

SOUTHERN
MIDLANDS
COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

Wednesday, 28th June 2023
10.00 a.m.

Kempton Municipal Offices
85 Main Road, Kempton

INDEX

1.	PRAYERS	4
2.	ACKNOWLEDGEMENT OF COUNTRY	4
3.	ATTENDANCE	4
4.	APOLOGIES	4
5.	MINUTES	4
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>	5
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 & Quarterly)</i>	6
6.	NOTIFICATION OF COUNCIL WORKSHOPS	7
7.	COUNCILLORS – QUESTION TIME	11
7.1	QUESTIONS (ON NOTICE)	11
7.2	QUESTIONS WITHOUT NOTICE	12
10.1	PERMISSION TO ADDRESS COUNCIL.....	14
8.	DECLARATIONS OF PECUNIARY INTEREST	15
9.	CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA	16
10.	PUBLIC QUESTION TIME (SCHEDULED FOR 10.30 A.M.)	17
11.	MOTIONS OF WHICH NOTICE HAS BEEN GIVEN UNDER REGULATION 16 (5) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2015	19
11.1	MIDLANDS MEMORIAL COMMUNITY CENTRE – 68 HIGH STREET, OATLANDS - MINOR WORKS (FORE COURT) 19	
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	30
12.1	DEVELOPMENT APPLICATIONS	30
12.1.1	<i>Development Application (DA2200097) Multiple dwellings (two units) at 28 Hall Street, Campania owned by A & K Glover and R & J Scafe</i>	30
12.1.2	<i>Development Application Sa2200029 for Subdivision (1 Lot Plus Balance) At 849 Native Corners Road, Campania</i>	53
12.2	SUBDIVISIONS.....	78
12.3	MUNICIPAL SEAL (PLANNING AUTHORITY)	78
12.4	PLANNING (OTHER).....	79
12.4.1	<i>Submission to the Tasmanian Planning Policies – Draft for Consultation in accordance with section 12C(3)(a) of the Land Use Planning and Approvals Act 1993</i>	79
13.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE) ..	94
13.1	ROADS	94
13.2	BRIDGES	94
13.3	WALKWAYS, CYCLE WAYS AND TRAILS	94
13.4	LIGHTING	94
13.5	BUILDINGS.....	94
13.6	SEWERS / WATER	94
13.7	DRAINAGE	94
13.8	WASTE	95
13.8.1	<i>Waste Management Survey - Ely Street, Dysart</i>	95
13.9	INFORMATION, COMMUNICATION TECHNOLOGY	99
13.10	OFFICER REPORTS – INFRASTRUCTURE & WORKS.....	100
13.10.1	<i>Manager – Infrastructure & Works Report</i>	100
14.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)	103
14.1	RESIDENTIAL	103

14.2	TOURISM	103
14.3	BUSINESS.....	103
14.4	INDUSTRY	103
15.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME –LANDSCAPES).....	104
15.1	HERITAGE.....	104
15.1.1	<i>Heritage Project Program Report.....</i>	<i>104</i>
15.1.2	<i>Southern Midlands Council submission to consultation for the Historic Cultural Heritage Act Amendment Bill 2023.</i>	<i>106</i>
15.2	NATURAL	109
15.2.1	<i>NRM Unit – General Report.....</i>	<i>109</i>
15.2.2	<i>Tasmanian Irrigation – Water Allocation for Lake Dulverton</i>	<i>113</i>
15.3	CULTURAL	116
15.4	REGULATORY (DEVELOPMENT).....	116
15.5	REGULATORY (PUBLIC HEALTH).....	116
15.6	REGULATORY (ANIMALS)	117
15.6.1	<i>Animal Management Report</i>	<i>117</i>
15.7	ENVIRONMENTAL SUSTAINABILITY	120
16.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY).....	121
16.1	COMMUNITY HEALTH AND WELLBEING	121
16.1.2	<i>The Future of Local Government Review - Conduct of Public Meetings.....</i>	<i>121</i>
16.2	RECREATION	125
16.2.1	<i>Oatlands Aquatic Centre – Coordinators Report</i>	<i>125</i>
16.3	ACCESS.....	133
16.4	VOLUNTEERS.....	133
16.5	FAMILIES	133
16.6	EDUCATION	133
16.7	CAPACITY & SUSTAINABILITY	134
16.7.1	<i>Oatlands – National Finalist KAB Sustainable Communities Award May 2023</i>	<i>134</i>
16.8	SAFETY	138
16.9	CONSULTATION & COMMUNICATION	138
17.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION).....	139
17.1	IMPROVEMENT	139
17.1.2	<i>Review of Existing Policy – Municipal Seal Use Policy</i>	<i>139</i>
17.1.3	<i>Review of Existing Policies – Issue Resolution Policy and Fitness for Work Policy.....</i>	<i>143</i>
17.1.4	<i>Review and Amendment of Existing Policies -</i>	<i>146</i>
17.2	SUSTAINABILITY	148
17.2.1	<i>Tabling of Documents</i>	<i>148</i>
17.2.2	<i>Elected Member Statements.....</i>	<i>148</i>
17.3	FINANCES.....	149
17.3.1	<i>Monthly Financial Statement (Period ending 31 May 2023).....</i>	<i>149</i>
17.3.2	<i>2023/2024 Annual Plan & Budgets (Operating & Capital).....</i>	<i>164</i>
17.3.3	<i>Adoption of the 2023 / 2024 Rates and Charges Resolution</i>	<i>170</i>
17.3.4	<i>Adoption of Schedule of Fees and Charges 2023-2024.....</i>	<i>173</i>
18.	MUNICIPAL SEAL	176
18.1	MUNICIPAL SEAL – FORMAL SIGNING/SEALING OF THE GRANT DEED(S)	176
19.	CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA	177
20.	BUSINESS IN “CLOSED SESSION”	180
20.1	CLOSED COUNCIL MINUTES - CONFIRMATION	180
20.2	APPLICATIONS FOR LEAVE OF ABSENCE	180
20.3	AUDIT PANEL MINUTES.....	180
20.3.1	<i>Receipt of Minutes</i>	<i>180</i>
20.3.2	<i>Endorsement of Recommendations</i>	<i>180</i>
20.4	SAINT REGINA LIMITED.....	181
21.	CLOSURE	182

OPEN COUNCIL MINUTES

MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD
ON WEDNESDAY 28th JUNE 2023 AT THE KEMPTON MUNICIPAL OFFICES
COMMENCING AT 10.01 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 McDougall, Clr D Fish, Clr D Blackwell and Clr F Miller.

Mr T Kirkwood (General Manager), Mr A Benson (Deputy General Manager), Mr G Finn (Manager Development and Environmental Services), Mrs A Burbury (Finance Officer), Mrs W Young (Manager Community & Corporate Development), Ms S Holliday (Receptionist / Administration Officer) and Mrs J Crosswell (Executive Officer).

4. APOLOGIES

Mr D Richardson (Manager Infrastructure & Works)

5. MINUTES

5.1 Ordinary Council Meeting

The Minutes (Open Council Minutes) of the previous meeting of Council held on the 24th May 2023, as circulated, are submitted for confirmation.

RECOMMENDATION

THAT the Minutes (Open Council Minutes) of the Council Meeting held 24th May 2023 be confirmed.

DECISION

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

THAT the Minutes (Open Council Minutes) of the Council Meeting held 24th May 2023 be confirmed.

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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

5.2 Special Committees of Council Minutes

5.2.1 Special Committees of Council - Receipt of Minutes

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

- Woodsdale Hall General Committee Meeting Minutes – 29th May 2023
- Mangalore Recreation Ground Committee Meeting Minutes – 7th June 2023
- Campania Recreation Ground Committee Meeting Minutes – 20th June 2023

RECOMMENDATION

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

DECISION

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

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

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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

5.2.2 Special Committees of Council - Endorsement of Recommendations

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

- Woodsdale Hall General Committee Meeting Minutes – 29th May 2023
- Mangalore Recreation Ground Committee Meeting Minutes – 7th June 2023
- Campania Recreation Ground Committee Meeting Minutes – 20th June 2023

RECOMMENDATION

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

DECISION

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

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

CARRIED

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

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

5.3.1 Joint Authorities - Receipt of Minutes

Nil.

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

Nil.

6. NOTIFICATION OF COUNCIL WORKSHOPS

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

Three workshops have been held since the last Ordinary Meeting.

A workshop was held on the 25th May 2023 at the Runnymede Recreation Ground, Runnymede commencing at 1.15 p.m.

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

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

Apologies: Clr D Blackwell.

The purpose of the Workshop was to consider the following items:

- **Draft Schedule of Fees & Charges 2023/24**

Further discussion focussed on the Building and Development Fees. Explanation of the fee structure and what each service involves.

- **2022/23 Rates & Charges Discussion Paper**

Report back on the question(s) raised in relation to the Assessed Annual Values for each classification of property (i.e. Residential/Primary Production etc.).

- **Draft 2023/24 Operating Budget**

Review of Annual Plan and Budget Documents (first draft). The following comments and feedback were noted:

Information Communications Technology

- Expenditure - inclusion of funding (\$20K) to investigate options to work with NBN/Telstra to increase mobile and data coverage in municipality

Regulatory (Development)

- Revenue - Subdivision & Development Application Fees – increase consistent with the proposed increases in the draft 2023/24 Fees and Charges Schedule. Allocation \$120,000 - increased by \$20,000 (revised budget \$140,000).
- Revenue – Building / Plumbing Application Fees – increase consistent with the proposed increases in the draft 2023/24 Fees and Charges Schedule - Allocation \$130,000 - increased by \$10,000 (revised budget \$140,000).

Volunteers

- Expenditure – Community Development Grants (from 10 to 12 x \$3,000 grants) – original allocation \$30,000, increased \$6,000, new allocation \$36,000.

Families

- Expenditure – Seniors Activity – original allocation \$5,000, increased \$2,500, new allocation \$7,500.

Related Notes:

Industry - Clr Miller enquired about Council's Blackman Water Entitlement with regard to the possibility of sale/transfer of water rights.

Natural - Clr Miller enquired about possibility of accessing funding for tree planting via Carbon Footprinting Schemes.

The workshop concluded at approximately 3.20 p.m.

A workshop was held on the 7th June 2023 at the Council Chambers, Oatlands commencing at 9.30 a.m.

Attendance: Mayor E Batt, Clrs A E Bisdee OAM, D Blackwell, D Fish and R McDougall.

Also in Attendance: T Kirkwood, A Benson and J Crosswell.

Apologies: Deputy Mayor K Dudgeon and Clr Miller.

The purpose of the Workshop was to consider the 'The future of local government review' Stage 2 – Interim Report, and the Community Catchment Information Pack relating to the central and midlands region (refer separate Council Meeting Agenda Item).

A workshop was held on the 13th June 2023 at the Council Chambers, Oatlands commencing at 9.30 a.m.

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

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

Apologies: Deputy Mayor K Dudgeon

The purpose of the Workshop was to consider the following items:

- **Draft Schedule of Fees & Charges 2023/24**

Final review prior to adoption (refer separate Council meeting Agenda Item).

- **Draft 2023/24 Budget(s) – Operating & Capital Works Program**

Final review noting amendments from the workshop held 24th May 2023; and other adjustments post the workshop, including:

Capital Works Program Budget - Expenditure

Roads Program –

Safer Rural Roads - Woodsdale Road Guard Rail - \$100K
Safer Rural Roads - Green Valley Road – Guard Rail, Line Marking & Signage
- \$120K

Waste Management Program

Wheelie Bins (Purchase) – increase allocation by \$7.5K to \$12,500

Buildings & Land Improvements

Mt Pleasant Recreation Ground – original allocation \$15,000, increased
\$5,000, new allocation \$20,000
Runnymede Recreation Ground – Play Equipment (Supply and installation) -
\$20,000

Regulatory Program

Structure Plans – Bagdad/Mangalore & Campania - \$50K

Operating Budget – Expenditure Reduction(s) to be consistent with LTFMP:

Programs:

- Roads - \$34K
- Walkways, Cycleways & Trails - \$5K
- Heritage - \$9K
- Natural - \$5K
- Development - \$27.5K
- Community, Health & Wellbeing - \$9.5K
- Recreation - \$27K
- Capacity & Sustainability - \$2K
- Sustainability - \$31K

Total - \$150,000

.
Session included an initial review of the operations (and finances) of the Oatlands Aquatic Centre. Minor adjustment to fee structure as reflected in the final Fees & Charges Schedule.

Operating Budget – Capital Income

Additional Grant Income - \$205,000 - Grant Confirmation – Safer Rural Roads (\$95K – Woodsdale Road Guard Rail & \$110K – Green Valley Road – Guard Rail, Line Marking & Signage)

- 2022/23 Rates & Charges Discussion Paper

Final review and confirm the level of Rates and Charges for inclusion in the Rates Resolution to be considered at the June Council Meeting.

The workshop concluded at approximately 12.40 p.m.

RECOMMENDATION

THAT the information be received.

DECISION

Moved by Clr R McDougall, seconded by Clr D Blackwell

THAT the information be received.

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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

7. COUNCILLORS – QUESTION TIME

7.1 Questions (On Notice)

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

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

Nil.

7.2 Questions Without Notice

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

It states:

“29. Questions without notice

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

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

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

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

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

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

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

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

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

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

Clr A E Bisdee OAM – Council website – Can we please add photos of Clr Blackwell and Clr Miller.

General Manager – to be arranged.

Clr A E Bisdee OAM – Property – Main Street, Kempton (opposite new subdivision) – need to take further action to improve appearance of the property.

General Manager – to be inspected and appropriate action taken.

Clr A E Bisdee OAM – Property – Tunbridge (Southern end) – need to take further action to improve appearance of the property.

General Manager – to be inspected and appropriate action taken.

Clr F Miller – Telstra – Digital Connectivity Plan - any progress to date?

General Manager advised that the next stage in the process is for Council to ‘populate’ the ‘Connectivity Planning Pre Work Template’. Through discussion it was confirmed that a

dedicated workshop would be required for this purpose. It was also agreed that Mr Brian Mitchell MHA be invited to attend this session as he is involved in telecommunication issues at a federal level.

Clr D Blackwell – Kempton Roadside Stopover Area – report of a vehicle regularly exceeding the permitted length of stay period. Details of vehicle provided.

To be investigated and addressed accordingly.

Deputy Mayor K Dudgeon – Ambulance Station, Oatlands – current status of the project. *General Manager informed Council that it was his understanding that the tender for construction of the facility is imminent. The 2023-24 State Budget provides funding for this project.*

Deputy Mayor K Dudgeon – Blackman River Bridge, Tunbridge – any update from the Department of State Growth?

General Manager informed Council that no further information (or update) has been received. The matter has been raised with Jane Howlett MLC and the Mayor has had communication with Mr John Tucker MHA.

Mayor E Batt – Kempton Clock Tower – still not operating.

Bring actioned as a priority.

Mayor E Batt - Callington Mill (Tower) – discussion re: current issues and the risk exposure for Council.

Comment provided by the General Manager, including confirmation that funds have been allocated in the 2023/24 Budget to ‘re-paint’ and undertake repairs of the Mill Tower, these components being Council’s responsibility.

Mayor E Batt – Kempton Township – exits onto the Midland Highway (north & South Junctions) – currently signposted as ‘Give-Way’. Would ‘Stop Signs’ be more appropriate?

Issue to be raised with the Department of State Growth as the responsible authority.

10.1 Permission to Address Council

Permission has been granted for the following person(s) to address Council:

- 10.30 a.m. - Mrs Martine Batt (Navigate Family Services) – provide a briefing update to Council on the operations of Navigate Family Services
- 10.45 a.m. - Andrew Dean (Reclink) - provide a briefing update to Council on the operations and activities of Reclink.

For information (from website) - Reclink Australia provides evidence-based sport and recreation programs to disadvantaged Australians to create socially inclusive, life-changing opportunities. In partnership with more than 500 community organisations, Reclink Australia's programs create pathways to improved health and wellbeing, education and employment outcomes for all participants.

DECISION

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

THAT the meeting be suspended at 10.30 a.m. to permit the above presentations.

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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

DECISION

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

THAT the meeting reconvene at 10.57 a.m.

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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

8. DECLARATIONS OF PECUNIARY INTEREST

In accordance with the requirements of Part 2 Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015*, the chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest in any item on the Agenda.

Accordingly, Councillors are requested to advise of a pecuniary interest they may have in respect to any matter on the agenda, or any supplementary item to the agenda, which Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015*.

Nil.

9. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

In accordance with the requirements of Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015*, the Council, by absolute majority may decide at an ordinary meeting to deal with a matter that is not on the agenda if the General Manager has reported –

- (a) the reason it was not possible to include the matter on the agenda; and
- (b) that the matter is urgent; and
- (c) that advice has been provided under section 65 of the Act.

Nil.

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

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

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

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

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

Julia Jabour – Southern Midlands Regional News

Oatlands Aquatic Centre – Operational Issue (Heating) – has the issue(s) been addressed? *General Manager advised that the recent issues relating to the Heating system are being further investigated and addressed. It was confirmed that the heating/cooling system has been design for the extreme temperature experienced in Oatlands, but the recent ‘minus’ temperatures have caused problems.*

Julia Jabour – has any further information or advice been received from the Department of Youth Justice regarding the possible establishment of a facility at Pontville?

General Manager advised that not further information has been received following the public consultation process.

DECISION

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

THAT the meeting be adjourned for morning tea at 11.00 a.m.

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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

Tasmania Police Senior Sergeant John Parker, who was accompanied by Inspector Marco Ghedini, attended the Council Meeting for morning tea. This was to recognise Senior Sergeant Parkers' retirement in July 2023 after some 43 years service with Tasmania Police.

DECISION

Moved by Clr D Fish, seconded by Clr D Blackwell

THAT the meeting resume at 11.29 a.m.

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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

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

11.1 Midlands Memorial Community Centre – 68 High Street, Oatlands - Minor Works (Forecourt)

Clr R McDougall has submitted the following Notice of Motion:

“THAT the Budget allocation of \$5000 in this current year’s budget for the painting of the front and long side of the Midlands Memorial Community Centre, and the \$2700 donation from the Oatlands Garden group for the provision of two bench seats for the MMCC forecourt, as per the attached diagrams be actioned immediately. And that if there are any funds remaining from the allocation that this be spent on the wicking beds as illustrated in the drawings.”

General Manager’s Comments:

This matter was last considered by Council at its meeting held 26th April 2023 (refer copy of Report attached). An agreed sketch from the Council Workshop was included as an attachment, and the following decision was made:

“THAT:

- a) *a decision (and any action) be deferred pending an on-site inspection by Councillors (aim to schedule for the next workshop session);*
- b) *Council consider the development of this forecourt as part of the overall development of the area at the front of the Oatlands Aquatic Centre (i.e. not in isolation); and*
- c) *The Oatlands Community Association be informed accordingly.”*

As an outcome of that subsequent site meeting, it was agreed that the resources available within Council’s Planning and Development section would progress an overall development plan.

Council’s Senior Planning Officer (Louisa Brown) circulated a revised concept plan at the meeting.

DECISION

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

THAT the Budget allocation of \$5000 in this current year’s budget for the painting of the front and long side of the Midlands Memorial Community Centre, and the \$2700 donation from the Oatlands Garden group for the provision of two bench seats for the MMCC forecourt, as per the attached diagrams be actioned immediately. And that if there are any funds remaining from the allocation that this be spent on the wicking beds as illustrated in the drawings.”

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	✓	
Clr R McDougall	✓	
Clr F Miller		✓

[EXTRACT FROM COUNCIL MEETING 26 APRIL 2023]

16. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

16.1 Community Health and Wellbeing

Strategic Plan Reference 4.1

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

16.1.1 Midlands Memorial Community Centre – 68 High Street Oatlands - Proposed Minor Works on the Forecourt

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 19 MARCH 2023

Attachment(s):

Agreed Sketch Plan from the Council Workshop

ISSUE

The Oatlands Community Association Inc. (OCA) are the current leases of the Midlands Memorial Community Centre at 68 High Street Oatlands and they enquired if Council would consider some upgrading of the forecourt at the Centre.

BACKGROUND

There have been a number of proposals requested by the OCA to provide some outside space for the people who use the Centre. There was a proposed deck at the rear of the building, however after some consideration that was deemed to be inappropriate. Then there was a proposal for a deck on the side of the building, between the Oatlands Aquatic Centre and 68 High Street, which was rejected for a number of valid reasons.

DETAIL

The OCA executive were keen to explore a greater usage of the forecourt to the building and to request some changes be made to make the space more enticing to engage in.

The Deputy General Manager developed a Sketch Plan and it was presented to the Council Workshop on the 15th February 2023. Council agreed with the detail covered in the Sketch Plan and asked that the Deputy General Manager meet with members of the OCA Executive to share Council's view of the forecourt development at the site.

That meeting was undertaken with Nan Bray, who tendered apologies from Jenni Muxlow and Eleanor Bjorksten. Patricia Birchall was also in attendance.

The Plan was discussed and the OCA Executive provided a few further matters for consideration. The Deputy General Manager will provide feedback from the OCA site meeting for Council's further consideration.

The following correspondence was received from OCA.

Hi Andrew-

Thanks again for meeting with us to discuss a few remaining issues about the re-design of the forecourt and north side of the Centre.

*With regard to the **north side of the building**, we had a most productive meeting with Mary Smythe on Wednesday, and agreed that we would propose an ‘edible garden’ in that beautifully situated and sheltered spot. We’re thinking fruit trees, berries, vegetables, and even edible flowers! This is a bit of a variation on the flower bed that we discussed at our previous meeting with Wendy, but in the same spirit of using vegetation (under control!) to make use of the space.*

*The next area we looked at, and again with advice from Mary, is the **small rectangular area with the topiary bench** in it. We felt that would best be left as a nice lawn.*

At our meeting with you, we suggested removing the section of wall that extends beyond the building to open up the area visually.

We also talked about moving the rubbish bins farther away from the building than in your design, on advice from Wendy, though still in their small shed. We would like to put up matching storage areas for the BBQ and a parking place for prams, etc. These would be in the topiary yard, but adjacent to the ramp, and take up the full distance from the footpath to the building. In that case, presumably we would be able to eliminate the handrail on that side of the ramp.

*In the **forecourt** itself, we agreed with your suggestion of raising the height of the full apron to eliminate the drop near the front door, and hence to be able to get rid of the handrail in that section, that blocks access directly to the front door.*

We proposed that access via the wide stairs be eliminated, requiring everyone to use the ramp. If that is satisfactory to Council, it would give us an enclosed ‘garden room’ with plenty of space for seats and tables.

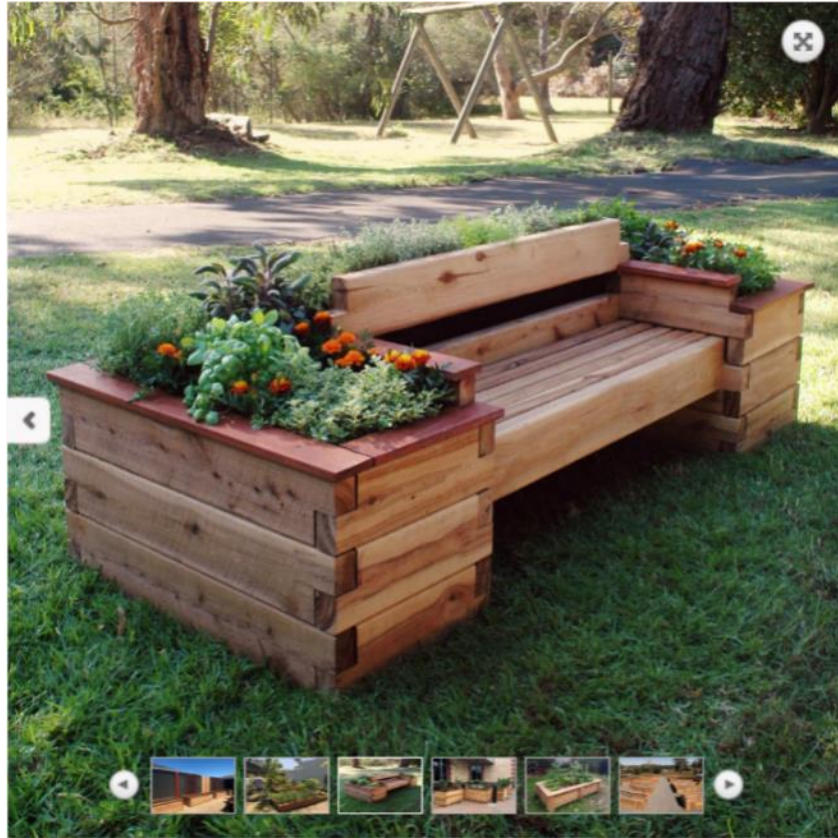
We further suggested using benches that incorporate wicking beds (made by the same company, ModBox, that makes the planters in your design). The link to the Living Furniture bench seats is here: <https://www.modbox.com.au/product-category/living-furniture/>. We envision using the benches to ‘wall’ off the top of the stairs, and create a beautiful, restful place to sit. If this concept is acceptable to Council, we would propose to go to ModBox and ask them to design a layout for us. Individual bench seats with wicking beds attached are in the range of \$2000.

We left the question of whether the stairs would remain to a later discussion.

I think that covers the issues we discussed. We’d appreciate your feedback on these ideas as soon as practicable. If you could provide us with a drawing that we could use for a final round of consultation, that would be most helpful.

Our intention is to put together a detailed plan, get it costed, then prioritise it for funding as we have money available.

*Best regards,
Nan, Pat and Jenni*



RECOMMENDATION

For Discussion.

DECISION

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

THAT:

- a) a decision (and any action) be deferred pending an on-site inspection by Councillors (aim to schedule for the next workshop session);
- b) Council consider the development of this forecourt as part of the overall development of the area at the front of the Oatlands Aquatic Centre (i.e. not in isolation); and
- c) The Oatlands Community Association be informed accordingly.

CARRIED

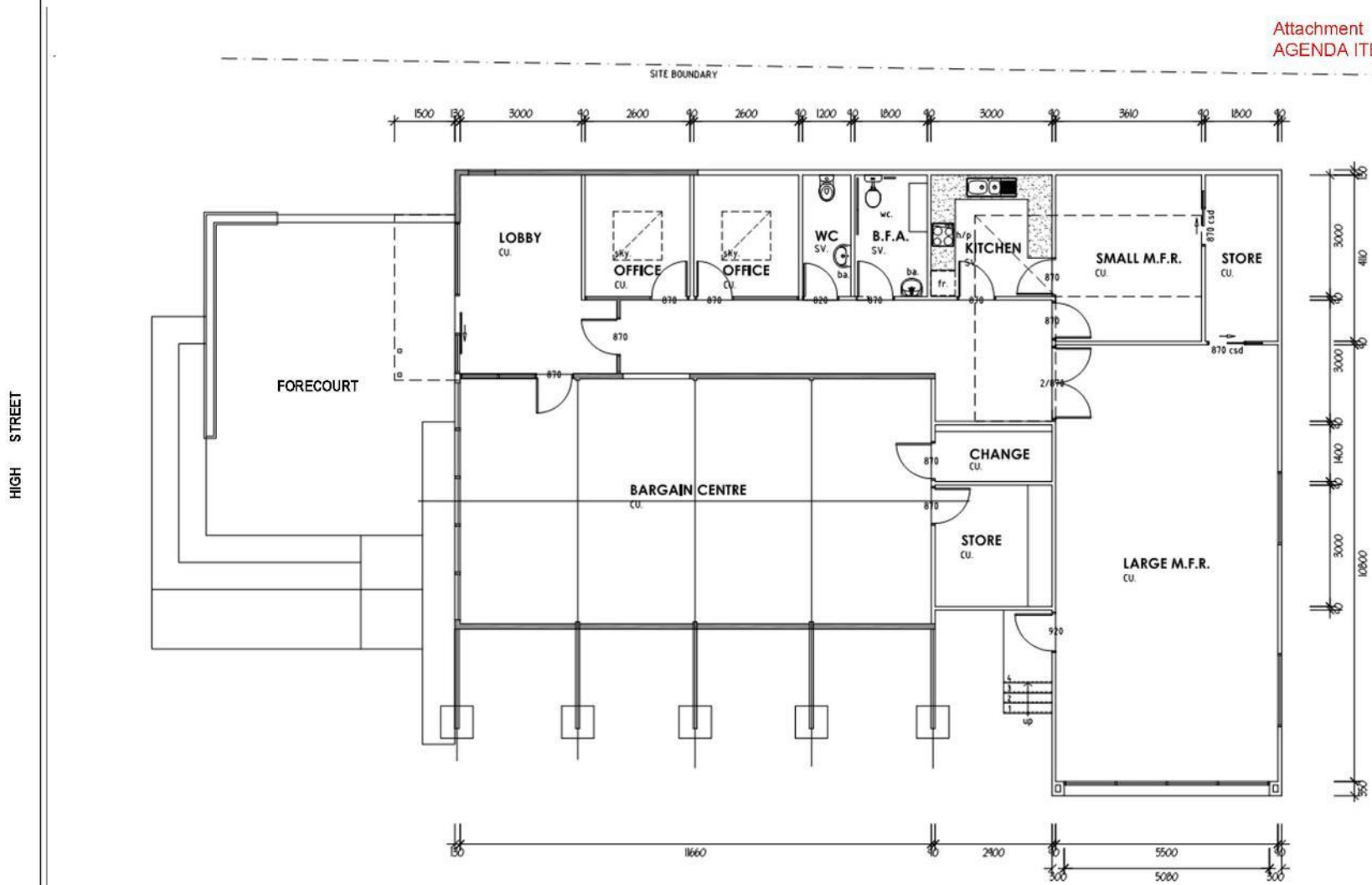
DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
Clr A E Bisdee OAM	✓	
Clr D Blackwell	✓	
Clr D F Fish	✓	
Clr F Miller	✓	

