

SOUTHERN  
MIDLANDS  
COUNCIL



# **MINUTES**

## **ORDINARY COUNCIL MEETING**

---

Wednesday, 25<sup>th</sup> October 2023  
10.00 a.m.

Kempton Municipal Offices  
85 Main Street, Kempton

# INDEX

|   |           |
|---|-----------|
| <b>1. PRAYERS</b> .....   | <b>4</b>  |
| <b>2. ACKNOWLEDGEMENT OF COUNTRY</b> .....  | <b>4</b>  |
| <b>3. ATTENDANCE</b> .....  | <b>4</b>  |
| <b>4. APOLOGIES</b> .....   | <b>4</b>  |
| <b>5. MINUTES</b> .....   | <b>4</b>  |
| 5.1 ORDINARY COUNCIL MEETING.....   | 4         |
| 5.2 SPECIAL COMMITTEES OF COUNCIL MINUTES.....  | 5         |
| 5.2.1 <i>Special Committees of Council - Receipt of Minutes</i> .....   | 5         |
| 5.2.2 <i>Special Committees of Council - Endorsement of Recommendations</i> .....   | 6         |
| 5.3 JOINT AUTHORITIES (ESTABLISHED UNDER DIVISION 4 OF THE LOCAL GOVERNMENT ACT 1993)6  |           |
| 5.3.1 <i>Joint Authorities - Receipt of Minutes</i> .....   | 6         |
| 5.3.2 <i>Joint Authorities - Receipt of Reports (Annual &amp; Quarterly)</i> .....  | 6         |
| <b>6. NOTIFICATION OF COUNCIL WORKSHOPS</b> .....   | <b>7</b>  |
| <b>7. COUNCILLORS – QUESTION TIME</b> .....   | <b>9</b>  |
| 7.1 QUESTIONS (ON NOTICE).....  | 9         |
| 7.2 QUESTIONS WITHOUT NOTICE.....   | 10        |
| <b>8. DECLARATIONS OF PECUNIARY INTEREST</b> .....  | <b>11</b> |
| <b>9. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA</b> .....  | <b>12</b> |
| <b>10. PUBLIC QUESTION TIME (SCHEDULED FOR 10.30 A.M.)</b> .....  | <b>13</b> |
| 10.1 PERMISSION TO ADDRESS COUNCIL.....   | 14        |
| <b>11. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN UNDER REGULATION 16 (5) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2015</b> .....                                       | <b>14</b> |
| <b>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</b> .....                   | <b>15</b> |
| 12.1 DEVELOPMENT APPLICATIONS.....  | 15        |
| 12.2 SUBDIVISIONS.....  | 15        |
| 12.2.1 <i>Development Application (SA2200005) for subdivision (14 Lots at 14 Queen Anne Street, Oatlands submitted by R Mandelson</i> .....   | 15        |
| 12.2.2 <i>Development Application (DA2300013) for Subdivision (3 lots) at 17 Oakwood Place, Mangalore owned by WW TAS Pty Limited</i> .....   | 46        |
| 12.3 MUNICIPAL SEAL (PLANNING AUTHORITY).....   | 76        |
| 12.4 PLANNING (OTHER).....  | 77        |
| 12.4.1 <i>Development Application (DA2023/040) for Rezoning from Future Urban Zone to Village Zone at 1844 Midlands Highway Bagdad owned by 1844 Midlands Highway Pty Ltd</i> ..... | 77        |
| <b>13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE) ..</b>  | <b>84</b> |
| 13.1 ROADS.....   | 84        |
| 13.2 BRIDGES.....   | 84        |
| 13.3 WALKWAYS, CYCLE WAYS AND TRAILS.....   | 84        |
| 13.4 LIGHTING.....  | 84        |
| 13.5 BUILDINGS.....   | 84        |
| 13.6 SEWERS / WATER.....  | 84        |
| 13.7 DRAINAGE.....  | 85        |
| 13.8 WASTE.....   | 85        |
| 13.9 INFORMATION, COMMUNICATION TECHNOLOGY.....   | 85        |
| 13.10 OFFICER REPORTS – INFRASTRUCTURE & WORKS.....   | 86        |
| 13.10.1 <i>Manager – Infrastructure &amp; Works Report</i> .....  | 86        |
| <b>14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH).....</b>  | <b>93</b> |
| 14.1 RESIDENTIAL.....   | 93        |
| 14.2 TOURISM.....   | 93        |
| 14.3 BUSINESS.....  | 93        |
| 14.4 INDUSTRY.....  | 93        |

|            |   |            |
|------------|---|------------|
| <b>15.</b> | <b>OPERATIONAL MATTERS ARISING (STRATEGIC THEME –LANDSCAPES)</b> .....  | <b>94</b>  |
| 15.1       | HERITAGE .....  | 94         |
| 15.1.1     | <i>Heritage Project Program Report</i> .....  | 94         |
| 15.2       | NATURAL.....  | 95         |
| 15.2.1     | <i>NRM Unit – General Report</i> .....  | 95         |
| 15.3       | CULTURAL.....   | 97         |
| 15.3.1     | <i>Heritage &amp; Bullock Festival 2023</i> .....   | 97         |
| 15.3.2     | <i>Proposal to Rename Brodribbs Road in Campania</i> .....  | 99         |
| 15.4       | REGULATORY (DEVELOPMENT).....   | 103        |
| 15.5       | REGULATORY (PUBLIC HEALTH) .....  | 103        |
| 15.6       | REGULATORY (ANIMALS).....   | 104        |
| 15.6.1     | <i>Animal Management Report</i> .....   | 104        |
| 15.7       | ENVIRONMENTAL SUSTAINABILITY.....   | 106        |
| <b>16.</b> | <b>OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)</b> .....  | <b>107</b> |
| 16.1       | COMMUNITY HEALTH AND WELLBEING .....  | 107        |
| 16.2       | RECREATION .....  | 107        |
| 16.2.1     | <i>Oatlands Aquatic Centre – Coordinators Report</i> .....  | 107        |
| 16.3       | ACCESS .....  | 112        |
| 16.4       | VOLUNTEERS.....   | 112        |
| 16.5       | FAMILIES .....  | 112        |
| 16.6       | EDUCATION .....   | 112        |
| 16.7       | CAPACITY & SUSTAINABILITY .....   | 113        |
| 16.8       | SAFETY .....  | 113        |
| 16.9       | CONSULTATION & COMMUNICATION.....   | 113        |
| <b>17.</b> | <b>OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)</b> .....   | <b>114</b> |
| 17.1       | IMPROVEMENT .....   | 114        |
| 17.1.1     | <i>Performing Artist Residencies in Southern Midlands (Prism) Policy</i> .....  | 114        |
| 17.2       | SUSTAINABILITY.....   | 118        |
| 17.2.1     | <i>Tabling of Documents</i> .....   | 118        |
| 17.2.2     | <i>Elected Member Statements</i> .....  | 118        |
| 17.3       | FINANCES.....   | 121        |
| 17.3.1     | <i>Monthly Financial Statement (Period ending 30 September 2023)</i> .....  | 121        |
| 17.3.2     | <i>Amendment to Schedule of Fees and Charges 2023-2024</i> .....  | 134        |
| 17.3.3     | <i>SMC External Grant Projects - Quarterly Update</i> .....   | 136        |
| <b>18.</b> | <b>MUNICIPAL SEAL</b> .....   | <b>140</b> |
| 18.1.1     | <i>Head of Agreement and Licence Department of Health (The Crown in Right of Tasmania) and Southern Midlands Council – 16 Church Street, Oatlands – Accommodation Units (Locum General Practitioners; visiting Specialists and Medical Staff)</i> ..... | 140        |
| <b>19.</b> | <b>CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA</b> .....   | <b>142</b> |
| 19.1       | FIRE AND EMERGENCY SERVICES BILL - CONSULTATION.....  | 142        |
| <b>20.</b> | <b>BUSINESS IN “CLOSED SESSION”</b> .....   | <b>145</b> |
| 20.1       | CLOSED COUNCIL MINUTES - CONFIRMATION.....  | 145        |
| 20.2       | APPLICATIONS FOR LEAVE OF ABSENCE .....   | 145        |
| 20.3       | AUDIT PANEL MINUTES .....   | 145        |
| 20.3.1     | <i>Receipt of minutes</i> .....   | 145        |
| 20.3.2     | <i>Endorsement of Recommendations</i> .....   | 145        |
| 20.4       | HEAVY PLANT REPLACEMENT TENDER (WHEEL LOADER) .....   | 145        |
| 20.5       | HEAVY PLANT REPLACEMENT TENDER (BACKHOE X 2) .....  | 145        |
| 20.6       | PROPERTY MATTER – COLEBROOK.....  | 146        |
| 20.7       | SOUTHERN MIDLANDS COMMUNITY INFRASTRUCTURE PLAN .....   | 146        |
| 20.8       | HEADS OF AGREEMENT-SOUTHERN MIDLANDS COUNCIL; BAGDAD COMMUNITY CLUB INC.; AND KIDBIZ PTY LTD (T/AS BAGDAD EDUCATION AND CARE) – INCLUDES LEASE (ANNEXURE B) AND SUB LEASE AND LICENCE (ANNEXURE D).....   | 146        |
| <b>21.</b> | <b>CLOSURE</b> .....  | <b>147</b> |

# OPEN COUNCIL MINUTES

## MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD ON WEDNESDAY 25<sup>th</sup> OCTOBER 2023 AT THE KEMPTON MUNICIPAL OFFICES COMMENCING AT 10.00 A.M

### 1. PRAYERS

Reverend Dennis Cousens recited prayers.

### 2. ACKNOWLEDGEMENT OF COUNTRY

Mayor E Batt recited Acknowledgement of Country.

### 3. ATTENDANCE

Mayor E Batt, Deputy Mayor K Dudgeon, Clr A E Bisdee OAM, Clr D Blackwell, and Clr D Fish.

Mr A Benson (Acting General Manager), Mr G Finn (Manager Development and Environmental Services), Mr D Richardson (Manager Infrastructure & Works), Mrs B Conte (Planning Officer) and Ms S Holliday (Receptionist / Administration Officer)

### 4. APOLOGIES

Clr Fraser Miller and Clr Rowena McDougall.

### 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> September 2023, as circulated, are submitted for confirmation.

### RECOMMENDATION

**THAT the Minutes (Open Council Minutes) of the Council Meeting held 27<sup>th</sup> September 2023 be confirmed.**

### DECISION

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

**THAT the Minutes (Open Council Minutes) of the Council Meeting held 27<sup>th</sup> September 2023 be confirmed.**

### CARRIED

| <b>DECISION</b>        |                 |                     |
|------------------------|-----------------|---------------------|
| <b>Councillor</b>      | <b>Vote FOR</b> | <b>Vote AGAINST</b> |
| Mayor E Batt           | ✓               |                     |
| Deputy Mayor K Dudgeon | ✓               |                     |
| Clr A E Bisdee OAM     | ✓               |                     |
| Clr D Blackwell        | ✓               |                     |
| Clr D F Fish           | ✓               |                     |

## **5.2 Special Committees of Council Minutes**

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

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

- Woodsdale Hall – General Committee Meeting 18<sup>th</sup> September
- Woodsdale Hall – Annual General Meeting 18<sup>th</sup> September
- Woodsdale Hall – General Committee Meeting 9<sup>th</sup> October
- Otlands Community Shed Annual General Meeting 9<sup>th</sup> October
- Campania Recreation Ground Management Committee Meeting 19<sup>th</sup> September

### **RECOMMENDATION**

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

### **DECISION**

*Moved by Deputy Mayor K Dudgeon, seconded by Clr D Blackwell*

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

### **CARRIED**

| <b>DECISION</b>        |                 |                     |
|------------------------|-----------------|---------------------|
| <b>Councillor</b>      | <b>Vote FOR</b> | <b>Vote AGAINST</b> |
| Mayor E Batt           | ✓               |                     |
| Deputy Mayor K Dudgeon | ✓               |                     |
| Clr A E Bisdee OAM     | ✓               |                     |
| Clr D Blackwell        | ✓               |                     |
| Clr D F Fish           | ✓               |                     |

## 5.2.2 Special Committees of Council - Endorsement of Recommendations

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

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

### RECOMMENDATION

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

### DECISION

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

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

### CARRIED

| DECISION               |          |              |
|------------------------|----------|--------------|
| Councillor             | Vote FOR | Vote AGAINST |
| Mayor E Batt           | ✓        |              |
| Deputy Mayor K Dudgeon | ✓        |              |
| Cllr A E Bisdee OAM    | ✓        |              |
| Cllr D Blackwell       | ✓        |              |
| Cllr D F Fish          | ✓        |              |

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

### 5.3.1 Joint Authorities - Receipt of Minutes

Nil.

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

Nil.

## 6. NOTIFICATION OF COUNCIL WORKSHOPS

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

Two Workshops have been held since the last Ordinary Meeting.

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

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

Also in Attendance: T Kirkwood, A Benson, D Richardson, H Geard, M Weeding and W Young

Apologies: Nil.

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

### 1. Bagdad Community Club Precinct – Precinct Master Plan

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

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

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

### 3. Keep Australia Beautiful – Tidy Towns Sustainability Awards

Acknowledgement and presentation of KAB Certificates awarded to Council personnel.

### 4. General Discussion Items:

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

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

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

c) Telstra – Digital Connectivity Plan

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

d) LGAT – Deputy’s Mayor’s Workshop

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

The workshop concluded at approximately 12.10 p.m.

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

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

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

Apologies: Mayor E Batt.

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

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

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

The workshop concluded at 12.45 p.m.

**RECOMMENDATION**

**THAT the information be received.**

**DECISION**

*Moved by Deputy Mayor K Dudgeon, seconded by Clr A E Bisdee*

**THAT the information be received.**

**CARRIED**

| <b>DECISION</b>        |                     |                         |
|------------------------|---------------------|-------------------------|
| <b>Councillor</b>      | <b>Vote<br/>FOR</b> | <b>Vote<br/>AGAINST</b> |
| Mayor E Batt           | ✓                   |                         |
| Deputy Mayor K Dudgeon | ✓                   |                         |
| Clr A E Bisdee OAM     | ✓                   |                         |
| Clr D Blackwell        | ✓                   |                         |
| Clr D F Fish           | ✓                   |                         |

## **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** - seeking to discuss draft Fire and Emergency Services Bill. To be listed as a Supplementary Item.

**Clr D Blackwell** – Mangalore Pony Club - Complaints received due to sand blowing from the track onto neighbouring properties. Acting General Manager (Andrew Benson) provided comment regarding options being considered (e.g. tree planting / erection of screen). Report to be provided.

**Deputy Mayor K Dudgeon** - Memorial Trees at Jericho – queried status of project, including completion date and placement of plaques?

Manager Heritage Projects to report next meeting.

**Deputy Mayor K Dudgeon** – ‘Lake Dulverton’ directional signage – at Campbell Street intersection - not actioned. To be addressed.

**Deputy Mayor K Dudgeon** – Council Chambers, Oatlands (upstairs toilets) – when are these works scheduled?

The meeting was advised that the upgrade of the toilets form part of the overall building improvements required and that the relevant consultants (e.g. Architect; Building Surveyor; Fire engineer) have been engaged. Plans and cost estimates currently being prepared.

**Mayor E Batt** – status of plans for Roche Hall Plans.

Manager Heritage Projects to attend next meeting and provide briefing.

## **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.
- Draft Fire and Emergency Services Bill – Public Consultation
  - In Committee – Municipal Seal - Heads of Agreement – Southern Midlands Council; Bagdad Community Club Inc.; and Kidbiz Pty Ltd (t/as Bagdad Education and Care) – Includes Lease (Annexure B) and sub-Lease and Licence (Annexure D)

### RECOMMENDATION

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

### DECISION

*Moved by Cllr D Fish. seconded by Deputy Mayor K Dudgeon*

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

### CARRIED

| DECISION               |          |              |
|------------------------|----------|--------------|
| Councillor             | Vote FOR | Vote AGAINST |
| Mayor E Batt           | ✓        |              |
| Deputy Mayor K Dudgeon | ✓        |              |
| Cllr A E Bisdee OAM    | ✓        |              |
| Cllr D Blackwell       | ✓        |              |
| Cllr D F Fish          | ✓        |              |

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

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

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

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

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

### **Julia Jabour - Southern Midlands Regional News –**

Does Council have any leverage with Tas Networks regarding the power outages in Oatlands. A number of outages have been experienced. Julia has enquired with Tas Networks herself and they did find an issue which was to be fixed September 2023, but we continue to have power outages (six that morning alone). To be raised with Tas Networks.

Is there any update in relation to Council reform?

Mayor E Batt advised that the Local Government Board is due to report by 31<sup>st</sup> October 2023. No further information available.

Oatlands dog park: An area of Oatlands Football Recreation Ground, (far south east corner) has been identified as a potential site. Would the Council have any objections for us to pursue this?

Council did not raise any objection(s) to the potential site being further investigated as an option for the establishment of a dog park.

**10.1 Permission to Address Council**

Nil.

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

Nil.

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

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

### **12.1 Development Applications**

Nil.

