlands Accommodation Facility				
		<b>40,000</b>	<b>11,544</b>	<b>-11,544</b>	
<b>LANDSCAPES</b>					
<b>HERITAGE</b>	C3010013	10,000	1,500	8,500	Budget of/wd WIP 30/06/21 \$1,500
	Heritage Collections Store				
	C3010014	55,000	0	55,000	
	Oatlands - Barrack Street Police House (\$110K over 2 years)				
	C3010003	27,250	935	26,315	
	Oatlands - Callington Mill (Limestone Seal in Precinct)				
	C3010012	6,000	0	6,000	Budget of/wd
	Oatlands - Commissariat (79 High Street) Boundary Fence				
	C3010004	15,000	0	15,000	
	Oatlands - Court House (Sandstone wall restoration)				
	C3010002	3,500	0	3,500	\$3.5K Budget of/wd
	Oatlands - Gaol Aluminium Temporary Steps (Entrance)				
	C3010002	8,000	0	8,000	
	Oatlands - Gaol Wingwall Restoration				
	C3010011	40,000	0	40,000	\$40K Budget of/wd
	Oatlands - Roche Hall Forecourt (Interps - Planning Condition of Approval)				
	C3010006	2,000	0	2,000	
	Parattah - Railway Station -Shed for Gangers Trolley				
		<b>166,750</b>	<b>2,435</b>	<b>164,315</b>	
<b>NATURAL</b>	C3020017	39,250	10,061	29,190	Includes \$29,250 grant WIP 30/08/21 \$5,000
	Chauncy Vale - Wombat Walk				
	G3020006	220,000	121,583	98,417	\$220K Budget of/wd WIP \$121583.30
	Oatlands - Lake Dulverton Walkway (Grants \$135K + \$85K)				
	C3020018	5,000	0	5,000	
	Municipal Area - Preventing Roadkill (Signs)				
		<b>264,250</b>	<b>131,644</b>	<b>132,606</b>	
<b>CULTURAL</b>	Nil	0	0	0	
		<b>0</b>	<b>0</b>	<b>0</b>	
<b>REGULATORY - DEVELOPMENT</b>	C3040001	15,000	18,685	-3,685	\$5K Budget of/wd WIP 30/06/21 \$1,818.18
	Kempton Council Chambers - Chambers Restoration Works				
	C3040002	20,000	502	19,498	Budget of/wd WIP \$501.50
	Kempton Council Chambers - Clock Restoration Works				
	C9990001	5,000	656	4,344	
	Kempton Council Chambers - Office Furniture & Equipment				
	C3040001	11,145	0	11,145	
	Kempton Council Chambers - Solar Proposal				
		<b>51,145</b>	<b>19,843</b>	<b>31,302</b>	