Forecourt Considerations

*Midlands Memorial Community Centre
68 High Street Oatlands*

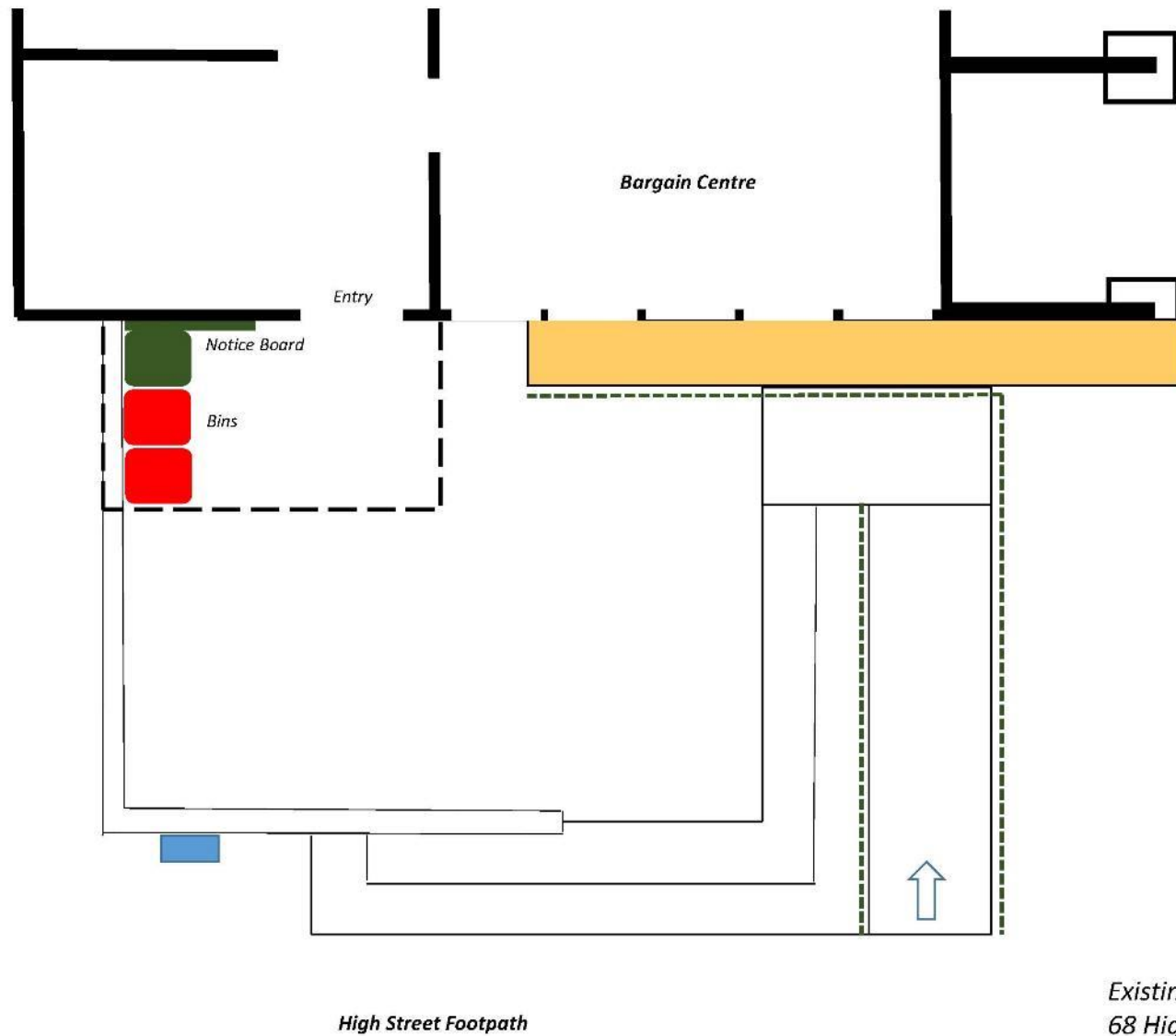


January 2023

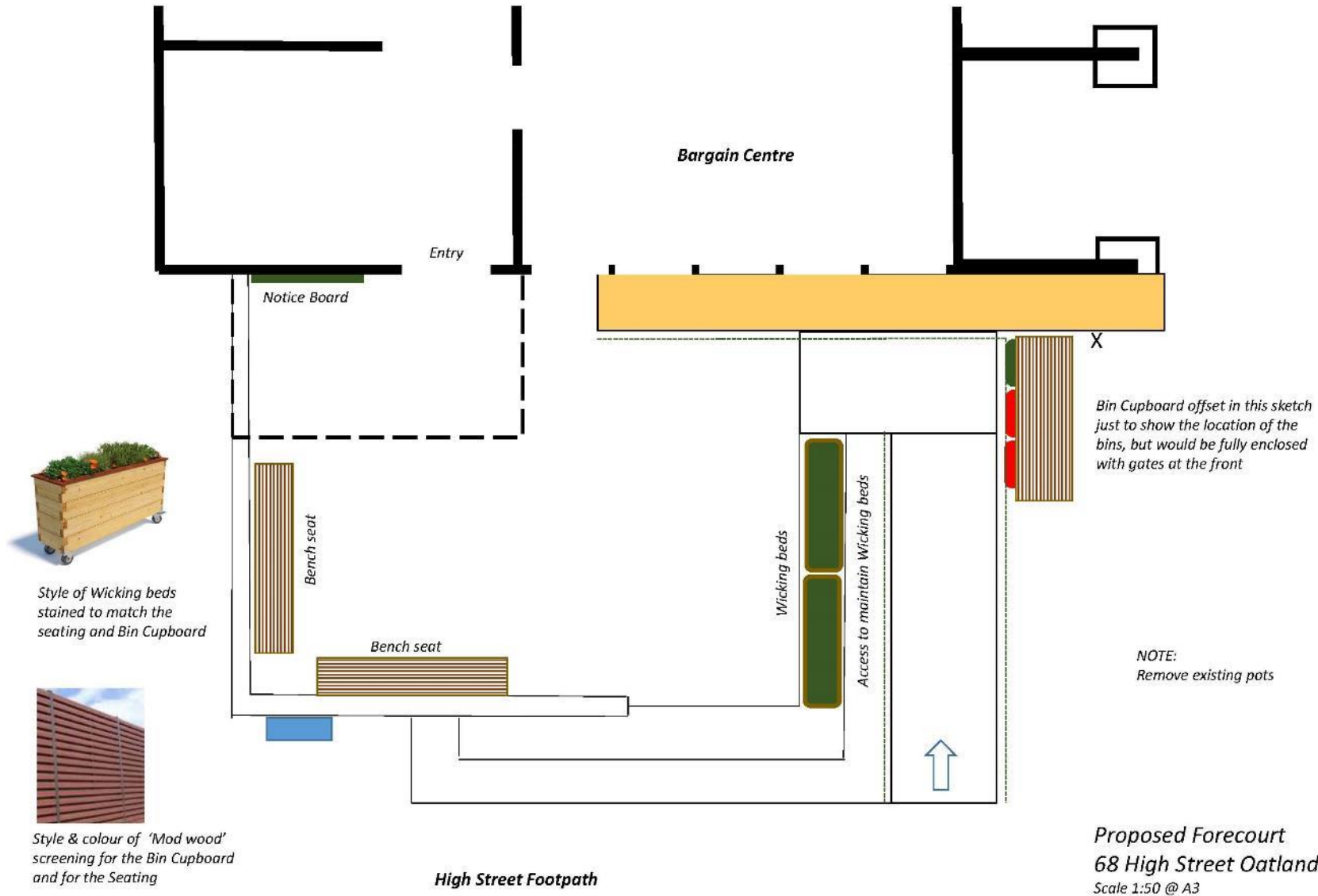


FLOOR PLAN
1:100

*Existing Floor Plan
68 High Street Otlands*



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





Existing

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



Dulux
Beige Calm N11



Proposed

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

[END EXTRACT FROM COUNCIL MEETING 26 APRIL 2023]

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

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

12.1 Development Applications

12.1.1 Development Application (DA2200097) Multiple dwellings (two units) at 28 Hall Street, Campania owned by A & K Glover and R & J Scafe

Author: SENIOR PLANNING OFFICER (LOUISA BROWN)

Authorised by MANAGER DEVELOPMENT & ENVIRONMENTAL SERVICES
(GRANT FINN)

Date 22 June 2023

Attachment(s)

*Development Application Documents
Taswater Span
Representation*

PROPOSAL

The applicant Dirt Building Design, on behalf of the owners, have applied to the Southern Midlands Council for a Permit under the *Land Use Planning and Approvals Act 1993* ("the Act") to develop two dwellings on the land at 28 Hall Street, Campania, CT 182675/18.

The application is for two, two bedroomed units, with a shared access and driveway.

The land is zoned Village and is currently used for residential purposes.

Under the Planning Scheme 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 notification period one representation was received from a member of the public.

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 multiple dwellings subject to conditions.

THE SITE

The site is located to the south of Campania School, off Hall Street. The Recreation ground is located to the west, and the recent subdivision of Chevalier Street is situated to the south east.



Map 1_ The subject land and most surrounding properties are in the Village Zone (orange). Adjoining land to the east is in the Agriculture Zone (brown). The blue area identifies the subject title.
Source: LISTmap (20/06/2023)



Map 2 _ Aerial image of the subject land and surrounding area. Subject title marked in blue .
Source: LISTmap (20/06/2023)

THE APPLICATION

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

USE/DEVELOPMENT DEFINITION

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

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 from the 28 April to 12 May 2023. One (1) representation was received.

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

<i>Representation 1</i>	<i>Council Officer Comment</i>
<p>I have noticed an easement has been proposed within the an existing 8m wide right of way, if this easement is required requests remains right of way.</p> <p>I also have the following questions in regards to the stormwater drainage of the proposed concrete driveway.</p> <p>How loud will the pump proposed be? If power is out how will this pump work? Can a back up measure be installed with a spoon drain to Hall Street so all water diverts down naturally?</p>	<p><i>A 1.5m wide easement has been provided within the 8m wide Right of Way for access for services such as stormwater and water. The Right of Way for the adjacent property are not affected.</i></p> <p><i>Council has recently installed new infrastructure including stormwater drains to this section of Hall Street. It is proposed that storm water from the development will be pumped up the driveway and then connected to the new infrastructure.</i></p> <p><i>At this section of the property near Hall Street the ground levels do not naturally run towards Hall Street. The stormwater can either be pumped or the driveway graded so that stormwater can be gravity fed and connected to the Council infrastructure.</i></p> <p><i>The Storm Water Management system has been designed by a suitably qualified person and includes a 2000 Litre Dual Pump station with visual high water alarm on the property, adjacent to the vehicular access. The pump will be installed in the ground and will operate when stormwater from rain is collected, it will not be in constant use.</i></p> <p><i>As the pump is within the ground, the noise levels when in operation are expected to be less than heat pump. A condition of the Plumbing Permit, as conditioned below will require the applicant to demonstrate the management of stormwater and how any proposal will operate (including when there is a power outage) as a part of the Plumbing Permit.</i></p>

ASSESSMENT – TASMANIAN PLANNING SCHEME - SOUTHERN MIDLANDS

Village Zone

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

<p>12.4 Development Standards for Buildings and Works 12.4.1 Residential density and servicing for multiple dwellings</p>
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<p>That the density of multiple dwellings: (a) makes efficient use of land for housing; and (b) optimises the use of infrastructure and community services.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Multiple dwellings must: (a) have a site area per dwelling of not less than 600m² and (b) have a connection to a reticulated sewerage, stormwater and full water supply service.</p>	<p>P1.1</p> <p>For a site that has a connection to or is capable of being connected to, a reticulated sewerage, stormwater and full water supply service, multiple dwellings must only have a site area per dwelling that is less than 600m² if the number of dwellings:</p> <p>(a) have a site area per dwelling that does not exceed the capacity of the reticulated infrastructure services; and (b) are consistent with the density existing on established properties in the area; or (c) the development provides a specific accommodation need with significant social or community benefit.</p> <p>P1.2</p> <p>For a site that is not capable of being connected to a reticulated sewerage, stormwater and full water supply service, multiple dwellings must have a site area that:</p> <p>(a) is sufficient for on-site wastewater and stormwater disposal and water supply; and (b) a regulated entity has provided written advice stating that the site is unable to be connected to a full water supply service or a reticulated sewerage system.</p>	<p><i>The proposal complies with the Performance Criteria P1.1 as connections to services are possible, capacity of services is not exceeded and the proposal is consistent with the density of the surrounding area at this location in Campania.</i></p>

12.4.2 Building height		
That building height is compatible with the streetscape and does not cause an unreasonable loss of amenity for adjoining properties.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Building height must be not more than 8.5m.	P1 Building height must be compatible with the streetscape and not cause an unreasonable loss of amenity to adjoining properties, having regard to: (a) the topography of the site; (b) the height, bulk and form of existing buildings on the site and adjoining properties; (c) the bulk and form of proposed buildings; (d) sunlight to habitable rooms and private open space in adjoining properties; and (e) any overshadowing of adjoining properties or public places.	<i>The Acceptable Solution A1 is met as the proposed height of the dwellings is 3.7m.</i>

12.4.3 Setback		
That building setback is compatible with the streetscape and does not result in an unreasonable impact on amenity of adjoining properties.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Buildings must have a setback from a frontage of: (a) not less than 4.5m; (b) not less than existing buildings on the site; or (c) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties.	P1 Buildings must be sited to be compatible with the streetscape and character of development existing on established properties in the area, having regard to: (a) the topography of the site; (b) the setbacks of buildings on adjoining properties; (c) the height, bulk and form of existing and proposed buildings;	<i>The proposal complies with the Acceptable Solution, as the setback to Hall Street is greater than 4.5m.</i>

	<p>(d) the appearance of proposed buildings when viewed from roads and public places adjoining the site; and</p> <p>(e) the safety of road users.</p>	
<p>A2</p> <p>Buildings must have a setback from side and rear boundaries of not less than:</p> <p>(a) 3m; or</p> <p>(b) half the wall height of the building,</p> <p>whichever is the greater.</p>	<p>P2</p> <p>Buildings must be sited so that there is no unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the size, shape and orientation of the site;</p> <p>(c) the setbacks of surrounding buildings;</p> <p>(d) the height, bulk and form of existing and proposed buildings;</p> <p>(e) the existing buildings and private open space areas on the site;</p> <p>(f) sunlight to private open space and windows of habitable rooms on adjoining properties; and</p> <p>(g) the character of development existing on established properties in the area.</p>	<p><i>The proposal complies with the Acceptable Solution, as all distances between the proposed dwellings and the side and rear boundaries are greater than 3m.</i></p>
<p>A3</p> <p>Air extraction, pumping, refrigeration systems, compressors or generators, excluding Residential, Visitor Accommodation, Natural and Cultural Values Management, Passive Recreation and Utilities, must have a setback from a property containing a sensitive use of not less than 10m.</p>	<p>P3</p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators, excluding Residential, Visitor Accommodation, Natural and Cultural Values Management, Passive Recreation and Utilities, within 10m of a property containing a sensitive use must be designed, located, baffled or insulated to not</p>	<p><i>Not Applicable, the development is for two residential units.</i></p>

	<p>cause an unreasonable loss of amenity, having regard to:</p> <p>(a) the characteristics and frequency of any emissions generated;</p> <p>(b) the nature of the proposed use;</p> <p>(c) the topography of the site and location of the sensitive use; and</p> <p>(d) any mitigation measures proposed.</p>	
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<p>12.4.4 Site coverage That site coverage:</p> <p>(a) is compatible with the character of the development existing in the area; and</p> <p>(b) provides sufficient area for private open space and landscaping.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Site coverage must be not more than 50%	<p>P1</p> <p>Site coverage must be consistent with that existing on established properties in the area, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the size and shape of the site;</p> <p>(c) the existing buildings and any constraints imposed by existing development;</p> <p>(d) the provision for landscaping and private open space; and</p> <p>(e) the character of development existing on established properties in the area.</p>	<p><i>The proposal complies with the Acceptable Solution, sufficient open space is provided for each dwelling.</i></p>

<p>12.4.5 Fencing That the height and transparency of frontage fences:</p> <p>(a) allows the potential for mutual passive surveillance between the road and the dwelling; and</p> <p>(b) provides reasonably consistent height and transparency.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1	P1	

<p>No Acceptable Solution. [S15]</p>	<p>A fence (including a free-standing wall) within 4.5m of a frontage must:</p> <p>(a) provide for security and privacy, while allowing for passive surveillance of the road; and</p> <p>(b) be consistent with the height and transparency of fences in the street, having regard to:</p> <p>(i) topography of the site; and</p> <p>(ii) traffic volumes on the adjoining road.</p>	<p><i>The proposal does not include details regarding fencing, however no fencing is proposed to the frontage (Hall Street). The standards for fencing will form a part of the conditions of any planning permit below.</i></p>
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C3.0 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 applicable standards of the Code are addressed in the following tables:

Development Standards		
<p>C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1.1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <p>(a) a new junction;</p> <p>(b) a new vehicle crossing; or</p> <p>(c) a new level crossing.</p> <p>A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p>	<p>P1 Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <p>(a) any increase in traffic caused by the use;</p> <p>(b) the nature of the traffic generated by the use;</p> <p>(c) the nature of the road;</p> <p>(d) the speed limit and traffic flow of the road;</p>	<p><i>The proposal complies with the Acceptable Solution as no new junction, vehicle crossing or level crossing is required.</i></p> <p><i>The access to the property from the road will be required to be updated in line with Council Standards, which is a part of the conditions of any Planning Permit below.</i></p>

<p>A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p>A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <p>(a) the amounts in Table C3.1; or</p> <p>(b) allowed by a licence issued under Part IVA of the Roads and Jetties Act 1935 in respect to a limited access road.</p> <p>A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	<p>(e) any alternative access to a road;</p> <p>(f) the need for the use;</p> <p>(g) any traffic impact assessment; and</p> <p>(h) any advice received from the rail or road authority.</p>	
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C2.0 Parking and Sustainable Transport Code

The purpose of the Parking and Sustainable Transport Code is:

- To ensure that an appropriate level of parking facilities is provided to service use and development.
- To ensure that cycling, walking and public transport are encouraged as a means of transport in urban areas.
- To ensure that access for pedestrians, vehicles and cyclists is safe and adequate.
- To ensure that parking does not cause an unreasonable loss of amenity to the surrounding area.
- To ensure that parking spaces and accesses meet appropriate standards.
- To provide for parking precincts and pedestrian priority streets.

C2.5.1 Car parking numbers		
That an appropriate level of car parking spaces are provided to meet the needs of the use.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>The number of on-site car parking spaces must be no less than the number specified in Table 2.1, less the number of car parking spaces that cannot be</p>	<p>P1</p> <p>The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</p>	<p><i>The number of car parking spaces proposed for the development is 6 spaces. This equates to two spaces per 2 bedroomed dwelling and two visitor spaces,</i></p>

<p>provided due to the site including container refund scheme space, excluding if:</p> <p>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p> <p>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</p> <p>(c) the site is subject to Clause C2.5.5; or</p> <p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <p>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> $N = A + (C - B)$ <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p>	<p>(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;</p> <p>(b) the ability of multiple users to share spaces because of:</p> <p>(i) variations in car parking demand over time; or</p> <p>(ii) efficiencies gained by consolidation of car parking spaces;</p> <p>(c) the availability and frequency of public transport within reasonable walking distance of the site;</p> <p>(d) the availability and frequency of other transport alternatives;</p> <p>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</p> <p>(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</p> <p>(g) the effect on streetscape; and</p> <p>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</p> <p>P1.2</p> <p>The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</p>	<p><i>which meets the requirements of the Code Table 2.1. The Acceptable Solution is met.</i></p>
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<p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>	<p>(a) the nature and intensity of the use and car parking required;</p> <p>(b) the size of the dwelling and the number of bedrooms; and</p> <p>(c) the pattern of parking in the surrounding area.</p>	
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C2.6.1 Construction of parking areas		
That parking areas are constructed to an appropriate standard.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>All parking, access ways, manoeuvring and circulation spaces must:</p> <p>(a) be constructed with a durable all weather pavement;</p> <p>(b) be drained to the public stormwater system, or contain stormwater on the site; and</p> <p>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</p>	<p>P1</p> <p>All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to:</p> <p>(a) the nature of the use;</p> <p>(b) the topography of the land;</p> <p>(c) the drainage system available;</p> <p>(d) the likelihood of transporting sediment or debris from the site onto a road or public place;</p> <p>(e) the likelihood of generating dust; and</p> <p>(f) the nature of the proposed surfacing.</p>	<p><i>The proposal complies with the Acceptable Solution as the driveway, car parking and circulation spaces will be constructed from pavement and drained to a stormwater system which will be direct to the road side table drain.</i></p>

C2.6.2 Design and layout of parking areas		
That parking areas are designed and laid out to provide convenient, safe and efficient parking.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1.1</p> <p>Parking, access ways, manoeuvring and circulation spaces must either:</p>	<p>P1</p> <p>All parking, access ways, manoeuvring and circulation spaces must be</p>	<p><i>The proposal meets the Performance Criteria P1, adequate space has been</i></p>

<p>(a) comply with the following:</p> <p>(i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;</p> <p>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</p> <p>(iii) have an access width not less than the requirements in Table C2.2;</p> <p>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</p> <p>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with Australian Standard AS 2890- Parking facilities, Parts 1-6.</p> <p>A1.2</p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p>	<p>designed and readily identifiable to provide convenient, safe and efficient parking, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the proposed slope, dimensions and layout;</p> <p>(c) useability in all weather conditions;</p> <p>(d) vehicle and pedestrian traffic safety;</p> <p>(e) the nature and use of the development;</p> <p>(f) the expected number and type of vehicles;</p> <p>(g) the likely use of the parking areas by persons with a disability;</p> <p>(h) the nature of traffic in the surrounding area;</p> <p>(i) the proposed means of parking delineation; and</p> <p>(j) the provisions of Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking and AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities.</p>	<p><i>provided at the access with a proposed carriage width not less than 4.5m for the first 7m from the road and 4.5m thereafter, passing is provided at 40m, which is deemed appropriate for a two dwelling development.</i></p> <p><i>Vehicular turning/ reversing layouts have been provided, and enable cars to turn on site and leave in a forward direction.</i></p> <p><i>Lighting is proposed and signage proposed for the turning area and visitor parking.</i></p> <p><i>A landscaping plan has also been provided and will form a part of the conditions of any planning permit granted below.</i></p>
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<p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities. [S35]</p>		
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C2.6.3 Number of accesses for vehicles		
That:		
(a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;		
(b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and		
(c) the number of accesses minimise impacts on the streetscape.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses,</p> <p>whichever is the greater.</p>	<p>P1</p> <p>The number of accesses for each frontage must be minimised, having regard to:</p> <p>(a) any loss of on-street parking; and</p> <p>(b) pedestrian safety and amenity;</p> <p>(c) traffic safety;</p> <p>(d) residential amenity on adjoining land; and</p> <p>(e) the impact on the streetscape.</p>	<p><i>The proposal meets the Acceptable Solution, as the existing access to the property via a right of way from Hall Street will remain the single point of access.</i></p>
<p>A2</p> <p>Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>	<p>P2</p> <p>Within the Central Business Zone or in a pedestrian priority street, any new accesses must:</p> <p>(a) not have an adverse impact on:</p> <p>(i) pedestrian safety and amenity; or</p>	<p><i>Not applicable.</i></p>

	(ii) traffic safety; and (b) be compatible with the streetscape.	
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C2.6.8 Siting of parking and turning areas

That the siting of vehicle parking and access facilities in an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone, General Business Zone or Central Business Zone does not cause an unreasonable visual impact on streetscape character or loss of amenity to adjoining properties.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas must be located behind the building line of buildings, excluding if a parking area is already provided in front of the building line.</p>	<p>P1</p> <p>Within an Inner Residential Zone, Village Zone, Urban Mixed Use Zone, Local Business Zone or General Business Zone, parking spaces and vehicle turning areas, including garages or covered parking areas, may be located in front of the building line where this is the only practical solution and does not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(a) topographical or other site constraints;</p> <p>(b) availability of space behind the building line;</p> <p>(c) availability of space for vehicle access to the side or rear of the property;</p> <p>(d) the gradient between the front and the rear of existing or proposed buildings;</p> <p>(e) the length of access or shared access required to service the car parking;</p> <p>(f) the location of the access driveway at least 2.5m from a window of a habitable room of a dwelling;</p>	<p><i>Car parking is provided to the front and side of properties behind the building line. The proposal meets the Performance Criteria as due to the site constraints, it is not possible to contain parking behind the building line and the visual impact of the car parking from the public realm will be minimal. The arrangement is in keeping with the character of the area, residential.</i></p>

	<p>(g) the visual impact of the vehicle parking and access on the site;</p> <p>(h) the streetscape character and amenity;</p> <p>(i) the nature of the zone in which the site is located and its preferred uses; and</p> <p>(j) opportunities for passive surveillance of the road.</p>	
<p>A2</p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must:</p> <p>(a) have no new vehicle accesses, unless an existing access is removed;</p> <p>(b) retain an active street frontage; and</p> <p>(c) not result in parked cars being visible from public places in the adjacent roads.</p>	<p>P2</p> <p>Within the Central Business Zone, on-site parking at ground level adjacent to a frontage must be designed to screen the views of cars from public places in the adjacent roads, without blank walls facing onto a road, having regard to:</p> <p>(a) the streetscape;</p> <p>(b) any unreasonable loss of amenity of the occupants of adjoining properties; and</p> <p>(c) maintaining opportunities for active uses on a street frontage in a pedestrian priority street.</p>	<p><i>Not Applicable.</i></p>

CONCLUSION

The report has assessed a Development Application for two (2) dwellings at 28 Hall Street, Campania.

One representation was received and has been considered in this report.

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

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

RECOMMENDATION

THAT, in accordance with the provisions of the *Tasmanian Planning Scheme – Southern Midlands* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application (DA2200097) for two (2) dwellings at 28 Hall Street, owned by Scaife and Glover subject to conditions detailed below.

CONDITIONS

General

- (1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- (2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, whichever is later, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

Landscaping

- (3) Before any work commences submit a landscape plan prepared by a suitably qualified person for approval by Council's Manager Development and Environmental Services. The landscape plan must include:
 - a) The areas to be landscaped,
 - b) Details of surface finishes of paths and driveways.
 - c) Details of fencing.
 - d) A planting schedule of all proposed trees, shrubs and ground covers including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant.
 - e) Landscaping and planting within all open areas of the site.
- (4) Planting must bear a suitable relationship to the proposed height of the buildings and must not use species listed as noxious weeds within Tasmania, displaying invasive characteristics or unsuitable for fire prone areas. If considered satisfactory, the landscape plan will be endorsed and will form part of this permit.
- (5) Prior to commencement of use, all trees and landscaping must be planted and installed in accordance with the approved Landscaping Plan to the satisfaction of the Council's Manager Development and Environmental Services. Evidence showing compliance with this condition must be submitted to and approved by the Manager Development and Environmental Services within 30 days of planting.
- (6) Replacement trees and landscaping in accordance with the approved Landscaping Plan must be planted if any is lost. All landscaping must continue to be maintained to the satisfaction of Council.

TasWater

- (7) The use and/or development must comply with the requirements of TasWater, as detailed in the form Submission to Planning Authority Notice, Reference No TWDA2022/01512-STM dated 24/04/2023, as attached to this permit.

Services

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

Parking and Access

- (9) At least six (6) car parking spaces must be provided on the land at all times for the use of the development, in accordance with Standards Australia (2004) Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney.
- (10) The internal driveway and areas set-aside for parking and associated access and turning must be provided in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney and to the satisfaction of Council's Municipal Engineer, and must include all of the following;
- a) Constructed with a durable all weather pavement;
 - b) Surfaced with a material to resist abrasion from traffic and to minimise the entry of water. The surfacing material must be spray seal, asphalt, concrete or other approved material; and
 - c) Drained to an approved stormwater system.

Access to Road

- (11) The existing vehicular access from Hall Street, must be upgraded to the satisfaction of the Council's Manager of Infrastructure & Works and must include a minimum 2 coat seal.

Stormwater

- (12) Stormwater drainage for the section of the property access, must drain to a legal point of discharge either by Pump as described within the Development Application documents, or the property access graded to enable gravity feed to Council's Stormwater infrastructure on Hall Street. Either stormwater solution must be 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.
- (13) Stormwater drainage from the proposed development must drain to a legal point of discharge to the satisfaction of Council's General Manager and in accordance with a Certificate of Likely Compliance or Plumbing permit issued by the Permit Authority in accordance with the Building Act 2016.

Soil and Water Management

- (14) Before any work commences install temporary run-off, erosion and sediment controls and maintain these at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's General Manager.

Construction amenity

- (15) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager Development and Environmental Services:
- Monday to Friday 7:00 a.m. to 6:00 p.m.
 - Saturday 8:00 a.m. to 6:00 p.m.
 - Sunday and State-wide public holidays 10:00 a.m. to 6:00 p.m.
- (16) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
- (a) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - (b) The transportation of materials, goods and commodities to and from the land.
 - (c) Obstruction of any public footway or highway.
 - (d) Appearance of any building, works or materials.
- (17) Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager Development and Environmental Services.
- (18) Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.
- (19) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's Municipal Engineer.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

- A. This Planning Permit is in addition to the requirements of the Building Act 2016. Approval in accordance with the Building Act 2016 may be required prior to works commencing. A copy of the Directors Determination – categories of Building Work and Demolition Work is available via the CBOS website: [Director's Determination - Categories of Building and Demolition Work \(PDF, 504.4 KB\)](#) or for Low Risk Building Work information go to: [Consumer Guide to Low Risk Building and Plumbing Work](#).
- B. The proposed works are located within a mapped bushfire prone area and as such a bushfire assessment and BAL must be provided by a suitably qualified person and form part of the certified documents for the building approval.
- C. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application

- D. 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 D Fish, seconded by Clr R McDougall

THAT 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 (DA2200097) for two (2) dwellings at 28 Hall Street, owned by Scaife and Glover subject to conditions detailed below.

CONDITIONS

General

- (1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- (2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, whichever is later, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

Landscaping

- (3) Before any work commences submit a landscape plan prepared by a suitably qualified person for approval by Council's Manager Development and Environmental Services. The landscape plan must include:
 - a) The areas to be landscaped,
 - b) Details of surface finishes of paths and driveways.
 - c) Details of fencing.
 - d) A planting schedule of all proposed trees, shrubs and ground covers including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant.
 - e) Landscaping and planting within all open areas of the site.

- (4) Planting must bear a suitable relationship to the proposed height of the buildings and must not use species listed as noxious weeds within Tasmania, displaying invasive characteristics or unsuitable for fire prone areas. If considered satisfactory, the landscape plan will be endorsed and will form part of this permit.
- (5) Prior to commencement of use, all trees and landscaping must be planted and installed in accordance with the approved Landscaping Plan to the satisfaction of the Council's Manager Development and Environmental Services. Evidence showing compliance with this condition must be submitted to and approved by the Manager Development and Environmental Services within 30 days of planting.
- (6) Replacement trees and landscaping in accordance with the approved Landscaping Plan must be planted if any is lost. All landscaping must continue to be maintained to the satisfaction of Council.

TasWater

- (7) The use and/or development must comply with the requirements of TasWater, as detailed in the form Submission to Planning Authority Notice, Reference No TWDA2022/01512-STM dated 24/04/2023, as attached to this permit.

