

SOUTHERN
MIDLANDS
COUNCIL



A G E N D A

ORDINARY COUNCIL MEETING

Wednesday, 25th September 2024
10.00 a.m.

Kempton Municipal Offices
85 Main Street, Kempton

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Dear Sir/Madam

NOTICE OF MEETING

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

Date: Wednesday, 25th September 2024

Time: 10.00 a.m.

Venue: Kempton Municipal Offices, 85 Main Street, Kempton.

The Local Government Act 1993 section 65 provides the following:

1. *A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.*
2. *A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless –*
 - (a) *the general manager certifies, in writing –*
 - (i) *that such advice was obtained; and*
 - (ii) *that the general manager took the advice into account in providing general advice to the council or council committee; and*
 - (b) *a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.*

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

- (1) *The advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and*
- (2) *Where any advice is directly given by a person who does not have the required qualification or experience, that person has obtained and taken into account in that person's general advice, the advice from an appropriately qualified or experienced person.*

Yours faithfully

A handwritten signature in black ink, appearing to read 'Tim Kirkwood', written over a light blue circular stamp.

Tim Kirkwood
GENERAL MANAGER

OPEN COUNCIL AGENDA

1. PRAYERS

Reverend Dennis Cousens to recite prayers.

2. ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the Traditional Custodians of the land on which we meet today, and recognise their continuing connection to the land, water and to community. We pay respects to Elders past and present.

3. ATTENDANCE

4. APOLOGIES

5. MINUTES

5.1 Ordinary Council Meeting

The Minutes (Open Council Minutes) of the previous meeting of Council held on the 28th August 2024, as circulated, are submitted for confirmation.

RECOMMENDATION

THAT the Minutes (Open Council Minutes) of the Council Meeting held 28th August 2024 be confirmed.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D Fish		
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:

- Lake Dulverton & Callington Park Management Committee Minutes – 9th September 2024
- Facilities and Recreation Committee – 12th September 2024

RECOMMENDATION

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

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D Fish		
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:

- Lake Dulverton & Callington Park Management Committee Minutes – 9th September 2024
- Facilities and Recreation Committee – 12th September 2024

RECOMMENDATION

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

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D Fish		
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

The Minutes of the following Joint Authority Meeting, as circulated, are submitted for receipt:

- Southern Tasmanian Councils Authority – Meeting held 15th July 2024

RECOMMENDATION

THAT the Minutes of the above Joint Authority be received.

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

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

Nil.

6. NOTIFICATION OF COUNCIL WORKSHOPS

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

One workshop has been held since the last Ordinary Meeting.

A workshop was held on the 9th September 2024 at the Council Chambers, Oatlands commencing at 9.30 a.m.

Attendance: Mayor E Batt, Deputy Mayor K Dudgeon, Cirs A E Bisdee OAM, B Campbell, D Blackwell, D Fish and F Miller (remotely).

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

Apologies: Nil

The Workshop focussed on the following items for consideration and discussion:

1. Bagdad / Mangalore Structure Plan – Project Update

Damian Mackey, as the Project Manager, attended the workshop to provide a briefing and update. He presented a report relating to the assessment of the Consultants who were interviewed to undertake the project. In summary, the project outputs will be:

- A new Structure Plan for the Bagdad-Mangalore valley that will:
 - Set out a local settlement strategy, including growth scenarios, key functions and relationships between of the localities through the valley.
 - Set out an agreed vision for the valley that will encapsulate the collective vision of members of the community, with the process of developing the structure plan fully involving local residents, ensuring that the recommendations reflect agreed visions, instilling a sense of shared community purpose and action.
 - Include an open space plan with recommendations pertaining to pedestrian/cycle ways, parks and recreation facilities, green corridors and wildlife corridors.
 - Identify desirable zone changes and articulate the strategic planning rationale underpinning these changes.
 - Provide recommendations that relate to community infrastructure and/or facilities that may be missing or inadequate and where there is a demonstrated need.
- A Settlement Growth Boundary, identifying a 30 year land supply for the area.

- Note that a first draft of a Settlement Growth Boundary will be required in Stage 1, (by February 2025), to feed into the Review of the Southern Tasmania Regional Land Use Strategy as soon as possible.
- A Local Road Network Plan, noting the 'Limited Access' designation of most the Midland Highway through the area.
- In conjunction with TasWater, options for the area's sewerage treatment system.
- Recommendations are to be presented in a way that enables them to directly feed into the review of the Southern Tasmania Regional Land Use Strategy.

Report to be considered at the Council Meeting to be held 25th September 2024.

2. Artist in Residence Program (AiR Space)

Fiona Hayes (AiR this month – water colour painter) attended the workshop, along with Alan Townsend, to talk about her background and experience.