### **12.2 Subdivisions**

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

**AUTHOR:** SENIOR PLANNING OFFICER (LOUISA BROWN)

**DATE:** 18 OCTOBER 2023

#### **Attachment(s)**

*Development Application documents  
Representations  
Taswater SPAN*

### **PROPOSAL**

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

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

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

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

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

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

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

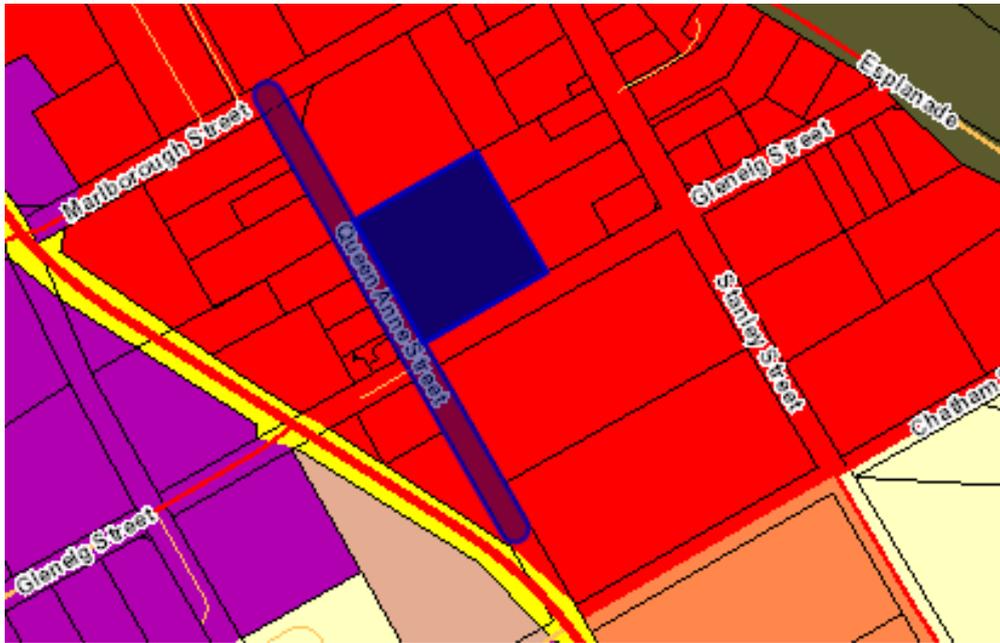
This report will assess the proposal against the relevant provisions of the Act and the Scheme. It is recommended that Council grant a permit for the subdivision subject to conditions.

## **THE SITE**

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

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

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



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



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

### **THE APPLICATION**

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

- Plan of Subdivision, Civil Services Roads & Stormwater, drawing number 332.37 – C01, Revision D;
- Planning Assessment prepared by Peter Coney Town Planner;

- *Stormwater Management Report prepared by Glenn Allen, Civil Engineer;*
- *Certificate of Title documents; and*
- *Stormwater layout revision by NTCADS.*

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

**USE/DEVELOPMENT DEFINITION**

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

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

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

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

**PUBLIC NOTIFICATION AND REPRESENTATIONS**

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

| <i>Public Notice Period 14 August to 28 August</i>   |  |
|--|--|
| <i>Representation 1</i>  | <i>Council Officer Comment</i>   |
| <p>1) There is capacity for 14 dwellings to be built on this single block. This is very high density building on a block of this size. The environmental impact of such intensive housing, with fourteen separate households and associated noise, traffic flow and household activity, has the potential to negatively effect our lifestyle and well-being.</p>   | <p><b><i>The proposed number of lots meets the requirement for Subdivision in the General residential Zone. The size of the proposed lots are larger than the minimum size for this zone. In addition, the layout of the blocks makes efficient use of the available land.</i></b></p>   |
| <p>2) Oatlands prides itself on being a village of noteworthy Georgian architecture, unique in Australia. Preserving the architectural value of Oatlands heritage buildings should be a high priority for Council and every effort should be made to ensure the street appeal of this town is maintained. ....property may have its' heritage value negatively impacted by a crowded suburban development on its' perimeter, especially if the design and architectural quality is not compatible with</p> | <p><b><i>The development site is not within a Heritage Precinct or contains a Heritage Place. Therefore the Historic Heritage Code does not apply to the development. There is no provision in the Planning Scheme which requires new development adjacent to a Local Historic Place to be compatible or sympathetic to nearby Historic Buildings. Additionally,</i></b></p> |

|  |   |
|--|---|
| <p>this property. This may significantly affect the appeal of Oatlands as a heritage village in the long term; and</p> <p>3) There are currently significant water drainage issues related to flooding through ..... We require a guarantee from council that the proposed development would not exacerbate an already potentially problematic storm water flow issue for our property and the surrounding area. There's a need for greater detail regarding where storm water currently flowing through this lot will be directed.</p>  | <p><b>there are no character statements for this zone to guide the design criteria of what development may look like.</b></p> <p><b>The application contains several documents and designs which satisfactorily address the requirements for Stormwater Management at subdivision stage. Council's Municipal engineer has guided the applicant in stormwater management and is satisfied with the proposal. In addition, detailed stormwater designs will be conditioned in the Planning Permit.</b></p>  |
| <p><b>Representation 2</b></p>   | <p><b>Council Officer Comment</b></p>   |
| <p><i>Firstly, I fully support the sub-division but hope the council include conditions that cover my concerns regarding the application.</i></p> <p>1) <i>From the little information provided with the advertisement, it is unclear whether the current Glenelg Street reserve between Stanley Street and Queen Anne Street will be bitumised or not. As there is a new road being created within the proposed sub-division, I feel it would be compulsory that this portion of Glenelg Street be bitumised as part of the sub-division conditions and works.</i></p> <p>2) <i>As Council would be aware, Glenelg Street road reserve between Queen Anne Street and Tunnack Road floods regularly down on to Queen Anne Street causing potholes and minor flooding. I believe the sub-division approval should include addressing this issue at the same time as the sub-division works.</i></p> <p>3) <i>As council would be aware there are only street lights on the first two lamp posts in Queen Anne Street with no further lighting down the street. There are a further five lamp posts in the street without any lighting. It is a black hole. At the least a condition of this sub-division approval should include street lighting at the new</i></p> | <p><b>The proposed subdivision relies upon Queen Anne Street only for vehicular access. Glenelg Street is not part of this application. However, a section of Glenelg Street will be developed as a part of the 14 lot subdivision currently being constructed on the adjacent property.</b></p> <p><b>As a part of the development stormwater for the proposed lots and new internal road will be addressed. Included in these proposals will be a small section of Queen Anne Street frontage.</b></p> <p><b>As a condition of the Planning Permit, street lighting will be required within the subdivision area. The design of which will come forward at the detailed engineering design stage.</b></p> |

|   |   |
|---|---|
| <p><i>intersections created by the sub-divisional street and especially at the corner of the new intersection created at Queen Anne Street and Glenelg Street. I feel this is a basic safety requirement.</i></p> <p>4) <i>As council would be aware, currently there are at least four or five school age or younger children living towards the end of Queen Anne Street and no doubt if this sub-divisional application is approved, more children would be moving into this sub-division, are any footpath provisions being considered? In addition, several aged residents walk Queen Anne Street regularly and are required to walk on the roadway due to the unlevel verges either side of this street. Could a pathway be constructed at the same time as the sub-divisional works? With extra traffic being created by the new homelots pedestrian safety is a concern</i></p> | <p><b><i>A small section of Queen Anne Street where the property is adjacent to the street will include a 1.5m wide footpath. Council expects that further subdivisions and development within this area of Oatlands will come forward and therefore additional upgrades to the road network will be undertaken. These upgrades may include street lighting and footpaths.</i></b></p>  |
| <p><b><i>Representation 3</i></b></p>   | <p><b><i>Council Officer Comment</i></b></p>  |
| <p>This will make extra traffic and traffic noise in Queen Anne Street. Queen Anne Street is not developed or wide enough to accommodate this extra traffic. With this proposed Development there will also be extra noise in the area.</p> <p>This proposed development also will affect my safety in and out access of the driveway to my residence, because the access to proposed development is very near and this will be alot more busier than it usually is with the extra traffic.</p> <p>I live in Queen Anne Street because I love the country atmosphere and this proposed development will compromise my landscape view.</p>   | <p><b><i>The proposed number of dwellings and increase in vehicles, has been assessed to meet the standards and requirements of the Planning Scheme.</i></b></p> <p><b><i>In addition, Council expects that further subdivisions within this area of Oatlands will come forward and therefore additional upgrades to the road network will be undertaken, this may include footpaths and additional street lighting.</i></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.</i></b></p> <p><b><i>Development of this land will contribute to a more efficient utilisation of public services and will contribute to the future of the town and municipality more broadly by providing new housing.</i></b></p> |

| <i>Representation 4</i>   | <i>Council Officer Comment</i>  |
|---|---|
| <p>Blocks of 530 sm are very small for a regional town. 14 Blocks in 3 acres. Higher density must lead to traffic increases and safety issues in a small street.</p>  | <p><b><i>As discussed, The size of the proposed lots are larger than the minimum size for this zone. The proposed number of lots meets the requirement for Subdivision in the General Residential Zone. The layout of the blocks makes efficient use of the available land.</i></b></p>   |
| <p><i>Public Notice Period 28 September to 13 October 2023</i></p>  |   |
| <i>Representation 1</i>   | <i>Council Officer Comment</i>  |
| <p><b>Prefacing this representation we want to stress that we are concerned the council processes for the development application SA220005 have been flawed and have contributed to significant confusion related to making our response to the application. Our first representation to council was informed by the wrong water management plan and consequently a second representation was required. In the letter re-advertising the development application SA220005 the wrong date for representations to be sent to the council was printed. After talking with a council officer about this error yet another re-advertising letter was received.</b></p> <p><b>1) There is capacity for 14 dwellings to be built on this single block. This is very high density building on a block of this size. The environmental impact of such intensive housing, with fourteen separate households and associated noise, traffic flow and household activity, has the potential to negatively effect our lifestyle and well-being.</b></p> <p><b>2) Oatlands prides itself on being a village of noteworthy Georgian architecture, unique in Australia. Preserving the architectural value of Oatlands heritage buildings should be a high priority for Council and every effort should be made to</b></p> | <p><b><i>Council takes note of these comments.</i></b></p> <p><b><i>The proposed number of lots meets the requirement for Subdivision in the General residential Zone. The size of the proposed lots are larger than the minimum size for this zone. In addition, the layout of the blocks makes efficient use of the available land.</i></b></p> <p><b><i>The development site is not within a Heritage Precinct or contains a Heritage Place. Therefore the Historic Heritage Code does not apply to the development. There is no provision in the Planning Scheme which requires new development adjacent to a Local Historic Place to be compatible or sympathetic to</i></b></p> |

|   |  |
|---|--|
| <p>ensure the street appeal of this town is maintained. ....property may have its' heritage value negatively impacted by a crowded suburban development on its' perimeter, especially if the design and architectural quality is not compatible with this property. This may significantly affect the appeal of Oatlands as a heritage village in the long term; and</p> <p>3) There are currently significant water drainage issues related to flooding through ..... We require a guarantee from council that the proposed development would not exacerbate an already potentially problematic storm water flow issue for our property and the surrounding area. There's a need for greater detail regarding where storm water currently flowing through this lot will be directed.</p> | <p><i>nearby Historic Buildings. Additionally, there are no character statements for this zone to guide the design criteria of what development may look like.</i></p> <p><i>The application contains several documents and designs which satisfactorily address the requirements for Stormwater Management at subdivision stage. Council's Municipal engineer has guided the applicant in stormwater management and is satisfied with the proposal. In addition, detailed stormwater designs will be conditioned in the Planning Permit</i></p> |
|---|--|

**ASSESSMENT - THE SOUTHERN MIDLANDS INTERIM PLANNING SCHEME**

**General Residential Zone**

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

|   |                             |                        |
|---|-----------------------------|------------------------|
| <p><b>Development Standards - Subdivision</b><br/> <b>10.6.1 Lot Design</b><br/>         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 the Zone Purpose and any relevant Local Area Objectives or Desired Future Character Statements;</li> <li>(b) contain building areas which are suitable for residential development, located to avoid hazards;</li> <li>(c) are a mix of lot sizes to enable a variety of dwelling and household types;</li> <li>(d) are capable of providing for a high level of residential amenity including privacy, good solar access; and passive surveillance of public spaces;</li> <li>(e) ensure an average net density for new suburban areas no less than 15 dwellings per hectare with higher densities close to services, facilities and public transport corridors;</li> <li>(f) are not internal lots, except if the only reasonable way to provide for desired residential density;</li> <li>(g) are provided in a manner that provides for the efficient and ordered provision of infrastructure.</li> </ul> |                             |                        |
| <b>Acceptable Solutions</b>   | <b>Performance Criteria</b> | <b>Officer Comment</b> |
| <b>A1</b>   | <b>P1</b>                   |                        |

|  |  |  |
|--|--|--|
| <p>The size of each lot must comply with the minimum and maximum lot sizes specified in Table 10.1, except if for public open space, a riparian or littoral reserve or utilities.</p>  | <p>The size of each lot must satisfy all of the following:</p> <p>(a) variance above the maximum lot size in Table 10.1 only to the extent necessary due to demonstrated site constraints;</p> <p>(b) be consistent with any applicable Local Area Objectives or Desired Future Character Statements for the area.</p>   | <p>The proposal is for 14 lots, of which the lot sizes meet the minimum and maximum sizes as specified in Table 10.1. these being 450m<sup>2</sup> – 1000m<sup>2</sup></p> <p>The Acceptable Solution A1 is met.</p>   |
| <p><b>A2</b></p> <p>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) the long axis of the building area faces north or within 20 degrees west or 30 degrees east of north;</p> <p>(f) is 10m x 15m in size.</p> | <p><b>P2</b></p> <p>The design of each lot must contain a building area able to satisfy all of the following:</p> <p>(a) be reasonably capable of accommodating residential use and development;</p> <p>(b) meets any applicable standards in codes in this planning scheme;</p> <p>(c) enables future development to achieve maximum solar access, given the slope and aspect of the land;</p> <p>(d) minimises the need for earth works, retaining walls, and fill and excavation associated with future development;</p> <p>(e) provides for sufficient useable area on the lot for both of the following:</p> <p>(i) 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.</p> <p>(b) the standards within the Parking &amp; Access Code will be achieved.</p> <p>(c) Lot sizes and shape will enable solar access.</p> <p>(d) the need for earthworks, excavation and fill will be minimised.</p> <p>(e) on site car parking and private open space are more than sufficient.</p> <p>The proposal meets Performance Criteria P2.</p> |

|  |  |  |
|--|--|--|
| <p><b>A3</b><br/>         The frontage for each lot must comply with the minimum and maximum frontage specified in Table 10.2, except if for public open space, a riparian or littoral reserve or utilities or if an internal lot.</p> | <p><b>P3</b><br/>         The frontage of each lot must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) provides opportunity for practical and safe vehicular and pedestrian access;</li> <li>(b) provides opportunity for passive surveillance between residential development on the lot and the public road;</li> <li>(c) is no less than 6m.</li> </ul>   | <p>A single new vehicular access provides safe access from Queen Anne Street. Additionally a new section of footpath 1.5m wide to this frontage of Queen Anne Street will be provided.</p> <p>The layout and orientation of the blocks around the culdesac creates opportunities for passive surveillance of the public realm.</p> <p>No frontage is less than 6m.</p> <p>Performance Criteria P3 is met</p> |
| <p><b>A4</b><br/>         No lot is an internal lot.</p>   | <p><b>P4</b><br/>         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</li> </ul> | <p>The Acceptable Solution A4 is met, there are no internal lots.</p>  |

|   |   |  |
|---|---|--|
|   | <p>neighbouring land is unlikely to be unreasonably affected by subsequent development and use;</p> <p>(f) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way, with a width of no less than 3.6m;</p> <p>(g) passing bays are provided at appropriate distances to service the likely future use of the lot;</p> <p>(h) the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road;</p> <p>(i) a sealed driveway is provided on the access strip prior to the sealing of the final plan.</p> <p>(j) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces.</p> |  |
| <p><b>A5</b><br/>         Subdivision is for no more than 3 lots.</p> | <p><b>P5</b><br/>         Arrangement and provision of lots must satisfy all of the following;</p> <p>(a) have regard to providing a higher net density of dwellings along;</p> <p>(i) public transport corridors;</p> <p>(ii) adjoining or</p>   | <p>(a) (i) There are no Public Transport corridors adjacent to the property.</p> <p>(a) (ii) There is no adjoining public open space.</p> <p>(a) (iii) There are no shops or business zones within 200m.</p> |

|  |   |  |
|--|---|--|
|  | <p>opposite public open space, except where the public open space presents a hazard risk such as bushfire;</p> <p>(iii) within 200 m of business zones and local shops;</p> <p>(b) will not compromise the future subdivision of the entirety of the parent lot to the densities envisaged for the zone;</p> <p>(c) staging, if any, provides for the efficient and ordered provision of new infrastructure;</p> <p>(d) opportunity is optimised for passive surveillance between future residential development on the lots and public spaces;</p> <p>(e) is consistent with any applicable Local Area Objectives or Desired Future.</p> | <p>(b) Future subdivision will not be compromised.</p> <p>(c) Staging will provide a coordinated response to infrastructure.</p> <p>(d) Passive surveillance of the Public realm is created.</p> <p>(e) There are no Local Area Objectives for this zone.</p> <p>Performance Criteria P5 is met.</p> |
|--|---|--|