Services

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

Parking and Access

- (9) At least six (6) car parking spaces must be provided on the land at all times for the use of the development, in accordance with Standards Australia (2004) Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney.
- (10) The internal driveway and areas set-aside for parking and associated access and turning must be provided in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney and to the satisfaction of Council's Municipal Engineer, and must include all of the following;
 - a) Constructed with a durable all weather pavement;
 - b) Surfaced with a material to resist abrasion from traffic and to minimise the entry of water. The surfacing material must be spray seal, asphalt, concrete or other approved material; and
 - c) Drained to an approved stormwater system.

Access to Road

- (11) The existing vehicular access from Hall Street, must be upgraded to the satisfaction of the Council's Manager of Infrastructure & Works and must include a minimum 2 coat seal.

Stormwater

- (12) Stormwater drainage for the section of the property access, must drain to a legal point of discharge either by Pump as described within the Development Application documents, or the property access graded to enable gravity feed to Council's Stormwater infrastructure on Hall Street at the developers cost. Either stormwater solution must be 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.
- (13) Stormwater drainage from the proposed development must drain to a legal point of discharge to the satisfaction of Council's General Manager and in accordance with a Certificate of Likely Compliance or Plumbing permit issued by the Permit Authority in accordance with the Building Act 2016.

Soil and Water Management

- (14) Before any work commences install temporary run-off, erosion and sediment controls and maintain these at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's General Manager.

Construction amenity

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

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

- (16) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
- (a) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
- (b) The transportation of materials, goods and commodities to and from the land.
- (c) Obstruction of any public footway or highway.
- (d) Appearance of any building, works or materials.
- (17) Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager Development and Environmental Services.
- (18) Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.

(19) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's Municipal Engineer.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

- A. This Planning Permit is in addition to the requirements of the Building Act 2016. Approval in accordance with the Building Act 2016 may be required prior to works commencing. A copy of the Directors Determination – categories of Building Work and Demolition Work is available via the CBOS website: Director's Determination - Categories of Building and Demolition Work (PDF, 504.4 KB) or for Low Risk Building Work information go to: Consumer Guide to Low Risk Building and Plumbing Work.
- B. The proposed works are located within a mapped bushfire prone area and as such a bushfire assessment and BAL must be provided by a suitably qualified person and form part of the certified documents for the building approval.
- C. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application
- D. 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

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

**12.1.2 Development Application Sa2200029 for Subdivision (1 Lot Plus Balance)
At 849 Native Corners Road, Campania**

Author: STRATEGIC PLANNING OFFICER (ANDRES PEREZ ROCA)

Authorised By: DEVELOPMENT & ENVIRONMENTAL SERVICES MANAGER
(GRANT FINN)

Date 22 June 2023

Attachment(s):

A. *Development application documents*

B. *Representation*

EXECUTIVE SUMMARY

On behalf of R Barber and G Barber (“the owners”), Rogerson & Birch Surveyors (“the applicant”) has applied to the Southern Midlands Council (“the planning authority”) for a permit under the *Land Use Planning and Approvals Act 1993* (“the Act”) and the *Tasmanian Planning Scheme – Southern Midlands* (“the Scheme”) to subdivide the land at 849 Native Corners Road, Campania (“the subject site”).

The subject site comprises the parcel of land within Certificate of Title 109983/7, which has an irregular triangular-like shape and an area of 20.41ha.

The land is zoned Agriculture under the Scheme and is subject to the following Codes:

- Parking and Sustainable Transport Code;
- Natural Assets Code due to a Waterway and Coastal Protection Area overlay;
- Bushfire-Prone Areas Code due to a Bushfire-Prone Areas overlay; and
- Landslip Hazard Code due to Low and Medium Landslip Hazard Bands.

The applicant is proposing to subdivide the subject site to create one lot plus balance, as follows:

- Lot 1 is 1.87ha and intended to contain the existing dwelling and its curtilage.
- The balance lot is 18.54ha and intended to be used for agricultural purposes.

The planning authority has the discretion to grant or refuse a permit.

Council gave notice of the application for public comment, as required by the Act. During the advertising period, one representation was received. Consideration of the concerns raised by the representors is given in this report.

The proposal is also assessed against all applicable standards of the Scheme.

It is recommended that Council grants a permit, subject to the conditions and advice contained in this report’s recommendation section.

THE SUBJECT SITE AND ITS SURROUNDINGS

Figure 1 shows an aerial image of the subject site and its surroundings.



Figure 1. Aerial image of the subject site (highlighted in dark blue) and its surroundings.
Source: LISTmap.

Figure 2 shows the zoning of the subject site and its surroundings.

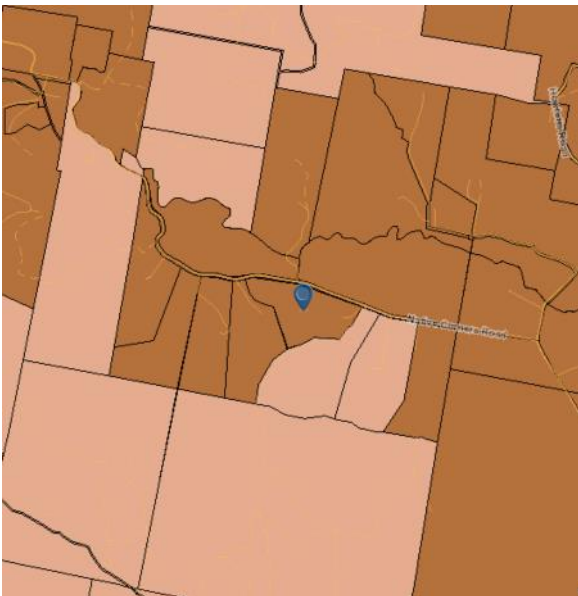


Figure 2. Zoning (Agriculture Zone highlighted in dark brown and Rural Zone highlighted in light brown).
Source: LISTmap.

Figure 3 shows the mapping for the Waterway and Coastal Protection Area overlay and for the Low and Medium Landslip Hazard Bands within the subject site.

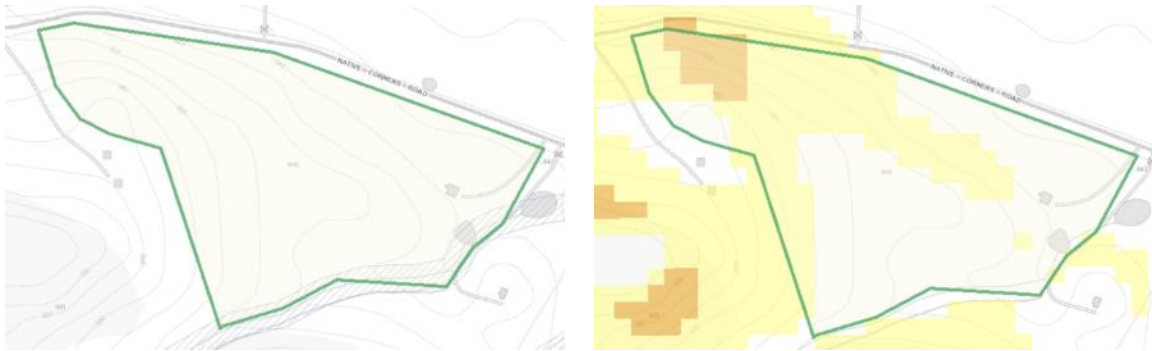


Figure 3. Waterway and Coastal Protection Area overlay (highlighted with blue lines on the left image); Low Landslip Hazard Band (highlighted in bright yellow on the right image); and Medium Landslip Hazard Band (highlighted in orange on the right image).

Source: PlanBuild Tasmania.

The entirety of the subject site is affected by a Bushfire-Prone Areas overlay.

The subject site is not burdened by easements or covenants other than a standard fencing covenant.

THE PROPOSAL

The applicant proposes subdividing the subject site to create one lot plus balance (see Figure 4).

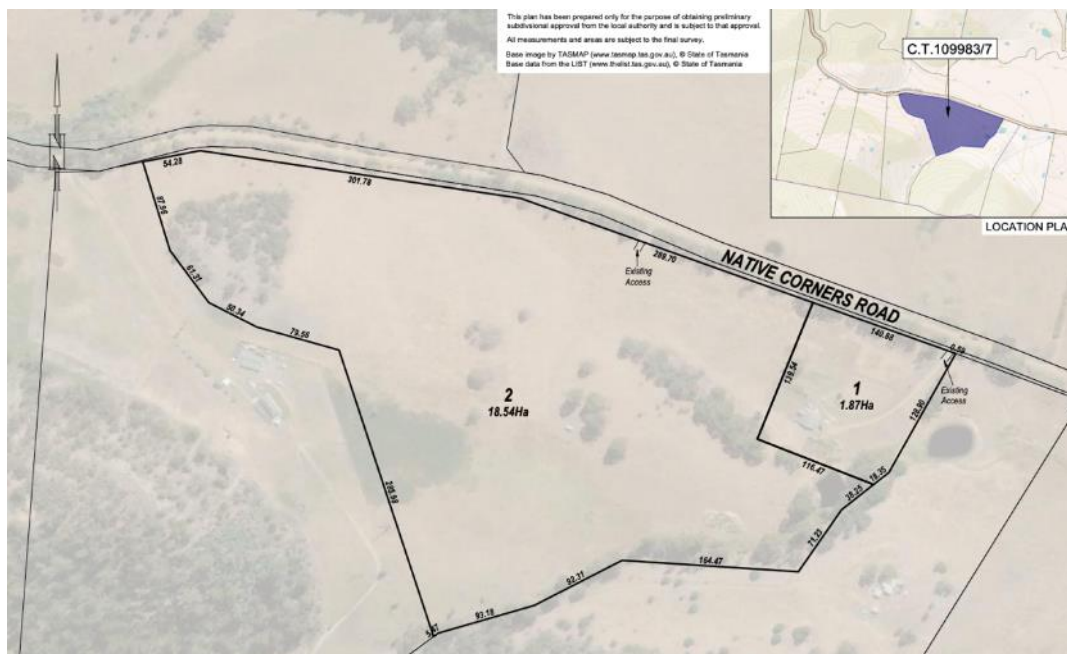


Figure 4. Extract of the subdivision plan.

The proposal involves excising (separating) the existing dwelling and its curtilage (i.e., Lot 1 in Figure 4) from the balance lot (i.e., Lot 2 in Figure 4). Lot 1 has an area of 1.87ha. The balance lot has an area of 18.54ha and intended to be used for agricultural purposes.

Each lot has an existing access to Native Corners Road via the strip of land at 1001 Native Corners Road, which is shown as '105 Road' in SP109983, meaning that this strip of land is taken to be dedicated to the public in accordance with section 95(1) of the *Local*

Government (Building and Miscellaneous Provisions) Act 1993. The existing accesses will need to be upgraded for bushfire hazard management-related purposes.

The development application documents submitted in support of the proposal include the following:

- A completed and signed application form;
- A subdivision plan;
- A written statement by an agricultural consultant addressing the Performance Criteria in clause 21.5.1 P1(c)(i) of the Scheme;
- A written statement by the applicant acknowledging the owners understand that they will be required to enter into a Part 5 Agreement preventing future residential use on the balance lot.
- A bushfire hazard report prepared by an accredited person.
- The certificate of title for the land.

The proposal was referred to the following individuals and agencies for comment:

- Council's Environmental Health Officer, who has recommended the inclusion of a condition to ensure that the owners of lot 1 and its successors in title are made aware that that this lot is within an established agricultural area and, as such, may be subject to noise, odour and other types of emissions from surrounding agricultural activities.
- Council's Works & Technical Services Manager, who has recommended the inclusion of standard conditions for the required accesses' upgrades.
- TasNetworks, who has no objections to the proposal.
- The Tasmania Fire Service, who did not provide any comments.

DEVELOPMENT CLASSIFICATION

The application is for subdivision of land, which has a discretionary status in accordance with the Scheme. Thus, the planning authority has the discretion to grant a permit –with or without conditions– or refuse the application.

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

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised between 2 June 2023 and 19 June 2023.

One representation was received on 16 June 2023.

The concerns raised in this representation are considered in the table below.

<i>Representation</i>	<i>Officer Comment</i>
We are writing to lodge an objection to the proposed subdivision at 849 Native Corners Road Campania for the following reasons.	
1. We are opposed to the subdivision of large rural blocks in general. There is a need to keep large tracts of agricultural land intact because of the scarcity of it	<i>Sub-clause 11.5.1(c) of the Scheme allows for the excision of the existing dwelling and its curtilage from the balance lot, provided that all</i>

<p>on this small island. Climate change is increasing the level of food insecurity around the world and our capacity to be self-sufficient needs to be maximised.</p>	<p>requirements in this sub-clause are satisfied. It is considered that the proposal will satisfy all the requirements in this sub-clause, as discussed in this report’s assessment section.</p> <p>Furthermore, the land to be subdivided has been mapped as having a relatively low productive capacity (i.e., approximately half of it has been mapped as class 4 land, and the remaining half has been mapped as class 6 land), which denotes that the land has very limited to no capacity for agricultural activities, such as cropping, to occur on it.</p>
<p>2. The applicant has proposed a plan for permaculture farming on Block 2. However, there is no need for the subdivision to take place in order for these activities to be undertaken. In fact, the proposed second dwelling on Block 2 will decrease the area available for potential agricultural use.</p>	<p>The proposal is accompanied by a written statement prepared by an agricultural consultant addressing the Performance Criteria in clause 21.5.1 P1(c)(i) of the Scheme. In this statement, the consultant asserts that the proposal will not diminish the agricultural productivity of the land, which, as stated before, is mapped to be low.</p> <p>It is recommended that any planning permit issued includes the following condition: “Prior to Council sealing the final Plan of Survey, an agreement pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 must be entered into in relation to the balance lot to the effect that the owners covenant and agree with Council that no dwelling is to be developed on this lot unless in accordance with the requirements of the Tasmanian Planning Scheme – Southern Midlands or its successors.”</p> <p>While the balance lot remains zoned Agriculture under the Scheme, any application for future residential use on this lot would be discretionary and must be accompanied by sufficient information to demonstrate compliance with the Performance Criteria in clause 21.3.1 P4 of the Scheme.</p>
<p>3. This is an area with abundant and healthy wildlife which we consider to be part of its appeal and amenity.</p>	<p>The subject site is in the Agricultural Zone. This zone does not have the primary purpose of providing for the protection, conservation, and</p>

<p>Subdivision inevitably has a negative impact on wildlife.</p>	<p>management of natural assets, including wildlife.</p> <p><i>The land is subject to the Natural Assets Code due to a Waterway and Coastal Protection Area overlay. Yet, the proposal complies with all applicable standards of this Code, not having or leading to an unnecessary or unacceptable impact on natural assets. The land is not affected by a Priority Vegetation Area overlay.</i></p>
<p>4. Subdivision of this block will set a precedent for other similar applications. Will our other neighbours, when thinking of selling and moving away, be motivated to subdivide their property to maximise their potential profit? If this becomes a common practice, it will destroy the amenity of the rural setting as well as impacting its agricultural potential.</p>	<p><i>Each application must be assessed on its own merits.</i></p> <p><i>Whatever the drivers are for the owners to subdivide the land, the proposal is deemed to satisfy or comply with all applicable standards of the Scheme, provided that the conditions in this report’s recommendation section are met.</i></p>
<p>5. The assertion in the application that Block 2 will be kept in the owner’s family ‘for generations to come’ (p.5) is confusing, as the current advertising at realestate.com indicates that both Blocks 1 and 2 are for sale.</p>	<p><i>The planning authority has, in good faith, required the applicant to provide a written statement by an agricultural consultant addressing the Performance Criteria in clause 21.5.1 P1(c)(i) of the Scheme, which the applicant has provided.</i></p> <p><i>A person may be fined for willfully making or causing to be made any false representation or declaration to obtain or attempt to obtain a permit.</i></p> <p><i>Notwithstanding this, the Scheme does not restrict the sale of land, and, as such, it is not the role of the planning authority to intervene in such affairs.</i></p>

ASSESSMENT - TASMANIAN PLANNING SCHEME - SOUTHERN MIDLANDS

21.0 Agriculture Zone

The subject site is in the Agriculture Zone.

The applicable standards of this Zone are addressed in the following table:

<p>21.5 Development Standards for Subdivision</p> <p>21.5.1 Lot design</p> <p>Objective:</p> <p>To provide for subdivision that:</p>
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<p>(a) relates to public use, irrigation infrastructure or Utilities; and (b) protects the long term productive capacity of agricultural land.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) be required for public use by the Crown, a council or a State authority;</p> <p>(b) be required for the provision of Utilities or irrigation infrastructure; or</p> <p>(c) be for the consolidation of a lot with another lot provided both lots are within the same zone.</p>	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) provide for the operation of an agricultural use, having regard to:</p> <p>(i) not materially diminishing the agricultural productivity of the land;</p> <p>(ii) the capacity of the new lots for productive agricultural use;</p> <p>(iii) any topographical constraints to agricultural use; and</p> <p>(iv) current irrigation practices and the potential for irrigation;</p> <p>(b) be for the reorganisation of lot boundaries that satisfies all of the following:</p> <p>(i) provides for the operation of an agricultural use, having regard to:</p> <p>a. not materially diminishing the agricultural productivity of the land;</p> <p>b. the capacity of the new lots for productive agricultural use;</p> <p>c. any topographical constraints to agricultural use; and</p> <p>d. current irrigation practices and the potential for irrigation;</p>	<p><i>The proposal does not satisfy the Acceptable Solutions in sub-clauses 21.5.1 A1(a), (b) or (c). Thus, it must be assessed against the Performance Criteria in sub-clauses 21.5.1 P1(a), (b) or (c).</i></p> <p><i>The applicant has applied for the subdivision to be assessed under sub-clause 21.5.1 P1(c), which allows for the excision of use or development existing at the effective date (i.e., 15 June 2022), provided that the requirements in literals (i) to (iv) are satisfied.</i></p> <p><i>In this case, the existing residential use and dwelling were lawfully established in 2010 and have existed since then. Hence, the excision of this dwelling and its curtilage is possible if the requirements in literals (i) to (iv) are satisfied.</i> <u><i>The requirement in literal (i)</i></u></p> <p><i>The proposal is accompanied by a written statement prepared by an agricultural consultant addressing this requirement. The consultant holds a Bachelor of Agriculture and a Bachelor of Agriculture with Honours from the University of Tasmania, so he is considered to be qualified to make this statement. The statement suggests that the proposal satisfies</i></p>

	<p>(ii) all new lots must be not less than 1ha in area;</p> <p>(iii) existing buildings are consistent with the setback required by clause 21.4.2 A1 and A2;</p> <p>(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use; and</p> <p>(v) it does not create any additional lots; or</p> <p>(c) be for the excision of a use or development existing at the effective date that satisfies all of the following:</p> <p>(i) the balance lot provides for the operation of an agricultural use, having regard to:</p> <p>a. not materially diminishing the agricultural productivity of the land;</p> <p>b. the capacity of the balance lot for productive agricultural use;</p> <p>c. any topographical constraints to agricultural use; and</p> <p>d. current irrigation practices and the potential for irrigation;</p> <p>(ii) an agreement under section 71 of the Act is entered into and registered on the title preventing future Residential use if there is no dwelling on the balance lot;</p>	<p><i>the requirement in literal (i).</i></p> <p><u><i>The requirement in literal (ii)</i></u></p> <p><i>Given that there is no dwelling on the balance lot, the applicant and owners were made aware of the need to enter into a Part 5 Agreement preventing future residential use in this lot.</i></p> <p><i>Thus, it is recommended that any planning permit issued includes the following condition: “Prior to Council sealing the final Plan of Survey, an agreement pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 must be entered into in relation to the balance lot to the effect that the owners covenant and agree with Council that no dwelling is to be developed on this lot unless in accordance with the requirements of the Tasmanian Planning Scheme – Southern Midlands or its successors.”</i></p> <p><i>Provided this condition is included on any planning permit issued, the proposal satisfies the requirement in literal (ii).</i></p> <p><u><i>The requirement in literal (iii)</i></u></p> <p><i>While the existing dwelling on lot 1 will be within 200m of the new boundaries shared with the balance lot, it is considered that this dwelling is sited so as not to conflict or interfere with</i></p>
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	<p>(iii) any existing buildings for a sensitive use must meet the setbacks required by clause 21.4.2 A2 or P2 in relation to setbacks to new boundaries; and</p> <p>(iv) all new lots must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use.</p>	<p><i>the intended agricultural use for the balance lot. No measures are deemed necessary other than the inclusion of a condition to ensure that the owners of lot 1 and its successors in title are made aware that that this lot is within an established agricultural area and, as such, may be subject to noise, odour and other types of emissions from surrounding agricultural activities.</i></p> <p><i>Thus, the proposal satisfies the requirement in literal (iii).</i></p> <p><u><i>The requirement in literal (iv)</i></u></p> <p><i>Both lots are provided with a legal connection to Native Corners Road, so the proposal satisfies the requirement in literal (iv).</i></p> <p><i>For the above reasons, the proposal can be conditioned to comply with the Performance Criteria in sub-clause 21.5.1 P1(c).</i></p>
<p>A2</p> <p>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.</p>	<p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision, is capable of being provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the distance between the lot or building area and the carriageway;</p>	<p><i>It is recommended that conditions be included on any planning permit issued so that the existing accesses are upgraded in accordance with Council’s requirements as the responsible authority for Native Corners Road.</i></p> <p><i>Provided these conditions are met, the proposal satisfies the Acceptable Solution in clause 21.5.1 A2 of the Scheme.</i></p>

	(c) the nature of the road and the traffic, including pedestrians; and	
	(d) the pattern of development existing on established properties in the area.	

C2.0 Parking & Sustainable Transport Code

This Code applies to all development.

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

C2.6 Development Standards for Buildings and Works		
C2.6.1 Construction of parking areas		
Objective:		
That parking areas are constructed to an appropriate standard.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 All parking, access ways, manoeuvring and circulation spaces must: (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.	P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to: (a) the nature of the use; (b) the topography of the land; (c) the drainage system available; (d) the likelihood of transporting sediment or debris from the site onto a road or public place; (e) the likelihood of generating dust; and (f) the nature of the proposed surfacing.	<i>The proposal is accompanied by a bushfire hazard management plan (“BHMP”), which requires that the existing accesses be upgraded to meet the requirements in Table C13.2 B of the Scheme.</i> <i>This entails, among other things, all-weather construction for these accesses.</i> <i>Moreover, given the gradient and surface treatment for these accesses (i.e., gravel), stormwater drainage from them is likely to naturally drained into the subsoil; however, it may not be fully contained on-site.</i> <i>Yet, no unreasonable nuisance is expected from these accesses to Native Corners Road, particularly</i>

		<p><i>considering that the accesses are existing and only require an upgrade and the above public road is also surfaced by gravel.</i></p> <p><i>Thus, the proposal complies with the Performance Criteria in clauses C2.6.1 P1 of the Scheme.</i></p>
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C2.6 Development Standards for Buildings and Works		
C2.6.2 Design and layout of parking areas		
Objective:		
That parking areas are designed and laid out to provide convenient, safe and efficient parking.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1.1</p> <p>Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following:</p> <p>(i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;</p> <p>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</p> <p>(iii) have an access width not less than the requirements in Table C2.2;</p> <p>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</p> <p>(v) have a combined access and manoeuvring</p>	<p>P1</p> <p>All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the proposed slope, dimensions and layout;</p> <p>(c) useability in all weather conditions;</p> <p>(d) vehicle and pedestrian traffic safety;</p> <p>(e) the nature and use of the development;</p> <p>(f) the expected number and type of vehicles;</p> <p>(g) the likely use of the parking areas by persons with a disability;</p>	<p><i>The proposal is accompanied by a BHMP, which requires that the existing accesses be upgraded to meet the requirements in Table C13.2 B of the Scheme.</i></p> <p><i>This entails, among other things, that these accesses will have to have a gradient of not more than 25% and a width of at least 4m, satisfying any relevant standards of the Acceptable Solution in clause 2.6.2 A1.1(a) of the Scheme.</i></p>

<p>width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with Australian Standard AS 2890- Parking facilities, Parts 1-6.</p> <p>A1.2</p> <p>Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.</p>	<p>(h) the nature of traffic in the surrounding area;</p> <p>(i) the proposed means of parking delineation; and</p> <p>(j) the provisions of Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking and AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities.</p>	
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<p>C2.6 Development Standards for Buildings and Works</p> <p>C2.6.3 Number of accesses for vehicles</p> <p>Objective:</p> <p>That:</p> <p>(a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;</p>

<p>(b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and (c) the number of accesses minimise impacts on the streetscape.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses,</p> <p>whichever is the greater.</p>	<p>P1</p> <p>The number of accesses for each frontage must be minimised, having regard to:</p> <p>(a) any loss of on-street parking; and</p> <p>(b) pedestrian safety and amenity;</p> <p>(c) traffic safety;</p> <p>(d) residential amenity on adjoining land; and</p> <p>(e) the impact on the streetscape.</p>	<p><i>The proposal does not require additional accesses. Thus, it satisfies the Acceptable Solution in clause C2.6.3 A1 (b) of the Scheme.</i></p>

C7.0 Natural Assets Code

Part of the subject site is affected by a Waterway and Coastal Protection Area overlay, as shown in Figure 3.

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

<p>C7.7 Development Standards for Subdivision</p> <p>C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area</p> <p>Objective:</p> <p>That:</p> <p>(a) works associated with subdivision within a waterway and coastal protection area or a future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets; and</p> <p>(b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on natural assets.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must:</p>	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must minimise adverse impacts on natural assets, having regard to:</p>	<p><i>The proposal does not include works, building areas, services, bushfire hazard management areas or vehicular accesses within the Waterway and Coastal Protection Area overlay. Thus, it satisfies</i></p>

<p>(a) be for the creation of separate lots for existing buildings;</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;</p> <p>(d) be for the consolidation of a lot; or</p> <p>(e) not include any works (excluding boundary fencing), building area, services, bushfire hazard management area or vehicular access within a waterway and coastal protection area or future coastal refugia area.</p>	<p>(a) the need to locate building areas and any associated bushfire hazard management area to be outside a waterway and coastal protection area or a future coastal refugia area; and</p> <p>(b) future development likely to be facilitated by the subdivision.</p>	<p><i>the Acceptable Solution in clause C7.7.1 A1(e) of the Scheme.</i></p>
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C13.0 Bushfire-Prone Areas Code

The entirety of the subject site is affected by a Bushfire-Prone Areas overlay.

A bushfire hazard report, prepared by James Rogerson, accreditation No. BFP-161, with scope of accreditation 3B, is provided in support of the application. This report was referred to the Tasmania Fire Service and no comments were provided.

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

<p>C13.6 Development Standards for Subdivision</p>		
<p>C13.6.1 Provision of hazard management areas</p>		
<p>Objective:</p>		
<p>That subdivision provides for hazard management areas that:</p>		
<p>(a) facilitate an integrated approach between subdivision and subsequent building on a lot;</p> <p>(b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and</p> <p>(c) provide protection for lots at any stage of a staged subdivision.</p>		
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>	<p>OFFICER COMMENT</p>
<p>A1</p> <p>(a) TFS or an accredited person certifies that there</p>	<p>P1</p> <p>A proposed plan of subdivision shows</p>	<p><i>A bushfire hazard report, prepared by an accredited</i></p>

<p>is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or</p> <p>(b) The proposed plan of subdivision:</p> <p>(i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision;</p> <p>(ii) shows the building area for each lot;</p> <p>(iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.6 of Australian Standard AS3959:2018 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 2.6 of Australian Standard AS3959:2018 Construction of buildings in bushfire-prone Areas; and</p> <p>(c) if hazard management areas are to be located on</p>	<p>adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to:</p> <p>(a) the dimensions of hazard management areas;</p> <p>(b) a bushfire risk assessment of each lot at any stage of staged subdivision;</p> <p>(c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;</p> <p>(d) the topography, including site slope;</p> <p>(e) any other potential forms of fuel and ignition sources;</p> <p>(f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development;</p> <p>(g) an instrument that will facilitate management of fuels located on land external to the subdivision; and</p> <p>(h) any advice from the TFS.</p>	<p><i>person and inclusive of a BHMP and a certificate under section 51(2)(d) of the Act, have been provided.</i></p> <p><i>This report demonstrates the proposal will satisfy the Acceptable Solution in clause C13.6.1 A1(b) of the Scheme, provided that the requirements in the BHMP are complied with.</i></p> <p><i>Conditions to ensure compliance with these requirements are included in this report's recommendation section.</i></p> <p><i>Given that no hazard management areas are located outside the subject site, the Acceptable Solution in clause C13.6.1 A1 (c) of the Scheme is not applicable.</i></p>
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<p>land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</p>		
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<p>C13.6 Development Standards for Subdivision</p>		
<p>C13.6.2 Public and fire fighting access</p>		
<p>Objective:</p>		
<p>That access roads to, and the layout of roads, tracks and trails, in a subdivision:</p>		
<p>(a) allow safe access and egress for residents, fire fighters 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.</p>		
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>	<p>OFFICER COMMENT</p>
<p>A1</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas, is included in a bushfire hazard management plan that:</p>	<p>P1</p> <p>A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:</p> <p>(a) appropriate design measures, including:</p> <p>(i) two way traffic;</p> <p>(ii) all weather surfaces;</p> <p>(iii) height and width of any vegetation clearances;</p>	<p><i>A bushfire hazard report, prepared by an accredited person and inclusive of a BHMP and a certificate under section 51(2)(d) of the Act, is provided.</i></p> <p><i>This report demonstrates the proposal will satisfy the Acceptable Solution in clause C13.6.2 A1 (b) of the Scheme, provided that the requirements in the BHMP are complied with.</i></p> <p><i>Conditions to ensure compliance with these requirements are included</i></p>

<p>(i) demonstrates proposed roads will comply with Table C13.1, proposed property accesses will comply with Table C13.2 and proposed fire trails will comply with Table C13.3 and</p> <p>(ii) is certified by the TFS or an accredited person.</p>	<p>(iv) load capacity;</p> <p>(v) provision of passing bays;</p> <p>(vi) traffic control devices;</p> <p>(vii) geometry, alignment and slope of roads, tracks and trails;</p> <p>(viii) use of through roads to provide for connectivity;</p> <p>(ix) limits on the length of cul-de- sacs and dead-end roads;</p> <p>(x) provision of turning areas;</p> <p>(xi) provision for parking areas;</p> <p>(xii) perimeter access; and</p> <p>(xiii) fire trails; and</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>in this report's recommendation section.</i></p>
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<p>C13.6 Development Standards for Subdivision</p>		
<p>C13.6.3 Provision of water supply for fire fighting purposes</p>		
<p>Objective:</p>		
<p>That an adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage to allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.</p>		
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>	<p>OFFICER COMMENT</p>
<p>A1</p>	<p>P1</p>	

<p>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 C13.4; 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>No Performance Criterion.</p>	<p><i>Not applicable.</i></p>
<p>A2</p> <p>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</p>	<p>P2</p> <p>No Performance Criterion.</p>	<p><i>A bushfire hazard report, prepared by an accredited person and inclusive of a BHMP and a certificate under section 51(2)(d) of the Act, is provided.</i></p> <p><i>This report demonstrates the proposal will satisfy the Acceptable Solution in clause C13.6.3 A2 (b) of the Scheme, provided that the requirements in the BHMP are complied with.</i></p> <p><i>Conditions to ensure compliance with these requirements are included in this report's recommendation section.</i></p>

located compliant with Table C13.5; or (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.		
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C15.0 Landslip Hazard Code

Part of the subject site is affected by Low and Medium Landslip Hazard Bands, as shown in Figure 3. Yet, the proposal is exempt from this Code under clauses C15.4.1 (e) and (i) of the Scheme since it does not involve significant works.