**Southern Midlands Council**  
Minutes - 24<sup>th</sup> November 2021

**CAPITAL EXPENDITURE PROGRAM 2021-22**  
As at 31 October 2021

			BUDGET	EXPENDITURE	BALANCE	COMMENTS
			\$	\$	\$	
<b>REGULATORY - PUBLIC HEALTH</b>	C4060002	Water Bottle Refill Stations	7,980	0	7,980	
	C4060001	Kempton - Community Health Facility	400,000	324,974	75,026	Budget c/fwd WIP 30/06/21 \$324,497.46
			<b>407,980</b>	<b>324,974</b>	<b>83,006</b>	
<b>REGULATORY - ANIMAL CONTROL</b>	C4080001	Kempton - Dog Pound(s)	35,000	20,968	14,032	Budget c/fwd WIP 30/06/21 \$14,370.46
			<b>35,000</b>	<b>20,968</b>	<b>14,032</b>	
<b>COMMUNITY RECREATION</b>	C4070005	Recreation Committee	25,000	0	25,000	
	C4070046	Bagdad - Bagdad Community Club (Precinct Plan)	25,000	0	25,000	
	C4070004	Campania - Public Open Space dev (Justitia Park)	12,000	0	12,000	
	C4070023	Campania - Recreation Ground (Internal Toilet Improvements)	40,000	8,636	31,364	Budget c/fwd WIP 30/06/21 \$8,636.36
	G4070022	Kempton - Memorial Avenue Park (Gifted to Council)	0	155	-155	WIP 30/06/20 \$155
	C4070017	Kempton - Memorial Hall Improvements (Online Access Centre)	0	449	-449	
	C4070041	Kempton - Memorial Hall Portico	52,000	54,332	-2,332	Budget c/fwd WIP \$54,332.24
	C4070019	Kempton - Recreation Ground (Lighting)	16,000	0	16,000	Budget c/fwd
	C4070044	Kempton - Recreation Ground (Roof Structure - Entry to Clubrooms)	15,000	1,068	13,932	Budget c/fwd WIP 30/06/21 \$468.18
	C4070019	Kempton - Recreation Ground (Site Development and Play Equipment)	25,000	750	24,250	
	C4070048	Kempton - Skate Park (Council Commitment)	5,000	0	5,000	
	C4070047	Mangalore - Hall (replace Gutters and Roofing)	18,000	0	18,000	Budget c/fwd
	C4070034	Oatlands - Aquatic Centre (New Pool) - Work in Progress prior to 2020/21	941,987	941,987	0	WIP 30/06/20 \$166,197.29, 30/06/19 \$385,898.00, 30/06/18 \$379,803
	C4070034	Oatlands - Aquatic Centre (New Pool) - 2020/21 & current year expenditure	9,379,600	3,169,212	6,210,388	WIP 30/06/21 \$1,741,841.18
	C3020002	Oatlands - Callington Park (Two seats with arm rest & back support)	7,000	0	7,000	
	C3020002	Oatlands - Callington Park (Lighting & Surveillance)	6,000	0	6,000	
	C4070009	Oatlands - Community Hall (Maintenance Program)	51,300	0	51,300	
	C4070013	Oatlands - Midlands Memorial Community Centre (Roof & Insulation)	39,000	0	39,000	
	C4070026	Tunbridge Park - Perimeter Fence (Safety)	30,000	0	30,000	Budget c/fwd
			<b>10,687,887</b>	<b>4,176,590</b>	<b>6,511,297</b>	
<b>ACCESS</b>		All Buildings (Priority Approach)	50,000	0	50,000	Budget c/fwd - 5 years @ \$10K per year
	C4050001	Tunbridge Community Club (Council Contribution to Accessible Toilets)	20,000	200	19,800	
			<b>70,000</b>	<b>200</b>	<b>69,800</b>	
<b>CAPACITY &amp; SUSTAINABILITY</b>	C5020003	Campania Bush Reserve / Cemetery	300,000	9,061	290,939	WIP 30/06/21 \$5,194.76
	C5020001	Levendale Community Centre	38,390	0	38,390	Budget c/fwd
	C6020012	Oatlands - Church Street Sub-Division	0	23,563	-23,563	Expenses offset on sale of properties WIP 30/06/21 \$8,764.66
	C5020004	Oatlands - Stanley Street Master Plan	20,000	0	20,000	
	C5020002	Oatlands Structure Plan	25,000	34,155	-9,155	\$25K Budget c/fwd WIP \$23,203
			<b>383,390</b>	<b>66,779</b>	<b>316,611</b>	