|   |  |  |
|---|--|--|
| <p><b>Development Standards - Subdivision</b></p>   |  |  |
| <p><b>10.6.2 Roads</b></p>  |  |  |
| <p>To ensure that the arrangement of new roads within a subdivision 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 vehicular, pedestrian, cycling and public transport traffic;</p>                         |  |  |
| <p>(c) the efficient ultimate subdivision of the entirety of the land and of neighbouring land.</p>                           |  |  |
| <p><b>Acceptable Solutions</b></p>  | <p><b>Performance Criteria</b></p>   | <p><b>OFFICER COMMENT</b></p>  |
| <p><b>A1</b><br/>The subdivision includes no new road.</p>  | <p><b>P1</b><br/>The arrangement and construction of roads within a subdivision must satisfy all of the following:</p> | <p>The subdivision will create a new road, the proposal is therefore</p> |

|  |  |   |
|--|--|---|
|  | <p>(a) the route and standard of roads accords with any relevant road network plan adopted by the Planning Authority;</p> <p>(b) the appropriate and reasonable future subdivision of the entirety of any balance lot is not compromised;</p> <p>(c) the future subdivision of any neighbouring or nearby land with subdivision potential is facilitated through the provision of connector roads and pedestrian paths, where appropriate, to common boundaries;</p> <p>(d) an acceptable level of access, safety, convenience and legibility is provided through a consistent road function hierarchy;</p> <p>(e) cul-de-sac and other terminated roads are not created, or their use in road layout design is kept to an absolute minimum;</p> <p>(f) connectivity with the neighbourhood road network is maximised;</p> <p>(g) the travel distance between key destinations such as shops and services is minimised;</p> <p>(h) walking, cycling and the efficient movement of public transport is facilitated;</p> | <p>assessed against the Performance Criteria.</p> <p>(a) satisfied. Road standards will be conditioned to the acceptable standards.</p> <p>(a) not applicable, there is no balance lot.</p> <p>(c) satisfied, the subdivision will provide a footpath to Queen Anne Street. Development is already under construction for nearby neighbouring subdivisions. A network of roads is provided for in the area and are capable of being improved when further development commences in close proximity to the property.</p> <p>Whilst the subdivision can be undertaken in its current form Council should consider that it may have to allocate funding to construct, or partially construct, Glenelg St in the future.</p> <p>(d) satisfied.</p> <p>(e) satisfied, culdesac use is kept to a minimum.</p> <p>(f) satisfied, connections to Queen Anne Street are made. From here pedestrian access is achieved to a network of routes.</p> <p>(g) not applicable.</p> |
|--|--|---|

|  |  |   |
|--|--|---|
|  | <p>(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>(h) satisfied</p> <p>(i) satisfied.</p> <p>(j) satisfied, there is existing roads which are capable of being sealed when further development in the area is brought forward.</p> |
|--|--|---|

**Development Standards - Subdivision**

**10.6.3 Ways & Public Open Space**

To ensure that the arrangement of ways and public open space provides for all of the following:

- (a) the provision of safe, convenient and efficient connections to assist accessibility and mobility of the community;
- (b) the adequate accommodation of pedestrian and cycling traffic.

| <b>Acceptable Solutions</b>                  | <b>Performance Criteria</b>  | <b>OFFICER COMMENT</b>  |
|--|--|---|
| <p><b>A1</b><br/>No Acceptable Solution.</p> | <p><b>P1</b><br/>The arrangement of ways and public open space within a subdivision must satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) connections with any adjoining ways are provided through the provision of ways to the common boundary as appropriate;</li> <li>(b) connections with any neighbouring land with subdivision potential is provided through the provision of ways to the common boundary, as appropriate;</li> <li>(c) connections with the neighbourhood road network are provided through the provision of ways to those roads</li> </ul> | <p>(a) satisfied, connections to Queen Anne Street are proposed.</p> <p>(b) satisfied, connections to Queen Anne and Glenelg Street are proposed.</p> <p>(c) connections to Queen Anne and Glenelg Street are proposed.</p> |

|  |  |  |
|--|--|--|
|  | <p>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 &amp; cycle way or public open space plan adopted by the Planning Authority;</p> <p>(h) Public Open Space must be provided as land or cash in lieu, in accordance with the relevant Council policy.</p> <p>(i) new ways or extensions to existing ways must be designed to minimise opportunities for entrapment or other criminal behaviour including, but not limited to, having regard to the following:</p> <p>(i) the width of the way;</p> <p>(ii) the length of the way;</p> <p>(iii) landscaping within the way;</p> <p>(iv) lighting;</p> | <p>(d) connections to Queen Anne and Glenelg Street are proposed.</p> <p>(e) satisfied, all new ways are within the public realm, to the street frontage.</p> <p>(f) connections to Queen Anne and Glenelg Street are proposed..</p> <p>(g) satisfied, connections to Queen Anne and Glenelg Street are proposed.</p> <p>(h) satisfied, cash in lieu as Condition.</p> <p>(i) there are no existing ways or new ways proposed.</p> |
|--|--|--|

|  |  |  |
|--|--|--|
|  | (v) provision of opportunities for 'loitering';<br>(vi) the shape of the way (avoiding bends, corners or other opportunities for concealment). |  |
|--|--|--|

| <b>Development Standards – Subdivision</b>   |   |  |
|--|---|--|
| <b>10.6.4 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>   |
| <b>A1</b><br>Each lot must be connected to a reticulated potable water supply.                                       | <b>P1</b><br>No Performance Criteria.   | The proposal complies with the Acceptable Solution   |
| <b>A2</b><br>Each lot must be connected to a reticulated sewerage system.  | <b>P2</b><br>No Performance Criteria.   | The proposal complies with the Acceptable Solution.  |
| <b>A3</b><br>Each lot must be connected to a stormwater system able to service the building area by gravity.         | <b>P3</b><br>If connection to a stormwater system is unavailable, each lot must be provided with an on-site stormwater management system adequate for the future use and development of the land. | The proposal complies with the Acceptable Solution.<br><br>A condition requiring a stormwater management plan be submitted with the engineering design plans is recommended. |
| <b>A4</b><br>The subdivision includes no new road.   | <b>P4</b><br>The subdivision provides for the installation of fibre ready facilities (pit and pipe that can hold optical fibre line) and the underground provision of electricity supply.         | Performance Criteria P4 is met. A condition requiring the new lots be provided with underground power and fibre ready pit and pipe is recommended.                           |

**CODE ASSESSMENT**

**E5.0 Road and Railway Assets Code**

The purpose of this provision is to:

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

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

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

| <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.   |  |  |
| <b>Acceptable Solutions</b>   | <b>Performance Criteria</b>  | <b>OFFICER COMMENT</b>   |
| <p><b>A1</b><br/>           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><br/>           For roads in an area subject to a speed limit of more than 60km/h, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> <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>Acceptable Solution A1 met.<br/>           The new junction with Queen Anne Street and accesses to Lots 13 and 14 comply with the Acceptable Solution. The speed limit is 50km/h.</p> |
| <p><b>A2</b><br/>           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><br/>           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>  | <p>The Acceptable Solution is met, one point of access for the subdivision is proposed for Queen Anne Street are proposed.</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>The access will be in accordance with the standard drawings.</p> |
|--|--|---|

| <p><b>Development Standards</b><br/> <b>E5.6.4 Sight distance at accesses, junctions and level crossings</b><br/>         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.</p>   |   |  |
|---|---|--|
| <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 Distance shown in Table E5.1; and</li> <li>b. rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.</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 of vehicles, 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 frequency of use of the road or rail network;</li> <li>(c) any alternative access;</li> <li>(d) the need for the access, junction or level crossing;</li> <li>(e) any traffic impact assessment;</li> <li>(f) any measures to improve or maintain sight distance; and</li> <li>(g) any written advice received from the road or rail authority.</li> </ul> | <p>The Sight distances at the new access to Queen Anne Street comply the Acceptable Solution A1.</p> |

## **E6.0 Parking and Access Code**

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

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

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

## **CONCLUSION**

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

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

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

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

## **RECOMMENDATION**

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

## **CONDITIONS**

### **General**

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

### **Staged development**

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

### **Transfer of reserves**

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

### **Public Open Space**

4. As insufficient provision has been made for recreational space, and having formed the opinion that such a provision should be made in respect of the proposal, Council requires that an amount equal to five percent (5%) of the unimproved POS will be payable on all the subdivision lots except the balance with the existing dwelling and must be provided as cash-in-lieu of public open space in accordance with the provisions of Section 117 of the Local Government (Building & Miscellaneous Provisions) Act 1993. The subdivider must obtain a valuation for the unimproved value of the subdivision from a registered Valuer.
5. The cash-in-lieu of public open space must be in the form of a direct payment made before the sealing of the final plan of survey or, alternatively, in the form of a Bond or Bank guarantee to cover payment within ninety (90) days after demand, made after the final plan of survey has taken effect.

### **Easements**

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

### **Final plan**

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

### **Engineering**

11. The subdivision must be carried out and constructed in accordance with the:
  - a. *Tasmanian Subdivision Guidelines*

*b. Tasmanian Municipal Standard – Specifications*

*c. Tasmanian Municipal Standard – Drawings*

as published by the Local Government Association of Tasmania and to the satisfaction of Council's General Manager.

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

### **Services**

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

### **Roads and Access**

18. Roadworks must, unless approved otherwise by Council's General Manager, include -
  - (a) Proposed Subdivision Road
    - i. Minimum road reserve of 15.00 metres;
    - ii. Fully sealed, paved and drained carriageway with a minimum carriageway width of 6.9m;
    - iii. Concrete kerb and channel;
    - iv. Concrete footpath (on at least one side);
    - v. Piped stormwater drains
  - (b) Queen Anne Street (across the entire frontage of the subdivision)

- i. Fully sealed, paved and drained carriageway widening to achieve an ultimate minimum carriageway width of 8.9m;
  - ii. Concrete kerb and channel;
  - iii. Concrete footpath;
  - iv. Piped stormwater drains
19. All carriageway surface courses must be constructed with a hot mix asphalt in accordance with standard drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and the requirements of Council's General Manager.
20. Kerb ramps must be provided to accommodate the needs of people with disabilities in accordance with standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager.
21. A reinforced concrete vehicle access must be provided from the road carriageway to service each lot.

### ***Drainage***

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

28. The Developer is to pay a \$3000 per lot contribution (total \$42 000; 14 lots @ \$3000) towards the stormwater infrastructure upgrades. Payment is required on completion of the subdivision works. .

### ***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 2022/00331 - STM, dated 10/03/2022.

### ***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 Cllr D Blackwell, seconded by Cllr 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 (SA2200005) for Subdivision (14 lots) at 14 Queen Anne Street, Oatlands**

**CONDITIONS**

**General**

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

**Staged development**

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

**Transfer of reserves**

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

**Public Open Space**

4. As insufficient provision has been made for recreational space, and having formed the opinion that such a provision should be made in respect of the proposal, Council requires that an amount equal to five percent (5%) of the unimproved POS will be payable on all the subdivision lots except the balance with the existing dwelling and must be provided as cash-in-lieu of public open space in accordance with the provisions of Section 117 of the Local Government (Building & Miscellaneous Provisions) Act 1993. The subdivider must obtain a valuation for the unimproved value of the subdivision from a registered Valuer.
5. The cash-in-lieu of public open space must be in the form of a direct payment made before the sealing of the final plan of survey or, alternatively, in the form of a Bond or Bank guarantee to cover payment within ninety (90) days after demand, made after the final plan of survey has taken effect.

### **Easements**

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

### **Final plan**

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

### **Engineering**

11. The subdivision must be carried out and constructed in accordance with the:
  - a. *Tasmanian Subdivision Guidelines*
  - b. *Tasmanian Municipal Standard – Specifications*
  - c. *Tasmanian Municipal Standard – Drawings*

as published by the Local Government Association of Tasmania and to the satisfaction of Council's General Manager.

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

### **Services**

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

### **Roads and Access**

18. Roadworks must, unless approved otherwise by Council's General Manager, include -
  - (a) Proposed Subdivision Road
    - i. Minimum road reserve of 15.00 metres;
    - ii. Fully sealed, paved and drained carriageway with a minimum carriageway width of 6.9m;
    - iii. Concrete kerb and channel;
    - iv. Concrete footpath (on at least one side);
    - v. Piped stormwater drains
  - (b) Queen Anne Street (across the entire frontage of the subdivision)
    - i. Fully sealed, paved and drained carriageway widening to achieve an ultimate minimum carriageway width of 8.9m;
    - ii. Concrete kerb and channel;

- iii. Concrete footpath;
- iv. Piped stormwater drains

- 19. All carriageway surface courses must be constructed with a hot mix asphalt in accordance with standard drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and the requirements of Council's General Manager.
- 20. Kerb ramps must be provided to accommodate the needs of people with disabilities in accordance with standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's General Manager.
- 21. A reinforced concrete vehicle access must be provided from the road carriageway to service each lot.

### **Drainage**

- 22. The developer is to provide a minor (piped) stormwater drainage system designed to comply with all of the following:
  - a) be able to accommodate a storm with an ARI of 20 years when the land serviced by the system is fully developed;
  - b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure
- 23. Unless approved otherwise by Council's General Manager the subdivision stormwater drainage system must be extended to connect to the piped public stormwater network.
- 24. The developer is to provide a piped stormwater property connection to each lot capable of servicing the entirety of each lot by gravity in accordance with Council standards and to the satisfaction of Council's General Manager. Unless approved otherwise by Council's General Manager the stormwater property connections must be DN150 minimum.
- 25. The developer is to provide a major stormwater drainage system designed to accommodate a storm with an ARI of 100 years.
- 26. Unless approved otherwise by Council's general Manager, the stormwater system for the subdivision must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 of the Southern Midlands Interim Planning Scheme 2015.
- 27. The developer must submit a stormwater management plan to Council for approval with the engineering design plans. The stormwater management plan must be prepared and certified by a suitably qualified person, and include calculations, design, construction and maintenance details of stormwater treatment, detention, and conveyance. The plan must clearly demonstrate that the requirements of this permit are met and that adjacent properties will not be adversely impacted by the stormwater system.
- 28. The Developer is to pay a \$3000 per lot contribution (total \$42 000; 14 lots @ \$3000) towards the stormwater infrastructure upgrades. Payment is required on completion of the subdivision works.