CONCLUSION

This report has assessed Development Application SA2200029 for a Subdivision (1 Lot + Balance) at 849 Native Corners Road, Campania.

One representation was received during the advertising period, and consideration has been given to it in this report.

The proposal is can satisfy or comply with all applicable standards of the Scheme, provided that the conditions outlined in the recommendation section of this report are met. Thus, it is recommended that the application be approved, and a permit be issued, subject to those conditions.

RECOMMENDATION

That, in accordance with section 57 of the *Land Use Planning and Approvals Act 1993* and the *Tasmanian Planning Scheme – Southern Midlands*, Council **APPROVE Development Application SA2200029 for a Subdivision (1 Lot + Balance) at 849 Native Corners Road, Campania, subject to the conditions and advice below:**

CONDITIONS

General

1. The subdivision and associated works must be carried out substantially in accordance with the application for planning approval, endorsed drawings and conditions of this permit and must not be altered or extended without the further written consent of Council.
2. This permit shall not take effect and must not be acted on until 15 days after the date on which notice of the granting of the permit is served to the applicant or the representor, whichever is later, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

Bushfire Hazard Management

3. The subdivision and associated works must be carried out in accordance with the endorsed Bushfire Hazard Report and its appendices.
4. Prior to Council sealing the final Plan of Survey, the subdivider must provide certification from a suitably qualified person that all requirements of the endorsed Bushfire Hazard Management Plan have been complied with.

Part 5 Agreements

5. Prior to Council sealing the final Plan of Survey, an agreement pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* must be entered into in relation to the balance lot to the effect that the owners covenant and agree with Council that no dwelling is to be developed on this lot unless in accordance with the requirements of the *Tasmanian Planning Scheme – Southern Midlands* or its successors.
6. Prior to Council sealing the final Plan of Survey, an agreement pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* must be entered into in relation to lot 1 to the effect that the owners covenant and agree with Council that this lot is within an established agricultural area and, as such, may be subject to noise, odour and other types of emissions from surrounding agricultural activities.
7. Agreements pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* must bind the current owners and their successors in title, be prepared on a blank instrument form to the satisfaction of Council and be registered by the subdivider with the Recorder of Titles in accordance with the requirements in section 78 of the *Land Use Planning and Approvals Act 1993*. The subdivider must meet all costs associated with preparing and registering these agreements.

Easements

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

Endorsements

9. The final Plan of Survey must contain a notation indicating that Council cannot or will not provide a means of drainage to all lots shown on the Plan of Survey.

Covenants

10. 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 Development & Environmental Services Manager.

Final Plan of Survey

11. A final Plan of Survey and Schedule of Easements, as necessary, together with two (2) copies, must be submitted to Council for sealing. The final Plan of Survey must be substantially the same as the endorsed subdivision plan and must be prepared in accordance with the requirements of the Recorder of Titles.
12. A fee of \$265, or as otherwise determined in accordance with Council's Schedule of Fees & Charges, must be paid to Council for the sealing of the final Plan of Survey.
13. Prior to Council sealing the final Plan of Survey, all conditions of this permit must be satisfied. 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.
14. The subdivider must pay any Titles Office lodgement fees directly to the Recorder of Titles.

Accesses

15. Accesses must be upgraded in accordance with the Bushfire Hazard Management Plan and to the satisfaction of Council's Works & Technical Services Manager. The upgrades must be undertaken in a way that does not interfere with the efficiency or safety of Native Corners Road.
16. At least forty-eight (48) hours before commencing construction works for these accesses, the subdivider must provide written notice to Council's Works & Technical Services Manager.

Services

17. Prior to Council sealing the final Plan of Survey, services for lot 1 must be fully contained within this lot to the satisfaction of Council's Development & Environmental Services Manager.

Advice: The subdivider may be required to provide a wastewater assessment prepared by a suitably qualified person demonstrating that the wastewater treatment system for the existing dwelling is fully contained within lot 1.

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

Construction amenity

19. Unless otherwise approved by Council's Development & Environmental Services Manager, the development must only be carried out between the following hours:
 - Monday to Friday 7:00 AM to 6:00 PM
 - Saturday 8:00 AM to 6:00 PM
 - Sunday and State-wide public holidays 10:00 AM to 6:00 PM

20. All works associated with the subdivision of the land must be carried out in such a manner so as not to unreasonably cause injury to, or unreasonably prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
 - (a) Emission from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property.
 - (b) Transport of materials, goods or commodities to or from the land.
 - (c) Appearance of any building, works or materials.
21. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by Council's Development & Environmental Services 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 project during the construction period.

ADVICE

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

DECISION

Moved by Cllr R McDougall, seconded by Deputy Mayor K Dudgeon

THAT, in accordance with section 57 of the *Land Use Planning and Approvals Act 1993* and the *Tasmanian Planning Scheme – Southern Midlands*, Council APPROVE Development Application SA2200029 for a Subdivision (1 Lot + Balance) at 849 Native Corners Road, Campania, subject to the conditions and advice below:

CONDITIONS

General

1. The subdivision and associated works must be carried out substantially in accordance with the application for planning approval, endorsed drawings and conditions of this permit and must not be altered or extended without the further written consent of Council.
2. This permit shall not take effect and must not be acted on until 15 days after the date on which notice of the granting of the permit is served to the applicant or the

representor, whichever is later, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

Bushfire Hazard Management

3. The subdivision and associated works must be carried out in accordance with the endorsed Bushfire Hazard Report and its appendices.
4. Prior to Council sealing the final Plan of Survey, the subdivider must provide certification from a suitably qualified person that all requirements of the endorsed Bushfire Hazard Management Plan have been complied with.

Part 5 Agreements

5. Prior to Council sealing the final Plan of Survey, an agreement pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* must be entered into in relation to the balance lot to the effect that the owners covenant and agree with Council that no dwelling is to be developed on this lot unless in accordance with the requirements of the *Tasmanian Planning Scheme – Southern Midlands* or its successors.
6. Prior to Council sealing the final Plan of Survey, an agreement pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* must be entered into in relation to lot 1 to the effect that the owners covenant and agree with Council that this lot is within an established agricultural area and, as such, may be subject to noise, odour and other types of emissions from surrounding agricultural activities.
7. Agreements pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* must bind the current owners and their successors in title, be prepared on a blank instrument form to the satisfaction of Council and be registered by the subdivider with the Recorder of Titles in accordance with the requirements in section 78 of the *Land Use Planning and Approvals Act 1993*. The subdivider must meet all costs associated with preparing and registering these agreements.

Easements

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

Endorsements

9. The final Plan of Survey must contain a notation indicating that Council cannot or will not provide a means of drainage to all lots shown on the Plan of Survey.

Covenants

10. 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 Development & Environmental Services Manager.

Final Plan of Survey

11. A final Plan of Survey and Schedule of Easements, as necessary, together with two (2) copies, must be submitted to Council for sealing. The final Plan of Survey must be substantially the same as the endorsed subdivision plan and must be prepared in accordance with the requirements of the Recorder of Titles.
12. A fee of \$265, or as otherwise determined in accordance with Council's Schedule of Fees & Charges, must be paid to Council for the sealing of the final Plan of Survey.
13. Prior to Council sealing the final Plan of Survey, all conditions of this permit must be satisfied. 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.
14. The subdivider must pay any Titles Office lodgement fees directly to the Recorder of Titles.

Accesses

15. Accesses must be upgraded in accordance with the Bushfire Hazard Management Plan and to the satisfaction of Council's Works & Technical Services Manager. The upgrades must be undertaken in a way that does not interfere with the efficiency or safety of Native Corners Road.
16. At least forty-eight (48) hours before commencing construction works for these accesses, the subdivider must provide written notice to Council's Works & Technical Services Manager.

Services

17. Prior to Council sealing the final Plan of Survey, services for lot 1 must be fully contained within this lot to the satisfaction of Council's Development & Environmental Services Manager.

Advice: The subdivider may be required to provide a wastewater assessment prepared by a suitably qualified person demonstrating that the wastewater treatment system for the existing dwelling is fully contained within lot 1.

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

Construction amenity

19. Unless otherwise approved by Council's Development & Environmental Services Manager, the development must only be carried out between the following hours:

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

20. All works associated with the subdivision of the land must be carried out in such a manner so as not to unreasonably cause injury to, or unreasonably prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
- (a) Emission from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property.
 - (b) Transport of materials, goods or commodities to or from the land.
 - (c) Appearance of any building, works or materials.
21. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by Council’s Development & Environmental Services 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 project during the construction period.

ADVICE

- A. This permit does not imply that any other approval required under any other legislation has been granted.
- B. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval unless the development for which the approval was given has been substantially commenced or an 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.

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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

12.2 Subdivisions

Nil.

12.3 Municipal Seal (Planning Authority)

Nil.

12.4 Planning (Other)

12.4.1 Submission to the Tasmanian Planning Policies – Draft for Consultation in accordance with section 12C(3)(a) of the Land Use Planning and Approvals Act 1993.

Author: SPECIAL PROJECTS OFFICER (DAMIAN MACKEY)

Date: 22 June 2023

Enclosure(s):

Proposed Submission On Draft Tasmanian Planning Policies.

Attachment(s):

Tasmanian Planning Policies – Draft for Consultation.

Tasmanian Planning Policies – Background Report & Explanatory Document

PURPOSE

The purpose of this report is to determine a submission to the *Tasmanian Planning Policies – Draft for Consultation under Section 12C(3)(a) of the Land Use Planning & Approvals Act 1993*.

The draft Tasmanian Planning Policies (TPPs) have been prepared by the State Planning Office under the Minister for Planning, who has now placed the document on public exhibition.

BACKGROUND

Tasmania's land use planning system has been in need of a policy 'engine room' since it was established in 1993. Successive governments have either avoided this matter altogether or have made only half-hearted attempts at developing policy.

Since the 1990s the 'State Planning Policy' mechanism has existed, but only three such policies have been enacted, all during the 1990s and 2000s. This mechanism requires a policy to pass both houses of parliament, (with the advice of the Planning Commission), which has proven politically challenging and has resulted in a lack of political appetite on the part of both major parties to develop more. The existing State Planning Policies address the protection of agricultural land, water quality management and coastal matters. However, there is an array of other issues that would benefit from State policy direction.

The new TPPs only need to be approved at ministerial level, instead of Parliament, which may prove more successful.

In the absence of policy direction on a large range of matters, the planning system essentially has to 'make it up as it goes along' on a case-by-case basis. This results in ad hoc and inconsistent policy judgements. Most significantly, and inappropriately, it forces policy to be made by public servants (the Tasmanian Planning Commission) instead of the elected representatives of the people.

The TPPs would only be considered in the preparation of the State Planning Provisions, Planning Scheme Amendments and the Regional Land Use Strategies. They would not be considered at the development assessment level, the principle being that they are implemented entirely through these higher-order mechanisms.

THE BROADER PLANNING SYSTEM REFORM

The proposed TPPs are part of a larger planning system reform that started over 12 years ago with the creation of statutory Regional Land Use Strategies. Around six years ago the process to create a single state-wide planning scheme commenced. This process is ongoing with more than half of Tasmania's Councils having now transitioned their planning schemes into the new Tasmanian Planning Scheme, including Southern Midlands.

Ideally, a complete set of Tasmanian Planning Policies would have been established first, then the Regional Land Use Strategies developed, and then the state-wide planning scheme provisions. Clearly, it hasn't happened that way. Nevertheless, the advent of a project to develop a suite of Tasmanian Planning Policies should be welcomed and the State Government applauded for finally moving to fill the policy void.

The TPPs will be crucial in informing the pending revision of the three Regional Land Use Strategies. They are also expected to lead to changes to the Tasmanian Planning Scheme provisions. They represent the last piece of the planning system jigsaw.

It is anticipated there will be a five-yearly review process. The revised TPPs will then inform five-yearly reviews of the Regional Land Use Strategies which, in turn, will flow into planning scheme amendments.

This is an opportunity for Council to make comment on matters of concern that arose through the process to develop its Local Provisions Schedule, (the 'local Council component' of the Tasmanian Planning Scheme). Whilst this process was nominally under Council control, in reality most of the content was directed by the State Government pursuant to informal State planning policy positions.

PREVIOUS COUNCIL SUBMISSION

In 2022 the State Government released a preliminary draft of the TPPs for comment from Local Government and State Agencies. This was considered at a Council workshop and a submission was endorsed at the November 2023 Council meeting.

This report and the attached proposed submission largely consider whether the points made by Council in its November 2022 submission have been accommodated in the new draft of the TPPs.

PROPOSED SUBMISSION

The proposed submission generally reiterates Council's previous points where they were not taken on board. The following is a summary. The headings are as per the Tasmanian Planning Policies draft document.

1.0 Settlement

The 'Settlement' and related strategies set a target land supply horizon of at least 15 years. Council previously proposed that this be extended to 20 years, largely on the basis that there are few negative consequences of over-estimating land supply, but dire consequences of under estimating it. Rezoning mechanisms are slow and haphazard, and are sometimes refused by the Planning Commission. Population growth pressures over the last 10 years have outstripped expectations and Tasmania is now reeling in a severe housing supply shortage.

It is recommend that Council continue to push for a 20 year land supply target.

1.1.3 - 2(d) Re: Urban Growth over Agricultural Land

This strategy previously provided that urban growth should not be over land that ‘*could have the potential to be used for viable agriculture*’.

Council suggested that it should refer to “*could have the potential to be used for significant agriculture*”.

Council’s suggestion has been somewhat accommodated, with this subclause, and similar clauses elsewhere in the document, now referring to ‘*agricultural land, especially land within the more productive classes of agricultural capabilities*’.

1.1.3 – 3 Re: Regional Settlement Hierarchies

Regional Settlement Hierarchies are set out within the Regional Land Use Strategies, and the TPPs set out a proposed policy regarding them.

In November, Council suggested that Regional Settlement Hierarchies *should explicitly recognise that the growth of rural towns located beyond the gravitational pull of the major cities is driven mostly by local factors. Any regional settlement hierarchy should therefore not attempt to dictate growth scenarios for such towns.*

This has not been taken on board, and it is recommended that this point be reiterated.

1.1.3 – 7 Re: Urban and Settlement Growth Boundaries

This subclause states that urban and settlement growth boundaries should be established. No time horizon is stated. Council previously suggested that these should aim to encompass a 30 year supply of land, with a 20 year supply of zoned land within that.

This suggestion has not been taken on board, and it is recommended that this point be reiterated.

Proposed new strategy statement regarding ‘change’.

Council previously suggested that a strategy statement be included that explicitly acknowledges ‘change’. If we are to develop genuine environmentally sustainable urban footprints, we have to increase densities, particularly in existing major cities. This will involve substantial change within our urban environments. The TPPs, as written, reinforce the belief that there should be no, or very little, ‘change’. This general thought should be clearly countered. Change will be tempered by explicit planning scheme mechanisms in specified areas, such as heritage precincts, but there needs to be acknowledgment through a specific policy statement that significant change in most areas will be necessary.

This has not been taken on board, and it is recommended that this point be reiterated.

1.2.3 Liveability Strategies

Proposed new strategy recognising role of rural living land.

Council previously suggested that a strategy statement should be added recognising the role of rural residential land in the suite of liveability options. Such land provides the opportunity for people to live in a genuinely environmentally sustainable way, with little-to-no carbon footprint. There is a place for such land in a carbon-neutral world and Council is anecdotally aware of a very significant un-met demand from people searching for such opportunities.

This has not been taken on board, and it is recommended that this point be reiterated.

Previous peri-urban interface subclause.

The previous TPP draft included a subclause which appeared to call for long term protection of land around settlements from any future expansion. Council questioned this. This subclause has now been deleted.

1.4.3 – 3 Re: Settlements with Seasonal Fluctuations

The previous draft of this subclause referred to coastal settlements with seasonal fluctuations, (i.e. holiday/shack settlements). Council pointed out that these are not all on the coast, such as highland lakes fishing shack settlements, and that there should be reference to the need to accommodate seasonal agricultural workers.

The subclause has now been amended to refer to '*coastal and other settlements that are characterised by holiday homes*'.

Reference to seasonal agricultural workers has also been added.

1.4.3 – 5 Re: Rural Residential Land Use

Council previously commented as follows:

(This subclause) is written in the negative. It should include a proactive statement encouraging the zoning of existing de facto rural residential areas to the Rural Living Zone. Such a strategy would enable an amount of infill subdivision within many such areas. In this way, the current significant unmet demand for sustainable living opportunities can be significantly addressed whilst not increasing the overall footprint of rural living land and not encroaching on any genuine agricultural land. This would have the additional benefit of providing the existing inhabitants of such areas with planning scheme provisions that match their reality, in terms of boundary setbacks, height limits, use tables and protection of amenity. A policy shift of this nature would have no negative land use consequences. As this strategy is currently written, (in the negative), the Commission will refuse most, if not all, attempts by Planning Authorities to undertake such rezonings.

This has not been taken on board, and it is recommended that this point be reiterated.

1.5.3 Re: Housing

The above point regarding de factor rural residential areas should also be included in the strategies pertaining to 'Housing' under section 1.5.3. Council had previously suggested this, but it has not been taken on board.

Council had also previously suggested that, in **Strategy 1.5.3 - 5** regarding higher density housing, 'change' should explicitly be recognised within our urban streetscapes, and that this is an unavoidable consequence of pursuing a more environmentally sustainable urban footprint. Council previously suggested this, but it has not been taken on board, and should be reiterated.

1.6.3 – Strategies Pertaining to Design

As per above, Council had previously suggested that, in **Strategy 1.6.3** regarding design, 'change' should explicitly be recognised within our urban streetscapes, and that this is an unavoidable consequence of pursuing a more environmentally sustainable urban footprint.

Change should be tempered in areas with genuine unique characteristics, such as through the establishment of Heritage Precincts, and this will result in a less environmentally sustainable urban footprints in those areas in the future. This will therefore be a trade-off of one desirable goal against another. Outside such areas, change will be necessary, and this should be explicitly acknowledged.

This has not been taken on board and should be reiterated.

2.0 Environmental Values

Whilst some changes to the text have occurred under this section, the points made previously by Council are still largely relevant and should be reiterated.

Generally, the various strategy statements make no distinction between those values for which we have well-established systems in place for their recognition and protection and those for which we have very little. The amount of 'work' each set of strategy statements has to do varies enormously. The reader is unaware of this very significant practical difference.

Council's specific suggestion regarding a strategic approach to Biodiversity Offsets has not been taken onboard. This suggestion should be reiterated.

Council's previous comments regarding the lack of clarity around defining significant landscapes and scenic areas has not been taken onboard. This should be reiterated.

3.0 Environmental Hazards

Similarly to the section on Environmental Hazards, this section makes no distinction between those hazards for which we have well-established systems in place for their recognition and protection and those for which we must do a lot more. The amount of 'work' each set of strategy statements has to do varies enormously.

Council previously made this point, and it should be reiterated.

4.0 Sustainable Economic Development

4.1 - Agriculture

Council previously commented that this section should protect prime and significant agricultural land, not just any and all land capable of being used for any kind of agriculture, regardless of its economic value. This comment has been taken onboard, with the terminology now referring to *“land that is identified as being within the higher classes of agricultural capability”*.

This change should be supported.

However, the Agriculture Zone has nevertheless been applied to poor quality agriculture land, thereby limiting future opportunities for other rural economic development, such as forestry and extractive industry.

4.2 – Timber Production

This is a new section. Its inclusion should be supported.

It should also be noted that the unnecessarily widespread application of the new Agriculture Zone will inappropriately limit opportunities for forestry.

4.3 – Extractive Industry

It should be noted that the unnecessarily widespread application of the new Agriculture Zone will inappropriately limit opportunities for extractive industry.

5.0 Physical Infrastructure

Council previously made the general observation that State agencies and infrastructure providers need to be fully engaged in the next iteration of Regional Land Use Strategies and in local settlement planning, and must fully embrace the outcomes. They then need to re-work their future infrastructure plans accordingly. In the past, this has not happened sufficiently.

This should be reiterated.

6.0 Cultural Heritage

This section is divided into two subcategories, as before. One remains titled *‘Aboriginal Cultural Heritage’*. The title of the other section has been altered from *‘Non-Aboriginal Cultural Heritage’* to *‘Historic Cultural Heritage’*, as suggested in Council’s original submission. This now aligns with the terminology in the relevant legislation.

7.0 Planning Processes

Council previously made suggestions to improve or fill gaps in the regulatory process. These have not been taken on board and should be reiterated.

SUBMISSION

The State Planning Office has requested submissions by Monday 26th of June. This is prior to the Council meeting. The attached submission has been submitted on the due date, with advice that it has not been endorsed by Council, and that an amended report will be provided if the submission is amended when endorsed by Council.

The attached proposed submission is submitted for Councillors' consideration. It should be read in conjunction with the enclosed Draft Tasmanian Planning Policies.

RECOMMENDATION

That the attached submission to the *Tasmanian Planning Policies – Draft for Consultation in accordance with section 12C(3)(a) of the Land Use Planning & Approvals Act 1993*, be endorsed.

DECISION

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

THAT the attached submission to the *Tasmanian Planning Policies – Draft for Consultation in accordance with section 12C(3)(a) of the Land Use Planning & Approvals Act 1993*, be endorsed.

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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

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

ENCLOSURE
Agenda Item 12.4.1

SOUTHERN MIDLANDS COUNCIL

SUBMISSION - DRAFT TASMANIAN PLANNING POLICIES
Consultation under 12C(3)(a) of the Land Use Planning & Approvals Act 1993

22 June 2023

GENERAL COMMENTS

Need

Council supports the State Government in moving to fill the policy void at the heart of Tasmania's planning system. This is long overdue.

The absence of comprehensive policy direction has left the State's planning system unguided, forcing informal policy decisions to be made 'on the fly' in an inconsistent and disjointed fashion by public servants who should not be forced into a position of having to make up policy that impacts the rights and responsibilities of citizens. Policy must be created by the elected representatives of the people.

COMMENTS ON PARTICULAR STRATEGIES

1.0 SETTLEMENT

General:

Most new housing is provided by the private sector within a free market system, operating under the law of supply and demand. This determines price and, therefore, affordability.

For the market to operate properly, there needs to be ample land available for future housing needs. That is; a truly 'free' market. This is necessary to avoid artificial supply bottlenecks and subsequent unnecessarily high housing prices. The current housing supply crisis in Tasmania constitutes a major failure of our planning system over the last two decades.

Demand for housing is notoriously difficult to forecast. Attempts to do so usually boil down to projecting the trends of the previous five or ten years forward. This disregards major real world changes that drive demand which, in some cases, cannot be predicted in advance.

Therefore, it is proposed that the stated aim of a 15-year supply of zoned land should be extended to 20 years. There is little down-side to over-estimating supply, but the consequences of under-estimation are severe.

1.1 Growth

As detailed above, in **Strategy 1 Settlement**, and other strategies that refer to the time horizon target for the supply of urban land, the aim should be to maintain a 20-year supply of zoned land rather than 15. Settlement planning should endeavour to provide this, and should also earmark future land out to the 30 year time horizon within urban and settlement growth boundaries.

1.1.3 - 3 should explicitly recognise that the growth of rural towns located beyond the gravitational pull of the major cities is driven mostly by local factors. Any regional settlement hierarchy should therefore not attempt to dictate growth scenarios for such towns.

It follows that in **1.1.3 - 4**, which provides that growth should be prioritised in settlements that are in the higher tiers of the settlement hierarchy, should not apply to rural towns beyond the influence of the major cities.

Strategy 1.1.3 - 7, calling for settlement and urban growth boundaries, should establish an aim to provide a 30 year supply within such boundaries, (encompassing a 20 year supply of zoned land).

The purpose of **Strategy 1.1.3 - 8** appears to be to provide an 'out' for development or rezoning proposals not in accordance with an established settlement plan. If such plans seek to provide a 15 or 20 year supply of zoned land, the instances of this should be very few.

It may be that **Strategy 1.1.3 - 8** is actually attempting to provide a mechanism for rare, different, one-off proposals which simply cannot be anticipated but which nevertheless might be entirely worthwhile, in which case requiring compliance with the policy sub-clauses would be impossible. It is therefore suggested that this strategy be removed and a different strategy be developed to enable the consideration of potentially desirable 'black swan' proposals.

A **new strategy statement** should be developed that explicitly acknowledges 'change'. If we are to develop genuine environmentally sustainable urban footprints, we have to increase densities, particularly in the major cities. This will involve substantial change within our urban environments. There is a belief within some sectors of our Tasmanian community that there should be no, or very little, 'change'. This thought should be explicitly countered. Change will be tempered by explicit planning scheme mechanisms such as heritage precincts, specific area plans and various codes (and by the zone development standards), but there needs to be acknowledgment through a clear policy statement that significant change in most other areas will be necessary.

1.2 Liveability

A **new strategy statement** should be added recognising the role of rural residential land in the suite of liveability options. Such land provides the opportunity for people to live in a genuinely environmentally sustainable way, with little-to-no carbon footprint. There is a place for such land in a carbon-neutral world and Council is anecdotally aware of a very significant un-met demand from people searching for such opportunities.

1.4 Settlement Types

Strategy 1.4.3 - 5, regarding rural residential land, is written in the negative. It should include a proactive statement encouraging the zoning of existing de facto rural residential areas to the Rural Living Zone. Such a strategy would enable an amount of infill subdivision within many such areas. In this way, the current significant unmet demand for sustainable living opportunities can be significantly addressed whilst not increasing the overall footprint of rural living land and not encroaching on any genuine agricultural land. This would have the additional benefit of providing the existing inhabitants of such areas with planning scheme provisions that match their reality, in terms of boundary setbacks, height limits, use tables and protection of amenity. A policy shift of this nature would have no negative land use consequences. As this strategy is currently written, (in the negative), the Commission will refuse most, if not all, attempts by Planning Authorities to undertake such rezonings.

1.5 Housing

Strategy 1.5.3 - 4 should include an additional subpoint referring to sustainable living on rural residential lots. As mentioned above, the supply of these can be increased by zoning de facto rural residential areas accordingly. This would enable an amount of infill subdivision within many such areas. In this way, the current significant unmet demand for sustainable living opportunities can be significantly addressed whilst not increasing the overall footprint of rural living land and not encroaching on any genuine agricultural land. This would have the additional benefit of providing the existing inhabitants of such areas with planning scheme provisions that match their reality, in terms of boundary setbacks, height limits, use tables and protection of amenity. A policy shift of this nature would have no negative land use consequences. As it this strategy is currently written, (in the negative), the Commission will refuse most, if not all, attempts by Planning Authorities to undertake such rezonings.

An additional strategy should be added regarding infill of existing de facto rural residential areas, as described above.

An additional subpoint of **Strategy 1.5.3 - 5** regarding higher density housing should explicitly recognise that change will occur within our urban streetscapes, and that this is an unavoidable consequence of pursuing a more environmentally sustainable urban footprint.

1.6 Design

Strategy 6.3.2 - 2, providing for the 'existing and desired future character of neighbourhoods and suburbs' to be respected, should relate only to specific areas identified within planning schemes, such as heritage precincts. This should not apply generally as doing so would significantly impact the aim of accommodating a larger population in an environmentally sustainable urban footprint. There needs to be explicit recognition that change must happen.

Change should be tempered in areas with genuine unique characteristics, such as through the establishment of Heritage Precincts, and this will result in a less environmentally sustainable urban footprints in those areas in the future. This will be a trade-off of one desirable goal against another. Outside such areas, change will be necessary, and this should be explicitly acknowledged in the TPPs.

2.0 ENVIRONMENTAL VALUES

General

The various strategy statements make no distinction between those values for which we have well-established systems in place for their recognition and protection and those for which we have very little. The amount of ‘work’ each set of strategy statements has to do varies enormously. The reader is unaware of this very significant practical difference. This should be remedied.

2.1 Biodiversity

Biodiversity values are already the subject of significant state-wide mapping work that has been translated into code overlays in planning schemes. The strategy statements should recognise this and articulate what more should be done, if anything.

A **new strategy statement** should recognise that infill development within urban areas is a key strategy to protect biodiversity outside urban areas.

A **new strategy statement** should recognise that once land has been assessed and zoned for urban development, there is no longer a requirement to consider any remnant biodiversity values during subsequent development approval processes.

A **new strategy statement** should set out a system for biodiversity offsets. We should not adopt the ‘postage stamp’ method currently pursued by several Tasmanian Councils. This is financially unviable for the Council to manage in the long term and produces poor environmental outcomes. This ought to be avoided in the future.

Instead, each Planning Authority that wishes to use the offset method should identify large areas of high biodiversity land that is not reserved. This should be identified on planning scheme maps through an overlay. Money taken for biodiversity offsets from developers seeking to clear high biodiversity land is then placed in a kitty, and titles within the target reserve area are then purchased over time. This system will create large reserved areas that are sustainable in a biodiversity sense and with significantly less ongoing management costs-per-hectare than many scattered small areas.

It is noted that the system adopted in Victoria for the expansion of greater Melbourne westward over EPBC-listed grasslands is a good example. Many thousands of hectares of high quality grasslands are now being preserved in formal state-owned reserves whilst urban expansion is allowed over some areas of EPBC-listed grassland. The monetary contributions so obtained from developers are used to purchase land in the areas targeted for reserves.

This policy approach will require spatial strategic planning for implementation.

A **new strategy statement** should concurrently recognise that the most environmentally sustainable outcome might be the destruction of some biodiversity values in some key urban expansion locations. If the result is a more carbon neutral urban footprint, such possibilities should be allowed to be weighed by the Planning Authority and the Planning Commission.

2.2 Waterways, Wetlands and Estuaries

We have an established system to recognise and protect waterways, wetlands and estuaries within planning schemes. The strategy statements should recognise this and articulate what more should be done, if anything.

2.3 Geodiversity

We do not have an established system to grade geodiversity values. It is unclear if this policy statement assumes that we do.