CAPITAL EXPENDITURE PROGRAM 2021-22  
As at 31 October 2021

		BUDGET	EXPENDITURE	BALANCE	COMMENTS
		\$	\$	\$	
<b>SAFETY</b>	Nil	0	0	0	
		<b>0</b>	<b>0</b>	<b>0</b>	
<b>ORGANISATION</b>					
<b>SUSTAINABILITY</b>	C6020007 Oatlands - Council Chambers - Internal Toilets Upgrade	100,000	0	100,000	Budget of/rd
	C6020007 Oatlands - Council Chambers - Damp Issues & Stonemasonry	15,000	0	15,000	Budget of/rd
	C6020007 Oatlands - Council Chambers - Works Office (floor coverings)	5,000	0	5,000	Budget of/rd
	C9990001 Oatlands - Town Hall (General - Incl. Office Equip/Furniture)	5,000	0	5,000	
	C6020003 Records System	30,000		30,000	\$20K Budget of/rd
	C6020003 Computer System (Hardware / Software)	80,000	25,759	54,241	
		<b>235,000</b>	<b>25,759</b>	<b>209,241</b>	
<b>WORKS</b>					
	C6020011 Kempton Depot - Property Purchase (Year 3 Budget of \$180K)	45,000	45,000	0	Total Project Cost - to be funded over 4 yrs (Yr 3 - \$45K)
	C6020011 Kempton Depot - Internal Building Improvements	30,000	349	29,651	\$15K Budget of/rd
	C6020011 Kempton Depot - Storage Lockers	2,000	0	2,000	Budget of/rd
	C6020001 Oatlands Depot - Roof over containers/General repairs & alterations	28,000	265	27,735	Budget of/rd
	C9990002 Minor Plant Purchases	9,500	0	9,500	
	C6020008 Radio System	3,000	0	3,000	
	<b>Plant Replacement Program</b>				
	Heavy Vehicles	715,000	189,826	525,174	
	Light Vehicles	108,000	46,704	61,296	
	(Trade Allowance - \$280K)				
		<b>940,500</b>	<b>282,144</b>	<b>658,356</b>	
<b>GRAND TOTALS</b>		<b>19,449,348</b>	<b>6,814,493</b>	<b>12,594,855</b>	

<b>CASH FLOW 2021/2022</b>	INFLOWS (OUTFLOWS) (July 2021) \$	INFLOWS (OUTFLOWS) (Aug 2021) \$	INFLOWS (OUTFLOWS) (Sept 2021) \$	INFLOWS (OUTFLOWS) (Oct 2021) \$	INFLOWS (OUTFLOWS) (Year to Date) \$
<b><i>Cash flows from operating activities</i></b>					
<b>Payments</b>					
Employee costs	-260,616	-390,947	-264,569	-260,441	-1,176,573
Materials and contracts	-491,436	-202,262	-287,964	-187,165	-1,168,827
Interest	-3,558	0	0	0	-3,558
Other	-28,525	-73,931	-39,279	-122,445	-264,181
	<b>-784,134</b>	<b>-667,140</b>	<b>-591,813</b>	<b>-570,052</b>	<b>-2,613,138</b>
<b>Receipts</b>					
Rates	114,192	1,709,936	1,307,712	167,514	3,299,353
User charges	126,455	-3,059	202,593	60,610	386,599
Interest received	1,852	1,900	3,079	1,651	8,482
Subsidies	0	0	0	0	0
Other revenue grants	2,779	462,475	0	2,200	467,454
GST Refunds from ATO	0	0	0	0	0
Other	45,664	13,995	4,476	-118,933	-54,799
	<b>290,942</b>	<b>2,185,246</b>	<b>1,517,860</b>	<b>113,042</b>	<b>4,107,090</b>
<b>Net cash from operating activities</b>	<b>-493,192</b>	<b>1,518,106</b>	<b>926,047</b>	<b>-457,010</b>	<b>1,493,951</b>
<b><i>Cash flows from investing activities</i></b>					
Payments for property, plant & equipment	-144,440	-1,208,615	-1,117,813	-133,689	-2,604,557
Proceeds - sale of property, plant & equip.	55	59,027	63,651	3,182	125,915
Proceeds from Capital grants	0	100,000	0	0	100,000
Proceeds from Investments	0	0	0	0	0
Payment for Investments	0	0	0	0	0
	<b>-144,385</b>	<b>-1,049,588</b>	<b>-1,054,161</b>	<b>-130,508</b>	<b>-2,378,642</b>
<b>Net cash used in investing activities</b>	<b>-144,385</b>	<b>-1,049,588</b>	<b>-1,054,161</b>	<b>-130,508</b>	<b>-2,378,642</b>
<b><i>Cash flows from financing activities</i></b>					
Repayment of borrowings	-7,651	0	0	0	-7,651
Proceeds from borrowings					0
<b>Net cash from (used in) financing activities</b>	<b>-7,651</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-7,651</b>
Net increase/(decrease) in cash held	-645,228	488,517	-128,114	-587,517	-892,342
Cash at beginning of reporting period	18,201,458	17,556,231	18,024,748	17,896,634	18,201,458
<b>Cash at end of month</b>	<b>17,556,231</b>	<b>18,024,748</b>	<b>17,896,634</b>	<b>17,309,117</b>	<b>17,309,117</b>