### **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 2022/00331 - STM, dated 10/03/2022.

### **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 E Batt           | ✓               |                     |
| Deputy Mayor K Dudgeon | ✓               |                     |
| Clr A E Bisdee OAM     | ✓               |                     |
| Clr D Blackwell        | ✓               |                     |
| Clr D F Fish           | ✓               |                     |

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

**AUTHOR** MANAGER – DEVELOPMENT & ENVIRONMENTAL SERVICES  
(GRANT FINN)

**AUTHORISED BY** SENIOR PLANNER (LOUISA BROWN)

**DATE** 16 OCTOBER 2023

**Attachment(s)**

*Development Application documents*

*TasWater SPAN*

*Representation*

**PROPOSAL**

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

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

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

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

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

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

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

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

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

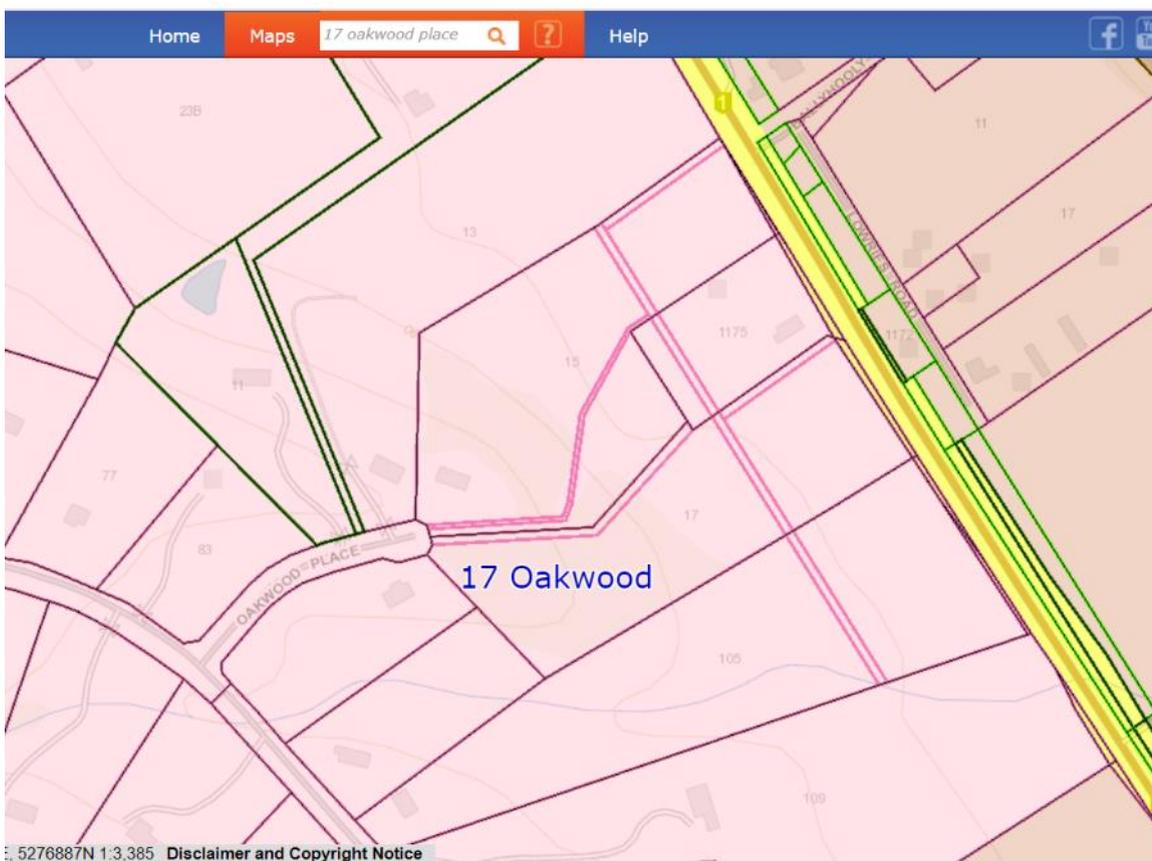
## THE SITE

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

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

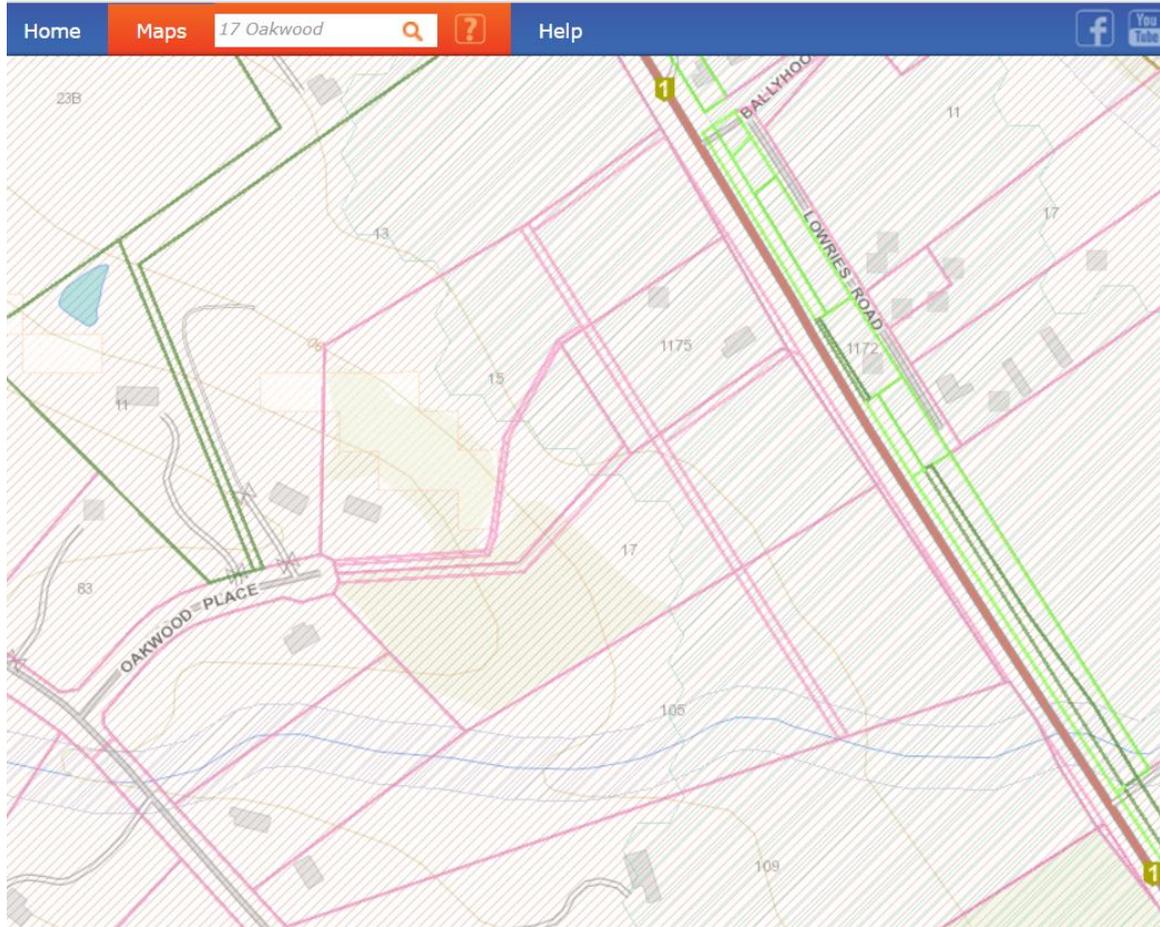
The subject site has frontage to both the Midlands Highway and Oakwood Place, with access being maintained only from Oakwood Place. There is no provision for legal access to the Midlands Highway and there is a covenant imposed to this effect.

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

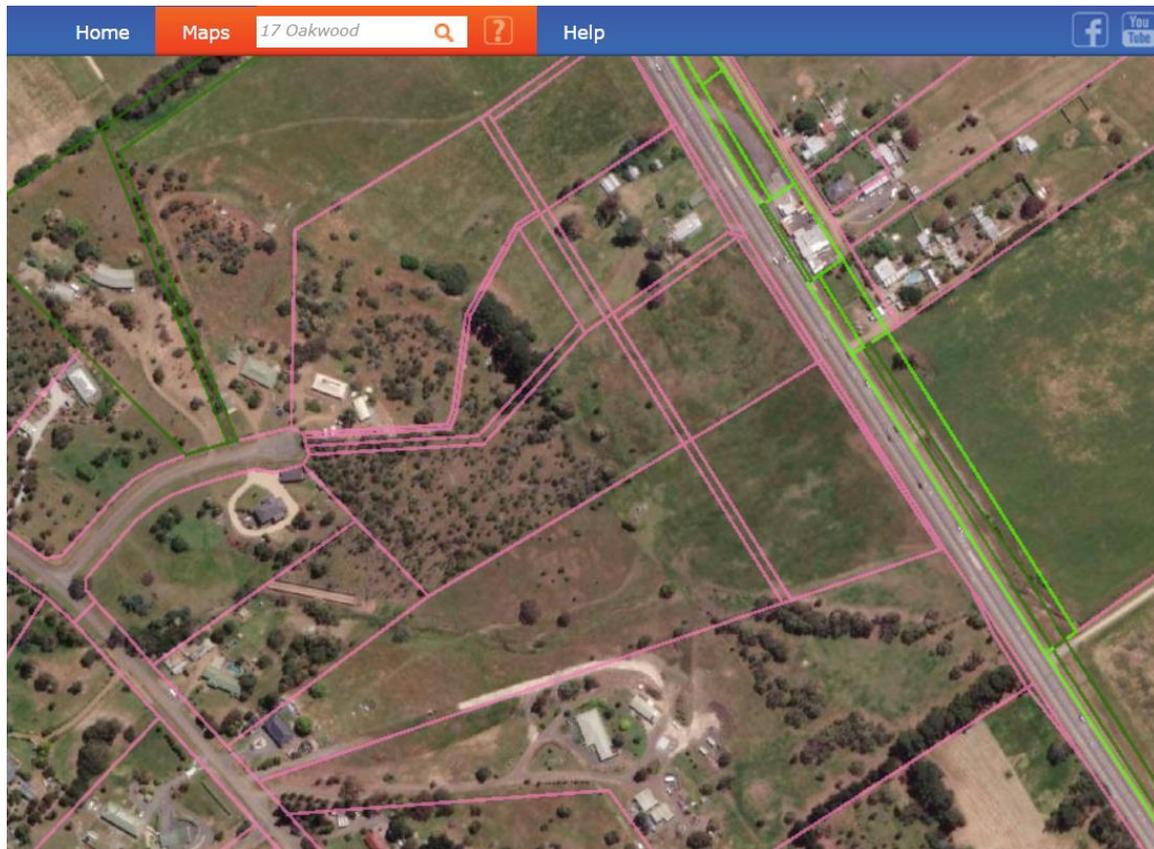


**Map 1** \_The subject land and most surrounding properties are in the Rural Living A Zone (pink). Adjoining land to the east and south is in the Agriculture Zone (brown). The Midland Highway is in the Utilities Zone (bright yellow). Source: LISTmap October 2023

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



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



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

### **THE APPLICATION**

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

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

Specific matters relevant to the application are discussed below.

#### Access

All lots will have access from Oakwood Place, Mangalore.

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

#### Stormwater and Sewer

Reticulated stormwater and sewer are not available in this location.

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

#### Bushfire

The entirety of the land is identified as bushfire prone.

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

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

#### Public Open Space

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

#### TASWater

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

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

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

#### **USE/DEVELOPMENT DEFINITION**

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

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

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

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

#### **PUBLIC NOTIFICATION AND REPRESENTATIONS**

**The application was advertised from the 30<sup>th</sup> September 2023 until the 13<sup>th</sup> October 2024.**

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

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

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

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

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

***The scheme plan has identified individual building areas for Proposed Lots 1-3 and these would appear to respect the setback from the Midlands Highway.***

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

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

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

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

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

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

*In terms of flood history, the land subject to this application is not covered by a flood-prone hazard*

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

**ASSESSMENT –TASMANIAN PLANNING SCHEME (SOUTHERN MIDLANDS)**

**Rural Living Zone**

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

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

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

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

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

**Development Standards – Rural Living Zone**

**11.5.2 - Roads**

Objective:

That the arrangement of new roads with a subdivision provides:

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

| <b>Acceptable Solutions</b>                        | <b>Performance Criteria</b>  | <b>OFFICER COMMENT</b>  |
|--|--|---|
| <b>A1</b><br>The subdivision includes no new roads | <b>P1</b><br>The arrangement and construction of roads within a subdivision must provide an appropriate level of access, | <i>Each of the Proposed Lots will have frontage to Oakwood Place via RoW.<br/><br/>Conditions of approval will be imposed requiring</i> |

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

| <p><b>Development Standards – Rural Living Zone</b><br/> <b>11.5.3 - Services</b></p> <p>Objective:<br/>         That the subdivision of land provides services for the future use and development of the land.</p>   |  |  |
|---|--|--|
| <b>Acceptable Solutions</b>   | <b>Performance Criteria</b>                            | <b>OFFICER COMMENT</b>   |
| <p><b>A1</b><br/>         Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must:</p> <p>(a) be connected to a full water supply service if the frontage of the lot is within 30m of a full water supply service; or</p> <p>(b) be connected to a limited water supply service if the frontage of the lot is within 30m of a connection to a limited water supply service,</p> <p>unless a regulated entity advises that the lot is unable to be connected to</p> | <p><b>P1</b><br/>         No Performance Criteria.</p> | <p><i>The Proposed Lots will all be connected to a full water supply service, complying with part (a) of the Acceptable Solution A1.</i></p> |

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

**C2.0 Parking and Sustainable Transport Code**

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

**C3.0 Road and Railway Assets Code**

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

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

|  |
|--|
| <p><b>Development Standards – Subdivision</b></p> <p><b>C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area</b></p> <p>Objective:<br/>         To minimise the effects of noise, vibration, light and air emissions on lots for sensitive uses within a road or railway attenuation area, from existing and future major roads and the rail network.</p> |
|--|

| <b>Acceptable Solutions</b>  | <b>Performance Criteria</b>  | <b>OFFICER COMMENT</b>   |
|--|--|--|
| <p><b>A1</b><br/>           A lot, or a lot proposed in a plan of subdivision, intended for a sensitive use must have a building area for the sensitive use that is not within a road or railway attenuation area.</p> | <p><b>P1</b><br/>           A lot, or a lot proposed in a plan of subdivision, intended for sensitive uses within a road or railway attenuation area, must be sited, designed or screened to minimise the effects of noise, vibration, light and air emissions from the existing or future major road or rail network, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) any buffers created by natural or other features;</li> <li>(c) the location of existing or proposed buildings on the site;</li> <li>(d) the frequency of use of the rail network;</li> <li>(e) the speed limit and traffic volume of the road;</li> <li>(f) any noise, vibration, light and air emissions from the rail network or road;</li> <li>(g) the nature of the road;</li> <li>(h) the nature of the intended uses;</li> <li>(i) the layout of the subdivision;</li> <li>(j) the need for the subdivision;</li> <li>(k) any traffic impact assessment;</li> </ul> | <p><i>Part of the subject land is located within the attenuation area of the Midlands Highway.</i></p> <p><i>The proposed lots will all have sufficient building area for sensitive uses to be located outside the road attenuation area, complying with Acceptable Solution A1.</i></p> |

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

**C7.0 Natural Assets Code**

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

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

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

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

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

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

|  |  |   |
|--|--|---|
|  |  | <p>(f) <i>Site inspection reveals that there are no cleared areas of pasture vegetation within the Priority Vegetation Area.</i></p> <p><i>The proposal relies on and complies with the Performance Criteria.</i></p> |
|--|--|---|

### C13.0 Bushfire-Prone Area Code

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

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

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

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

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

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

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

Objective:

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

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

| <b>Acceptable Solutions</b> | <b>Performance Criteria</b> | <b>OFFICER COMMENT</b>                           |
|-----------------------------|-----------------------------|--|
| <b>A1</b>                   | <b>P1</b>                   | <i>A Bushfire hazard Assessment and Bushfire</i> |

|   |  |   |
|---|--|---|
| <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire-fighting; or</p> | <p>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><i>Management Plan has been prepared for the subdivision by Mr. S Walters of Bushfire Tasmania.</i></p>  |
| <p>(b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas is included in a bushfire hazard management plan that:</p>                       | <p>(a) appropriate design measures, including:</p>   | <p><i>This Plan has been both audited and certified by the TFS.</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>(i) two way traffic;</p>  | <p><i>Lot 1 site access length and type will depend on whether the final dwelling location meets the minimum 120m hose length from the reticulated hydrant on Oakwood Place. If this is satisfied to the furthest part of any class 1A proposal (dwelling house), there will be no requirement for site access and will be deemed to comply with Table C13.2 (A).</i></p> |
| <p>(ii) is certified by the TFS or an accredited person.</p>  | <p>(ii) all weather surfaces;</p>  | <p><i>Proposed RoW access to Lots 2 and 3 must comply with Table C13.2 (C).</i></p>   |
|   | <p>(iii) height and width of any vegetation clearances;</p>  | <p><i>Provision of access to a static firefighting water supply is required where property access is &gt;200m in length.</i></p>  |
|   | <p>(iv) load capacity;</p>   | <p><i>Similarly a passing bay is required on Lot 1 for the provision of access.</i></p>   |
|   | <p>(v) provision of passing bays;</p>  | <p><i>The report advises that 'due to potentially moderately sloped land and in order for site accesses to be compliant significant bulk earthworks may be required. Civil design will address these requirements and site construction/ preparation must ensure these</i></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> | <p><i>specifications are met. EMP condition</i></p> |
|--|---|---|

**Development Standards - Subdivision**

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

**Objective:**

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

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

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

**CONCLUSION**

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

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

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

## **RECOMMENDATION**

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

## **CONDITIONS**

### **General**

1. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
2. The development and works must be carried out in accordance with:  
*Bushfire Hazard Assessment Report, Proposed 3 Lot Subdivision at 17 Oakwood Place, Mangalore (Samuel Walters BFP-130; report code A22-17) dated September 2023 (Rev 3).*
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 approved Bushfire Hazard Management Plan have been complied with.

### **Agreements**

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

### **Easements**

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

### **Public Open Space**

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

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

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

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

### **Covenants**

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

### **Final Plan**

9. A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
10. A fee of \$325.00, or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey for each stage.
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 and to arrange any required inspections.
12. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

### **Services**

13. Property services must be contained wholly within each lot served or an easement to the satisfaction of the Council's Manager Environment and Development Services or responsible authority.
14. The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the

proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

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

## **Access**

15. A separate vehicle access must be provided from the road carriageway to the proposed Lots 1, 2 and 3. Accesses must be located and constructed in accordance with the standards shown on standard drawings Standard Drawings TSD-R09-v2 Urban Roads Driveways, and be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimize entry of water to the pavement, or as otherwise agreed by Council's Manager Infrastructure and Works.

## **Tas Water**

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

## **Telecommunications and electrical reticulation**

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

## **Construction**

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

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

## **Construction amenity**

20. The development must only be carried out between the following hours:

|                                       |                     |
|---------------------------------------|---------------------|
| i. 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 |

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

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

22. 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.
23. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the subdivision during the construction period.

### **Stormwater**

24. Stormwater drainage from the proposed development must be retained on site (or) drain to a legal point of discharge to the satisfaction of Council's Manager of Infrastructure & Works and in accordance with a Certificate of Likely Compliance or Plumbing permit issued by the Permit Authority in accordance with the Building Act 2016.
25. A Stormwater Management Report and Designs must be prepared by a suitably qualified person and must be approved by Council's Manager of Infrastructure & Works before Final Plans for Sealing are submitted to Council. This Stormwater report shall form part of this permit when approved.