‘High conservation value geodiversity’ should be defined.

2.4 Landscapes

We do not have a well-established system to grade landscape values across the State. The policy statement assumes that we do.

‘Significant landscapes’ and ‘significant cultural, ecological, geological and aesthetic landscapes and scenic areas’ should be defined.

It is noted that the previous Rural Resource Zone provisions provided Planning Authorities with an efficient, flexible and ‘light touch’ mechanism to minimise unnecessary visual impacts in the landscape. In practice this was most commonly achieved by conditions of approval relating to external colour and/or the planting of screening trees. These provisions were removed from the new Rural Zone, forcing Councils that wish for a level of landscape protection to consider creating scenic protection overlays. Except for landscapes of genuinely high significance, this is the equivalent of using a sledgehammer to crack a walnut.

Therefore, the reintroduction of landscape protection provisions similar to those in the previous Rural Resource Zone should be considered. The appropriate place for this consideration to occur is through the development of the Tasmanian Planning Policies.

2.5 Coasts

Is it the intention that the coast-related policy statements in the Tasmanian Planning Policies will replace the existing State Coastal Policy, and that the latter will be retired?

3.0 ENVIRONMENTAL HAZARDS

3.1 Bushfire

The statements should acknowledge that we have an existing system that does all of this, and we will continue to rely on that system. The statements should articulate what more needs to be done, if anything.

3.2 Landslip

The statements should acknowledge that we have an existing system that does all of this, and we will continue to rely on that system. The statements should articulate what more needs to be done, if anything.

3.3 Flooding

The statements should acknowledge that we have an existing system that does all of this, and we will continue to rely on that system. The statements should articulate what more needs to be done, in addition to completing flood mapping across the settled areas of the State.

3.4 Coastal Hazards

The policy statements should recognise that we have an existing system that does most of this, and we continue to rely on that system.

Strategy 3.4.3 - 5, dealing with existing settlements under threat of erosion and sea level rise, should be expanded. The State Government needs to develop clearer protocols and policy direction to enable decisions to be made regarding which settlements will be the subject of planned retreat and which will be provided with protective works. This is an enormous decision, with huge consequences for landowners and residents, and for the public purse. The earlier this decision is made for each settlement under threat of sea level rise, the less impact there will be on the public purse and the more time affected individuals will have to adjust.

4.0 SUSTAINABLE ECONOMIC DEVELOPMENT

4.1 Agriculture

Council supports this policy applying to “*land that is identified as being within the higher classes of agricultural capability*”, as stated, rather than to any land capable of any degree of agriculture.

There are many other economic development activities that occur in rural areas besides agriculture and our planning system should encourage and facilitate their location on lesser quality agricultural land.

The policy position is in alignment with the general tenor of the Protection of Agricultural Land (PAL) State Policy.

The new Agriculture Zone is a restrictive single-purpose zone. It is excellent for agricultural use but poor for any other form of rural economic development, such as extractive industry (mining and quarrying) or forestry.

The Rural Zone, by contrast, is a flexible, multi-purpose zone that retains the full breadth of economic development possibilities in rural areas. It is an ‘agriculture zone’, but also allows the other forms of rural economic development. In rural areas it should be the ‘default zone’ with the Agriculture Zone applying only to land that is considered to be prime or significant agricultural land.

This should be the approach set out in the Tasmanian Planning Policies.

4.2 Timber Production

Council supports the inclusion of the section on Timber Production.

Policy 4.1, above, will remove areas of poor quality agricultural land from the ability to be used for timber production.

4.3 Extractive Industry

Policy 4.1, above, will remove areas of poor quality agricultural land from the ability to be used for extractive industry.

Strategy 5, calling for a full mineral exploration process to be carried out on land before it is designated for a purpose that would remove the possibility of mineral extraction purposes, is impractical and unaffordable. It is noted that the designation of large areas of poorer quality agricultural land as Agriculture Zone in the new Tasmanian Planning Scheme, has removed these areas from the possibility of mineral extraction with no detailed assessment of mineral potential.

4.5 Renewable Energy

Renewable energy projects, particularly windfarms, will result in significant impacts on landscapes. This should be explicitly recognised in the TPPs.

Genuinely iconic landscapes should be protected from such impacts. The proposed TPP policy statements regarding 'landscapes', however, do not provide sufficient direction as to what such a landscape is. It is important that this is clarified.

4.6 Industry

Local regional communities require industrial land. The statements, as written, appear to direct all industrial land into urban footprints.

Statements should be added providing for local industrial land servicing local communities and local industrial land servicing regional and state-significance industries located in rural locations.

5.0 PHYSICAL INFRASTRUCTURE

General

State agencies and infrastructure providers need to be fully engaged in the next iteration of Regional Land Use Strategies and in local settlement planning, and must fully embrace the outcome. They then need to re-work their future infrastructure plans accordingly. In the past, this has not happened.

7.0 PLANNING PROCESSES

Proposed new section

It is proposed that a new section be added setting out principles under which ‘values’ are, firstly, recognised and, secondly, protected.

This would be particularly helpful in regard to those values for which we do not have well-developed systems for this, such as geodiversity and landscapes.

7.1 Public Engagement

New public notification system needed:

It is time that the planning system recognised that the old system of advertising Development Applications in local newspapers no longer works well. The system no longer reaches most people and needs a 21st century solution.

Two categories of public notification needed:

A lot of expense is wasted on advertising that is not necessary.

Notified development applications should be divided into two categories.

A common example is the proposed relaxation of a boundary setback. This is only relevant to the neighbour. There is no broader public interest. Such applications do not need to be advertised in a local newspaper. Only neighbour notification is necessary.

7.2 Strategic Planning

No comment.

7.3 Regulation

The treatment of No Permit Required use and development is inconsistent from one Planning Authority to another. The State should set the process across the State, and standardised any fees (including no fee) that may be considered appropriate.

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.

13.8.1 Waste Management Survey - Ely Street, Dysart

Author: EXECUTIVE ASSISTANT (JEMMA CROSSWELL)

Date: 15 June 2023

Enclosure(s):

Survey sent to residents.

ISSUE

To report on the outcomes of a Waste Management Survey relating to a proposed extension of the kerb-side garbage collection service to residents in Ely Street, Dysart

BACKGROUND

Council was requested to survey residents in Ely Street, Dysart to ascertain the level of interest to introduce a kerb-side garbage and recycling collection service.

DETAIL

A Survey was issued to residents in Ely Street. The Survey allowed for the options of either 'Yes', 'No' or 'Unsure' in regard to waste management services being provided.

A total of fourteen (14) surveys were issued to property owners with twelve (12) being returned. Two (2) surveys indicated they would be interested in kerb-side collection with the remaining ten (10) indicating they would not want this service.

Human Resources & Financial Implications – Nil.

Community Consultation & Public Relations Implications – The recommendation provided takes into account the number of responses received, and the outcomes of the survey. Once Council have considered this report, a further letter will be posted to affected households to advise of the outcome of the survey.

Policy Implications – N/A

Priority - Implementation Time Frame – refer comments above.

RECOMMENDATION

THAT Council, based on survey results, elect not to introduce a household collection service to the residents surveyed in the area of Ely Street, Dysart.

DECISION

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

THAT Council, based on survey results, elect not to introduce a household collection service to the residents surveyed in the area of Ely Street, Dysart.

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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

Enclosure
Agenda Item 13.8.1



**Waste Management Services
Ely Street, Dysart**

The Southern Midlands Council has been requested to consider providing a kerb-side Garbage Bin (Wheelie Bin) and Recycling service to properties located along Ely Street, Dysart.

The proposal is to introduce a fortnightly collection service, with each property being issued with a 240 litre wheelie bin and 240 litre recycling bin.

The total cost of this service would be approximately \$230 per annum (reviewed annually). This charge is payable in addition to the standard Waste Management Levy.

** Eligible pensioners may be entitled up to 30% remission of the additional Charge.*

It should be noted that if a Household Collection Service were to be provided, (based on survey results) it would be on a "one in, all in" basis. In other words, all residents along the designated route would have to participate.

It would be greatly appreciated if residents could complete the attached survey form and return it in the reply-paid envelope provided. Responses would be appreciated by the 31st May 2023.

If you have any queries in relation to this matter, please feel free to contact me on 6254 5000.

Kind Regards

A handwritten signature in cursive script, appearing to read "T F Kirkwood".

T F Kirkwood
GENERAL MANAGER



RESIDENTS SURVEY

Waste Management Services

ELY STREET, DYSART

Based on the information provided, I would be interested in Council providing a kerb-side collection service, and I would be prepared to pay the annual charge accordingly.

YES

NO

UNSURE

Please return the completed survey in the reply paid envelope provided.

It would be appreciated if survey responses could please be returned to Council by the **31st May 2023**.

Residents will be advised of the outcomes once all results are collated and kept informed accordingly.

Thank you for your assistance

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: 22 June 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.

Ryndaston Road, sections of Link and Brown Mountain Road, has been re-sheeted as part of Councils annual re-sheeting programme.

Drainage and re-sheeting works have been completed on sections of Lemont and Daniels roads.

Current Capital Work.

Kempton main street footpath re-newel works are continuing.

Planning design works have are almost completed for the upgrade of Interlaken road.

Bagdad-Mangalore hydraulic flood assessment works have commenced.

Climie Street to Water Lane Campania footpath construction including curb and gutter works are completed, further works on the junction will commence soon.

Hall street Campania upgrade works are almost completed.

Parks and Reserves

General maintenance of parks and reserves will continue with a focus on ensuring growth is maintained at an acceptable level.

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

Councils building services unit have commenced construction of the Bagdad child care centre additions, this involves the construction and fitting out of a shed and associated works.

Construction of 2 accommodation units in Oatlands will commence shortly, the shed at the site has been removed in ready for works to commence.

Planned Works

The following capital works are planned for the coming period

- Drainage and pavement repairs various roads;
- Undertake various bridge maintenance repairs;
- Storm water upgrade works Erskine Street Kempton;
- Re-Sheeting various un-sealed roads;
- Continue footpath and curb works Climie Street Campania;
- Construct approx. 100m boardwalk near Community Club Bagdad;
- Continue preliminary planning for Interlaken Road re-construction works;
- Commence construction of accommodation units Oatlands;
- Continue Bagdad Childcare Centre works.

Questions without notice May 2023 Council meeting - Responses

Deputy Mayor K Dudgeon - Reeve Street, Campania – Stonewall (collapsed) – follow-up with proposed contractor to confirm timing of works
Wall has been re-constructed

Deputy Mayor K Dudgeon – Bridge – Andover Road – ‘One Way Traffic’ sign has been knocked over.
Signs have been re-set

Deputy Mayor K Dudgeon – Sign – Hasting Street, Oatlands – needs to be repaired
Completed

Clr F Miller - Colebrook Main Road / Craighourne Road Junction – defects (i.e. potholes) and sign(s) have been knocked down.
Confirmed that an asphalt overlay has been organised for the junction. Other defects to be addressed.

Clr R McDougall – Tunnack Main Road (Tunnack end) – inform the Department of State Growth that shoulder works are required (i.e. drop-off's). Road is narrow and there is significant log truck movements.
State roads has advised there are plans for further upgrade works from Baden to Tunnack have not provided a timeframe

Clr R McDougall – Buckland Road – two locations that are corrugated. To be addressed.
Will be addressed when grader next in area

Mayor E Batt – Drainage (opposite Dysart Waste Transfer Station)
Issue being addressed.

QUESTIONS WITHOUT NOTICE TO MANAGER, INFRASTRUCTURE & WORKS

Nil.

RECOMMENDATION

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

DECISION

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

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

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	✓	
Cllr R McDougall	✓	
Cllr F Miller	✓	

14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

14.1 Residential

Strategic Plan Reference 2.1

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

Nil.

14.2 Tourism

Strategic Plan Reference 2.2

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

Nil.

14.3 Business

Strategic Plan Reference 2.3

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

Nil.

14.4 Industry

Strategic Plan Reference 2.4

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

Nil.

15. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)

15.1 Heritage

Strategic Plan Reference – Page 22

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

15.1.1 Heritage Project Program Report

Author: MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)

Date: 28 June 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 as well as the annual maintenance of the floors & walls. The May Artist was Anabel Dean, journalist & writer. Anabel was digging into research for stories about place, people, history and landscape for Australian Country magazine. She was particularly keen to discover some of the skilled heritage artisan/craftsmen (stone masons, plasterers, carpenters, building specialists, historians and others) who work in the Southern Midlands area. At Oatlands, she knew that there are stories worth writing about the discoveries made in the light of the collection of historic provenance wallpapers from Tasmanian homes (mid 1800s onwards) but there is much else besides.
- The June (current) Artist is Lauren Guymer, an Australian visual artist from boon wurrung / bunurong country in Victoria. Lauren creates immersive landscape paintings and drawing on paper, specialising in large-scale watercolours inspired by her memories and experiences of the Australian landscape. During her residency at Oatlands, Lauren will develop a new body of work about her stay, splitting her time between the studio and creating works 'En plein air' in the local landscape. She is also finalising her upcoming solo exhibition at Brunswick Street Gallery in Melbourne from 14 Sep-1 Oct.
- Researching Oatlands Police history 1827-1920 for exhibitions in the Oatlands and Kempton Police Offices.
- Researching material and providing logistical support for the Harrison gathering at Woodbury, 24 June.
- Researching Bagdad Hall history with Chris Harmon (Hall Committee)
- Works are progressing at the Gay Street Hall.
- Drystone wall at 79 High Street progressing.

- Alan Townsend and Brad Williams provided tours of the Colebrook Probation Station Chapel, Glebe House and Lonsdale Kempton to the Tasmanian Historical Research Association as part of their recent Southern Midlands tour.
- Participation in the Tasmanian Heritage Council’s Archaeological Advisory Panel *Statewide Archaeology Strategy* workshop on June 3rd.
- Assistance with planning for the Heritage and Bullock Festival.
- New collection catalogue database now live and in production
- First draft of design for Online Public Access Catalogue portal received and under review.
- Development of temporary exhibition for installation at Gaoler’s Residence in process to coincide with H&BF

RECOMMENDATION

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

DECISION

Moved by Clr D Blackwell, seconded by Clr R McDougall

THAT the Heritage Program 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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

15.1.2 Southern Midlands Council submission to consultation for the Historic Cultural Heritage Act Amendment Bill 2023.

Author: MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)

Date: 21 June 2023

Attachment(s):

Proposed Amendments Fact Sheet

Draft Historic Cultural Heritage Amendment Bill 2023

ISSUE

This report seeks Council's support of proposed amendments of the Historic Cultural Heritage Act 1995 and to provide a submission to Heritage Tasmania.

BACKGROUND

On the 26th May 2023, the Minister for Heritage released the Draft *Historic Cultural Heritage Act Amendment Bill 2023*. The public consultation period will close on 10th July 2023.

The tenor of the Bill is to amend the HCHA95 to:

- Allow for the inclusion of objects associated with a place to be included on the Tasmanian Heritage Register entry (and associated administrative provisions).
- Amendment to timeframes associated with registrations, amendment of registrations and removals of registered places.
- Revising the current 'certificate of exemption' process to provide for a 'minor works' process.

DETAIL

The Draft Bill is provided here as ATTACHMENT A. A Fact Sheet provided by Heritage Tasmania is provided here as ATTACHMENT B.

The following table provides a summary of the tenor of the Bill, with commentary from the Manager Heritage Projects as to the desirability of the amendment (and possible implications for Council).

Point	Tenor	Discussion
1-6	Relate to the ability of the Tasmanian Heritage Council to have regard to important objects within a registered place that contribute to the historic heritage significance of the place.	<p>The introduction of the ability of the Tasmanian Heritage Council to register and consider actions associated with significant objects within a heritage place is considered to be a positive initiative which has the potential for positive heritage outcomes for significant furnishings, items and collections (including archaeological).</p> <p>Heritage practitioners have long been lobbying the Tasmanian Government for a better recognition and protection of significant contents and objects associated with heritage places, which</p>

		previously have not been afforded any statutory protection.
7-12	Relate to timeframes and administration relating to entry, amendment or removal of a place in the Tasmanian Heritage Register.	An administrative matter.
14-16	Relate to a revised process for obtaining a 'Certificate of Exemption' and replacing that with a process for 'Minor Works Approval', including a process for obtaining retrospective approval for works already carried out.	This is considered an appropriate means of revising the current 'exemption' process to be replaced with a 'minor works' process which is more consistent with the Act but allows for a 'less red tape' approach to minor works. It presumably also allows the THC to place conditions on 'minor works approvals' whereas currently an exemption cannot be conditioned.
17-21	Relate to changes in how the THC participates in retrospective works applications, changing 'exemption certificates' to 'minor works approval' and giving power to the THC to consider the impact of works to a heritage place upon an adjoining heritage place.	It also allows for a more pragmatic approach for pursuing retrospective approval which could require actions to mitigate heritage impact.
22	Provides more explicit powers to the THC for enforcement and notices to take or stop action.	This is considered an important amendment to allow for more effective enforcement of the Act.
23	Relates to protection of heritage objects and process around such.	As per 1-6. This is considered to be a positive amendment to the Act responding to many years of lobbying from heritage practitioners. Note that there are provisions proposed which bypass the planning system for matters relating solely to objects – i.e. Planning Authorities will not be required to facilitate the process for objects as they do with works to places.
24	Relates to delegations and electronic signatures.	An administrative matter.
25	Allows for guidelines relating to heritage objects.	Allows for plain-language guidelines to assist with the application of the Act to objects.
26	Allows for amendment of entries relating to objects.	An administrative matter.
27	Transitional arrangements.	An administrative matter.

Human Resources & Financial Implications

This submission does not have any human resources or financial implications to Council. It is proposed that Council's Manager Heritage Projects prepare a submission supporting the amendment for the Mayor's signature.

Community Consultation & Public Relations Implications

Nil.

Policy Implications

It is possible that Council-owned places included on the Tasmanian Heritage Register may be subject to a revised Tasmanian Heritage Entry to include significant items associated with that place. This is consistent with the tenor of Council's Historic Heritage Strategy and provides no conflict with existing Council policy.

Priority - Implementation Time Frame

The submission is due on 10th July 2023.

RECOMMENDATION

THAT council provide support for the Draft *Historic Cultural Heritage Act Amendment Bill 2023* and that Council's Manager Heritage Projects prepare a letter of support for the Mayor's Signature.

DECISION

Moved by Clr R McDougall, seconded by Deputy Mayor K Dudgeon

THAT council provide support for the Draft *Historic Cultural Heritage Act Amendment Bill 2023* and that Council's Manager Heritage Projects prepare a letter of support for the Mayor's Signature.

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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

15.2 Natural

Strategic Plan Reference – page 23/24

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

15.2.1 NRM Unit – General Report

Author: NRM / PROJECTS OFFICER (HELEN GEARD)

Date: 20 June 2023

- Mt Pleasant Recreation Ground change room upgrade project has been 99 percent completed. The building surveyor and plumbing inspector visited the site recently and reported that they were very happy with all the works and commented on the high standard that has been achieved. To finish - Origin Energy will deliver the gas cylinder to the site tomorrow – (21st June). Four signs with braille on order and then to be fixed to the relevant shower and toilet areas. Final plumbing form to be submitted by the site plumber. After this – all will be completed. There may be an official finish / completion of project celebration – possibly in August.
- Mary and Helen spent time pruning and shaping some of the trees on the Dulverton Walking track where overhanging branches impeded the use of the track for walkers and cyclists etc. Other Council staff have also assisted with this task, as the last good spring and summer seasons resulted in a lot of vegetation growth. The track continues to be used by many people.
- Maria has spent time working on a number of Lake Dulverton and Callington Park issues. See a separate report re the Tasmania Irrigation water for Lake Dulverton.
- Mary, Helen and Maria spent some time dealing with the weeds that had grown on the track. There were two or three areas of concern, that have now been dealt with. There is still some areas of broome and gorse that will need attention this coming spring.
- SMC has been nominated by the Regional Drummuster Co-ordinator for a Drummuster award. Helen completed a nomination form and the outcome will be known in July 2023.
- Helen spent time in May investigating Telstra mobile coverage blackspots across the Southern Midlands Council area. This work has led to a meeting with Telstra and they have now offered to work on a plan with Southern Midlands. The plan would be to look at how communications technology and digital connectivity can enhance the Southern Midlands area. This will be a plan in order to develop a Connectivity Plan, and for Telstra this will be the first plan they develop for a region in Tasmania, having completed some other plans on mainland Australia. The first step is to have a workshop. Council were very briefly informed of this idea at the conclusion of a recent budget session workshop, and expressed interest to partake in the process. Dates to be set going forward.

Weeds Officer Report - Mary Smyth

16th May – 20th June 2023

Public holiday 12th June.

Enquiries/feedback

All quiet this month.

Site visits

Total = 4 (+ numerous on the Levendale trip)

Spent a few hours in the Levendale area with a local man updating the Spanish heath data base (for imminent mailouts). Numerous sites were visited during this time and I met and chatted with 3 local landowners and 1 local resident.

Report of roadside ragwort just outside SMC boundary on Buckland Road (which Glamorgan-Spring Bay Council has since removed). I checked out the area to ensure it hadn't spread to our side of the boundary; all clear. A second report of ragwort down a forestry track nearby was also checked out and no plants seen. Whilst looking for this second ragwort, a dozen tiny to small Spanish heath plants were cut and pasted.

Spanish heath site above oval at the old Levendale Primary School was checked out and a number of small plants cut and pasted.

A single Spanish heath plant in Church Lane, Dysart, cut and pasted on the way to Dysart tip for work.

Weeds Action Fund

It is very pleasing to report that our application for a small grant to “Map and work towards eradicating Tasmania’s only infestation of Stemless thistle (*Onopordum acaulon*)” has been successful. The WAF is State Government money and is administered by Natural Resource Management (NRM), North. This project will be run by SMC’s Weeds officer and our own NRM staff, with cooperation from the landowner and lessee, and a local contractor will be employed to do the on-ground works.

Related and extra-curricular activities

Attended a couple of “Future of Local Government” meetings; 5th June at Oatlands depot and a local government association consultation session for staff at Bothwell on 8th June. Most enlightening.

I am currently filling in at Dysart tip every second weekend and I took advantage of a lull in activity to pull out all the Paterson’s curse plants I could see. The next weekend I worked, I quickly sprayed all the PC rosettes I could find (before the tip opened).

Whilst ordering a mattock for personal use, I added another one for use by NRM. This was early April. They finally arrived on 20th May (after someone made a mistake and the mattocks ended up in Western Australia!).

Assisted other members of the NRM to spray newly germinated weeds along a section of the Lake Dulverton Track, and on another occasion, assisted with trimming a few eucalypts along a track to the large bund.

Removed 2 very large isolated hemlock plants near the metals pile at Oatlands tip.

Training

Contacted Biosecurity Tasmania to put my name down for upcoming authorized officer training for the recently proclaimed Biosecurity Act 2019 (I have been operating under the Weed Management Act 1999). Anticipate a July course.

Communication

21 mailouts/weed reminder letters sent to owners of Spanish heath infestations in SMC.

Article on weeds noticed during my recent travels interstate, and Pampas grass, published in June Southern Midlands Regional newsletter.

Heard back from the weedingtech Australia (Foamstream) representative: their journey to Tasmania has been postponed until September due to a lack of space on the Spirit!

Research

Perused the Tasmanian Weeds facebook page to keep abreast of all things weedy in Tasmania. This is moderated by Matthew Baker (Herbarium) and Adam Muyt (Biosecurity Tasmania invasive grasses) and contains much interesting information.

Attended a WeedSmart webinar on “The rate of herbicide residues in soil – why it matters and what research is telling us.” Fascinating...

Roadside weeds data base

The new Garmin hand-held unit has arrived. 😊😊😊 Prior to it being sent back, all the photos on the old Garmin were successfully retrieved (with assistance from Helen Geard). Unfortunately, the original waypoint data file was corrupted and so was unable to be saved. In future, we will make a separate copy of waypoint data each time it is processed for inclusion into Spectrum Spatial. The Garmin has been programmed to show northings/eastings (as per our current data base) by Graham Green.

Work is well under way to tease out the priority locations for woody weed control from Spectrum Spatial and my notes. Thankfully all waypoints were uploaded into Spectrum Spatial before the Garmin spat the dummy!

Weed of the Week

Seeding horehound, fruiting African boxthorn, budding Spanish heath, flowering gorse and fruiting cotoneaster displayed in the Oatlands front office this month.

RECOMMENDATION

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

DECISION

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

THAT the NRM Unit 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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

15.2.2 Tasmanian Irrigation – Water Allocation for Lake Dulverton

Author: NRM PROGRAMS MANAGER (MARIA WEEDING)

Date: 20 June 2023

Attachment(s):

Memorandum of Understanding - Southern Midlands Council & Tasmanian Irrigation Pty Ltd

ISSUE

To formalise the arrangement between Southern Midlands Council and Tasmanian Irrigation in regard to the delivery of water from the Midlands Water Scheme into Lake Dulverton.

BACKGROUND

In 2008 extensive studies were conducted for the feasibility of the Midlands Water Scheme (MWS) by the then Tasmanian Irrigation Development Board (TIDB) now known as Tasmanian Irrigation (TI). Given that the MWS was designed (at the time) to finish at Oatlands, it was considered an opportunity to source some water for the front section of Lake Dulverton to ensure that water remained in the lake as this was a key issue for the community at the time.

In 2009 discussions took place with the State Government (Minister for Primary Industries and Water, The Hon D Llewellyn MHA) in regard to securing a water allocation for the lake. Using the TIDB report, the amount of water requested for the lake was 215 ML. This was based on the calculation as a worst case scenario of rainfall falling at the 5th percentile and the evaporation rate effect being at the 95th percentile.

Finally, in 2011, after continued negotiations, the State Government wrote to inform Council that 215 ML would be available for Council. Council was very fortunate to receive this water, as the funding for the scheme (\$104 million) had come from a three way equal share combination of landholders; the State Government and the Australian Government. The funding was funded for irrigation development. At the time, I recall receiving the water for the lake was noted as contributing to the environmental benefits side of the scheme, as it was providing highly reliable water for a wetland habitat.

In late 2014 the Midlands Water Scheme began operation. The water for Lake Dulverton had been granted on a winter period delivery (1st March to 30th Sept period).

Because this water was not the 'standard' use of the scheme water, there needed to be an acknowledgement and a formalisation as to the ongoing use of this water over and above the standard forms applicable for purchases of water in the scheme for irrigation purposes.

For various reasons, the finalisation of the arrangement for use of the water was not able to be progressed, even though it had been flagged with TI as an outstanding matter for some considerable time by Southern Midlands (M Weeding as Manager of the NRM Unit). At one point it seemed that there had been a misunderstanding as to the use of this water going forward, and considerable time had to be spent going over the history and background information as to the arrangements of the use of this water. This has now been sorted after material was sent to TI to cover the issues that needed to be clarified.

Tasmanian Irrigation has now forwarded a Memorandum of Understanding in regard to the water allocation. This report seeks the acknowledgement and signing of that document in order to secure the use of this water into the future.

DETAIL

Reference is made to the attached Memorandum of Understanding and the Limited Term Transfer documentation. There is also reference within these two documents to the Irrigation Right, Zone Flow Delivery Right and Trading Rules. These three documents are the standard documents for all irrigation users of the scheme (and can be provided for perusal if requested).

The Memorandum of Understanding (MOU) applies to the future management of the water designated for Lake Dulverton. The water is actually held by TI on behalf of the Crown and is allocated to Southern Midlands Council in the capacity as the Managing Authority for Lake Dulverton. The key components are:

- Midlands Water Scheme (MWS) has been built as a scheme with a life of 99 years, so the MOU covers the life of the scheme, broken up into 25 year intervals. The MOU also recognises that water has been provided in to the lake since the commencement of the MWS.
- Reference is made to the Irrigation Right, the Delivery Right and the Connection Agreement, which are standard scheme documents. These documents include clauses that enable termination of the use of the water if there is any action taken that is contrary to the use of the water (failure to pay or compliance with the Scheme By-Laws). There is nothing that should cause Southern Midlands to falter on the arrangements as the MOU recognises some exclusions to the clauses in these documents. This is because they are not relevant to using the water for a wetland situation.
- It should be noted that Council may trade the water under the terms of the MOU, but after costs, any profit is to be transferred to TI, and the water can only be traded if Council chooses to do so and the water it is not required for the lake.

Other matters to note include that Southern Midlands is not required to take the full volume of water each year (referred to as the variable water). Charges for the water are only calculated on the usage of the water in any one season.

The water is not owned outright by Southern Midlands Council, but this is not necessarily detrimental. It means that the asset cannot be sold off at a later date should Lake Dulverton not be considered a key asset to the district. This note may be of even more relevance if the Council is amalgamated in future.

There is no specific termination clause in the document, other than if a condition is breached which triggers a termination, or it is decided by TI not to renew the arrangement after each 25 year period.

The scheme water is fully subscribed in this zone of the Midlands Water Scheme. It is not likely that Council would be able to secure any 'excess' water from irrigators that hold water on the scheme on a year by year basis, and if any water was to be made available (most likely on a temporary trade basis), then is it usual for a landholder to add a 'return on asset' fee to the cost of the water over and above the normal TI charges. For that reason, traded water is usually quite expensive, and not always available. It would be recommended that Council do not pass up the opportunity to sign the MOU, as finding future water on an ad

hoc basis is not a formula for retaining water in the front areas of Lake Dulverton in the future.

Human Resource & Financial Implications – The Southern Midlands Council will be required to pay the fixed costs of the water each year. The fixed costs cover the operations and maintenance and asset renewal costs of the scheme. This will be for the full 215 ML of water. The cost is currently \$42.36/ML (was \$41.87 the previous year).

The variable costs (based on the volume of water used) is currently \$65.11 /ML. If all, or part of the water was not required for the lake, then both of these costs components have the potential to be recouped by trading the water on a temporary basis, whereby the person using the water would pay both the fixed and variable costs per megalitre - as the minimum fee charged.

There are minimal human resource implications as a result of signing the TI documents referred to in this report.

Community Consultation & Public Relations Implications – Lake Dulverton is a key asset of the Southern Midlands and as such signing the documentation provided by TI would have positive public relations implications.

Policy Implications – N/A

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

THAT:

- a) **The information be received; and**
- b) **Council sign and seal the relevant documents.**

DECISION

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

THAT:

- a) **The information be received; and**
- b) **Council sign and seal the relevant documents.**

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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

15.3 Cultural

Strategic Plan Reference 3.3

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

Nil.

15.4 Regulatory (Development)

Strategic Plan Reference 3.4

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

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: 20 June 2023

Enclosure(s):

Animal Management Statement 2023

ISSUE

Consideration of the Animal Management/Compliance Officer's report for May/June 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 May/June; *and*
2. Provide a brief summary of actions and duties undertaken by Council Officers in relation to animal management.