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

PROGRAM	YTD ACTUAL (as at 31 Oct 21)	YTD BUDGET (as at 31 Oct 21)	YTD VARIANCE	YTD VARIANCE %	FULL YEAR BUDGET - REVISED INC. GRANTS & OTHER
<b>INFRASTRUCTURE</b>					
Roads	410,559	466,104	55,545	88.08%	3,250,313
Bridges	5,855	12,657	6,802	46.26%	400,987
Walkways	61,726	72,074	10,348	85.64%	226,220
Lighting	6,889	28,400	21,511	24.26%	85,200
Public Toilets	24,078	26,247	2,169	91.74%	77,741
Sewer/Water	-	-	-	-	-
Drainage	7,988	9,205	1,217	86.78%	79,614
Waste	265,822	353,586	87,764	75.18%	1,088,258
Information, Communication	-	-	-	-	-
<b>INFRASTRUCTURE TOTAL:</b>	<b>782,916</b>	<b>968,272</b>	<b>185,356</b>	<b>80.86%</b>	<b>5,208,333</b>
<b>GROWTH</b>					
Residential	-	-	-	-	-
Tourism	22,121	28,767	6,646	76.90%	48,700
Business	109,724	66,635	43,089	164.67%	957,904
Industry	-	-	-	-	-
<b>GROWTH TOTAL:</b>	<b>131,845</b>	<b>95,401</b>	<b>36,444</b>	<b>138.20%</b>	<b>1,006,604</b>
<b>LANDSCAPES</b>					
Heritage	106,580	143,975	37,395	74.03%	414,926
Natural	61,752	68,067	6,316	90.72%	219,603
Cultural	-	4,500	4,500	0.00%	13,500
Regulatory - Development	224,391	296,510	72,119	75.68%	889,530
Regulatory - Public Health	1,333	6,775	5,442	19.67%	20,325
Regulatory - Animals	36,633	38,504	1,872	95.14%	111,113
Environmental Sustainability	-	-	-	-	-
<b>LANDSCAPES TOTAL:</b>	<b>430,688</b>	<b>558,332</b>	<b>127,644</b>	<b>77.14%</b>	<b>1,668,997</b>
<b>COMMUNITY</b>					
Community Health & Wellbeing	67,747	90,808	23,061	74.60%	267,425
Recreation	93,027	217,606	124,579	42.75%	729,670
Access	-	-	-	-	-
Volunteers	12,374	15,000	2,626	82.49%	45,000
Families	2,106	6,500	4,394	32.40%	11,500
Education	-	-	-	-	-
Capacity & Sustainability	21,256	24,802	3,545	85.71%	44,405
Safety	7,754	13,233	5,480	58.59%	39,700
Consultation & Communication	3,456	5,392	1,936	64.09%	17,300
<b>LIFESTYLE TOTAL:</b>	<b>207,719</b>	<b>373,341</b>	<b>165,622</b>	<b>55.64%</b>	<b>1,155,000</b>
<b>ORGANISATION</b>					
Improvement	27,521	35,630	8,109	77.24%	106,890
Sustainability	805,404	769,011	36,393	104.73%	2,500,667
Finances	107,557	112,295	4,737	95.78%	328,179
<b>ORGANISATION TOTAL:</b>	<b>940,482</b>	<b>916,936</b>	<b>23,546</b>	<b>102.57%</b>	<b>2,935,736</b>
<b>TOTALS</b>	<b>2,493,651</b>	<b>2,912,282</b>	<b>418,631</b>	<b>85.6%</b>	<b>11,974,670</b>