### **Soil & Water Management**

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

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

- A. This permit does not imply that any other approval required under any other legislation has been granted.
- B. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- C. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval unless the development for which the approval was given has been substantially commenced or extension of time has been granted. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development may be treated as a new application.
- D. All conditions to this Permit must be complied with prior to Council Sealing and issuing of the Final Plan of Survey.
- E. There are restrictive covenants on the title. The development approved by this permit may not be able to proceed without the written approval of the venter or other owners in the subdivision.
- F. Appropriate temporary erosion and sedimentation control measures during construction include, but are not limited to, the following -

- a) Minimise site disturbance and vegetation removal;
- b) Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (e.g. temporarily connected to Council's storm water system, a watercourse or road drain);
- c) Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
- d) Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains; and
- e) Rehabilitation of all disturbed areas as soon as possible.

## **DECISION**

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

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

## **CONDITIONS**

### **General**

1. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
2. The development and works must be carried out in accordance with:  
*Bushfire Hazard Assessment Report, Proposed 3 Lot Subdivision at 17 Oakwood Place, Mangalore (Samuel Walters BFP-130; report code A22-17) dated September 2023 (Rev 3).*
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 approved Bushfire Hazard Management Plan have been complied with.

### **Agreements**

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

### **Easements**

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

### Public Open Space

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

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

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

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

### Covenants

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

### Final Plan

8. 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.
9. A fee of \$325.00, or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey for each stage.
10. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
11. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

### Services

12. Property services must be contained wholly within each lot served or an easement to the satisfaction of the Council's Manager Environment and Development Services or responsible authority.

13. The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

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

### Access

14. A separate vehicle access must be provided from the road carriageway to the proposed Lots 1, 2 and 3. Accesses must be located and constructed in accordance with the standards shown on standard drawings Standard Drawings TSD-R09-v2 Urban Roads Driveways, and be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimize entry of water to the pavement, or as otherwise agreed by Council's Manager Infrastructure and Works.

### Tas Water

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

### Telecommunications and electrical reticulation

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

### Construction

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

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

### Construction amenity

19. The development must only be carried out between the following hours:

|                                       |                     |
|---------------------------------------|---------------------|
| i. 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 |

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

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

21. 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.

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

### **Stormwater**

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

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

### **Soil & Water Management**

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

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

- A. This permit does not imply that any other approval required under any other legislation has been granted.
- B. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- C. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval unless the development for which the approval was given has been substantially commenced or extension of time has been granted. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development may be treated as a new application.

- D. All conditions to this Permit must be complied with prior to Council Sealing and issuing of the Final Plan of Survey.
- E. There are restrictive covenants on the title. The development approved by this permit may not be able to proceed without the written approval of the vender or other owners in the subdivision.
- F. Appropriate temporary erosion and sedimentation control measures during construction include, but are not limited to, the following -
  - a. Minimise site disturbance and vegetation removal;
  - b. Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (e.g. temporarily connected to Council’s storm water system, a watercourse or road drain);
  - c. Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
  - d. Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains; and
  - e. Rehabilitation of all disturbed areas as soon as possible.

**CARRIED**

| <b>DECISION</b>        |                 |                     |
|------------------------|-----------------|---------------------|
| <b>Councillor</b>      | <b>Vote FOR</b> | <b>Vote AGAINST</b> |
| Mayor E Batt           | ✓               |                     |
| Deputy Mayor K Dudgeon | ✓               |                     |
| Clr A E Bisdee OAM     | ✓               |                     |
| Clr D Blackwell        | ✓               |                     |
| Clr D F Fish           | ✓               |                     |

### **12.3 Municipal Seal (Planning Authority)**

Nil.

## 12.4 Planning (Other)

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

**AUTHOR:** PLANNING OFFICER (BERNADETTE CONDE)

**AUTHORISED BY** SENIOR PLANNER (GRANT FINN)

**DATE:** 13 OCTOBER 2023

**Enclosure(s):**

*Certified and Exhibited Amendment Document*

**Attachment(s)**

*Representations*

*TasWater Submission to Planning Authority Notice*

## REPORT IN DETAIL

### INTRODUCTION:

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

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

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

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

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

### BACKGROUND:

#### The Amendment

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

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



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

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

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

**REPORT SUMMARY**

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

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



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

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

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

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

#### Public exhibition of the draft amendment

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

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

#### STATUTORY REQUIREMENTS:

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

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

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

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

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

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

---

Representations received

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

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

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

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

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

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

**CONCLUSION:**

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

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

**THE PROCESS FROM HERE**

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

**RECOMMENDATION:**

**THAT, Council:**

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

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

## **DECISION**

*Moved by Clr D Blackwell, seconded by Deputy Mayor K Dudgeon*

### **THAT Council:**

1. **Consider the representations received in regard to draft amendment DA2300/40, together with the responses provided above; and**
2. **Advise the Tasmanian Planning Commission that a three (3) representations- were received during the public exhibition.**
3. **A copy of this report be forwarded to the Tasmanian Planning Commission being Council’s assessment of the merit of the representations in accordance with Section 40K(2) of the LUPAA and**
4. **Pursuant to Section 40K(2) of the Act, the Council recommend to the Tasmanian Planning Commission that no modification to the Scheme Amendment DA2300/40 is required.**

## **CARRIED**

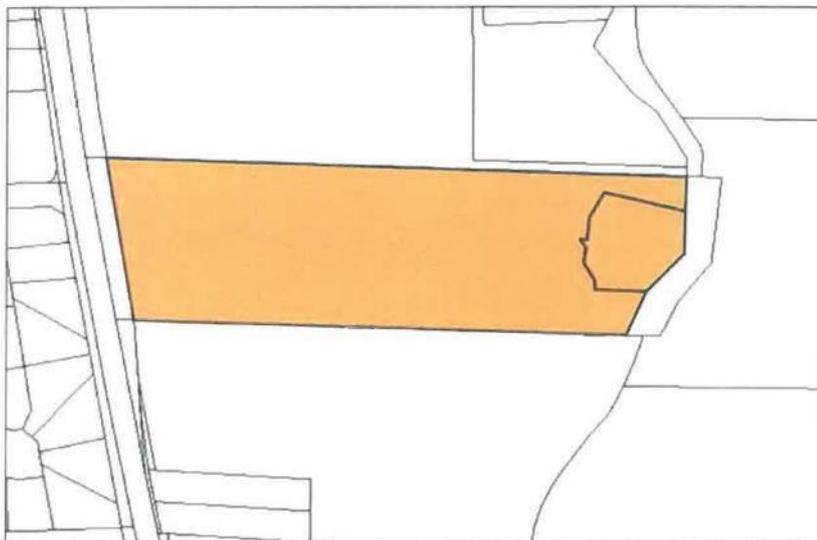
| <b>DECISION</b>        |                 |                     |
|------------------------|-----------------|---------------------|
| <b>Councillor</b>      | <b>Vote FOR</b> | <b>Vote AGAINST</b> |
| Mayor E Batt           | ✓               |                     |
| Deputy Mayor K Dudgeon | ✓               |                     |
| Clr A E Bisdee OAM     | ✓               |                     |
| Clr D Blackwell        | ✓               |                     |
| Clr D F Fish           | ✓               |                     |

**ENCLOSURE**  
*Agenda Item 12.4.1*

**TASMANIAN PLANNING SCHEME - SOUTHERN MIDLANDS LOCAL PROVISIONS SCHEDULE**

*REFERENCE: DRAFT AMENDMENT DA2300/40*

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



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

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

  
.....

General Manager  
Southern Midlands Council

Date 26/7/2023 .....



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

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

### **13.1 Roads**

**Strategic Plan Reference 1.1**

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

Nil.

### **13.2 Bridges**

**Strategic Plan Reference 1.2**

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

Nil.

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

**Strategic Plan Reference 1.3**

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

Nil.

### **13.4 Lighting**

**Strategic Plan Reference 1.4**

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

Nil.

### **13.5 Buildings**

**Strategic Plan Reference 1.5**

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

Nil.

### **13.6 Sewers / Water**

**Strategic Plan Reference(s) 1.6**

*Increase the capacity of access to reticulated sewerage services / Increase the capacity and ability to access water to satisfy development and Community to have access to reticulated water.*

Nil.

### **13.7 Drainage**

**Strategic Plan Reference 1.7**

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

Nil.

### **13.8 Waste**

**Strategic Plan Reference 1.8**

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

Nil.

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

**Strategic Plan Reference 1.9**

*Improve access to modern communications infrastructure.*

Nil.

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

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

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

**Date:** 20 OCTOBER 2023

#### **Roads Program**

Council's graders have been working on various Roads with the bus routes being the priority roads for grading as required. The focus has been to prioritise the higher traffic usage areas of roads. General road maintenance and repairs will continue, including works on pavement repairs and table drain clearing on a priority basis. The annual roadside slashing works has commenced to mitigate the risk related to the proposed climatic conditions that are expected over the coming period.

#### **Current Capital Work.**

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

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

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

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

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

Preparation works for the road stabilization sites is underway.

#### **Parks and Reserves**

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

#### **Bridge Works**

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

#### **Building Services Unit**

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

Construction of 2 accommodation units in Oatlands has commenced.

## **Planned Works**

The following capital works are planned for the coming period

Drainage and pavement repairs various roads.  
Undertake various bridge maintenance repairs.  
Continue construction of accommodation units Oatlands.  
Continue footpath re-newel works Kempton Main Street.-Southern end.  
Advertise council's annual road re-sealing tender.

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

Deputy Mayor K Dudgeon – Anstey Court – acknowledged maintenance works completed.

Mayor E Batt – Bridge maintenance works – further explanation provided by Manager Infrastructure & Works.

## **RECOMMENDATION**

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

## **DECISION**

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

**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 E Batt           | ✓               |                     |
| Deputy Mayor K Dudgeon | ✓               |                     |
| Clr A E Bisdee OAM     | ✓               |                     |
| Clr D Blackwell        | ✓               |                     |
| Clr D F Fish           | ✓               |                     |

**ENCLOSURE**

*Agenda Item 13.10.1*

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

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



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

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

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

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

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

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

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

### **14.1 Residential**

**Strategic Plan Reference 2.1**  
*Increase the resident, rate-paying population in the municipality.*

Nil.

### **14.2 Tourism**

**Strategic Plan Reference 2.2**  
*Increase the number of tourists visiting and spending money in the municipality.*

Nil.

### **14.3 Business**

**Strategic Plan Reference 2.3**  
*Increase the number and diversity of businesses in the Southern Midlands / Increase employment within the municipality / Increase Council revenue to facilitate business and development activities (social enterprise).*

Nil.

### **14.4 Industry**

**Strategic Plan Reference 2.4**  
*Retain and enhance the development of the rural sector as a key economic driver in the Southern Midlands / Increase access to irrigation water within the municipality.*

Nil.

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

### 15.1 Heritage

#### Strategic Plan Reference – Page 22

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

#### 15.1.1 Heritage Project Program Report

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

**Date:** 25 OCTOBER 2023

#### ISSUE

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

#### DETAIL

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

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

Upgrade works to the Gay Street Hall are nearing completion

#### RECOMMENDATION

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

#### DECISION

*Moved by Deputy Mayor K Dudgeon, seconded by Clr D Blackwell*

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

| DECISION               |          |              |
|------------------------|----------|--------------|
| Councillor             | Vote FOR | Vote AGAINST |
| Mayor E Batt           | ✓        |              |
| Deputy Mayor K Dudgeon | ✓        |              |
| Clr A E Bisdee OAM     | ✓        |              |
| Clr D Blackwell        | ✓        |              |
| Clr D F Fish           | ✓        |              |

## 15.2 Natural

### Strategic Plan Reference – page 23/24

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

### 15.2.1 NRM Unit – General Report

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

**Date:** 17 OCTOBER 2023

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

#### DETAIL

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

**RECOMMENDATION**

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

**DECISION**

*Moved by Cllr D Fish, seconded by Cllr D Blackwell*

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

**CARRIED**

| <b>DECISION</b>        |                     |                         |
|------------------------|---------------------|-------------------------|
| <b>Councillor</b>      | <b>Vote<br/>FOR</b> | <b>Vote<br/>AGAINST</b> |
| Mayor E Batt           | ✓                   |                         |
| Deputy Mayor K Dudgeon | ✓                   |                         |
| Cllr A E Bisdee OAM    | ✓                   |                         |
| Cllr D Blackwell       | ✓                   |                         |
| Cllr D F Fish          | ✓                   |                         |

## 15.3 Cultural

### Strategic Plan Reference 3.3

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

#### 15.3.1 Heritage & Bullock Festival 2023

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

**DATE:** 17 OCTOBER 2023

**Attachment(s):**

*Event Evaluation – Heritage & Bullock Festival 2023*

**ISSUE**

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

**DETAIL**

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

The Report covers the following components;

|   |         |
|---|---------|
| <i>Introduction</i>                           | 3       |
| <i>Background</i>                             | 4 - 7   |
| <i>Why We Did This</i>                        | 8       |
| <i>How Did We Do It</i>                       | 9 - 13  |
| <i>The Street Parade - What a Start!</i>      | 14 - 15 |
| <i>Spaces &amp; Places Used for the Event</i> | 15 - 27 |
| <i>What Was Achieved</i>                      | 28      |
| <i>Acknowledgements</i>                       | 29      |
| <i>Appendices</i>                             | 30 - 37 |

- A. *What Allows Us to Formally Undertake This Event*
- B. *Program Flyer - Festival*
- C. *Program Flyer - Heritage Speakers*

Summary of what was achieved

*The costs to Council of delivering the Festival;*

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

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

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

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

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

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

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

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

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

## CONCLUSION

The Event Evaluation Report is commended for Council’s consideration

### Human Resources & Financial Implications

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

### Community Consultation & Public Relations Implications

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

### Policy Implications

Nil.

### Priority - Implementation Time Frame

N/A

## RECOMMENDATION

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

## DECISION

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

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

## CARRIED

| DECISION               |          |              |
|------------------------|----------|--------------|
| Councillor             | Vote FOR | Vote AGAINST |
| Mayor E Batt           | ✓        |              |
| Deputy Mayor K Dudgeon | ✓        |              |
| Clr A E Bisdee OAM     | ✓        |              |
| Clr D Blackwell        | ✓        |              |
| Clr D F Fish           | ✓        |              |

### 15.3.2 Proposal to Rename Brodribbs Road in Campania

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

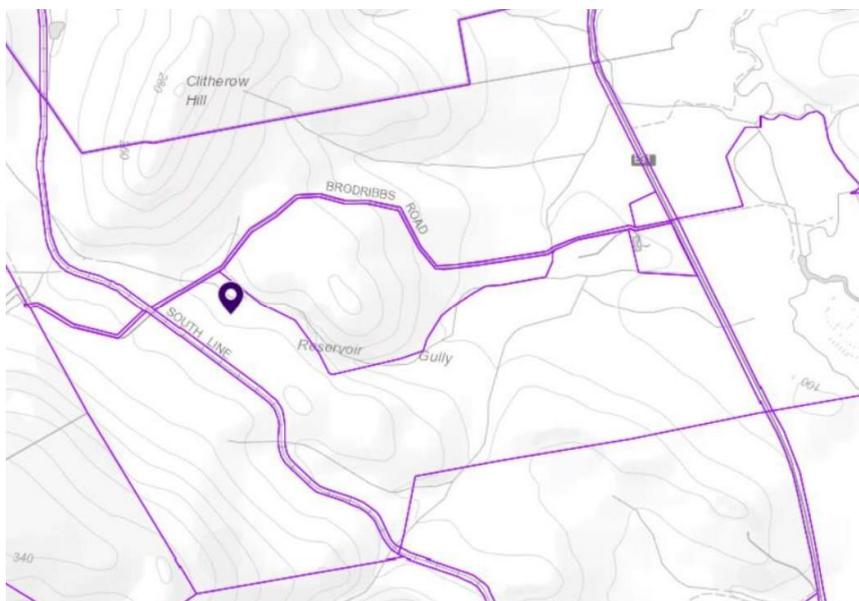
**DATE:** 20 OCTOBER 2023

#### ISSUE

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

#### DETAIL

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



Site Plan

Location Plan

## Attention: all Councillors, Southern Midlands Council

**RE: Restoration of historical name “DANBY” Road**

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



Tasmanian Country  
October 13, 2023

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



### Tunnack Monument

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

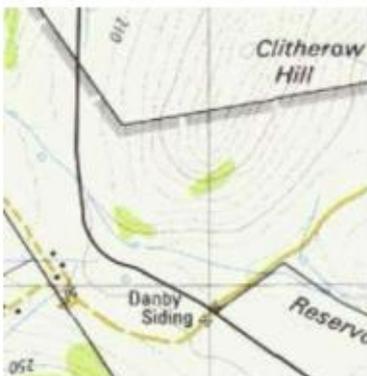
Every reader has a history, each with a unique story to tell on what it means to identify as a “Tasmanian”. For some it’s generational; for others it’s a timeless sense of belonging and identity.