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

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

Resource Sharing

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

INFRINGEMENT DETAILS:

6/6/23 – Failing to register dog over 6 months

ATTACK DETAILS:

21/4/23 – 3 attacks on sheep around Brown Mountain area - no witnesses or evidence of where the dog may have come from.

2/6/23 – Attack on sheep, Oatlands area – no witnesses or evidence of where the dog may have come from.

11/6/23 – Attack on chickens Oatlands area – no official complaint made

RECOMMENDATION

That the Animal Management Report be received and the information noted.

DECISION

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

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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

ENCLOSURE
Agenda Item 15.6.1

**YTD ANIMAL MANAGEMENT STATEMENT
2023**

DOG IMPOUNDS	RECLAIMED	ADOPTED/DOGS HOME	EUTHANISED	OTHER IMPOUNDS
9	14			3 sheep – claimed 1 sheep – claimed 1 sheep - claimed

**JOBS ATTENDED
May/June 2023**

DOGS AT LARGE	DOG ATTACKS	DOG BARKING	DOG GENERAL
2	5	3	17
NEW KENNEL LICENCES	WELFARE	STOCK	Central Highlands
2 active licence	0	10	5

REGISTERED DOGS: 1819
KENNEL LICENCES: 62
INFRINGEMENTS ISSUED: 1

15.7 Environmental Sustainability

Strategic Plan Reference 3.7

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

Nil.

16. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

16.1 Community Health and Wellbeing

Strategic Plan Reference 4.1

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

16.1.2 The Future of Local Government Review - Conduct of Public Meetings

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 17 June 2023

Attachment(s):

*The future of local government review - Stage 2 – Interim Report
Central and Midlands Community Catchment Information Pack*

ISSUE

Council to confirm the conduct of three (3) public meetings in order to consult and gain feedback from the community in response to the:

- a) The overall issue of local government reform; and in particular
- b) The Local Government Boards current position and structural reform scenarios (as detailed in the 'Central and Midlands Community Catchment Information Pack'.

BACKGROUND

The State Government established the Local Government Board with the following mandate:

1. Create a more robust and capable system of local government, ready for the challenges and opportunities of the future
2. Make recommendations on the future role, functions and design of local government

There are three stages to the review process:

- Stage 1 – Engagement and Evidence (commenced January 2022) – Interim Report released July 2022
- Stage 2 – Analyse Options (commenced July 2022) – Options Paper released in December 2022 and Interim Report submitted to the Minister in March 2023. Stage 2 Interim report released late April 2023 followed by issue of 'Information Packs for Community Catchments' late May 2023.
December 2022 Options Paper: Presented 3 structural reform options (with minimal detail):
 1. *Mandatory sharing of services across the 29 councils*
 2. *Changing boundaries to create fewer, larger Council (not detailed)*
 3. *A 'hybrid' model with some service sharing and some council consolidation, varying around the state based on local needs.*
- Stage 3 – Recommend Solutions (current Stage - commenced April 2023)

The Southern Midlands Council has made submission(s) at every stage of the Review process.

In summary, Council strongly supports the status quo **unless** there are clear and demonstrable benefits for the ratepayer.

Council's response to the December 2022 Option Paper included:

- support for sharing of services where there are clear efficiencies and cost savings; and
- support for some council consolidation if there was justification and voluntary participation.

Local Government Board's present thinking:

The Local Government Board believes Tasmania needs to make some big changes to how our local council's works so that they can support what our communities need in future.

The Board has been told the status quo is not an option.

The Board's goal is to recommend a new design for local government that allows all Councils to develop and maintain the capability that communities need, while delivering services locally, keeping jobs in local communities, and ensuring all Tasmanians have a strong voice in decisions made on their behalf.

The Board has also indicated that any changes to council boundaries need to reflect and support how Tasmanians live, work and access services in their local communities.

DETAIL

The Local Government Board issued its Stage 2 - Interim Report in early May 2023. It identified 9 catchments within Tasmania.

The Southern Midlands Council area was included as part of the 'Central and Midlands Community Catchment' which was defined as:

1. Central Highlands
2. Northern Midlands
3. Southern Midlands
4. Meander Valley
5. Derwent Valley
6. Brighton.

As part of the Review Stage 3, The Board then released 'Information Packs' which provide additional detail and identify a number of scenarios for each for the nine catchment areas suggested in the Stage 2 Report.

For the 'Central and Midlands Community Catchment' it has identified the following scenarios:

Note: The scenarios are designed to prompt a discussion about some of the possible pathways. Councils (and all stakeholders) are welcome to make other suggestions.

Scenario 1 – Establishing two separate councils to the north and south.

South: Existing Brighton, Southern Midlands and Derwent Valley Council areas, plus a portion of the Central Highlands including Hamilton, Ouse & Wayatinah.

North: Remainder of the Central Highlands, Meander Valley (less Hadspen, Carrick, Prospect Vale and Blackstone Heights), and the Northern Midlands Council (less Perth, Evandale and Longford).

Note: The areas (ex Meander Valley and Northern Midlands) would go with a ‘Tamar Valley Community Catchment’ i.e. an expanded Launceston / northern regional council)

Scenario 2 – Establishing a single Central and Midlands Council

Under this scenario, the existing LGAs of Derwent Valley, Brighton, Southern Midlands, Central Highlands, Northern Midlands, and Meander Valley Councils are combined, minus the Launceston satellite commuting towns of Carrick, Hadspen, Perth, Longford and Evandale.

Scenario 3 – Establishing 3 councils

North: A northern council encompassing the Meander Valley and Northern Midlands, minus the suburbs of Prospect Vale and Blackstone Heights.

South: Brighton and the Southern Midlands

South: Derwent Valley and the Central Highlands

Scenario 4 – Establishing 3 councils (but with different boundaries)

North: A northern council encompassing the Meander Valley (less Hadspen and Carrick), Northern Midlands (less Perth, Evandale and Longford), and Central Highlands (from just north of Derwent Bridge, the Steppes and Interlaken)

South: Derwent Valley with southwest portions of the Central Highlands (retaining Derwent Bridge, Bronte Park, Waddamana), but excluding Bothwell and Interlaken).

South: Combines Brighton and Southern Midlands and the south-eastern portion of the Central Highlands (Bothwell and Interlaken).

As an outcome of the discussions at the Council Workshop held 7th June 2023, Council identified the need to consult and gain feedback from the community in response to the:

- a) The overall issue of local government reform; and in particular
- b) The Local Government Boards current position and structural reform scenarios (as detailed in the ‘Central and Midlands Community Catchment Information Pack’.

The intent of this report is to provide an update and in accordance with section 60F of the Local Government Act 1993, seek a Council Motion to convene the public meetings for the purpose of discussing ‘The future of local government review’.

The following is an extract from the Local Government Act 1993 relating to the conduct of a ‘public meeting’.

“60F. Public meetings

A council, on its own motion, may hold a public meeting to discuss any issue the council determines.”

Human Resources & Financial Implications – To be considered.

Community Consultation & Public Relations Implications – The purpose of the public meetings are to gain input and feedback from the community which will inform Council’s position prior to providing a response to the Local Government Board.

Priority - Implementation Time Frame – Councils (and all stakeholders) can lodge submissions in response to the Stage 2 Interim Report (and Information Packs) by 2nd August 2023.

The Local Government Board will finalise its report and recommendations and submit to the State Government by end of October 2023.

RECOMMENDATION

THAT, in accordance with section 60F of the *Local Government Act 1993*, Council resolve to conduct public meeting(s) for the purpose of discussing ‘The future of local government review’ and confirm the following meeting schedule (meetings to commence at 5.30 p.m. and conclude no later than 7.00 p.m.):

1. **Kempton – Thursday 6th July 2023**
2. **Campania – Tuesday 11th July 2023**
3. **Oatlands – Thursday 13th July 2023**

DECISION

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

THAT, in accordance with section 60F of the *Local Government Act 1993*, Council resolve to conduct public meeting(s) for the purpose of discussing ‘The future of local government review’ and confirm the following meeting schedule (meetings to commence at 5.30 p.m.):

1. **Kempton – Thursday 6th July 2023**
2. **Oatlands – Tuesday 11th July 2023**
3. **Campania – Thursday 13th July 2023**

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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

16.2 Recreation

Strategic Plan Reference 4.2

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

16.2.1 Oatlands Aquatic Centre – Coordinators Report

Author: OATLANDS AQUATIC CENTRE COORDINATOR (ADAM BRIGGS)

Date: 19 June 2023

Oatlands Aquatic Centre – Coordinator’s Report for the month May/June, 2023.

BACKGROUND

The Oatlands Aquatic Centre opened to the public on Monday 14th November 2022.

DETAIL

The purpose of the report is twofold:

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

Financial Reporting:

Operating Budget:

Further explanation regarding the calculation of the revised Budget will be provided at the meeting.

Income			2022/23 Revised Full-Year Budget (Budget revised - for 7.5 months operation)	May 2023	YTD Total	% of Revised Budget (33% through the period for the revised Budget)
Pool – Admission Fees	Casual Fees		\$18,740	\$2,823	\$37,806	201.7%
	Memberships & Season Passes		\$108,068	\$8,969	\$36,331	33.6%
	Group Bookings & Learn to Swim		\$46,023	(\$3,805)	\$37,440	81.4%
	Sale of Goods		\$5,920	\$771	\$6,277	106.0%
Grant – ‘Splash in Good Fun’			\$0	\$0	\$50,000	N/A
Local Gov’t Loan Subsidy (Year 2 of 3)			\$49,638	\$0	\$23,976	48.3%
Sub-Total			\$228,389	\$8,758	\$191,830	84.0%

Original Income Budget for 2022/23 was \$311,805 – Revised Budget to reflect period of operation.

Expenditure			2022/23 Revised Full-Year Budget	May 2023	YTD Total	% of Revised Budget (Percentage varies for each line item of expenditure e.g. salaries & on-costs)
Salaries (incl. On-Costs)	Budget revised to reflect period of employee(s) engagement due to late commissioning		\$383,980	\$39,287	\$340,723	88.7%
Operating Costs - Other	Budget revised to reflect period of operation (i.e. 7.5 months)		\$66,075	\$47,482	\$128,911	195.1%
Grant Expenditure – ‘Splash in Good Fun’			\$0	\$0	\$4,659	N/A Note: most expenditure relative to Grant included in normal operating expenses
Loan Interest			\$49,638	\$0	\$23,976	48.3%
Total Expenditure			\$499,693	\$86,769	\$498,269	99.7%

Original Expenditure Budget for 2022/23 was \$536,423 – Revised Budget to reflect the period of employee(s) engagement and commencement of actual operation

Budgeted Deficit			(\$271,304)	(\$78,010)	(\$306,439)	113.0%
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Original Budget Deficit for 2022/23 was \$274,256. Note: The revised Budget deficit does include any allowance for recovery of salaries and on-costs from Contractor due to delayed commissioning.

Southern Midlands Council - Monthly General Meeting Agenda Report

**OATLANDS AQUATIC CENTRE CAPITAL EXPENDITURE RECONCILIATION
AS AT 31 MAY 2023**

	BUDGET \$	EXPENDITURE \$	BALANCE \$	COMMENTS
Total Expenditure to 31 May 2023		10,296,023		
Council Labour & On-costs		5,255		
Materials - Council		195		
External Plant Hire - Council		6,217		
SMC Planning / Building Permits		6,495		
SMC Planning / Building Permits - June 2020		6,868		
SMC - Other Contractor Costs		901		
August 2012 - Purchase of 70 High Street, Oatlands		166,908		Total Cost (includes legals etc.) Gov't Land Value - \$23,000
Bzowy Architecture & Other Consultants				
2016/17		27,056		Best described as Project Revival
Contract No 1 (part of \$107,660)		16,227		
2017/18				
Contract No 1 (part of \$107,660)		92,471		Includes Disbursements of \$1,038
Other Costs - Variations & Redesign		63,579		Additional Floor / Redesign etc.
Bio-Energy (review & assessment)		24,867		
Appeal Costs		140,153		Various
2018/19				
Bzowy - Other Costs - Variations & Redesign		108,611		Includes Survey & Legal
Engagement Agreements		21,470		
Formal Contract - Tenders / Design etc (part of \$379,960)		265,905		

Southern Midlands Council - Monthly General Meeting Agenda Report

2019/20

Bzowy - Other Costs - Variations & Redesign	96,779	Includes Survey & Legal
Bzowy - Formal Contract - Tenders / Design etc (part of \$379,960)	39,921	
Building Surveying	350	
Communications (Nylander)	180	
Legal (BMB)	18,488	

Construction Phase (to date) - July 2020 - to 31 May 2023

Legal (BMB)	0	17,846	-17,846	
Construction Contract (Vos)	7,783,604	7,537,708	245,896	14 progress claims (work to 19.12.22)
Consultants Fees (SMG)	581,712	598,640	-16,928	
Furniture, Fittings and Equipment (SMG)	50,000	41,799	8,201	
Principal Supplied Goods (SMG)	62,284	71,169	-8,885	
Principal Works (SMC)	300,000	490,429	-190,429	
Contingency Sum (SMG)	400,000	0	400,000	
Demolition of CT Fish Building	10,000	24,673	-14,673	
Construction of Waste Water Holding Facility	490,526	404,865	85,661	Budget includes Grant (\$298,526)
Construction Budget and Expenditure	\$ 9,678,126	9,187,128	490,998	

Total Expenditure to 31 May 2023 \$ 10,296,023

Reconciliation to Capital Expenditure Report

Work in Progress (expenses prior to 2020/21)	941,987
2020/21 expenditure	1,741,641
2021/22 expenditure	4,810,340
2022/23 expenditure	2,635,147
Expenditure as per Capital Expenditure Report	9,187,128
add purchase of 70 High Street	166,908
\$	10,296,023

Group Bookings & Programs – May:

Event / Booking	School / Group	Participation Numbers
Centre Hire / Student Visits	Oatlands District School	9 group or individual bookings
Public Visits	Reclink Community Program	23 participants
Learn to Swim Lesson	Term 2 Program	118 participants
Lifeguard Training Course	Royal Life Saving Tasmania	6 participants in a 2 day course.
Physio Rehab Sessions	Annabel Butler – Physiotherapist	4 individual bookings
NDIS Gym Sessions	NDIS Client	7 individual bookings
Oatlands School Learn to Swim Program	Education Department	45 participants

USAGE FOR THE PERIOD 12/05/2023 – 18/06/2023
PAID UPFRONT

Type	Units
Gym & Fitness	
Gym & Fitness Class Passes/10 Sessions	1
Gym & Fitness Class Passes/5 Sessions	0
Gym & Fitness Class Session (17 years) PAYG	16
Gym & Fitness Class Session (Concession) PAYG	22
PAYG Class Pass (16 years)	0
Gym	
PAYG Gym (17 years)	10
PAYG Gym (Concession)	6
Personal Training	
Personal Training – 30 Mins	1
Personal Training – 1 Hr	0
Learn to Swim	
4 Day School Holiday Learn to Swim	0
5 Day School Holiday Learn to Swim	0
6 Week Learn to Swim	0
11 Week Learn to Swim	15
10 Week Learn to Swim	16
Adult Learn to Swim	5
Pool	
Pool Passes 10 Sessions (Child)	3
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)	51
PAYG - Pool (5-16)	135
PAYG - Pool (17)	228
PAYG - Pool (Concession)	107
PAYG - (Family)	12
Pool/Gym Combo PAYG	4
Upfront 6 Months Pool Membership - Renewal	7

DIRECT DEBITS – Current Numbers

Type	Units
DD Pool/Gym	11
DD Class/Pool	37
DD Pool/Gym/Class	3
DD Gym	2
DD Class/Gym	8
DD 6 Months Pool – 17 years +	7
DD 6 Months Pool – Child/Concession	3
DD 6 Months Pool – Family	6

Other Information / Comments:

- Campania District High School have been confirmed for a 1 week Learn to Swim program in November this year for grades Kinder to 2.
- Swimming Tasmania have booked the Centre for a Tasmanian State Team training day for the 8th July. Athletes that will be present on the day have been selected to represent Tasmania in major competitions in Sydney and New Zealand.
- Learn to Swim teaching qualification organisation AUSTSWIM are in the process of organising a training course at the Oatlands Aquatic Centre in July, 2023.

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.
- Term 2 lessons currently have a total of 118 students enrolled.
- The upcoming July School Holiday Program will again be free of charge for all Southern Midlands local government area residents.
- A Lifeguard Course was conducted on 3rd & 4th of June with 6 participants taking part successfully with the funding covering course administration costs and 2 participant's enrolment fee.

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 R McDougall, 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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

16.3 Access

Strategic Plan Reference 4.3

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

Nil.

16.4 Volunteers

Strategic Plan Reference 4.4

Encourage community members to volunteer.

Nil.

16.5 Families

Strategic Plan Reference 4.5

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

Nil.

16.6 Education

Strategic Plan Reference 4.6

Increase the educational and employment opportunities available within the Southern Midlands

Nil.

16.7 Capacity & Sustainability

Strategic Plan Reference 4.7

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

16.7.1 Oatlands – National Finalist KAB Sustainable Communities Award May 2023

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 22 JUNE 2023

Attachment(s):

Presentation Slide to the National Judges

ISSUE

Oatlands was awarded the Annual KAB Sustainable Community Award for Tasmania in December 2022. With the achievement of being acknowledged as the most sustainable town in Tasmania, it follows that Oatlands was then finalised in the Australian Sustainable Community Awards. This report briefly covers Oatlands participation in the National Awards.

BACKGROUND

Keep Australia Beautiful (KAB) was founded in 1968, Keep Australia Beautiful was our nation's first anti-litter campaigner and sustainability advocate. Since then, they have been working with their state-based offices and local community groups to raise awareness on how we can all live more sustainably.

DETAIL

The submissions for the National Sustainable Communities Awards were called for in March 2023, following Oatlands winning of the State Award for Tasmania in December 2022. The criteria for the national submission is as follows;

Dame Phyllis Frost Litter Prevention

This award recognises innovation and achievements in litter prevention or reduction through education, effective litter management or behaviour change. It is for projects or programs that reduce or prevent litter and could involve behaviour change techniques, the creation of partnerships or networks or the development of effective infrastructure and place design.

- Up to 500 words text
- Supporting documents in PDF format (optional)
- Up to 4 high resolution photographs or images.

Resource Recovery and Waste Management

This award recognises innovation and achievements in recycling or waste reduction including initiatives that conserve resources or recover and re-use materials.

- Up to 500 words text
- Supporting documents in PDF format (optional)
- Up to 4 high resolution photographs or images.

Heritage and Culture

This award recognises outstanding commitment to the conservation and celebration of a community's indigenous and non-indigenous heritage and culture.

- Up to 500 words text
- Supporting documents in PDF format (optional)
- Up to 4 high resolution photographs or images.

Young Legends

This award recognises achievements by an individual or group/s of young people (under 25) who have demonstrated significant commitment to the environment and/or have made significant contributions to any of the other categories.

- Up to 500 words text
- Supporting documents in PDF format (optional)
- Up to 4 high resolution photographs or images.

Environmental Sustainability – Energy

This award recognises leadership and innovation in energy conservation and management in the face of a changing environment.

- Up to 500 words text
- Supporting documents in PDF format (optional)
- Up to 4 high resolution photographs or images.

Environmental Sustainability – Water

This award recognises leadership and innovation in water conservation and management for the future.

- Up to 500 words text
- Supporting documents in PDF format (optional)
- Up to 4 high resolution photographs or images.

Environmental Sustainability – Natural Environment Management

This award recognises the protection, conservation and enhancement of the natural environment (including waterways, flora, fauna, corridors, roadsides and recreation areas)

- Up to 500 words text
- Supporting documents in PDF format (optional)
- Up to 4 high resolution photographs or images.

Environmental Communication & Engagement

This award recognises outstanding achievements in raising awareness in environmental sustainability, leading to empowerment and behaviour change amongst the target audience. Open to projects from both formal and informal educational institutions egg community groups, business, childcare centres etc

- Up to 500 words text
- Supporting documents in PDF format (optional)

- Up to 4 high resolution photographs or images

Community Health, Wellbeing and Interest Award

This award recognises initiatives for the health and well-being of a community. (e.g. programs and interest groups for various age groups including sporting facilities, community gardens, cycling/walking trails, fitness programs, men's sheds, lifestyle programs etc) building a strong, healthy vibrant and accessible community.

- Up to 500 words text
- Supporting documents in PDF format (optional)
- Up to 4 high resolution photographs or images.

The normal procedure in the past has been that following the documentation of the National submission, the National Judge undertakes a location assessment which comprises eight hours of engagement with the local community and then the National Judge provides a report on the manner in which the sustainability has been assessed 'on the ground'.

Unfortunately the National Judge was overcome with significant health issue the day before the scheduled visit to Oatlands. The visit to Oatlands had been well scripted by the Council Officers, including a pick from the accommodation where the National Judge was scheduled to stay (Waverley Cottages on Bowhill Road) by a helicopter (probono) and a fly over Oatlands, then landing in the Oatlands Recreation Ground. A walk from the Recreation Ground to Callington Park, with Brian Fish and his Bullock Team traversing the High Street and ladies in period costume strolling along the footpath, along with other activities during the rest of the day. It was quite some theatrical production.

Because the KAB schedule was tight, given the Governor General was locked in for the finals on King Island, they had to revert to a 'Zoom meeting' to consolidate the new Judge's thinking in respect of the site for all locations across the country.

Council officers were given a date as to when the 'Zoom meeting' would happen. The Manager Community & Corporate Development, Wendy Young arranged for a number of local residents to sit in on the 'Zoom meeting' at the Oatlands Council Chambers, namely Brian Fish, Snr Sgt John Parker, Constable Will Butler, Jenny French in period costume, and Kathleen Gordon also in period costume, Brad Williams, Maria Weeding and Wendy Young. The Deputy General Manager, Andrew Benson had prepared a MS PowerPoint presentation, which included contributions from the Manager Heritage Projects, Brad Williams and also the Manager NRM, Maria Weeding.

The two hour presentation (copy attached) was undertaken to three judges on screen.

The National Awards ceremony was held on King Island, as King Island were the winners for the previous year (it is the protocol that the previous year's winner host the following year's event). Deputy Mayor Karen Dudgeon, the Deputy General Manager, Andrew Benson and Manager Community & Corporate Development, Wendy Young attended the Awards Ceremony. Andrew Benson provided a presentation on the attributes of Oatlands, highlighting two elements of the Oatlands submission.

His Excellency, General, the Honourable David Hurley AC DSC (Retd) the Governor-General of the Commonwealth of Australia; and her Excellency Mrs Linda Hurley; had the pleasure of making the presentations.

The Oatlands Awards were accepted by Deputy Mayor Karen Dudgeon on behalf of Southern Midlands Council.

The following Awards were received in respect of Oatlands

Joint Winner - Heritage & Culture Award

**Highly Commended – Environmental Sustainability
Natural Environment Management Award**

Highly Commented – Community Health, Wellbeing & Interest Award

These are significant Awards that hold considerable merit for Council the Community, and Council Officers. All should be justifiably proud of their contribution to their Community.

RECOMMENDATION

That the:

1. Report be received and noted; and
2. Recipients be congratulated on their individual and collective recognition.

DECISION

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

THAT the:

1. Report be received and noted; and
2. Recipients be congratulated on their individual and collective recognition.

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	✓	
Cllr R McDougall	✓	
Cllr F Miller	✓	

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

17.1.2 Review of Existing Policy – Municipal Seal Use Policy

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 22 June 2023

Enclosure(s):
Draft revision - Municipal Seal Use Policy

ISSUE

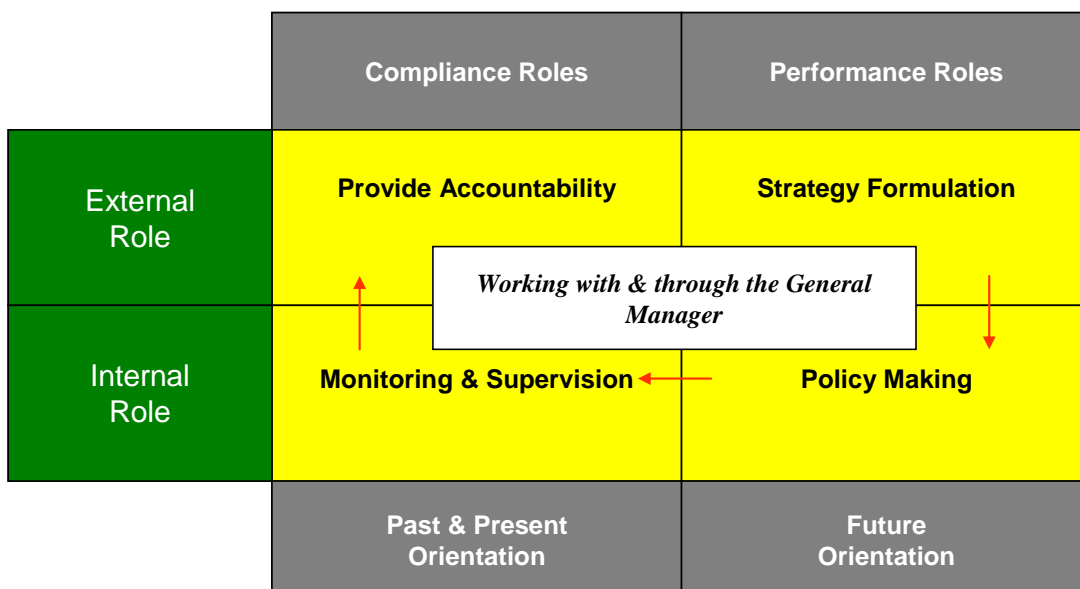
Council are required to review and update its various policies from time to time. The one nominated policy has been reviewed, amendments made, and now requires consideration, then adoption by Council.

BACKGROUND

EXTRACT from the May 2023 Council Minutes

FRAMEWORK FOR ANALYSING COUNCIL’S GOVERNANCE FUNCTION

The diagram below along with its explanation has been the subject of previous presentations to Council; however, it is meaningful to reflect on this governance framework when policy documents are presented to Council. As part of this framework it is important for Council to be aware of and monitor audits and related governance review mechanisms that are undertaken within the organisation, based on Council’s strategies and policies.



DETAIL

As Councillors are aware, the process for any policy document is, that it is tabled at one meeting and then “lays on the table” until the next meeting, to enable Councillors sufficient time to work through and consider all of the ramifications of the strategy/policy, before the document is finally considered for adoption at the following meeting, subject to any amendments agreed by Council.

Draft revision of the Municipal Seal Use Policy is attached and shows some minor changes to the document. There are no changes required by legislation.

RECOMMENDATION

THAT Council

- 1. Receive and note the report;**
- 2. Consider the revised version of the Municipal Seal Use Policy in preparation for the adoption of the revised policy at the June 2023 Council meeting (subject to any Council amendments).**

DECISION

Moved by Clr R McDougall seconded by Clr D Fish

THAT Council:

- 1. Receive and note the report;**
- 2. Consider the revised version of the Municipal Seal Use Policy in preparation for the adoption of the revised policy at the June 2023 Council meeting (subject to any Council amendments).**

CARRIED

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

END EXTRACT from the May 2023 Council Minutes

DETAIL

With this policy having been available for consideration by Council since the May 2023 Council Meeting, the proposed draft version of the *Municipal Seal Use Policy* is attached and the recommendations for change, albeit only minor, are included within the documents.

RECOMMENDATION

THAT Council:

1. Receive and note the report;
2. Consider the revised version of the Municipal Seal Use Policy for adoption, subject to any Council amendments.

DECISION

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

THAT Council:

1. Receive and note the report;
2. the revised version of the Municipal Seal Use Policy be adopted (with no further amendments).

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	✓	
Cllr R McDougall	✓	
Cllr F Miller	✓	

17.1.3 Review of Existing Policies – Issue Resolution Policy and Fitness for Work Policy

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 22 June 2023

Attachment(s)

1. Draft revision - Issue Resolution Policy
2. Draft revision - Fitness for Work Policy

ISSUE

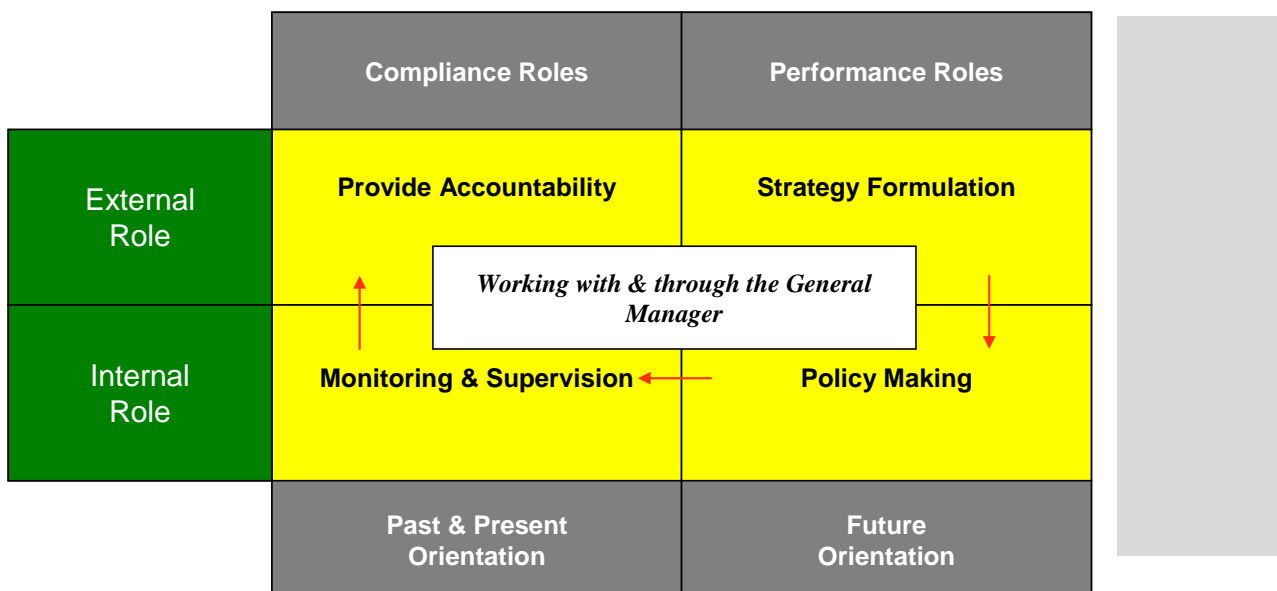
Council are required to review and update its various policies from time to time. The two nominated policies have been reviewed, amendments made, and now requires consideration, then adoption by Council.