<b>SOUTHERN MIDLANDS COUNCIL</b>				
<b>SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED</b>				
	This Financial Year 13th November 2021		Last Financial Year 13th November 2020	
Arrears brought forward as at July 1		\$ 434,414.30		\$ 527,651.89
ADD current rates and charges levied		\$ 5,940,113.54		\$ 5,726,271.43
ADD current interest and penalty		\$ 26,408.81		\$ -
<b>TOTAL rates and charges demanded</b>	<b>100.00%</b>	<b>\$ 6,400,936.65</b>	<b>100.00%</b>	<b>\$ 6,253,923.32</b>
LESS rates and charges collected	49.09%	\$ 3,142,500.46	49.37%	\$ 3,087,659.34
LESS pensioner remissions	3.91%	\$ 250,394.03	3.96%	\$ 247,735.01
LESS other remissions and refunds	-0.13%	-\$ 8,270.59	-0.09%	-\$ 5,316.00
LESS discounts	0.54%	\$ 34,725.14	0.53%	\$ 33,081.51
<b>TOTAL rates and charges collected and remitted</b>	<b>53.42%</b>	<b>\$ 3,419,349.04</b>	<b>53.78%</b>	<b>\$ 3,363,159.86</b>
<b>UNPAID RATES AND CHARGES</b>	<b>46.58%</b>	<b>\$ 2,981,587.61</b>	<b>46.22%</b>	<b>\$ 2,890,763.46</b>

### 17.3.2 Monthly Oatlands Aquatic Centre Capital Expenditure Report (period ending 31<sup>st</sup> October 2021)

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

**Date:** 11 NOVEMBER 2021

#### ISSUE

Provide the capital expenditure report for the Oatlands Aquatic Centre to 31<sup>st</sup> October 2021.

#### DETAIL

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

#### RECOMMENDATION

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

#### DECISION

*Moved by Clr K Dudgeon, seconded by Clr A E Bisdee OAM*

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

#### CARRIED

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

**OATLANDS AQUATIC CENTRE CAPITAL EXPENDITURE RECONCILIATION  
AS AT 31 OCTOBER 2021**

	BUDGET \$	EXPENDITURE \$	VARIANCE \$	COMMENTS
<b>Total Expenditure to 31 October 2021</b>		<b>4,278,107</b>		
Council Labour & On-costs		5,255		
Materials - Council		195		
External Plant Hire - Council		6,217		
SMC Planing / Building Permits		6,495		
SMC Planing / Building Permits - June 2020		6,868		
SMC - Other Contractor Costs		901		
August 2012 - Purchase of 70 High Street, Oatlands		166,908		Total Cost (includes legals etc.) Gov't Land Value - \$23,000
<b>Bzowy Architecture &amp; Other Consultants</b>				
<b>2016/17</b>		27,056		Best described as Project Revival
Contract No 1 (part of \$107,660)		16,227		
<b>2017/18</b>				
Contract No 1 (part of \$107,660)		92,471		Includes Disbursements of \$1,038
Other Costs - Variations & Redesign		63,579		Additional Floor / Redesign etc.
Bio-Energy (review & assessment)		24,867		
Appeal Costs		140,153		Various
<b>2018/19</b>				
Bzowy - Other Costs - Variations & Redesign		108,611		Includes Survey & Legal
Engagement Agreements		21,470		
Formal Contract - Tenders / Design etc (part of \$379,960)		265,905		

**OATLANDS AQUATIC CENTRE CAPITAL EXPENDITURE RECONCILIATION  
AS AT 31 OCTOBER 2021**

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
	\$	\$	\$	
<b>2019/20</b>				
Bzowy - Other Costs - Variations & Redesign		96,779		Includes Survey & Legal
Bzowy - Formal Contract - Tenders / Design etc (part of \$379,960)		39,921		
Building Surveying		350		
Communications (Nylander)		180		
Legal (BMB)		18,488		
<b>Construction Phase (to date) - July 2020 - to 30 September 2021</b>				
Legal (BMB)	0	15,996	-15,996	
Construction Contract (Vos)	7,783,604	2,561,029	5,222,575	Five progress claims made
Consultants Fees (SMG)	581,712	449,086	132,626	
Furniture, Fittings and Equipment (SMG)	50,000	0	50,000	
Principal Supplied Goods (SMG)	62,284	35,867	26,417	
Principal Works (SMC)	300,000	76,237	223,763	
Contingency Sum (SMG)	400,000	0	400,000	
Demolition of CT Fish Building	10,000	24,673	-14,673	
Construction of Waste Water Holding Facility	192,000	6,325	185,675	
<b>Current Year Budget and Expenditure</b>	<b>\$ 9,379,600</b>	<b>\$ 3,169,212</b>	<b>\$ 6,210,388</b>	
<b>Total Expenditure to 31 October 2021</b>		<b>\$ 4,278,107</b>		
<b>Reconciliation to Capital Expenditure Report</b>				
Work in Progress (expenses prior to 2020/21)		941,987		
2020/21 expenditure	1,741,641			
2021/22 expenditure	1,427,571			
Expenditure as per Capital Expenditure Report		3,169,212		
add purchase of 70 High Street		166,908		
		<u>\$ 4,278,107</u>		