Whatever your history, we can all be grateful to local Heritage Committees state-wide that keep the memory of our pioneers alive.

Authorised by M. Bendor, Mountain Park, Danby, 7026

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

The name “DANBY” derives from Arthur Brodribb<sup>2</sup>, who bought a 250 acre block (sub-division off *Stockdale* Campania) in 1894, west of the railway line (below Clitherow Hill); which later gave rise to railway place name DANBY SIDING (pictured: BAINS map).



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



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

<sup>1</sup> pers comms 2022 Alex Green, former Mayor Southern Midlands Council

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

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

## REQUEST:

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

***“It’s always been called Danby<sup>4</sup> Road”***

**Arthur Plummer**

Sep 12, 1899 - Jul 6, 2001

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

P: 0362 604 222

Robert “Bob” Annells  
former owner *Stockdale* Campania (2002-202:

P: 0418 371 367

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

---

<sup>4</sup> pers comms Arthur Plummer 1995 (*Mountain Park* farm diary notes)

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

## RECOMMENDATION

***THAT to be discussed at November Council Meeting – Bradley Williams, Heritage Manger to prepare a report***

## DECISION

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

**THAT this issue be further considered at the November Council Meeting following research and receipt of additional information from the Manager Heritage Projects.**

## CARRIED

| DECISION               |          |              |
|------------------------|----------|--------------|
| Councillor             | Vote FOR | Vote AGAINST |
| Mayor E Batt           | ✓        |              |
| Deputy Mayor K Dudgeon | ✓        |              |
| Clr A E Bisdee OAM     | ✓        |              |
| Clr D Blackwell        | ✓        |              |
| Clr D F Fish           | ✓        |              |

## 15.4 Regulatory (Development)

**Strategic Plan Reference 3.4**

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

Nil.

## 15.5 Regulatory (Public Health)

**Strategic Plan Reference 3.5**

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

Nil.

## 15.6 Regulatory (Animals)

### Strategic Plan Reference 3.6

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

### 15.6.1 Animal Management Report

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

**Date:** 18 OCTOBER 2023

**Enclosure(s):**

*Animal Management Statement 2023*

### ISSUE

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

The purpose of the report is twofold:

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

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

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

### Resource Sharing

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

### INFRINGEMENT DETAILS:

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

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

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

### ATTACK DETAILS:

11/10/23 - Lambs attacked – Oatlands area

### RECOMMENDATION

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

### DECISION

*Moved by Clr D Fish, seconded by Clr D Blackwell*

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

### CARRIED

| DECISION               |          |              |
|------------------------|----------|--------------|
| Councillor             | Vote FOR | Vote AGAINST |
| Mayor E Batt           | ✓        |              |
| Deputy Mayor K Dudgeon | ✓        |              |
| Clr A E Bisdee OAM     | ✓        |              |
| Clr D Blackwell        | ✓        |              |
| Clr D F Fish           | ✓        |              |

**ENCLOSURE**

*Agenda Item 15.6.1*

**YTD ANIMAL MANAGEMENT STATEMENT**

**2023**

| <b>DOG IMPOUNDS</b> | <b>RECLAIMED</b> | <b>ADOPTED/DOGS HOME</b> | <b>EUTHANISED</b> | <b>OTHER IMPOUNDS</b>                                       |
|---------------------|------------------|--------------------------|-------------------|---|
| 12                  | 15               | 2                        |                   | 3 sheep – claimed<br>1 sheep – claimed<br>1 sheep - claimed |

**JOBS ATTENDED**

**October 2023**

| <b>DOGS AT LARGE</b>       | <b>DOG ATTACKS</b> | <b>DOG BARKING</b> | <b>DOG GENERAL</b>       |
|----------------------------|--------------------|--------------------|--------------------------|
| 3                          | 1                  | 2                  | 10                       |
| <b>NEW KENNEL LICENCES</b> | <b>WELFARE</b>     | <b>STOCK</b>       | <b>Central Highlands</b> |
| 2 active licence           | 2                  | 2                  | 1                        |

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

## 15.7 Environmental Sustainability

**Strategic Plan Reference 3.7**

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

Nil.

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

### **16.1 Community Health and Wellbeing**

**Strategic Plan Reference 4.1**

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

Nil.

### **16.2 Recreation**

**Strategic Plan Reference 4.2**

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

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

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

**Date:** 17 October 2023

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

#### **BACKGROUND**

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

#### **DETAIL**

The purpose of the report is twofold:

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

**Financial Reporting:**

**Operating Budget:**

| Income                                    |                                | Annual Budget<br>2023/24 | September<br>2023 | YTD<br>Total    | % of Budget  |
|---|--------------------------------|--------------------------|-------------------|-----------------|--------------|
| Pool – Admission Fees                     | Casual Fees                    | \$37,360                 | \$3,506           | \$3,957         | 28.1%        |
|   | Memberships & Season Passes    | \$157,426                | \$3,265           | \$3,867         | 7.1%         |
|   | Group Bookings & Learn to Swim | \$81,714                 | \$11,244          | \$3,211         | 25.4%        |
|   | Sale of Goods                  | \$9,500                  | \$920             | \$686           | 24.5%        |
| Local Gov't Loan Subsidy<br>(Year 3 of 3) |                                | \$45,107                 | \$0               | \$0             | 0%           |
| Get Active Program                        | "Let's get moving"             |                          |                   | \$800           |              |
| CBA Community<br>Donation                 |                                |                          | \$500             | \$500           |              |
| <b>Sub-Total</b>                          |                                | <b>\$331,107</b>         | <b>\$18,935</b>   | <b>\$46,303</b> | <b>14.0%</b> |

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

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

**Southern Midlands Council**  
Minutes – 25<sup>th</sup> October 2023

---

|                         |  |  |                    |                   |                    |              |
|-------------------------|--|--|--------------------|-------------------|--------------------|--------------|
| <b>Budgeted Deficit</b> |  |  | <b>(\$463,633)</b> | <b>(\$45,848)</b> | <b>(\$145,561)</b> | <b>31.4%</b> |
|-------------------------|--|--|--------------------|-------------------|--------------------|--------------|

**Group Bookings & Programs – September/October:**

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

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

**PAID UPFRONT**

| Type  | Units |
|---|-------|
| <b>Gym &amp; Fitness</b>                      |       |
| Gym & Fitness Class Passes/10 Sessions        | 2     |
| Gym & Fitness Class Passes/5 Sessions         | 0     |
| Gym & Fitness Class Session (17 years) PAYG   | 4     |
| Gym & Fitness Class Session (Concession) PAYG | 12    |
| PAYG Class Pass (16 years)                    | 0     |
| <b>Gym</b>                                    |       |
| PAYG Gym (17 years)                           | 7     |
| PAYG Gym (Concession)                         | 7     |
| <b>Personal Training</b>                      |       |
| Personal Training – 30 Mins                   | 2     |
| Personal Training – 1 Hr                      | 0     |
| <b>Learn to Swim</b>                          |       |
| 4 Day School Holiday Learn to Swim            | 0     |
| 5 Day School Holiday Learn to Swim            | 39    |
| 11 Week Learn to Swim                         | 0     |
| 10 Week Learn to Swim                         | 12    |
| Adult Learn to Swim                           | 3     |
| <b>Pool</b>                                   |       |
| Pool Passes 10 Sessions (Child)               | 4     |
| Pool Pass 10 Session (17 years)               | 1     |
| Upfront 6 Months Pool Membership (17 +)       | 0     |
| Upfront 6 Months Pool Membership (concession) | 0     |
| Upfront 6 Months Pool Membership (Family)     | 0     |
| PAYG – Pool (4 years and under)               | 68    |
| PAYG - Pool (5-16)                            | 374   |
| PAYG - Pool (17)                              | 277   |
| PAYG - Pool (Concession)                      | 193   |
| PAYG - (Family)                               | 33    |
| Pool/Gym Combo PAYG                           | 4     |
| Upfront 6 Months Pool Membership - Renewal    | 0     |
| GYM/Pool Pass 10 Session (17 years)           | 2     |

## DIRECT DEBITS – Current Numbers

| Type                                | Units |
|-------------------------------------|-------|
| DD Pool/Gym                         | 9     |
| DD Class/Pool                       | 29    |
| DD Pool/Gym/Class                   | 1     |
| DD Gym                              | 5     |
| DD Class/Gym                        | 6     |
| DD 6 Months Pool – 17 years +       | 6     |
| DD 6 Months Pool – Child/Concession | 2     |
| DD 6 Months Pool – Family           | 2     |

### Grant Applications

See below an update on the current Grant Application:

- **Tasmanian Government - Premier's Fund for Children & Young People:** We applied for \$50,000.00 to put towards programs at Oatlands Aquatic Centre, which we have been successful in receiving. This funding has already been used to purchase large Learn to Swim Equipment with the remainder of the money to be used in 2023 on Learn to Swim lessons and training courses. During October School Holidays we had 39 participants take part in the program using the funding.
- **Women's Sport & Recreation Tasmania's Get Active Small Grant Program:** We applied for a small \$800.00 grant to put towards an 8 week program at Oatlands Aquatic Centre for a small community program, which we have been successful in receiving. This program has been completed and was great success with participants looking at signing up for ongoing activities at the Aquatic Centre.
- **Commonwealth Bank Small Community Grant Program:** We applied for a small \$500.00 grant to put towards acquiring further Learn to Swim equipment to help continue the growth in and around our current programs. We were successful in receiving this Grant and the funding will go towards teaching equipment such as flippers.

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

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

**Policy Implications** – N/A

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

## RECOMMENDATION

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

## DECISION

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

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

**CARRIED**

| DECISION               |          |              |
|------------------------|----------|--------------|
| Councillor             | Vote FOR | Vote AGAINST |
| Mayor E Batt           | ✓        |              |
| Deputy Mayor K Dudgeon | ✓        |              |
| Clr A E Bisdee OAM     | ✓        |              |
| Clr D Blackwell        | ✓        |              |
| Clr D F Fish           | ✓        |              |

### 16.3 Access

#### Strategic Plan Reference 4.3

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

Nil.

### 16.4 Volunteers

#### Strategic Plan Reference 4.4

*Encourage community members to volunteer.*

Nil.

### 16.5 Families

#### Strategic Plan Reference 4.5

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

Nil.

### 16.6 Education

#### Strategic Plan Reference 4.6

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

Nil.

## 16.7 Capacity & Sustainability

**Strategic Plan Reference 4.7**

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

Nil.

## 16.8 Safety

**Strategic Plan Reference 4.8**

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

Nil.

## 16.9 Consultation & Communication

**Strategic Plan Reference 4.8**

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

Nil.

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

### 17.1 Improvement

#### Strategic Plan Reference 5.1

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

#### 17.1.1 Performing Artist Residencies in Southern Midlands (Prism) Policy

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

**Date:** 25 OCTOBER 2023

**Enclosure(s):**  
*PRISM Policy*

#### ISSUE

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

#### BACKGROUND

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

#### DETAIL

Refer to the policy enclosed.

#### RECOMMENDATION

**THAT: Council endorse the Performing Residencies in Southern Midlands Policy.**

#### DECISION

*Moved by Cllr D Blackwell, seconded by Deputy Mayor K Dudgeon*

**THAT Council endorse the Performing Residencies in Southern Midlands Policy**

#### CARRIED

| DECISION               |          |              |
|------------------------|----------|--------------|
| Councillor             | Vote FOR | Vote AGAINST |
| Mayor E Batt           |          |              |
| Deputy Mayor K Dudgeon |          |              |
| Cllr A E Bisdee OAM    |          |              |
| Cllr D Blackwell       |          |              |
| Cllr D F Fish          |          |              |

**ENCLOSURE**  
*Agenda Item 17.1.1*

|   |   |
|---|---|
|  | Council Policy  |
|   | <b>PERFORMING RESIDENCIES IN SOUTHERN MIDLANDS POLICY</b> |
| Approved by:  | Council   |
| Approved date:  | 25 <sup>th</sup> October 2023                             |
| Review date:  | October 2026  |

## 1. PURPOSE

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

## 2. OBJECTIVE

This policy seeks to further the following program objectives:

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

## 3. POLICY

### 3.1 Staffing and administration

The program will be administered by a working group comprising:

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

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

### 3.2 Funding and budget

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



---

Council Policy

---

**PERFORMING RESIDENCIES IN SOUTHERN MIDLANDS  
POLICY**

---

Approved by: Council  
Approved date: 25<sup>th</sup> October 2023  
Review date: October 2026

---

### **3.3 Partnerships**

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

### **3.4 Eligibility for application and application/selection process**

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

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

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



---

Council Policy

---

**PERFORMING RESIDENCIES IN SOUTHERN MIDLANDS  
POLICY**

---

Approved by: Council  
Approved date: 25<sup>th</sup> October 2023  
Review date: October 2026

---

**3.6 The Artist's inputs, expectations and responsibilities**

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

**3.7 Copyright and right to profit**

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

**4. RELATED DOCUMENTS**

- Use policies and user manuals for various buildings used.

**5. DOCUMENT ADMINISTRATION**

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

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

## 17.2 Sustainability

### Strategic Plan Reference 5.2

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

### 17.2.1 Tabling of Documents

Notice of Resignation from Cllr Rowena McDougall effective from 31<sup>st</sup> October 2023.

In accordance with section 47 of the *Local Government Act 1993*, the General Manager will advise the Tasmanian Electoral Commissioner accordingly.

### 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 K Dudgeon** – Congratulations to two young members of the community who have been recognised for significant achievements.

- Luke Cooper – Young Tasmanian Land Carer Award. Luke is a founding member and current president of the UTAS Landcare Society and also the founder and current treasurer of Wildcare Friends of the Henty. Through his work with these two groups, Luke has created an incredible impact on Tasmanians ecosystems.
- Erin Rowlands - Grade 9. Erin is one of the six winners of the Frank MacDonald Memorial Study Tour which is a prize-winning essay-based competition, promoting and preserving the meaning of the ANZAC spirit in the Tasmanian community. Erin will travel to Belgium and France as part of a study tour of the Western Front.

**Deputy Mayor K Dudgeon** – Council to acknowledge Ms Denise Smith who recently held an afternoon tea (21<sup>st</sup> October) to raise funds for the McGrath Foundation. Combined funds from the afternoon tea and raffles totalled \$4028.

### 17.2.3 Local Government Shared Services – Quarterly Update – Information Only

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

**Date:** 19 OCTOBER 2023

**Enclosure(s):**

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

#### ISSUE

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

#### BACKGROUND

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

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

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

#### DETAIL

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

#### RECOMMENDATION

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

#### DECISION

*Moved by Clr A E Bisdee, seconded by Deputy Mayor K Dudgeon*

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

#### CARRIED

| DECISION               |          |              |
|------------------------|----------|--------------|
| Councillor             | Vote FOR | Vote AGAINST |
| Mayor E Batt           | ✓        |              |
| Deputy Mayor K Dudgeon | ✓        |              |
| Clr A E Bisdee OAM     | ✓        |              |
| Clr D Blackwell        | ✓        |              |
| Clr D F Fish           | ✓        |              |

**ENCLOSURE**  
Agenda Item 17.2.2

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

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

## 17.3 Finances

### Strategic Plan Reference 5.3

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

### 17.3.1 Monthly Financial Statement (Period ending 30 September 2023)

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

**Date:** 18 OCTOBER 2023

#### ISSUE

Provide the Financial Report for the period ending 30<sup>th</sup> September 2023.

#### BACKGROUND

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

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

#### DETAIL

The enclosed Report incorporates the following: -

- Statement of Comprehensive Income – 1 Aug 2022 to 30 Sep 2023.
- Operating Expenditure Report – 1 Aug 2022 to 30 Sep 2023.
- Capital Expenditure Report – 1 Aug 2022 to 30 Sep 2023.
- Cash Flow Statement – 1 Aug 2022 to 30 Sep 2023.

#### OPERATING EXPENDITURE (OPERATING BUDGET)

Overall operating expenditure to end of September was \$2,452,692, representing 92.8% of the Year to Date Budget.

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

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

Nil.

#### ***Strategic Theme – Growth***

**Sub-Program – Business** - expenditure to date (\$100,479 – 116.84%). Additional expenditure relates to private works. The additional expense will be offset by an increase in private works income.

**Strategic Theme – Landscapes**

**Sub-Program – Regulatory (Animals)** - expenditure (\$37,466 – 121.54%). Additional expenditure is due to an increase in resources required to address non-compliance issues.

**Strategic Theme – Community**

**Sub-Program – Capacity & Sustainability** - expenditure (\$28,952 – 139.52%). Increased expenditure relates to costs incurred in running the Heritage and Bullock Festival.

**Strategic Theme – Organisation**

Nil.