BACKGROUND

EXTRACT from the May 2023 Council Minutes

FRAMEWORK FOR ANALYSING COUNCIL’S GOVERNANCE FUNCTION

The diagram below along with its explanation has been the subject of previous presentations to Council; however, it is meaningful to reflect on this governance framework when policy documents are presented to Council. As part of this framework it is important for Council to be aware of and monitor audits and related governance review mechanisms that are undertaken within the organisation, based on Council’s strategies and policies.



As Councillors are aware, the process for any policy document is, that it is tabled at one meeting and then “lays on the table” until the next meeting, to enable Councillors sufficient time to work through and consider all of the ramifications of the strategy/policy, before the document is finally considered for adoption at the following meeting, subject to any amendments agreed by Council.

Draft revision of the Issue Resolution Policy is attached and shows some minor changes to the document. There are no changes required by legislation.
Draft revision of the Fit For Work Use Policy is attached and shows some minor changes to the document. There are no changes required by legislation.

RECOMMENDATION

THAT Council

- 1. Receive and note the report;**
- 2. Consider the revised version of the Issue Resolution Policy in preparation for the adoption of the revised policy at the June 2023 Council meeting (subject to any Council amendments); and**
- 3. Consider the revised version of the Fit for Work Policy in preparation for the adoption of the revised policy at the June 2023 Council meeting (subject to any Council amendments).**

DECISION

Moved by Cllr R McDougall seconded by Deputy Mayor K Dudgeon

THAT Council

- 1. Receive and note the report;**
- 2. Consider the revised version of the Issue Resolution Policy in preparation for the adoption of the revised policy at the June 2023 Council meeting (subject to any Council amendments); and**
- 3. Consider the revised version of the Fit for Work Policy in preparation for the adoption of the revised policy at the June 2023 Council meeting (subject to any Council amendments).**

CARRIED

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

END EXTRACT from the May 2023 Council Minutes

DETAIL

With these policies having been available for consideration by Council since the May 2023 Council Meeting, the proposed draft versions of the *Issue Resolution Policy* and the *Fitness for Work Policy* are attached and the recommendations for change, albeit only minor, are included within the documents.

RECOMMENDATION

THAT Council:

1. Receive and note the report;
2. Consider the revised versions of the *Issue Resolution Policy* and the *Fitness for Work Policy* for adoption, subject to any Council amendments.

DECISION

Moved by Cllr D Blackwell, seconded by Cllr D Fish

THAT Council:

1. Receive and note the report;
2. the revised versions of the *Issue Resolution Policy* and the *Fitness for Work Policy* be adopted (with no further amendments).

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	✓	
Cllr R McDougall	✓	
Cllr F Miller	✓	

**17.1.4 Review and Amendment of Existing Policies -
 Fraud Control & Corrupt Conduct Prevention Policy**

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 22 JUNE 2023

Attachment(s)

Draft Revision Fraud Control & Corrupt Conduct Prevention Policy

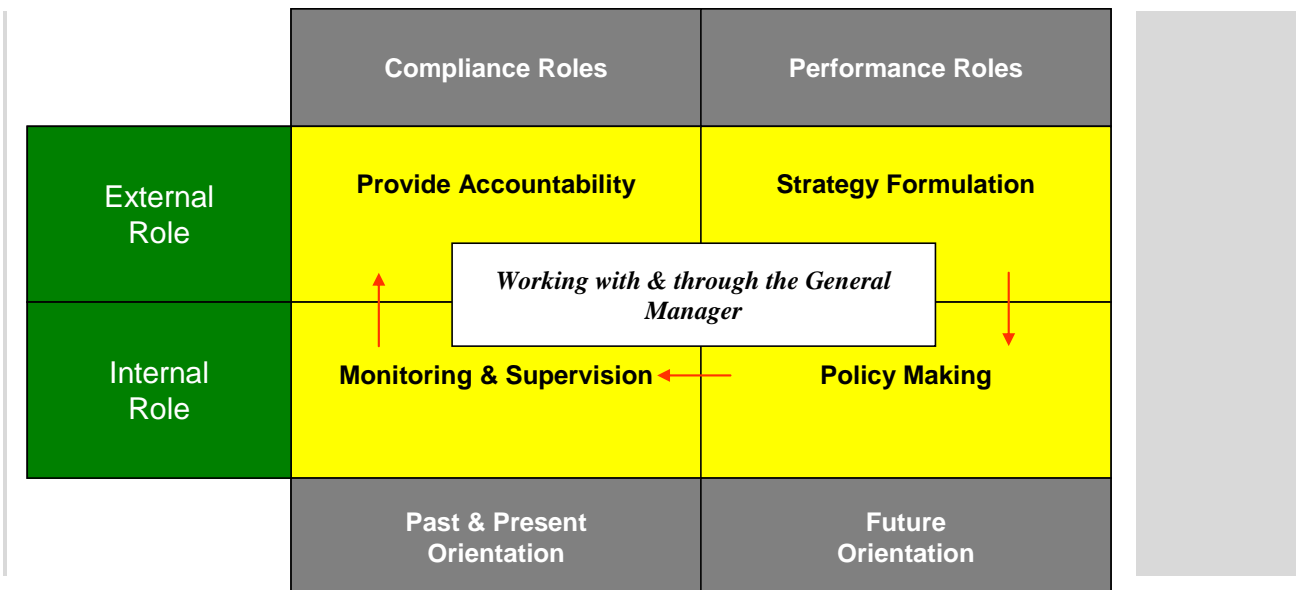
ISSUE

Council are required to review and update its various policies from time to time. The one nominated policy has been reviewed, amendments made, and now requires consideration, then adoption by Council.

BACKGROUND

FRAMEWORK FOR ANALYSING COUNCIL’S GOVERNANCE FUNCTION

The diagram below along with its explanation has been the subject of previous presentations to Council; however, it is meaningful to reflect on this governance framework when policy documents are presented to Council. As part of this framework it is important for Council to be aware of and monitor audits and related governance review mechanisms that are undertaken within the organisation, based on Council’s strategies and policies.



This draft revision of the *Fraud Control & Corrupt Conduct Prevention Policy* was circulated as part of the Agenda of the Audit Panel for their meeting on 22nd June 2023. The Audit Panel considered the draft revisions within the document and did not identify the need to add any further comments/revisions with in the document to be provided to Council, for their consideration.

As Councillors are aware, the process for any policy document is, that it is tabled at one meeting and then “lays on the table” until the next meeting, to enable Councillors sufficient time to work through and consider all of the ramifications of the strategy/policy, before the

document is finally considered for adoption at the following meeting, subject to any amendments agreed by Council.

The draft revision of the *Fraud Control & Corrupt Conduct Prevention Policy* is attached and shows some minor changes to the document. There are no changes required by legislation.

RECOMMENDATION

THAT Council

1. Receive and note the report;
2. Consider the revised version of the *Fraud Control & Corrupt Conduct Prevention Policy* in preparation for the adoption of the revised policy, at the July 2023 Council meeting, subject to any Council amendments.

DECISION

Moved by Cllr R McDougall, seconded by Deputy Mayor K Dudgeon

That Council:

1. Receive and note the report;
2. Consider the revised version of the *Fraud Control & Corrupt Conduct Prevention Policy* in preparation for the adoption of the revised policy, at the July 2023 Council meeting, subject to any Council amendments.

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	✓	
Cllr R McDougall	✓	
Cllr F Miller	✓	

17.2 Sustainability

Strategic Plan Reference 5.2

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

17.2.1 Tabling of Documents

Nil.

17.2.2 Elected Member Statements

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

Clr F Miller – Provided general comment regarding the need to expand the focus beyond the Oatlands area when considering and allocating discretionary expenditure.

Clr D Blackwell – Broadmarsh Community Hall – confirmed commencement of project. Clr Blackwell informed Council that on-site works have commenced with a 'sod-turning' held 27th June 2023 - attended by Mayor Batt and B Mitchell MHA). Acknowledged the support provided by the Southern Midlands Council.

Clr A Bisdee – Report on attendance at the TasWater Owners Representative Meeting held 26th June 2023. Mentioned a key issue relating to the indexation of owner's dividends as part of the forward Corporate Plan.

Deputy Mayor K Dudgeon – Informed Council that Mia Barwick, an Oatlands High School student, has been selected to represent Tasmanian in the Under15's Girls Football National Competition.

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 31 May 2023)

Author: FINANCE OFFICER (MANDY BURBURY)

Date: 18 June 2023

ISSUE

Provide the Financial Report for the period ending 30th April 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 July 2022 to 31 May 2023.
- Operating Expenditure Report – 1 July 2022 to 31 May 2023.
- Capital Expenditure Report – 1 July 2022 to 31 May 2023.
- Cash Flow Statement – 1 July 2022 to 31 May 2023.

OPERATING EXPENDITURE (OPERATING BUDGET)

Overall operating expenditure to end of May was \$7,983,720 which represents 99.6% 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

Sub-Program – Roads - expenditure to date (\$1,544,972 – 130.07%). Additional expenditure of \$357,131 relates to road maintenance required due to rain events leading to an increased level of call-outs for emergency works, road inspections, drainage works, maintenance grading, bitumen patching and tree removal. It also reflects increased maintenance to drainage on rural roads to mitigate road damage during future rain events.

Sub-Program – Buildings (Public Toilets) - expenditure to date (\$57,638 – 117.98%). Expenses are higher than budget due to engaging external contactors to carry out cleaning and maintenance when required. It is a relatively minor budget and will be monitored.

Strategic Theme – Growth

Sub-Program – Business - expenditure to date (\$413,452 – 165.78%). Additional expenditure relates to private works. The additional expense will be offset by an increase in private works income.

Strategic Theme – Landscapes

Nil.

Strategic Theme – Community

Nil.

Strategic Theme – Organisation

Nil.

CAPITAL EXPENDITURE PROGRAM

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 – 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	Extended to 30 June 2024 (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 Cllr A E Bisdee OAM, seconded by Cllr R McDougall

That the Financial Report be received and the information noted.

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	✓	
Cllr R McDougall	✓	
Cllr F Miller	✓	

STATEMENT OF COMPREHENSIVE INCOME
for the period 1 July 2022 to 31 May 2023

	Annual Budget \$	Year to Date as at 31 May \$	%	Comments
Income				
General rates	6,405,004	6,417,831	100.2%	Includes Interest & Penalties on rates
User Fees (refer Note 1)	1,094,687	1,437,480	131.3%	Includes Private Works
Interest	48,000	385,186	802.5%	
Government Subsidies	69,838	36,384	52.1%	Heavy Vehicle Licence Fees, Road Rescue MAIB reimbursements & Interest Subsidy
Contract Income	0	0		
Other (refer Note 2)	232,400	188,168	81.0%	Includes TasWater Distributions
Sub-Total	7,849,929	8,465,050	107.8%	
Grants - Operating	3,785,930	1,277,358	33.7%	
Total Income	11,635,859	9,742,408	83.7%	
Expenses				
Employee benefits	-4,802,251	-3,706,021	77.2%	Less Roads - Resheeting (Capitalised)
Materials and contracts	-3,432,747	-3,977,428	115.9%	Less Roads - Resheeting (Capitalised), Includes Land Tax & Private Works
Depreciation and amortisation	-3,521,000	-3,222,773	91.5%	Percentage Calculation (based on year-to-date)
Finance costs	-58,919	-33,012	56.0%	Interest
Contributions	-258,156	-193,617	75.0%	Fire Service Levies
Other	-154,951	-151,636	97.9%	Audit Fees and Councillor Allowances
Total expenses	-12,228,024	-11,284,487	92.3%	
Surplus (deficit) from operations	-592,165	-1,542,078	260.4%	
Grants - Capital (refer Note 3)	3,795,990	2,582,504	68.0%	
Contributions - Natural Disaster Relief Fund	80,000	301,235	376.5%	
Sale Proceeds (Plant & Machinery)	0	258,364		
Sale Proceeds (Land & Buildings)	0	301,818		Blue Place / South Parade
Sale Proceeds (Other Assets)	0	1,658		Includes used wheelie bins & sale of Mill assets
Net gain / (loss on disposal of non-current assets)	0	0		
Surplus / (Deficit)	3,283,825	1,903,500	58.0%	

STATEMENT OF COMPREHENSIVE INCOME
for the period 1 July 2022 to 31 May 2023

NOTES	Annual Budget \$	Year to Date as at 31 May \$	%	Comments
1. Income - User Fees				
- All other Programs	795,241	649,917	81.7%	
- Private Works	299,446	735,028	245.5%	
- HBS interest on New Business Funds (since 30.08.2010)	0	52,535		
	<u>1,094,687</u>	<u>1,437,480</u>	131.3%	
2. Income - Other				
- Tas Water Distributions	182,400	114,000	62.50%	
- Public Open Space Contributions	50,000	50,000	100.00%	
- "Gardeners of 7120" Donation for seating on High Street	0	2,720		
- Mt Pleasant Committee Contributions	0	8,000		
- Donations for use of recreation facilities	0	580		Including Blue Gum Rovers
- Worker's Comp. Wage Reimbursement	0	12,868		
	<u>232,400</u>	<u>188,168</u>	81.0%	
3. Grants - Capital				
- Roads To Recovery	665,531	665,531	100.00%	
- LRCl - Phase 3 (Total \$1,331,062)	1,088,402	665,531	61.15%	\$1,331,062 Projects to be completed by 30.06.23
- Rural & Remote Roads (Total \$5,346,180)	1,069,236	0	0.00%	
- Comm Dev Grant - Oatlands Aquatic Centre (\$500K)	500,000	0	0.00%	
- Dept of Communities Tas (Levelling the Playing Field)	234,000	0	0.00%	
- Aust Govt - BS Bushfire Recovery Grant - Waste Water	238,821	238,821	100.00%	
- Aust Govt - BS Bushfire Recovery Grant - The Haven	0	465,000		Broadmarsh/Elderslie Progress Association Inc Grant
- LRCl - Phase 1 (\$665,531) - Final 10%	0	66,553		
- LRCl - Phase 2 (\$609,032) - Final 10%	0	60,903		
- Tas Govt - Tunbridge Club Toilets	0	40,000		
- Tas Govt - Transfer of Brighton Road	0	147,565		
- Tas Govt - SES NDRRGF (\$80,830)	0	20,000		Bagdad/Mangalore Hydraulic Assessment
- ChargeSmart (Second instalment)	0	36,000		
- Mens Shed Grant (Shipping Container)	0	6,600		
- Black Spot Grant (Bluff Road)	0	150,000		
- Tas Govt.Active Living in Public Spaces	0	20,000		
	<u>3,795,990</u>	<u>2,582,504</u>	68.03%	
4. Grants - Operating				
- FAGS 2022/23	3,785,930	1,217,058	32.1%	
- FAGS 2023/24	0	0		2023/24 Payment in Advance
- Communities for Children - School Holiday Program	0	8,787		
- Dept. Premier & Cabinet - Splash-in Good Fun Program	0	50,000		
- Dept. Premier & Cabinet - Australia Day Funding	0	1,514		
	<u>3,785,930</u>	<u>1,277,358</u>	33.7%	

**SOUTHERN MIDLANDS COUNCIL : OPERATING EXPENDITURE 2022/23
SUMMARY SHEET**

PROGRAM	YTD ACTUAL (as at 31 May 23)	YTD BUDGET (as at 31 May 23)	YTD VARIANCE	YTD %	FULL YEAR BUDGET - REVISED INC. GRANTS & OTHER
INFRASTRUCTURE					
Roads	1,544,972	1,187,841	-357,131	130.07%	3,317,298
Bridges	20,673	42,190	21,517	49.00%	448,063
Walkways	244,109	221,726	-22,384	110.10%	239,610
Lighting	73,562	74,714	1,152	98.46%	81,506
Public Toilets	87,638	74,279	-13,359	117.98%	80,478
Sewer/Water	-	-	-	-	-
Stormwater	5,867	25,619	19,752	22.90%	81,948
Waste	1,043,204	1,018,511	-24,693	102.42%	1,217,693
Information, Communication	-	-	-	-	-
INFRASTRUCTURE TOTAL:	3,020,025	2,644,879	-375,146	114.18%	5,466,596
GROWTH					
Residential	-	-	-	-	-
Tourism	27,039	40,250	13,211	67.18%	42,200
Business	413,452	249,391	-164,061	165.78%	272,063
Industry	-	-	-	-	-
GROWTH TOTAL:	440,491	289,641	-150,849	152.08%	314,263
LANDSCAPES					
Heritage	283,160	418,081	134,922	67.73%	453,974
Natural	183,637	187,107	3,470	98.15%	201,271
Cultural	173	17,875	17,702	0.97%	19,500
Regulatory - Development	589,946	882,038	292,092	66.88%	962,224
Regulatory - Public Health	10,946	20,625	9,679	53.07%	22,500
Regulatory - Animals	108,765	104,439	-4,326	104.14%	115,386
Environmental Sustainability	676	9,167	8,491	7.37%	10,000
LANDSCAPES TOTAL:	1,177,302	1,639,332	462,030	71.82%	1,784,855
COMMUNITY					
Community Health & Wellbeing	240,014	291,375	51,362	82.37%	315,178
Recreation	825,874	860,718	34,844	95.95%	954,884
Access	-	-	-	-	-
Volunteers	34,935	43,750	8,815	79.85%	45,000
Families	8,484	10,958	2,474	77.42%	11,500
Education	-	-	-	-	-
Capacity & Sustainability	47,877	50,613	2,736	94.60%	54,405
Safety	15,026	36,392	21,365	41.29%	39,700
Consultation & Communication	11,130	17,300	6,170	64.33%	17,300
LIFESTYLE TOTAL:	1,183,340	1,311,107	127,766	90.26%	1,437,967
ORGANISATION					
Improvement	42,365	99,619	57,254	42.53%	72,642
Sustainability	1,840,986	1,690,037	-150,949	108.93%	2,809,812
Finances	279,211	338,660	59,449	82.45%	341,888
ORGANISATION TOTAL:	2,162,562	2,128,316	-34,246	101.61%	3,224,342
TOTALS	\$7,983,720	\$8,013,275	\$29,555	99.6%	\$12,228,023

CAPITAL EXPENDITURE PROGRAM 2022-23
As at 31 May 2023

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
		\$	\$	\$		
INFRASTRUCTURE						
ROAD ASSETS						
Resheeting Program	Roads Resheeting	500,000	225,436	274,564		
	Mt Seymour - Blackgate Road Resheeting	40,000	40,078	-78	RTR Originally Interlaken Road Resheeting	30 June 2023
	Stonor - Stonor Road Resheeting	30,000	22,452	7,548	RTR Originally Interlaken Road Resheeting	30 June 2023
	Rhyndston - Rhyndaston Road Resheeting	30,000	0	30,000	RTR Originally Interlaken Road Resheeting	30 June 2023
	Mangalore - Blackbrush Road Resheeting 3km	50,531	44,893	5,638	RTR	30 June 2023
	Elderslie - Bluff Road Resheeting 2km	30,000	10,639	19,361	RTR	30 June 2023
	Bagdad - East Bagdad Road 1.5km	20,000	10,014	9,986	RTR	30 June 2023
Reseal Program	Roads Reseal Program (\$270K moved to Reconstruct & Seal Program)					
	Woodsdale - Woodsdale Road Reseal	50,000	71,401	-21,401		
	Parattah - Inglewood Road Reseal	55,000	0	55,000	(originally included RTR \$75K)	30 June 2023
Reconstruct & Seal	Reconstruct & Seal Program (includes \$270K budget from Roads Reseal Program)	0				
	Campania - Native Corners Road (to complete section)	260,000	274,889	-14,889	LRCI P3	30 June 2023
	Colebrook - Eldon Road (Milling and asphalt patches)	25,200	25,200	0		
	Elderslie - Pelham Road (Stabilisation and drainage)	200,000	189,645	10,355	LRCI P3	30 June 2023
	Oatlands - High Street Reconstruct & Seal	24,150	24,150	0		
	Oatlands - South Parade (including Kerb, Channel and Footpath)	170,000	247,078	-77,078	RTR 21/22 c/f WIP \$9,264 (RTR \$150K)	30 June 2022
	Oatlands - Stoney Street (Reconstruct & Seal)	14,448	14,448	0		
	Stonor - Stonor Road (stabilise - two sections)	245,000	161,167	83,833	LRCI P3	30 June 2023
	Woodsdale Road (Whitefoord - four sections)	577,202	643,069	-65,867	RTR - \$255K+\$75K+\$41K	30 June 2023
	York Plains - York Plains Road A (pavement failures) (500 metres)	82,500	99,744	-17,244	LRCI P3 c/f	30 June 2023
	York Plains - York Plains Road B (Starting 5km from Midland Hway)	130,000	214,260	-84,260	LRCI P3	30 June 2023
Construct & Seal (Unsealed Roads)	Campania - Hall Street (Seal and stormwater upgrade)	70,000	15,778	54,222	RTR	30 June 2023
	Mangalore - Ballyhooly Road (approx. 500 metres)	90,000	78,167	11,833	LRCI P3 - \$50K	30 June 2023
	Oatlands - Interlaken Road (Year 1/3 - Total contribution \$300K)	1,169,236	59,137	1,110,099	Remote Roads - \$1,069,236 of \$5,346,180 T	30 June 2026
Minor Seals (New)	Dust Suppressants	40,000	0	40,000		
	Oatlands - Bentwick Street	37,777	0	37,777	LRCI P3 - \$17,777	30 June 2023

CAPITAL EXPENDITURE PROGRAM 2022-23

As at 31 May 2023

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
		\$	\$	\$		
Other	Campania Structure Plan - Town gateway and Streetscape	40,000	0	40,000		
	Campania - Estate Road (vicinity Mallow property)	49,000	13,544	35,456	Budget c/f WIP \$13,544	
	Campania - Main Intersection/Carpark Design Concept	50,000	0	50,000	Budget c/f	
	Campania - Reeve St / Clime Street (includes Footpath)	70,000	16,209	53,791	Budget c/f WIP 30/6/22 \$16,209	
	Campania - Reeve St Junction/footpath/kerb & channel	200,000	157,890	42,110	WIP \$6,359.15 Vulnerable Road Users	31 March 2023
	Colebrook - Junction Craigbourne Road and Colebrook Road	24,000	0	24,000		
	Elderslie - Bluff Road Intersection Upgrade	150,000	136,392	13,608	WIP \$130,674 Black Spot	31 August 2022
	Elderslie - Cliftonvale Road Landslip	0	15,872	-15,872		
	Elderslie - Elderslie Road Widening Investigation & Trial (Sth Blackbrush Rd)	40,000	6,777	33,223	Budget c/f WIP \$6,777	
	Elderslie - Pelham Rd / Clifton Vale Rd (junction upgrade)	24,000	24,585	-585	RTR (originally \$65K)	30 June 2023
	Mt Seymour - Junction Blackgate Road and Tunnack Road	24,000	0	24,000		
	Oatlands - Hasting Street Junction	15,000	959	14,041	Budget c/f WIP \$959	
	Runnymede quarry - Rehabilitation	20,000	17,045	2,955		
	Tea Tree - Grices Road (Tree removal, set-back of embankment, drainage)	15,000	0	15,000	Budget c/f	
	Tunnack - Link Road Landslip	25,000	107	24,893	Budget c/f WIP \$107	
	Woodsdale - Woodsdale Road Landslip	0	11,951	-11,951		
		4,687,044	2,872,977	1,814,067		
BRIDGE ASSETS	Interlaken Road (Dulv Rvlt - Bridge No 3861) - Widening	42,218	67,095	-24,877	Budget c/f WIP \$53525	
	Jones Road Broadmarsh (Jordan River - Bridge 5083) - Flood Damage	80,000	3,302	76,698		
	York Plains Road (Kitty's Rivulet - Bride No 457)	60,000	92,826	-32,826	Budget c/f WIP \$69,342	
		182,218	163,223	18,995		

CAPITAL EXPENDITURE PROGRAM 2022-23

As at 31 May 2023

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
		\$	\$	\$		
WALKWAYS	Footpaths - General Streetscapes	16,000	0	16,000	Budget \$84K c/f	
	Bagdad - East Bagdad Road	160,000	158,824	1,176	Budget c/f WIP \$151,524	
	Bagdad - Midland Highway Walking Path Upgrade (500 metres)	100,000	4,160	95,840	Budget \$50K c/f	
	Bagdad - Midland Highway Walking Path Footbridge Repairs	130,000	0	130,000	Funded from savings on East Bagdad Rd project and general streetscapes budget	
	Campania - Reeve Street - Footpath through to Hall	30,000	0	30,000	Budget c/f	
	Kempton - Midlands Highway/Mood Food	147,565	0	147,565	\$147,565 Budget c/f	
	Kempton - Grange Road (Retaining Wall)	30,000	0	30,000		
	Kempton - Streetscape Plan - Footpath Renewal (southern end)	60,000	32,847	27,153	LRCI P3 c/f	30 June 2023
	Kempton - Main St, Sophia to Erskine (145m) - Footpath/kerb & gutter/stormwater	80,032	80,476	-444	Budget c/f WIP \$58,404 /\$28K from General Streetscapes	
	Kempton - Old Huntingground Road (Footpath / School Crossing etc.)	80,000	81,483	-1,483	Budget \$27K c/f WIP \$8,391	
	Melton Mowbray - Streetscape Works (Trough / Shelter etc)	30,000	5,318	24,682	Budget c/f WIP \$5318	
	Oatlands - Campbell Street (Footpath)	45,000	0	45,000		
	Oatlands - Stanley Street (Footpath -120 metre link)	25,000	0	25,000		
	Tunnack - Streetscape concept Plan	50,000	49,269	731	Budget c/f WIP \$42,970	
		983,597	412,377	571,220		
LIGHTING	Nil	0	0	0		
PUBLIC TOILETS	Colebrook - History Room Toilets (Tiling etc.)	10,000	0	10,000		
	Campania - Flour Mill Park - Concrete Pathways/drainage/remove pavers	15,000	0	15,000	Budget c/f	
	General Public Toilets - Upgrade Program	20,000	0	20,000	Budget c/f	
		45,000	0	45,000		
DRAINAGE	Kempton - Erskine Street - Stormwater Upgrade & Footpath	60,000	0	60,000		
		60,000	0	60,000		
WASTE	Wheeler Bins and Crates	5,000	0	5,000		
	Dysart WTS (Gates)	4,150	4,150	0		
	WTS Safety & Operational Improvements	20,850	0	20,850		
		30,000	4,150	25,850		

CAPITAL EXPENDITURE PROGRAM 2022-23

As at 31 May 2023

	BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
	\$	\$	\$		
GROWTH					
TOURISM					
Jericho - Memorial Avenue - Plaques	20,000	0	20,000	Budget c/f	
Kempton - Memorial Avenue Park - Interps	19,545	155	19,390	Budget c/f WIP \$155	
Oatlands Accommodation Facility	0	42,283	-42,283	WIP \$40,373 (Offset by Barrack Street Property)	
	39,545	42,438	-2,893		
LANDSCAPES					
HERITAGE					
Heritage Collections Store	10,000	3,700	6,300	Budget c/f WIP \$3,700	
Kempton - Watch House (Heat Pump)	0	3,800	-3,800		
Oatlands - Commissariat (Boundary Fence)	6,000	0	6,000	Budget c/f	
Oatlands - Commissariat (Toilet Improvements)	0	8,254	-8,254	Contribution from Mission Australia	
Oatlands Court House (Wall Stabilisation)	15,000	1,187	13,813		
Oatlands - Gaol Aluminium Temporary Steps (Entrance)	3,500	0	3,500	Budget c/f	
Oatlands Gaolers Residence (Ceiling Reinstatement)	5,000	0	5,000		
Oatlands Gaolers Residence (Wingwall)	23,000	0	23,000	Budget \$15K c/f	
Oatlands - Barrack Street Police House (Year 2/2 Budget of \$110K)	110,000	445,627	-335,627	Budget c/f	
Oatlands - Roche Hall Forecourt (Interps - Planning Condition of Approval)	40,000	7,820	32,180	Budget c/f	
Oatlands Swimming Pool (Staged demolition)	200,000	0	200,000		
Parattah - Railway Station - Shed for Gangers Trolley	2,000	0	2,000	Budget c/f	
	414,500	470,388	-55,888		
NATURAL					
Chauncy Vale - Wombat Walk	39,250	31,358	7,893	Includes \$29,250 grant WIP 3S24,547.59	31 Dec 2022
Chauncy Vale - Day Dawn Cottage Improvements	12,000	7,700	4,300		
Municipal Area - Preventing Roadkill (Signs)	5,000	8,038	-3,038	Budget c/f WIP \$1,980	
	56,250	47,095	9,155		

CAPITAL EXPENDITURE PROGRAM 2022-23
As at 31 May 2023

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
		\$	\$	\$		
CULTURAL	Nil	0	0	0		
		0	0	0		
REGULATORY - DEVELOPMENT	Kempton Council Chambers - Clock Restoration Works	10,672	1,384	9,288	Budget c/fwd WIP \$726.5	
	Kempton Council Chambers - Office Furniture & Equipment	5,000	9,991	-4,991		
		15,672	11,375	4,297		
REGULATORY - PUBLIC HEALTH	Water Bottle Refill Stations	7,980	0	7,980	Budget c/f	
		7,980	0	7,980		
REGULATORY - ANIMAL CONTROL	Nil	0	0	0		
ENVIRONMENTAL SUSTAINABILITY	Oatlands Aquatic Centre - Electric Vehicle Charge Station	40,500	40,500	0	ChargeSmart Grant	
		40,500	40,500	0		
COMMUNITY FAMILIES	Bagdad - Child Care Centre Building	237,314	60,715	176,599	Council Commitment (\$100K grant funded)	
		237,314	60,715	176,599		