### 17.3.3 2021/22 Budget Estimates – Formal Revision and Alteration (In Accordance With Section 82 Of The *Local Government Act 1993*)

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

**Date:** 17 NOVEMBER 2021

#### ISSUE

Formal review and alteration of the 2021/2022 Operational Budget and Capital Works Program Budget Estimates in accordance with section 82 of the *Local Government Act 1993*.

#### BACKGROUND

The following is an extract from the *Local Government Act 1993*:

#### **“S 82. Estimates**

- (1) *The general manager must prepare estimates of the council's revenue and expenditure for each financial year.*
- (2) *Estimates are to contain details of the following:*
  - (a) *the estimated revenue of the council;*
  - (b) *the estimated expenditure of the council;*
  - (c) *the estimated borrowings by the council;*
  - (d) *the estimated capital works of the council;*
  - (e) *any other detail required by the Minister.*
- (3) *Estimates for a financial year must –*
  - (a) *be adopted by the council, with or without alteration, by absolute majority; and*
  - (b) *be adopted before 31 August in that financial year; and*
  - (c) *not be adopted more than one month before the start of that financial year.*
- (4) *A council may alter by absolute majority any estimate referred to in [subsection \(2\)](#) during the financial year.”*

## DETAIL

The following alterations are proposed to the 2021/2022 Operational Budget and Capital Works Program Budget Estimates (Infrastructure/Road Assets) to enable urgent road maintenance to be carried out as specified:

<b>Program / Project:</b>	<b>Original Budget:</b>	<b>Revised Budget:</b>	<b>Total value of alteration:</b>	<b>Details:</b>
Inglewood Road Reconstruction Patches	\$0	\$85,000	\$85,000	To be offset by income of \$21,600 (contribution by Shaw Contracting)
<b>Operating Budget:</b>				
Roads Maintenance Program			\$100,000	Additional allocation to cover minor drainage works; potholing and maintenance grading (i.e. extra Grader on 'dry-hire')
<b>Total Operating Budget</b>			<b>\$100,000</b>	
Woodsdale Road				
Reconstruct & Seal	\$115,500	\$115,500		700m reconstruction at Baden (as in original budget) Reconstruction Patching already carried out Reconstruction Patching work required
Reconstruction Patches	\$0	\$140,000		
Reconstruction Patches	\$0	\$150,000		
Total			\$290,000	
Eldon Road	\$0	\$50,000	\$50,000	Repairs to landslip damage caused by rain event
Link Road	\$0	\$25,000	\$25,000	Repairs to landslip damage caused by rain event
Cockatoo Gully Road	\$0	\$35,000	\$35,000	Repairs to landslip damage caused by rain event
Road Resealing Program	\$400,000	\$300,000	(\$100,000)	Reduction in Road Resealing Program
Road Construct & Seal and Road Reconstruct & Seal Program	\$1,250,125	\$1,050,125	(\$100,000)	Reduction in Construct & Seal and Reconstruct and Seal Programs.  This amount can be achieved through limiting scope of preparatory works.

Cliftonvale & Sugarloaf Road Junction Improvements	\$50,000	\$16,884	(\$33,116)	\$50K Grant Application Unsuccessful
<b>Total Capital Works Budget</b>			<b>\$251,884</b>	
<b>COMBINED TOTAL - ADDITONAL</b>			<b>\$351,884</b>	

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

**Community Consultation & Public Relations Implications** – N/A.

**Policy Implications** – N/A.

**Priority - Implementation Time Frame** – Immediate

## RECOMMENDATION

### THAT:

- A. In accordance with section 82 of the *Local Government Act 1993*, the 2021/2022 Capital Works Program Budget Estimates be altered as follows (to incorporate the above amendments); and
- B. The 2022/2023 Capital Works Program Budget Estimates be reduced by an equivalent amount to offset the additional expenditure.