## CAPITAL EXPENDITURE PROGRAM

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

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

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

## RECOMMENDATION

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

## DECISION

*Moved by Deputy Mayor 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 E Batt           | ✓        |              |
| Deputy Mayor K Dudgeon | ✓        |              |
| Clr A E Bisdee OAM     | ✓        |              |
| Clr D Blackwell        | ✓        |              |

**Southern Midlands Council**

Minutes – 25<sup>th</sup> October 2023

---

|              |   |  |
|--------------|---|--|
| Clr D F Fish | ✓ |  |
|--------------|---|--|

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

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

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

|   | Annual<br>Budget<br>\$ | Year to Date<br>(30 September)<br>\$ | %      | Comments   |
|---|------------------------|--------------------------------------|--------|--|
| <b>NOTES</b>  |                        |                                      |        |  |
| 1. Income - User Fees                                     |                        |                                      |        |  |
| - All other Programs                                      | 883,333                | 362,347                              | 41.0%  |  |
| - Private Works   | 449,584                | 52,669                               | 11.7%  |  |
|   | <u>1,332,917</u>       | <u>415,016</u>                       | 31.1%  |  |
| 2. Income - Other   |                        |                                      |        |  |
| - Tas Water Distributions                                 | 182,400                | 38,000                               | 20.83% |  |
| - Public Open Space Contributions                         | 50,000                 | 0                                    | 0.00%  |  |
| - Blue Gum Rovers Donations                               | 0                      | 100                                  |        |  |
| - Kidbiz Contribution to Bagdad Child Care Centre Fencing | 0                      | 3,502                                |        |  |
| - Womensport & Recreation Get Active Program              | 0                      | 800                                  |        | Oatlands Aquatic Centre 50's & Over Get Active Program |
| - Co-contribution to Campania Cricket Pitch Project       | 0                      | 2,000                                |        |  |
| - CBA Donation to Oatlands Aquatic Centre                 | 0                      | 500                                  |        |  |
| - Contribution to Kempton Depot Boundary Fence            | 0                      | 3,200                                |        |  |
|   | <u>232,400</u>         | <u>48,102</u>                        | 20.7%  |  |
| 3. Grants - Capital                                       |                        |                                      |        |  |
| - Roads To Recovery                                       | 665,531                | 0                                    | 0.00%  |  |
| - Rural & Remote Roads Program                            | 1,603,854              | 1,069,236                            | 66.67% | Interlaken Road Project                                |
| - Safer Rural Roads                                       | 205,000                | 102,500                              | 50.00% |  |
| - LRCI - Phase 4  | 665,531                | 0                                    | 0.00%  |  |
| - Natural Disaster Risk Reduction Grant                   | 60,830                 | 0                                    | 0.00%  |  |
| - Aust Govt - BS Bushfire Recovery Grant - The Haven      | 0                      | 465,000                              |        | Broadmarsh/Elderslie Progress Association Inc Grant    |
|   | <u>3,200,746</u>       | <u>1,636,736</u>                     | 51.14% |  |
| 4. Grants - Operating                                     |                        |                                      |        |  |
| - FAGS 2023/24  | 3,990,758              | 103,038                              | 2.58%  |  |
| - Navigate Family Services (School Holiday Program)       | 0                      | 2,983                                |        |  |
|   | <u>3,990,758</u>       | <u>106,021</u>                       | 2.7%   |  |

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

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

**Southern Midlands Council**  
Minutes – 25<sup>th</sup> October 2023

**CAPITAL EXPENDITURE PROGRAM 2023-24**  
**As at 30 September 2023**

|                                      |   | BUDGET<br>\$     | EXPENDITURE<br>\$ | BALANCE<br>\$    | COMMENTS                               | COMPLETION<br>DEADLINE |
|--------------------------------------|---|------------------|-------------------|------------------|--|------------------------|
| <b>INFRASTRUCTURE</b>                |   |                  |                   |                  |  |                        |
| <b>ROAD ASSETS</b>                   |   |                  |                   |                  |  |                        |
| Resheeting Program                   | Roads Resheeting  | 500,000          | 145,407           | 354,593          |  |                        |
|                                      | Elderslie - Bluff Road Resheeting 2km   | 30,000           | 22,152            | 7,848            | WIP \$21,096                           |                        |
|                                      | Stonor - Stonor Road Resheeting   | 30,000           | 26,756            | 3,244            | WIP \$22,452                           |                        |
|                                      | Rhyndaston - Rhyndaston Road Resheeting                                       | 42,272           | 42,272            | 0                | WIP \$33,280                           |                        |
| Reseal Program                       | Roads Reseal Program  | 450,000          | 0                 | 450,000          |  |                        |
| Reconstruct & Seal                   | Campania - Climie Street (200 metres from Reeve Street to Water Lane)         | 60,000           | 0                 | 60,000           |  |                        |
|                                      | Colebrook - Arthur Street (500 metres)  | 90,000           | 0                 | 90,000           | LRCI P4                                | 30 June 2025           |
|                                      | Dysart - Church Lane & Ely Street (approx. 500 metres combined)               | 100,000          | 0                 | 100,000          |  |                        |
|                                      | Elderslie - Pelham Road (1.0 klm)   | 180,000          | 0                 | 180,000          | RTR \$170K                             | 30 June 2024           |
|                                      | Mangalore - Blackbrush Road (1.0 klm from Midland Hwy to M/Ford Dr)           | 180,000          | 0                 | 180,000          | RTR \$170K                             | 30 June 2024           |
|                                      | Oatlands - York Plains Road in two sections (1.00 klm)                        | 180,000          | 0                 | 180,000          |  |                        |
|                                      | Woodsdale - Woodsdale Road in two sections (2.0 klms)                         | 360,000          | 0                 | 360,000          | RTR \$325,531                          | 30 June 2024           |
|                                      | Drainage (Reset Drains - various Roads)                                       | 250,000          | 144,434           | 105,566          |  |                        |
| Construct & Seal<br>(Unsealed Roads) | Colebrook - Yarlington Road (1.0 klm)   | 180,000          | 0                 | 180,000          | LRCI P4                                | 30 June 2025           |
| Minor Seals (New)                    | Oatlands - Interlaken Road (full length) - 23/24 Allocation                   | 2,873,090        | 174,938           | 2,698,152        | Budget c/f \$1,169,236 WIP \$151,104   | 30 June 2026           |
|                                      | Oatlands - Bentwick Street  | 37,777           | 0                 | 37,777           | Budget c/f \$20,000 + \$17,777 LRCI P3 | 30 June 2024           |
| Junction / Road Realignm             | Tin Pot Marsh Road Dust Suppressant   | 40,000           | 0                 | 40,000           | Budget c/f 2022/23 Commitment          |                        |
| Other                                | Bagdad - Green Valley Road - Guard Rail / Line mark. & Sign.                  | 110,000          | 642               | 109,358          | Safer Rural Roads                      |                        |
|                                      | Campania - Estate Road (vicinity Mallow property)                             | 49,000           | 14,974            | 34,026           | Budget c/f WIP \$13,544                |                        |
|                                      | Campania - Hall Street (Seal and stormwater upgrade)                          | 70,000           | 71,013            | -1,013           | C/f WIP \$60501.71                     |                        |
|                                      | Campania - Reeve St Junction/footpath/kerb & channel                          | 200,000          | 266,736           | -66,736          | WIP \$45,691 Vulnerable Road Users     |                        |
|                                      | Campania - Structure Plan - Town gateway and Streetscape                      | 40,000           | 0                 | 40,000           |  |                        |
|                                      | Colebrook - Junction Craigboume Road and Colebrook Road                       | 24,000           | 15,756            | 8,244            | Budget c/f                             |                        |
|                                      | Elderslie - Elderslie Road Widening Investigation & Trial (Sth Blackbrush Rd) | 40,000           | 9,331             | 30,669           | Budget c/f WIP \$6,777                 |                        |
|                                      | Elderslie - Bluff Road Intersection Upgrade                                   | 1,530            | 1,530             | 0                | Budget c/f Black Spot project expenses |                        |
|                                      | Kempton - Old Huntingground Road (Footpath / School Crossing etc.)            | 80,000           | 81,483            | -1,483           | Budget c/f WIP \$81,483                |                        |
|                                      | Mt Seymour - Junction Blackgate Road and Tunnack Road                         | 24,000           | 32,145            | -8,145           |  |                        |
|                                      | Oatlands - Hasting Street Junction  | 15,000           | 959               | 14,041           | Budget c/f WIP \$959                   |                        |
|                                      | Oatlands - South Parade (including Kerb, Channel and Footpath)                | 170,000          | 246,675           | -76,675          | C/f WIP \$246,675.02                   |                        |
|                                      | Tea Tree - Grices Road (Tree removal, set-back of embankment, drainage)       | 15,000           | 0                 | 15,000           | Budget c/f                             |                        |
|                                      | Tunbridge - Main Street (Kerb & Gutter Renewal)                               | 40,000           | 0                 | 40,000           |  |                        |
|                                      | Tunnack - Link Road Landslip  | 25,000           | 107               | 24,893           | Budget c/f WIP \$107                   |                        |
|                                      | Woodsdale Road - Guard Rail   | 100,000          | 0                 | 100,000          | Safer Rural Roads                      |                        |
|                                      |   | <b>6,586,669</b> | <b>1,297,309</b>  | <b>5,289,359</b> |  |                        |
| <b>BRIDGE ASSETS</b>                 | Jones Road Broadmarsh (Jordan River - Bridge 5083) - Flood Damage             | 130,000          | 3,302             | 126,698          | C/f WIP \$3,302                        |                        |
|                                      |   | <b>130,000</b>   | <b>3,302</b>      | <b>126,698</b>   |  |                        |

**CAPITAL EXPENDITURE PROGRAM 2023-24**  
**As at 30 September 2023**

|                       |   | BUDGET         | EXPENDITURE    | BALANCE        | COMMENTS   | COMPLETION       |
|-----------------------|---|----------------|----------------|----------------|--|------------------|
|                       |   | \$             | \$             | \$             |  | DEADLINE         |
| <b>WALKWAYS</b>       | Footpaths - General Streetscapes  | 40,000         | 0              | 40,000         |  |                  |
|                       | Bagdad - Midland Highway Walking / Riding Path Upgrade                              | 145,480        | 4,160          | 141,320        | 22/23 Budget \$95,840 c/f WIP \$4,160            | 30 June 2025     |
|                       | Bagdad - Midland Highway Walking Path Footbridge Repairs                            | 130,000        | 0              | 130,000        |  |                  |
|                       | Campania - Reeve Street - Footpath through to Hall                                  | 30,000         | 432            | 29,568         | Budget c/f                                       |                  |
|                       | Kempton - Grange Road (Retaining Wall)  | 30,000         | 0              | 30,000         |  |                  |
|                       | Kempton - Streetscape Plan - Footpath Renewal Southern End                          | 60,000         | 49,919         | 10,081         | LRCI P3 c/f WIP \$47,028                         | 30 June 2024     |
|                       | Kempton - Streetscape Plan - Footpath Renewal                                       | 60,000         | 0              | 60,000         |  |                  |
|                       | Kempton - Midlands Highway/Mood Food  | 147,565        | 0              | 147,565        | \$147,565 Budget c/f                             |                  |
|                       | Oatlands - Campbell Street (scope of works expanded to include kerb/gutter)         | 85,000         | 0              | 85,000         | 22/23 Budget \$45,000 c/f                        | 30 June 2025     |
|                       | Oatlands - Church Street (Sth Parade to William St - north. side - Footpath - 130 m | 30,000         | 0              | 30,000         |  |                  |
|                       | Oatlands - Stanley Street (High Street to Nelson - 280 metres - kerb & footpath)    | 75,000         | 0              | 75,000         | LRCI P4  | 30 June 2025     |
|                       | Oatlands - Stanley Street (Footpath -120 metre link)                                | 25,000         | 0              | 25,000         |  |                  |
|                       |   | <b>858,045</b> | <b>54,511</b>  | <b>803,534</b> |  |                  |
| <b>PUBLIC TOILETS</b> | Campania - Flour Mill Park - Concrete Pathways/drainage/remove pavers               | 15,000         | 0              | 15,000         | Budget c/f                                       |                  |
|                       | Colebrook - History Room Toilets (Tiling etc.)                                      | 10,000         | 0              | 10,000         |  |                  |
|                       | Oatlands - Callington Park  | 158,000        | 11,520         | 146,480        | 22/23 Budget \$140,000 c/f WIP \$5,070           |                  |
|                       | General Public Toilets - Upgrade Program  | 20,000         | 0              | 20,000         | Budget c/f                                       |                  |
|                       |   | <b>203,000</b> | <b>11,520</b>  | <b>191,480</b> |  |                  |
| <b>DRAINAGE</b>       | Bagdad / Mangalore - Hydraulic Assessment (Flood Mapping)                           | 161,660        | 43,644         | 118,016        | Grant Funding \$80,830 WIP \$40,144              | 31 December 2023 |
|                       | Kempton - Erskine Street - Stormwater Upgrade& Kerb                                 | 60,000         | 73,397         | -13,397        |  |                  |
|                       | Oatlands - Callington Park (Well - piped overflow system)                           | 20,000         | 0              | 20,000         |  |                  |
|                       |   | <b>241,660</b> | <b>117,041</b> | <b>124,619</b> |  |                  |
| <b>WASTE</b>          | Wheelie Bins and Crates   | 12,500         | 6,553          | 5,947          |  |                  |
|                       | WTS Safety & Operational Improvements   | 25,000         | 0              | 25,000         |  |                  |
|                       |   | <b>37,500</b>  | <b>6,553</b>   | <b>30,947</b>  |  |                  |
| <b>GROWTH</b>         |   |                |                |                |  |                  |
| <b>TOURISM</b>        | Kempton - Heritage Interpretation Panel renewal                                     | 1,800          | 1,768          | 32             |  |                  |
|                       | Oatlands Accommodation Facility   | 0              | 42,283         | -42,283        | WIP \$42,283 (Offset by Barrack Street Property) |                  |
|                       |   | <b>1,800</b>   | <b>44,051</b>  | <b>-42,251</b> |  |                  |

**CAPITAL EXPENDITURE PROGRAM 2023-24  
As at 30 September 2023**

|                                       |  | BUDGET         | EXPENDITURE    | BALANCE        | COMMENTS                               | COMPLETION  |
|---------------------------------------|--|----------------|----------------|----------------|--|-------------|
|                                       |  | \$             | \$             | \$             |  | DEADLINE    |
| <b>LANDSCAPES</b>                     |  |                |                |                |  |             |
| <b>HERITAGE</b>                       | Heritage Collections Store   | 10,000         | 3,700          | 6,300          | Budget c/f WIP \$3,700                 |             |
|                                       | Jericho - Memorial Avenue - Plaques  | 20,000         | 4,300          | 15,700         | Budget c/f WIP \$4,300                 |             |
|                                       | Kempton Council Chambers - Clock Restoration Works                         | 10,872         | 1,384          | 9,288          | Budget c/f WIP \$1,384                 |             |
|                                       | Kempton - Memorial Avenue Park - Interps                                   | 19,545         | 155            | 19,390         | Budget c/f WIP \$155                   |             |
|                                       | Melton Mowbray - Streetscape Works (Trough / Shelter etc)                  | 30,000         | 5,318          | 24,682         | Budget c/f WIP \$5318                  |             |
|                                       | Oatlands - Callington Mill - Structural Repair & External painting         | 20,000         | 0              | 20,000         |  |             |
|                                       | Oatlands - Council Chambers - Internal Toilets & Access Upgrade            | 100,000        | 9,357          | 90,643         | Budget c/f WIP \$9,357                 |             |
|                                       | Oatlands Court House (Wall Stabilisation)                                  | 15,000         | 1,187          | 13,813         | WIP \$1,187                            |             |
|                                       | Oatlands Gaolers Residence (Ceiling Reinstatement)                         | 5,000          | 8,149          | -3,149         |  |             |
|                                       | Oatlands Gaolers Residence (Wingwall)                                      | 23,000         | 0              | 23,000         | Budget \$15K c/f                       |             |
|                                       | Oatlands - Heritage Buildings (Security Upgrades)                          | 10,000         | 0              | 10,000         |  |             |
|                                       | Oatlands - Roche Hall Forecourt (Interps - Planning Condition of Approval) | 40,000         | 7,820          | 32,180         | Budget c/f WIP \$7,820                 |             |
|                                       | Parattah - Railway Station -Shed for Gangers Trolley                       | 2,000          | 0              | 2,000          | Budget c/f                             |             |
|                                       |  | <b>305,217</b> | <b>41,371</b>  | <b>263,846</b> |  |             |
| <b>NATURAL</b>                        | Chauncy Vale - Day Dawn Cottage Improvements                               | 12,000         | 7,700          | 4,300          | WIP \$7,700                            |             |
|                                       | Chauncy Vale - Wombat Walk   | 39,250         | 42,513         | -3,263         | Includes \$29,250 grant WIP \$31,358   | 31 Dec 2022 |
|                                       | Campania - Bush Reserve / Cemetery   | 300,000        | 82,499         | 217,501        | WIP \$72,489                           |             |
|                                       |  | <b>351,250</b> | <b>132,713</b> | <b>218,537</b> |  |             |
| <b>CULTURAL</b>                       | Oatlands - Aquatic Centre (Forecourt - Art Installation)                   | 20,000         | 0              | 20,000         |  |             |
|                                       |  | <b>20,000</b>  | <b>0</b>       | <b>20,000</b>  |  |             |
| <b>REGULATORY<br/>- DEVELOPMENT</b>   | Master / Structure Plans (Bagdad / Mangalore / Campana)                    | 50,000         | 0              | 50,000         |  |             |
|                                       | Oatlands - Stanley Street Master Plan                                      | 20,000         | 172            | 19,828         | Budget c/f WIP \$172                   |             |
|                                       | Oatlands - Structure Plan  | 25,000         | 34,155         | -9,155         | \$25K Budget c/f WIP \$34,155          |             |
|                                       | Oatlands - MMPC Church Street Sub-Division                                 | 0              | 4,988          | -4,988         | WIP \$4,988 Offset by sale of property |             |
|                                       |  | <b>95,000</b>  | <b>39,315</b>  | <b>55,685</b>  |  |             |
| <b>REGULATORY<br/>- PUBLIC HEALTH</b> | Unit(s) - GP Accommodation   | 500,000        | 0              | 500,000        |  |             |
|                                       | Oatlands - GP Accommodation Units  | 100,000        | 15,340         | 84,660         | Council Commitment (grant funded)      |             |
|                                       |  | <b>600,000</b> | <b>15,340</b>  | <b>584,660</b> |  |             |