CAPITAL EXPENDITURE PROGRAM 2022-23

As at 31 May 2023

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
		\$	\$	\$		
RECREATION	Recreation Committee	20,791	0	20,791		
	Bagdad - Bagdad Community Club (Precinct Plan)	25,000	17,417	7,583	Budget c/f WIP \$14,160	
	Bagdad - Bagdad Community Club (Repair of Oval)	20,000	17,042	2,958		
	Bagdad - Iden Road Park Development	75,000	0	75,000		
	Broadmarsh - Broadmarsh Hall "The Haven"	89,504	89,504	0	Administration of Progress Assoc. Grant	
	Campania - Recreation Ground Drainage	25,000	56,708	-31,708		
	Campania - Public Open Space dev (Justitia Park)	6,375	0	6,375	Budget c/f	
	Kempton - Off-lead Dog Park	60,331	66,982	-6,651	LRCI Phase 3 \$43,125 WIP \$3,915	30 June 2023
	Kempton - Recreation Ground (Hot Water System)	4,209	4,209	0	From Committee Budget	
	Kempton - Recreation Ground (Lighting & Electrical Upgrade)	16,000	52,616	-36,616	Budget c/f	
	Kempton - Recreation Ground (Site Dev and Play Equipment)	24,250	0	24,250	Budget c/f	
	Kempton - Recreation Ground (Irrigation)	60,000	1,637	58,363		
	Kempton - Skate Park (Council Commitment)	5,000	13,667	-8,667	WIP \$11,364.23	
	Mt Pleasant Rec Ground - Building Improvements	259,000	229,441	29,559	Department of Communities Grant	31 December 2023
	Oatlands - Aquatic Centre (New Pool) - WIP prior to 2020/21	941,987	941,987	0	WIP \$941,987	
	Oatlands - Aquatic Centre (New Pool) - Construction	9,678,126	9,187,128	490,998	WIP \$6,519,656	
	Oatlands - Aquatic Centre (Gymnasium Equipment)	15,000	13,734	1,266		
	Oatlands - Callington Park (Lighting & Surveillance)	14,000	0	14,000		
	Oatlands - Callington Park Toilet	140,000	5,070	134,930		
	Oatlands - Community Hall (Maintenance Program)	51,300	16,764	34,536	Budget c/f	
	Oatlands - Midlands Community Centre (External Painting - Front of Building)	5,000	0	5,000		
	Oatlands - Midlands Community Centre (Roof & Insulation)	39,000	23,410	15,590	Budget c/f WIP \$468	
	Tunbridge - Park Gates	3,040	3,058	-18	Budget c/fwd	
		11,577,913	10,740,374	837,539		
ACCESS	All Buildings (Priority Approach)	50,000	0	50,000	Budget c/f	
	Tunbridge Community Club (SMC Contribution Accessible Toilets)	20,000	200	19,800	Budget c/f WIP \$200	
		70,000	200	69,800		

CAPITAL EXPENDITURE PROGRAM 2022-23

As at 31 May 2023

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
		\$	\$	\$		
CAPACITY & SUSTAINABILITY	Campania - Bush Reserve / Cemetery	300,000	64,689	235,311	WIP \$14,817	
	Kempton - Carriage Shed - Toilets	15,000	6,099	8,901		
	Levendale - Community Centre	38,390	0	38,390	Budget c/f	
	Oatlands - Community Shed (Shipping Container)	6,600	6,602	-2	Men's Shed Grant	
	Oatlands - Church Street/South Parade Sub-Division	0	35,245	-35,245	WIP \$32,471- Offset by sale of properties	
	Oatlands - MMPC Church Street Sub-Division	0	4,988	-4,988	WIP \$733.18 Offset by sale of property	
	Oatlands - Stanley Street Master Plan	20,000	172	19,828	Budget c/f	
	Oatlands - Structure Plan	25,000	34,155	-9,155	\$25K Budget c/fwd WIP \$23,203	
		404,990	151,949	253,041		
SAFETY	SMC Flood Mapping Project (Grant Funding \$80,830)	40,000	36,611	3,389	Natural Disaster Risk Reduction Grant	31 December 2023
		40,000	36,611	3,389		
ORGANISATION SUSTAINABILITY	Oatlands - Council Chambers - Internal Toilets & Access Upgrade	100,000	9,357	90,643	Budget c/fwd WIP \$1538	
	Oatlands - Council Chambers - Damp Issues & Stonemasonry	15,000	0	15,000	Budget c/fwd	
	Oatlands - Council Chambers - Works Office (floor coverings)	5,000	0	5,000	Budget c/fwd	
	Oatlands - Town Hall (General - Incl. Office Equip/Furniture)	5,000	5,650	-650		
	Computer System (Hardware / Software) - includes CISCO 3 yrs	62,800	173,731	-110,931	Budget c/fwd \$12,800	
	Ipads (2) (Animal & Building Control)	4,000	0	4,000		
	New Server - New Domain Controller/Main Server	20,000	14,226	5,774		
	Municipal Revaluation	0	72,450	-72,450	\$64,400 paid in 2021-22	
		211,800	275,414	-63,614		

CAPITAL EXPENDITURE PROGRAM 2022-23
As at 31 May 2023

	BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
	\$	\$	\$		
WORKS					
Kempton Depot - Perimeter Fencing	25,000	18,972	6,028		
Kempton Depot - Property Purchase (Year 4/4 Budget of \$180K)	45,000	45,000	0	Total Project Cost - to be funded over 4 yrs (Yr 4 - \$45K)	
Kempton Depot - Storage Lockers	2,000	1,593	407	Budget c/fwd	
Oatlands Depot - General repairs & alterations	28,000	0	28,000	Budget c/fwd	
Minor Plant Purchases	9,500	3,830	5,670		
Minor Plant Purchases - Building Services Unit	0	10,789	-10,789	To be funded from proceeds from HBS	
Second Hand MISU Screening Bucket	0	12,000	-12,000		
Animal Lifter for Animal Management Vehicle	0	22,695	-22,695		
Radio System	3,000	0	3,000		
Plant Replacement Program					
Heavy Vehicles	714,199	269,206	444,993		
Light Vehicles	354,086	346,831	7,255		
(Trade Allowance - \$218K & \$229)					
	1,180,785	730,916	449,869		
GRAND TOTALS	20,285,108	16,060,703	4,224,405		

Southern Midlands Council
Minutes – 28th June 2023

CASH FLOW 2022/2023	INFLOWS	INFLOWS	INFLOWS	INFLOWS	INFLOWS	INFLOWS	INFLOWS	INFLOWS	INFLOWS	INFLOWS	INFLOWS	INFLOWS
	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)
	Jul 2022	Aug 2022	Sept 2022	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Feb 2023	Mar 2023	Apr 2023	May 2023	(Year to Date)
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Cash flows from operating activities												
Payments												
Employee costs	(280,887)	(470,851)	(307,392)	(304,949)	(331,818)	(334,886)	(408,269)	(356,164)	(361,577)	(338,605)	(246,242)	(3,741,640)
Materials and contracts	(372,338)	(282,093)	(259,278)	(153,830)	(414,310)	(408,884)	43,089	(261,725)	(633,007)	(302,561)	(322,128)	(3,365,064)
Interest	(3,244)	0	0	0	(1,266)	(27,544)	0	0	0	0	(958)	(33,012)
Other	(48,103)	(68,139)	(128,628)	(71,252)	(64,186)	(124,969)	(45,113)	(68,919)	(48,422)	(90,644)	(155,682)	(914,057)
	<u>(704,572)</u>	<u>(821,083)</u>	<u>(695,298)</u>	<u>(530,030)</u>	<u>(811,580)</u>	<u>(894,282)</u>	<u>(410,293)</u>	<u>(686,809)</u>	<u>(1,043,005)</u>	<u>(731,810)</u>	<u>(725,011)</u>	<u>(8,053,774)</u>
Receipts												
Rates	90,401	1,757,594	1,473,724	191,542	469,284	376,779	467,576	355,853	540,818	286,802	118,922	6,129,296
User charges	94,343	417,276	1,595,316	63,774	91,723	65,942	57,849	315,126	145,111	197,330	244,167	3,287,957
Interest received	2,867	78,065	27,557	22,069	37,842	40,150	44,101	42,518	46,509	29,933	66,110	437,721
Subsidies	0	0	0	0	0	23,976	0	0	11,858	0	0	35,634
Other revenue grants	0	304,265	52,500	0	305,931	1,514	0	304,265	0	0	308,885	1,277,358
GST Refunds from ATO	0	0	0	0	0	0	0	0	0	0	0	0
Other	(36,958)	(97,132)	80,188	(53,397)	83,756	131,982	18,731	78,501	(13,585)	54,914	134,999	381,979
	<u>150,654</u>	<u>2,460,067</u>	<u>3,229,265</u>	<u>223,988</u>	<u>988,537</u>	<u>640,341</u>	<u>588,257</u>	<u>1,096,263</u>	<u>730,510</u>	<u>568,979</u>	<u>873,084</u>	<u>11,549,945</u>
Net cash from operating activities	(553,918)	1,638,984	2,533,967	(306,042)	176,957	(253,941)	177,964	409,454	(312,495)	(162,831)	148,073	3,496,172
Cash flows from investing activities												
Payments for property, plant & equipment	(198,831)	(1,065,572)	(1,103,032)	(205,257)	(638,110)	(1,096,103)	(338,161)	(704,985)	(789,548)	(362,238)	(1,081,488)	(7,583,325)
Proceeds from sale of property, plant & equipment	134	54,250	33	39,339	4,505	0	117,421	164	(8,378)	25,682	328,691	561,840
Proceeds from Capital grants	208,968	77,600	665,531	0	0	0	0	505,000	177,418	147,456	800,531	2,582,504
Proceeds from Investments	0	0	0	0	0	0	0	0	0	0	0	0
Repayment of Investments	0	200,000	0	0	0	0	0	0	0	0	0	200,000
	<u>10,270</u>	<u>(733,722)</u>	<u>(437,469)</u>	<u>(165,919)</u>	<u>(633,604)</u>	<u>(1,096,103)</u>	<u>(220,740)</u>	<u>(199,821)</u>	<u>(620,508)</u>	<u>(189,100)</u>	<u>47,734</u>	<u>(4,238,981)</u>
Net cash used in investing activities	10,270	(733,722)	(437,469)	(165,919)	(633,604)	(1,096,103)	(220,740)	(199,821)	(620,508)	(189,100)	47,734	(4,238,981)
Cash flows from financing activities												
Repayment of borrowings	(7,965)	0	0	0	(16,278)	(115,845)	0	0	0	0	(16,585)	(156,673)
Proceeds from borrowings	0	0	0	0	0	0	0	0	0	0	0	0
Net cash from (used in) financing activities	(7,965)	0	0	0	(16,278)	(115,845)	0	0	0	0	(16,585)	(156,673)
Net increase/(decrease) in cash held	(551,613)	905,262	2,096,498	(471,961)	(472,925)	(1,465,889)	(42,776)	209,633	(933,003)	(351,931)	179,222	(899,483)
Cash at beginning of reporting period	14,355,848	13,804,235	14,709,497	16,805,995	16,334,034	15,861,109	14,395,220	14,352,444	14,562,077	13,629,074	13,277,143	14,355,848
Cash at end of reporting period	13,804,235	14,709,497	16,805,995	16,334,034	15,861,109	14,395,220	14,352,444	14,562,077	13,629,074	13,277,143	13,456,365	13,456,365

17.3.2 2023/2024 Annual Plan & Budgets (Operating & Capital)

Author: FINANCE OFFICER (MANDY BURBURY)

Date: 16 JUNE 2022

Attachment(s):

Attachment 1 – 2023/24 Annual Plan & Operating Budget

Attachment 2 – 2023/24 Capital Works Program Budget Estimates

ISSUE

Formal adoption of the 2023/24 Annual Plan and Budget (Operating and Capital).

BACKGROUND

Under section 71 of the *Local Government Act 1993*, Council is required to have an annual plan.

Section 82 of the *Local Government Act 1993* (the Act) requires the General Manager to prepare estimates of the Council's revenue and expenditure for each financial year. The Council's 2023/24 Budget estimates have been prepared in accordance with the Act.

DETAIL

The following documents have been updated following the workshops held 12th April 2023, 8th May; 24th May; and 13th June 2023.

1. 2023/24 Annual Plan and Program Budget (Operating);
2. 2023/24 Capital Expenditure Program Budget Estimates

The documents are submitted for formal endorsement and approval at this meeting.

Commentary

2023/24 BUDGET

The Annual Plan aligns to those strategies identified in the Southern Midlands Council Strategic Plan 2022 to 2031. The specific actions have been extracted and included in the Annual Plan under each of the respective Programs.

The Annual Plan is coupled to the budget development process recognising the direct influence on the allocation of resources.

The key features of the 2022/23 Budget estimates are:

- Total estimated operating revenue of \$16.015 million
- Total estimated operating expenditure of \$13.464 million
- Total estimated depreciation and asset write off of \$3.3723 million
- Estimated net operating deficit of \$444K in comparison to the Long Term Financial Management Plan deficit of \$459K
- Total estimated capital expenditure of \$7.705 million (excluding carry forward amounts unspent)

- Total estimated capital grant funding of \$3.201 million
- Total estimated asset sales of \$310K
- New borrowings - Nil
- Increase in total Rates collected of \$567K – the total increase includes an increase in Waste Management Program charges (i.e. Waste Management Levy and Household Collection Charge) of \$157,000, the Fire Service Levy \$15,000, and the balance of \$395,000 resulting from a 6.9% increase in the total General Rates demanded after allowance for growth in the Rate base.

Section 82 of the Act requires the General Manager to prepare estimates of the Council's revenue and expenditure for each financial year. Section (82 (2) and (3) read as follows:

“82. Estimates

....

(2) Estimates are to contain detail of the following:

- (a) the estimated revenue of the council;*
- (b) the estimated expenditure of the council;*
- (c) the estimated borrowings of the council;*
- (d) the estimated capital works of the council;*
- (e) any other detail required by the Minister.*

(3) Estimates for each financial year must –

- (a) be adopted by the council, with or without alteration, by absolute majority; and*
- (b) be adopted before 31 August in each financial year; and*
- (c) not be adopted more than one month before the start of that financial year.”*

The following Attachments are included:

- Attachment 1 – 2023/24 Annual Plan and Operating Budget
- Attachment 2 – 2023/24 Capital Works Program Budget Estimates

Budgeted Operating Income and Expenditure 2023/24

The net operating result is a deficit of \$444K exclusive of capital funding and net revenue from sale of assets. This compares to a \$592K deficit forecast for 2022/23.

This operating position has resulted primarily through an increase in Operating revenue of \$1,384, and an increase in Operating expenditure of \$1,236K.

Table 1.1 – Budget Income Statement

REVENUE <i>(Excluding Capital Grants & Property Sales)</i>	2021/22 Actual (\$'000)	2022/23 Forecast (\$'000)	2023/24 Budget (\$'000)
Rates & Charges	\$6,035	\$6,405	\$6,972
User Fees	\$1,076	\$1,095	\$1,333
Grants - Recurrent	\$4,731	\$3,786	\$3,991
Interest	\$27	\$48	\$435
Contract Income	\$529	\$0	\$0
Other Income	\$431	\$120	\$107
Investment Revenue from Water Corp	\$182	\$182	\$182
Total Revenue	\$13,011	\$11,636	\$13,020
EXPENDITURE	2021/22 Actual (\$'000)	2022/23 Forecast (\$'000)	2023/24 Budget (\$'000)
Employee Costs	\$3,877	\$4,802	\$5,534
Materials & Contracts	\$3,704	\$3,433	\$3,712
Deprec. & Amortisation	\$3,697	\$3,521	\$3,723
Contributions	\$245	\$258	\$272
Finance Costs	\$65	\$59	\$53
Commercial Expenses	\$0	\$0	\$0
Other Expenses	\$470	\$155	\$170
Total Expenses	\$12,058	\$12,228	\$13,464
Operating Surplus / (Deficit)	\$953	(\$592)	(\$444)
Add Grants – Capital	\$5,495	\$3,796	\$3,201
Add / (Less) Proceeds from Disposal (NCA'S)	\$1	(\$0)	\$0
Assets Taken Up	\$0	\$0	\$0
Revaluation & Val Adjustments – NCA's	\$16,876	\$80	\$0
Surplus / (Deficit)	\$23,325	\$3,284	\$2,757

REVENUE

Revenue – Rating Income

General Rate - The Budget is based on a 6.9% increase in the General Rate, plus an allowance of growth in the rate base (i.e. new development).

This compares to the LGAT Cost Index of 8.11%, and CPI for the period ending March 2023 (Hobart 6.9% and weighted average all capital cities of 7.0%).

Note: The LGAT provided Council Cost index (CCI) is a tool to assist councils to appropriately set rates to reflect the costs of providing assets, service and support for their communities.

The CCI differs from the Consumer Price Index in that it provides an indication of how Council expenditure might change over a time period even though what council is spending money on has not changed.

The CCI is based on ABS data. The CCI formula comprises: wage price index (WPI (50%), road and bridge construction index (30%) and the consumer price index (20%).

The CCI of 8.11% follows 4.06% (2022) and 0.95% (2021).

Fire Service Levy – the Fire Service Levy is an amount determined by the State Fire Commission under the *Fire Service Act 1979*, which Council is required to collect. The Levy is paid direct to the Commission, less retention of 4% commission.

Fire Service Levy	2022/23	2023/24
Oatlands and Kempton Volunteer Fire Brigade Rating District	0.3173c in \$AAV (Minimum \$44)	0.30295c in \$AAV (Minimum \$48)
Rural Land Other	0.2564c in \$AAV (Minimum \$44)	0.265415c in \$AAV (Minimum \$48)

The total levy to be collected in 2023/24 is \$272,238 – an increase of \$14,072 or 5.45%.

Waste Management Levy – this is a charge levied on all rateable land. Multiple charges are levied where there is more than one dwelling on the property capable of being occupied.

Waste Management Charge	2022/23	2023/24
	\$245 (Occupied)	\$270 (Occupied)
	\$90 (Vacant Allotment)	\$100 (Vacant Allotment)

The need to increase the Waste Management Charge is influenced by:

- The Tasmanian Government has introduced for a Waste Levy that Council must collect. The Levy is based on Council's refuse tonnage at a cost of \$21.36 per tonne.
- The ever-increasing amount of waste that this being disposed of at the Stations and the resultant transport / disposal costs; and
- Significant increase in the costs per tonne being levied at the landfill disposal sites.

Household Collection Charge - This charge is only levied on properties that receive the fortnightly collection service. The level of charges must be sufficient to meet the total cost of providing the services (both domestic and recycling).

Household Garbage and Kerbside Recycling Charge	2022/23	2023/24
	\$207	\$232

The increase in annual charge reflects the higher cost of collection and subsequent disposal at landfill and/or the recycling centre.

Revenue - Operating Grants (excludes Capital Grants) - Budgeted Operating Grant Income of \$3.991 million (\$3.786 million in 2022/23).

The total budgeted amount relates solely to the General Purpose Financial Assistance Grant (FAGS) provided by the Australian Government. An increase of 6.0% has been forecast.

Revenue Other - The 2023/24 Budget for Other Revenue (\$107K) relates to Heavy Vehicle Licence Fees (\$11,700), Contribution to Public Open Space (\$50,000) and Local Government Loans Program Interest Subsidy on the Oatlands Aquatic Centre Loan (\$45,107). The previously budgeted MAIB Reimbursements for the SES Road Crash Rescue Unit are now paid directly to the State Emergency Service.

Investment Revenue from Water Corporation - The 2023/24 Budget for Investment Revenue (\$182,400) relates to distributions received from the Tasmanian Water Corporation (TasWater). The level of distribution is determined by the percentage of ownership. The Southern Midlands Council holds a 0.76% ownership in TasWater. We are expecting to receive our full annual distribution of \$152K in 2023/24, plus \$30,400 of previously forgone dividends of \$152K (to be paid out over 5 years).

EXPENDITURE

Employee Expenses - Employee expenses are budgeted to increase by \$731,856. This is due to:

- a) A salary increment payable from 1st July 2023;
- b) Transfer of employees from the Council owned company Heritage Building Solutions Pty Ltd (not budgeted in 2022/23); and
- c) Additional positions to be filled for the operation of the Oatlands Aquatic Centre from February 2023.

The amount of Employee Expenses in the Operating Budget is also influenced by the extent of Capital Works undertaken by Council employees (i.e. Wages are allocated in the Capital Budget).

Materials & Contracts - The budgeted amount of \$3.711 million represents a 8.1 percentage increase above the forecast 2022/23 allocation. This is due to:

- a) Continued increases in payments to external Contractors to provide waste collection, transport and disposal services; and
- b) Operating expenses relating to the Oatlands Aquatic Centre for the full financial year (commenced operation in November 2022).

Capital Grant Funding - Council has budgeted to receive \$3.201K in total, consisting of:

- a) \$665,531 'Roads to Recovery' Grant (\$3,328K over five years until 2023/24);
- b) \$665,531 from the Australian Government's "Local Roads and Community Infrastructure Program – Stage 4";
- c) \$1,603,854 from the Australian Government's Rural Remote Roads Program (Interlaken road);
- d) \$205,000 Safer Rural Roads Program; and
- e) \$60,830 from the Natural Disaster Risk Reduction Program.

RECOMMENDATION

THAT Council, by absolute majority, formally approve the 2023/24 Annual Plan and Budget (Operating and Capital).

DECISION

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

That Council, by absolute majority, formally approve the 2023/24 Annual Plan and Budget (Operating and Capital), subject to the following amendment:

Operating Grant - Australian Government (Financial Assistance Grant) – to be increased by \$215,678 (notified amount now \$4,206,436.

Note: Revised Budget deficit (excluding Capital Grants of \$228,342.

CARRIED

DECISION (by absolute majority)		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
Clr A E Bisdee OAM	✓	
Clr D Blackwell	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

17.3.3 Adoption of the 2023 / 2024 Rates and Charges Resolution

Author: FINANCE OFFICER (MANDY BURBURY)

Date: 16 JUNE 2023

ISSUE

Formal adoption of the 2023 / 2024 Rates and Charges Resolution under the *Local Government Act 1993* and the *Fire Service Act 1979*.

DETAIL

The following Rates & Charges Resolution (draft) has been based on the outcome of discussions through the budget workshops.

2023 / 2024 RATES AND CHARGES RESOLUTION - SOUTHERN MIDLANDS COUNCIL

THAT under the *Local Government Act 1993* and the *Fire Service Act 1979*, the Southern Midlands Council has made the following rates and charges upon rateable land within the municipal area of Southern Midlands (“the municipal area”):

1. General Rates

Pursuant to section 90 of the *Local Government Act 1993* (“the Act”) Council makes a general rate of 5.7881 cents in each dollar of Assessed Annual Value for all rateable land within the municipal area shown on the valuation list prepared under the *Valuation of Land Act 2001* (“the valuation list”), subject to a minimum amount of \$360.00.

2. Waste Management Charge

Under section 94 (1) of the Act Council makes a separate services charge in respect of the service of waste management called the Waste Management Charge upon all rateable land, which is capable of use for residential purposes, and Council declares that the charge is to be calculated in accordance with the following formulae:

a) for rateable land upon which a dwelling or dwellings are constructed:
Waste Management Charge = \$274 x D, where D is the number of dwellings on the rateable land, capable of being occupied.

b) for rateable land upon which no dwelling is constructed:

Waste Management Charge = \$100.00

3. Garbage Removal Charge

a) Under section 94 (1) of the Act Council makes a separate services charge of \$232.00 in respect of the service of waste management called the Garbage Removal Charge upon all rateable land.

b) Under section 94 (3A) of the Act the Council declares that the Garbage Removal Charge is varied according to the level of service provided as follows:

- (i) for the land identified by Property Identification Number 3124789 the charge is \$4,872.00;
- (ii) for land to which the Council does not provide a fortnightly garbage removal service and kerbside recycling service, the charge is zero.

4. Fire Service Contributions

For the Council's contribution to the State Fire Commission:-

- (a) for land within the Oatlands & Kempton Volunteer Brigade Rating District an amount of 0.30295 cents in the dollar on the assessed annual value of all rateable land subject to a minimum amount of \$48.00;
- (b) for all other land in the municipal area an amount of 0.265415 cents in the dollar on the assessed annual value of the land subject to a minimum amount of \$48.00.

5. Instalments

These rates and charges are for the year commencing 1st July, 2023 and ending 30th June 2024 and are payable by 4 equal instalments, the first payable 30 days after the issue of the rates notices, the second by 4.30 p.m. on 30th November 2023, the third by 4.30 p.m. on 31st January 2024 and the fourth by 4.30 p.m. on 29th March 2024.

Where a ratepayer elects to enter into an arrangement to pay the current rates and charges by monthly, fortnightly, or weekly instalments via one of the electronic payment options (including direct debit), then the instalment amounts will be calculated to settle the debt by 30th June 2024. Penalty and interest will not be applied on any of the 2023-24 rates and charges at the relevant date, provided that the instalment arrangements are adhered to. In the event of default, penalty and interest is to be calculated on the outstanding amounts.

6. Late Payments

- a) Penalty: A penalty of 5% applies to any rate or charge that is not paid on or before the date it falls due.
- b) Interest: In addition to the penalty, interest under section 128 of the *Local Government Act 1993* will be charged at the rate of 6.8% per annum.

7. Discount

A discount of 1.7% will apply to all rates and charges paid in full within 30 days after the date of issue. This discount is not applicable to rates and charges which are paid in instalments. The payment due date will appear on the rates notice.

RECOMMENDATION

THAT Council, by absolute majority, adopt the 2023-2024 Rates and Charges Resolution as presented.

DECISION

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

That Council, by absolute majority, adopt the 2023-2024 Rates and Charges Resolution (as presented), subject to the following amendments:

- 1. Deletion of the penalty clause (i.e. clause 6(a)) with Council electing not to impose a penalty for the 2023-24 rating period; and**
- 2. Discount granted - increase the discount from 1.7% to 2% on rates and charges paid in full within 30 days after the date of issue. This discount is not applicable to rates and charges which are paid in instalments.**

CARRIED

DECISION (by absolute majority)		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
Cllr A E Bisdee OAM	✓	
Cllr D Blackwell	✓	
Cllr D F Fish	✓	
Cllr R McDougall	✓	
Cllr F Miller	✓	

17.3.4 Adoption of Schedule of Fees and Charges 2023-2024

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 16 JUNE 2023

Attachment(s):
Schedule of Fees and Charges 2023-2024

INTRODUCTION

The purpose of this report is to confirm and adopt the Schedule of Fees and Charges for the upcoming 2023-2024 financial year.

BACKGROUND

In order to charge a fee for goods and services it is a requirement of Division 7 of the *Local Government Act 1993* (“the Act”) that Council must first specify the fee and include such a fee in the “Schedule of Fees and Charges”. An extract from the Act is provided as follows:

Division 7 - Fees and charges

205. Fees and charges

- 1) In addition to any other power to impose fees and charges but subject to subsection , a council may impose fees and charges in respect of any one or all of the following matters:
 - a. the use of any property or facility owned, controlled, managed or maintained by the council;*
 - b. services supplied at a person's request;*
 - c. carrying out work at a person's request;*
 - d. providing information or materials, or providing copies of, or extracts from, records of the council;*
 - e. any application to the council;*
 - f. any licence, permit, registration or authorization granted by the council;*
 - g. any other prescribed matter.**
- 2) A council may not impose a fee or charge in respect of a matter if –
 - a. a fee or charge is prescribed in respect of that matter; or*
 - b. this or any other Act provides that a fee or charge is not payable in respect of that matter.**
- 3) Any fee or charge under subsection (1) need not be fixed by reference to the cost to the council.*

206. List of fees and charges

A general manager of a council is to –

- a) keep a list of all fees and charges fixed under this Division; and*
- b) make the list available for public inspection during ordinary hours of business at the public office.*

207. Remission of fees and charges

A council may remit all or part of any fee or charge paid or payable under this Division.

In considering the fees and charges Council are reminded that the schedule of fees for the schedule of fees for Animal Control was adopted by Council separately at the April 2023 meeting. Accordingly these components of the proposed schedule are not under consideration.

DETAIL

The fees and charges of the Southern Midlands Council are captured in the succinct document *Schedule of Fees and Charges: 2023-2024*. The document is typically reviewed each financial year to account for changes to legislation, review of services and review of charges in line with other Councils in Tasmania.

The current *Schedule of Fees and Charges: 2022-2023* is based on the Schedule adopted by Council in June 2022, however at that time, the majority of fees (with the exception of Animal Control fees) remained as is and therefore have not been adjusted since 2020/21.

DISCUSSION

The CPI increase for the March quarter 2023 for Hobart is 6.9%. That is based on the percentage change from the March Quarter from the previous year. The CPI for the prior period ending March 2022 was 5.8%.

Whilst this cumulative percentage increase could be applied across the board, this approach has not been taken and each individual fee has been reviewed and adjusted where necessary. The percentage increase has varied.

Human Resources & Financial Implications – Refer comment provided.

Community Consultation & Public Relations Implications – The adopted Fees will be displayed on the website and are available at each Council Office. Ratepayers and members of the public can also request a copy of the Schedule.

Priority - Implementation Time Frame - The 2023-2024 Schedule of Fees and Charges if adopted by Council will be effective from 1st July 2023.

RECOMMENDATION

THAT:

- A. This report be received by Council; and**
- B. The Schedule of Fees and Charges for 2023-2024 be adopted.**

DECISION

Moved by Deputy Mayor K Dudgeon, seconded by Clr R McDougall

THAT:

- A. This report be received by Council; and**
- B. The Schedule of Fees and Charges for 2023-2024 be adopted.**

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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

18. MUNICIPAL SEAL

18.1 Municipal Seal – Formal Signing/Sealing of the Grant Deed(s) Safer Rural Roads Program

Author: MANAGER INFRASTRUCTURE & WORKS (DAVID RICHARDSON)

Date: 14 June 2023

Attachment(s):
Grant Deed(s)

ISSUE

Signing and Sealing of the Grant Deeds under the Safer Rural Roads Program.

BACKGROUND

Nil.

DETAIL

The Southern Midlands Council has received notification that the two applications submitted under the Safer Rural Roads Program have been successful.

The Grant Deeds, between the Department of State Growth and Southern Midlands Council, are for the following:

1. Amount of \$95,000 – Woodsdale Road Infrastructure Treatments (i.e. Guard Rail)
2. Amount of \$100,000 – Green Valley Road, Bagdad (Guard Rail/Line Marking & Signage)

Human Resources & Financial Implications – The total project cost is \$100,000 (Woodsdale Road) and \$110,000 (Green Valley Road), with Council contributing \$5,000 and \$10,000 respectively. These are included in the 2023/24 Capital Works Program Budget.

RECOMMENDATION

THAT Council Sign and Seal the Grant Deeds for the Safer Rural Roads Program.

DECISION

Moved by Clr R McDougall, seconded by Deputy Mayor K Dudgeon

THAT Council Sign and Seal the Grant Deeds for the Safer Rural Roads Program.

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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

19. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

Nil.

RECOMMENDATION

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

DECISION

Moved by Clr R McDougall, seconded by D Blackwell

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

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

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	✓	
Clr R McDougall	✓	
Clr F Miller	✓	

RECOMMENDATION

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

DECISION

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

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

CARRIED

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

CLOSED COUNCIL MINUTES

20. BUSINESS IN “CLOSED SESSION”

20.1 Closed Council Minutes - Confirmation

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

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

20.2 Applications for Leave of Absence

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

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

20.3 Audit Panel Minutes

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

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

20.3.1 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)(h) 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)(h) of the Local Government (Meeting Procedures) Regulations 2015.

20.4 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)(e)(ii) 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

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

OPEN COUNCIL MINUTES

21. CLOSURE

The meeting closed at 2.09 p.m.