### 2021/2022 Capital Works Program Budget Estimates

#### Additions:

Operating Budget (Roads Program)	\$100,000	
Inglewood Road (Reconstruction Patches)	\$ 85,000	
Woodsdale Road (Reconstruction Patches)	\$290,000	
Eldon Road (Landslip damage)	\$ 50,000	
Link Road (Landslip damage)	\$ 25,000	
Cockatoo Gully Road (Landslip damage)	<u>\$ 35,000</u>	\$585,000

#### Reductions:

Road Resealing Program	\$100,000	
Road Construct and Seal & Road Reconstruct & Seal Programs	\$100,000	
Cliftonvale & Sugarloaf Road Junction Improvements	<u>\$ 33,116</u>	<u>\$233,116</u>

**TOTAL INCREASE TO 2021/2022 BUDGET** **\$351,884**

## DECISION

*Moved by Clr A E Bisdee OAM, seconded by Clr K Dudgeon*

### THAT:

- A. In accordance with section 82 of the *Local Government Act 1993*, the 2021/2022 Capital Works Program Budget Estimates be altered as follows (to incorporate the above amendments); and
- B. The 2022/2023 Capital Works Program Budget Estimates be reduced by an equivalent amount to offset the additional expenditure.

### 2021/2022 Capital Works Program Budget Estimates



**Additions:**

Operating Budget (Roads Program)	\$100,000	
Inglewood Road (Reconstruction Patches)	\$ 85,000	
Woodsdale Road (Reconstruction Patches)	\$290,000	
Eldon Road (Landslip damage)	\$ 50,000	
Link Road (Landslip damage)	\$ 25,000	
Cockatoo Gully Road (Landslip damage)	<u>\$ 35,000</u>	\$585,000

**Reductions:**

Road Resealing Program	\$100,000	
Road Construct and Seal & Road Reconstruct & Seal Programs	\$100,000	
Cliftonvale & Sugarloaf Road Junction Improvements	<u>\$ 33,116</u>	<u>\$233,116</u>

**TOTAL INCREASE TO 2021/2022 BUDGET** **\$351,884**

**CARRIED**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr R McDougall	✓	

## **18. MUNICIPAL SEAL**

Nil.

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

Nil.

## DECISION

*Moved by Deputy Mayor E Batt, seconded by Clr R McDougall*

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

Matter	Local Government ( <i>Meeting Procedures</i> ) Regulations 2015 Reference
<i>Closed Council Minutes - Confirmation</i>	15(2)
<i>Applications for Leave of Absence</i>	15(2)(h)
<i>Sale of Property for Unpaid Rates and Charges</i>	15(2)(f)
<i>Oatlands Accommodation Facility Draft Terms Sheet</i>	15(2)(c)
<i>Tender(s) – Annual Road Spray Sealing Program</i>	15(2)(c)

## CARRIED

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

## RECOMMENDATION

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

## DECISION

*Moved by Deputy Mayor E Batt, seconded by Clr R McDougall*

**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
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr R McDougall	✓	

## **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) 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 Sale of Property for Unpaid Rates and Charges**

*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)(f) of the Local Government (Meeting Procedures) Regulations 2015.*

#### **20.4 Oatlands Accommodation Facility – Draft Terms Sheet (Development Incentives)**

*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) (c) of the Local Government (Meeting Procedures) Regulations 2015.*

#### **20.5 Tender(s) – Annual Road Spray Sealing Program**

*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) (c) of the Local Government (Meeting Procedures) Regulations 2015.*

## RECOMMENDATION

**THAT Council move out of “Closed Session”.**

## DECISION

*Moved by Deputy Mayor E Batt, seconded by Clr K Dudgeon*

**THAT Council move out of “Closed Session”.**

## CARRIED

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

## OPEN COUNCIL MINUTES

### 21. CLOSURE

The meeting closed at 1.02 p.m.