**CAPITAL EXPENDITURE PROGRAM 2023-24**  
**As at 30 September 2023**

|  | BUDGET           | EXPENDITURE      | BALANCE        | COMMENTS                                 | COMPLETION   |
|--|------------------|------------------|----------------|--|--------------|
|  | \$               | \$               | \$             |  | DEADLINE     |
| <b>COMMUNITY FAMILIES</b>  |                  |                  |                |  |              |
| Bagdad - Child Care Centre Building  | 237,314          | 298,122          | -60,808        | Council Commitment (\$100K grant funded) | 30 June 2025 |
|  | <b>237,314</b>   | <b>298,122</b>   | <b>-60,808</b> |  |              |
| <b>RECREATION</b>  |                  |                  |                |  |              |
| Facilities & Recreation Committee  | 52,000           | -                | 52,000         |  |              |
| Bagdad - Iden Road Park Development  | 75,000           | -                | 75,000         |  |              |
| Bagdad - Bagdad Community Club (Precinct Plan)                               | 25,000           | 17,417           | 7,583          | Budget c/f WIP \$17,417                  |              |
| Broadmarsh - Broadmarsh Hall "The Haven"                                     | 160,263          | 160,263          | 0              | Administration of Progress Assoc. Grant  |              |
| Campania - Justitia Court POS - Shelter Hut                                  | 16,000           | -                | 16,000         |  | 30 June 2025 |
| Campania - Public Open Space dev (Justitia Park)                             | 6,375            | 0                | 6,375          | Budget c/f                               |              |
| Campania - Hall (LED Lighting)(alternate quote \$1582)                       | 4,250            | -                | 4,250          |  |              |
| Campania - Recreation Ground (Centre Pitch/Wicket & Nets)                    | 12,004           | -                | 12,004         |  |              |
| Kempton - Recreation Ground (Site Dev and Play Equipment)                    | 24,250           | 0                | 24,250         | Budget c/f                               |              |
| Kempton - Recreation /Skate Park/ Dog Park                                   | 31,000           | -                | 31,000         |  |              |
| Kempton - Off-Head Dog Park  | 60,331           | 88,890           | -28,559        | LRCI Phase 3 \$43,125 WIP \$72,093       | 30 June 2024 |
| Kempton - Recreation Ground (Irrigation)                                     | 60,000           | 1,637            | 58,363         | WIP \$1,637                              |              |
| Mt Pleasant Rec Ground - Building Improvements                               | 279,000          | 279,225          | -225           | Dept of Communities Grant WIP \$278,156  |              |
| Oatlands - Aquatic Centre (Construction)                                     | 410,501          | 410,501          | 0              | WIP 2022/23                              |              |
| Oatlands - Aquatic Centre (Construction)                                     | 482,114          | 9,906            | 472,207        | Balance of construction phase budget c/f |              |
| Oatlands - Aquatic Centre (CO2 Gas Monitoring)                               | 7,649            | 7,649            | 0              |  |              |
| Oatlands - Aquatic Centre (Gymnasium (Mirror & Equipment)                    | 4,400            | -                | 4,400          |  |              |
| Oatlands - Community Hall (Maintenance Program)                              | 51,300           | 38,477           | 12,823         | Budget c/f WIP \$38,477                  |              |
| Oatlands - Gay Street, Hall (Air Lock)                                       | 10,000           | 32,596           | -22,596        |  |              |
| Oatlands - Midlands Community Centre (External Painting - Front of Building) | 5,000            | 0                | 5,000          |  |              |
| Oatlands Swimming Pool (Staged demolition)                                   | 200,000          | 18,306           | 181,694        | WIP \$15,756                             |              |
| Runnymede Recreation Ground - Play Equipment                                 | 20,000           | -                | 20,000         | LRCI P4                                  | 30 June 2025 |
| Water Bottle Refill Stations   | 7,980            | 0                | 7,980          | Budget c/f                               |              |
|  | <b>2,004,417</b> | <b>1,064,867</b> | <b>939,550</b> |  |              |
| <b>ACCESS</b>  |                  |                  |                |  |              |
| Tunbridge Community Club - Accessible Toilets                                | 115,000          | 200              | 114,800        | 22/23 Budget \$20,000 c/f WIP \$200      |              |
|  | <b>115,000</b>   | <b>200</b>       | <b>114,800</b> |  |              |
| <b>CAPACITY &amp; SUSTAINABILITY</b>   |                  |                  |                |  |              |
| Property Purchase - 9 Barrack Street, Oatlands (Police Residence)            | 519,490          | 0                | 519,490        |  |              |
| Kempton - Carriage Shed - Toilets  | 15,000           | 11,144           | 3,856          | WIP \$10,419                             |              |
|  | <b>534,490</b>   | <b>11,144</b>    | <b>523,346</b> |  |              |

**CAPITAL EXPENDITURE PROGRAM 2023-24**  
**As at 30 September 2023**

|                       |   | BUDGET            | EXPENDITURE      | BALANCE           | COMMENTS   | COMPLETION |
|-----------------------|---|-------------------|------------------|-------------------|------------|------------|
|                       |   | \$                | \$               | \$                |            | DEADLINE   |
| <b>ORGANISATION</b>   |   |                   |                  |                   |            |            |
| <b>SUSTAINABILITY</b> | Kempton Council Chambers - Office Furniture & Equipment                   | 5,000             | 0                | 5,000             |            |            |
|                       | Kempton Depot - Fencing/Kitchen   | 0                 | 16,755           | -16,755           |            |            |
|                       | Oatlands Depot - Wash Bay   | 0                 | 8,909            | -8,909            |            |            |
|                       | Oatlands - Town Hall (General - Incl. Office Equip/Furniture)             | 5,000             | 0                | 5,000             |            |            |
|                       | Oatlands Council Chambers - Fire Detection & Security System              | 18,000            | 0                | 18,000            |            |            |
|                       | Oatlands - Council Chambers - Internal Toilets Upgrade                    | 100,000           | 0                | 100,000           |            |            |
|                       | Oatlands - Council Chambers - Damp Issues & Stonemasonry                  | 15,000            | 0                | 15,000            | Budget c/f |            |
|                       | Oatlands - Council Chambers - Works Office (floor coverings/refurbishing) | 5,000             | 16,238           | -11,238           | Budget c/f |            |
|                       |   |                   |                  | 0                 |            |            |
|                       | Computer Monitor(s)   | 8,000             | 7,453            | 547               |            |            |
|                       | PC's; Keyboards & UPS's   | 14,000            | 0                | 14,000            |            |            |
|                       | Council Website - Upgrade   | 20,000            | 0                | 20,000            |            |            |
|                       | Ipads (2) (Animal & Building Control)                                     | 4,000             | 0                | 4,000             |            |            |
|                       |   | <b>194,000</b>    | <b>49,355</b>    | <b>144,645</b>    |            |            |
| <b>WORKS</b>          | Minor Plant Purchases   | 9,500             | 10,397           | -897              |            |            |
|                       | Quickspray Unit (c/w Pump etc)  | 12,670            | 0                | 12,670            |            |            |
|                       | Radio System  | 50,000            | 0                | 50,000            |            |            |
|                       | <b>Plant Replacement Program</b>  |                   |                  |                   |            |            |
|                       | Heavy Vehicles - Refer separate Schedule<br>(Trade Allowance - \$334)     | 678,867           | 0                | 678,867           |            |            |
|                       | Light Vehicles (Net Changeover)<br>(Trade Allowance - \$132)              | 249,639           | 53,437           | 196,202           |            |            |
|                       |   | <b>1,000,676</b>  | <b>63,835</b>    | <b>936,841</b>    |            |            |
|                       | <b>GRAND TOTALS</b>   | <b>13,516,038</b> | <b>3,250,547</b> | <b>10,265,491</b> |            |            |



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

### 17.3.2 Amendment to Schedule of Fees and Charges 2023-2024

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

**AUTHOR** MANAGER – DEVELOPMENT & ENVIRONMENTAL SERVICES  
(GRANT FINN)

**AUTHORISED BY** SENIOR PLANNER (LOUISA BROWN)

**DATE** 19 OCTOBER 2023

#### PROPOSAL

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

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

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

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

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

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

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

The recommended fee is outlined in the Table below:

| Charge Category      | Description   | Additional Info.  | Definition               | Amount 2023/24 (ex GST) | GST Treatment | Amount 2023/24 (inc GST) |
|----------------------|---|---|--------------------------|-------------------------|---------------|--------------------------|
| Environmental Health | Environment Protection Notice fee – issuing and ensuring compliance | Drafting, assessment, verification and compliance inspections | Per hour or part thereof | \$334                   | exempt        | \$334                    |

**RECOMMENDATION**

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

**DECISION**

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

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

**CARRIED**

| <b>DECISION</b>        |                 |                     |
|------------------------|-----------------|---------------------|
| <b>Councillor</b>      | <b>Vote FOR</b> | <b>Vote AGAINST</b> |
| Mayor E Batt           | ✓               |                     |
| Deputy Mayor K Dudgeon | ✓               |                     |
| Cllr A E Bisdee OAM    | ✓               |                     |
| Cllr D Blackwell       | ✓               |                     |
| Cllr D F Fish          | ✓               |                     |

### 17.3.3 SMC External Grant Projects - Quarterly Update

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

**Date:** 19 OCTOBER 2023

**Enclosure:**

*Report to Council on Various SMC Grant Projects as at 18<sup>th</sup> October 2023*

#### ISSUE

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

#### BACKGROUND

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

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

#### DETAIL

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

#### RECOMMENDATION

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

#### DECISION

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

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

#### CARRIED

| DECISION               |          |              |
|------------------------|----------|--------------|
| Councillor             | Vote FOR | Vote AGAINST |
| Mayor E Batt           | ✓        |              |
| Deputy Mayor K Dudgeon | ✓        |              |
| Clr A E Bisdee OAM     | ✓        |              |
| Clr D Blackwell        | ✓        |              |
| Clr D F Fish           | ✓        |              |

**Report to Council on Grant Funded Projects as at 18<sup>th</sup> October 2023**

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

**Report to Council on Grant Funded Projects as at 18<sup>th</sup> October 2023**

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

**Report to Council on Grant Funded Projects as at 18<sup>th</sup> October 2023**

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

## **18. MUNICIPAL SEAL**

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

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

**Date:** 4 OCTOBER 2023

**Attachment(s):**

*Heads of Agreement*

*Licence – 16 Church Street, Oatlands*

### **ISSUE**

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

### **BACKGROUND**

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

The contribution was conditional on the Southern Midlands Council:

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

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

### **DETAIL**

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

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

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

- a) Permitted use;
- b) Insurance requirements;
- c) Utilities and cleaning;
- d) Responsibilities relating to maintenance and repairs; and
- e) Termination (if necessary).

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

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

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

The following funding sources have now been confirmed:

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

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

**Policy Implications** – N/A

**Priority - Implementation Time Frame** – Immediate.

## RECOMMENDATION

**THAT:**

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

## DECISION

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

**THAT:**

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

## CARRIED

| DECISION               |          |              |
|------------------------|----------|--------------|
| Councillor             | Vote FOR | Vote AGAINST |
| Mayor E Batt           | ✓        |              |
| Deputy Mayor K Dudgeon | ✓        |              |
| Clr A E Bisdee OAM     | ✓        |              |
| Clr D Blackwell        | ✓        |              |
| Clr D F Fish           | ✓        |              |

## 19. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

### 19.1 Fire and Emergency Services Bill - Consultation

Brief discussion in relation to the Bill noting that the State Government has set a deadline of 5<sup>th</sup> November 2023 for receipt of comments.

It was acknowledged that the Local Government Association of Tasmania has sought an extension of this this timeframe.

In summary, the Bill identifies two future funding models, both of which appear to have significant financial impact (i.e. percentage increases) for property owners. No assessment has been undertaken for the Southern Midlands Council area as there is little detail provided to enable accurate assessment of the models.

#### DECISION

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

#### THAT:

- a) the information be received;
- b) Council fully support the Local Government Association of Tasmania in seeking an extension of the consultation timeframe; and
- c) Based on the limited information (and detail) available, Council support a model that differentiates between urban and rural areas as there is a clear variation in the level of service provided.

#### CARRIED

| DECISION               |          |              |
|------------------------|----------|--------------|
| Councillor             | Vote FOR | Vote AGAINST |
| Mayor E Batt           | ✓        |              |
| Deputy Mayor K Dudgeon | ✓        |              |
| Clr A E Bisdee OAM     | ✓        |              |
| Clr D Blackwell        | ✓        |              |
| Clr D F Fish           | ✓        |              |

## RECOMMENDATION

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

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

## DECISION

*Moved by Cllr D Blackwell, seconded by Deputy Mayor K Dudgeon*

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

## CARRIED

| <b>DECISION</b>        |                 |                     |
|------------------------|-----------------|---------------------|
| <b>Councillor</b>      | <b>Vote FOR</b> | <b>Vote AGAINST</b> |
| Mayor E Batt           | ✓               |                     |
| Deputy Mayor K Dudgeon | ✓               |                     |
| Cllr A E Bisdée OAM    | ✓               |                     |
| Cllr D Blackwell       | ✓               |                     |
| Cllr D F Fish          | ✓               |                     |

**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 K Dudgeon, seconded by Clr D Fish*

**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**

| <b>DECISION (MUST BE BY ABSOLUTE MAJORITY)</b> |                 |                     |
|--|-----------------|---------------------|
| <b>Councillor</b>                              | <b>Vote FOR</b> | <b>Vote AGAINST</b> |
| Mayor E Batt                                   | ✓               |                     |
| Deputy Mayor K Dudgeon                         | ✓               |                     |
| Clr A E Bisdee OAM                             | ✓               |                     |
| Clr D Blackwell                                | ✓               |                     |
| Clr D F Fish                                   | ✓               |                     |

## **CLOSED COUNCIL MINUTES**

### **20. BUSINESS IN “CLOSED SESSION”**

#### **20.1 Closed Council Minutes - Confirmation**

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

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

#### **20.2 Applications for Leave of Absence**

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

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

#### **20.3 Audit Panel Minutes**

##### **20.3.1 Receipt of minutes**

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

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

##### **20.3.2 Endorsement of Recommendations**

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

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

#### **20.4 Heavy Plant Replacement Tender (Wheel Loader)**

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

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

#### **20.5 Heavy Plant Replacement Tender (Backhoe x 2)**

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

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

**20.6 Property Matter – Colebrook  
Saint Regina Limited**

*In accordance with the Local Government (Meeting Procedures) Regulations 2015, the details of the decision in respect to this item are to be kept confidential and are not to be communicated, reproduced or published unless authorised by Council.  
Item considered in Closed Session in accordance with Regulation 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015.*

**20.7 Southern Midlands Community Infrastructure Plan**

*In accordance with the Local Government (Meeting Procedures) Regulations 2015, the details of the decision in respect to this item are to be kept confidential and are not to be communicated, reproduced or published unless authorised by Council.  
Item considered in Closed Session in accordance with Regulation 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015.*

**20.8 Heads of Agreement-Southern Midlands Council; Bagdad Community Club Inc.; and Kidbiz Pty Ltd (t/as Bagdad Education and Care) – Includes Lease (Annexure B) and Sub Lease and Licence (Annexure D)**

*In accordance with the Local Government (Meeting Procedures) Regulations 2015, the details of the decision in respect to this item are to be kept confidential and are not to be communicated, reproduced or published unless authorised by Council.  
Item considered in Closed Session in accordance with Regulation 15(2)(g) of the Local Government (Meeting Procedures) Regulations 2015.*

**RECOMMENDATION**

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

**DECISION**

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

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

**CARRIED**

| <b>DECISION</b>        |                 |                     |
|------------------------|-----------------|---------------------|
| <b>Councillor</b>      | <b>Vote FOR</b> | <b>Vote AGAINST</b> |
| Mayor E Batt           | ✓               |                     |
| Deputy Mayor K Dudgeon | ✓               |                     |
| Clr A E Bisdee OAM     | ✓               |                     |
| Clr D Blackwell        | ✓               |                     |
| Clr D F Fish           | ✓               |                     |

**OPEN COUNCIL MINUTES**

## **21. CLOSURE**

The meeting closed at 12.32 p.m.