3. Multi-Residential Development – Lot 2 Louisa Street, Kempton

Sarah Henley – Partnership & Development Manager (Evolve CentaCare) attended the workshop to provide Council with background information outlining its site selection criteria and development mixology as it relates to the proposed Louisa St development.

This followed Council's decision made at the previous Council Meeting to defer a decision in relation to the development application and seek additional information and clarification of a number of issues.

4. Woodsdale Recreation Ground Property (Woodsdale Football Club)

Initial consideration of response / submission received from the Woodsdale Football Club. This was provided in response to Council's position relating to the possible transfer of ownership of the Woodsdale Recreation Ground property to the Football Club.

Report to be considered at the Council Meeting to be held 25th September 2024.

5. Callington Mill Distillery (Maintenance of the Mill)

Andrew Benson provided an update in relation to the maintenance (and operation) of the Mill following a change in CMD staffing.

6. Growing Regions Program (Round 2 Now Open)

Growing Regions Program Round 2 is now open for applications, **closing date 10 October**.

Local government and not-for-profit organisations can apply for funding of between \$500,000 and \$15 million.

Discussion to confirm Council's priority project(s) for submission noting that Council must be prepared to commit at least 30% of eligible project costs.

Project proponents can submit no more than 2 applications per ABN. Only the first 2 applications per ABN submitted in order of time and date will be accepted.

The Growing Regions Program focuses on funding vital infrastructure projects that:

- increase community connectedness: Delivering greater amenity, liveability, and connectedness in alignment with the priority focus of the [Australian Government's Regional Investment Framework](#).
- align with regional priorities, refer to [RDA Tasmania's Strategic Regional Plan](#)

Council identified two priority projects (based on the recommendations contained with the Southern midlands Recreation Plan):

- Bagdad Community Precinct – Stage 1 Development (includes ground improvements/relocation; multi-purpose change rooms; car parking; and wastewater treatment)
- Oatlands Recreation Ground – Building Upgrade and additions.

The workshop concluded at approximately 12.30 p.m.

RECOMMENDATION

THAT the information be received.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D Fish		
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.

8. DECLARATIONS OF PECUNIARY INTEREST

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

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

9. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

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

RECOMMENDATION

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

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

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

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

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

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

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

10.1 Permission to Address Council

Nil.

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

Nil.

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

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

12.1 Development Applications

12.1.1 Development Application (DA2400016)

For multiple dwellings (16 units) at Lot 2 Louisa Street, Kempton (CT36471/3 & CT154649/2) submitted by Prime Design Tasmania obo Centacare Evolve Housing Limited (Archdiocese of Hobart)

Author: SENIOR PLANNING OFFICER (LOUISA BROWN)

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

Date: 18 SEPTEMBER 2024

Attachment(s)

- *Development Application documents*
- *Heritage Assessment provided by Council's Heritage Projects Manager*
- *Taswater SPAN*
- *Representations*
- *Applicant's response to Summary of Representations Received*

TPS Discretions

- **12.4.1 P1.1 (c)**
- **C2.6.5 P1**
- **C3.5.1 P1**
- **C6.6.2 P1**
- **C6.6.3 P1**
- **C6.6.4 P1**
- **C6.6.5 P1**
- **C6.6.6 P1**

PROPOSAL

The applicant *Prime Design Tasmania*, on behalf of the owners, the Roman Catholic Church Trust Corporation of the Archdiocese of Hobart, have applied for a Permit under the *Land Use Planning and Approvals Act 1993* ("the Act") to develop the property (Lot 2 Louisa Street, Kempton) for multiple residential dwellings.

The proposal includes a total of 16 dwellings which comprise of 13 individual dwellings and a set of 3 co-joined units.

The development will be located to the rear portion of the overall cemetery lot (CT 154649/2). The cemetery itself will not be affected (CT 36471/3). A new road to service the development will provide access through this portion of the property.

A mix (typology) of development is provided with a range of one and two bedroomed dwellings, with the intent to provide quality and affordable housing in Kempton.

The application comprises the following:

- 5 x 1 bedroom dwellings;
- 11 x 2 bedroom dwellings;
- Internal sealed road from a new access onto Louisa Street;
- 1.5m wide footpath to the northern side of the internal road;
- Footpath to be provided along one side of the internal road, providing connections to new dwellings;
- 31 on-site car parking spaces are proposed (24 spaces in a jockey-style configuration, 7 angle parking spaces), and
- Landscaping that includes street trees and shrubs.

Council's Manager Heritage Projects has been consulted in the assessment of the application and provided a report against the relevant Code. Although not within a Heritage Precinct, the cemetery is identified in the Planning Scheme as a *Local Heritage Place*. The proposed dwellings themselves have been designed with regard to Council's document '*Georgian Design Guidelines for Buildings in the Main Streets of Kempton and Oatlands*', although this is not requirement.

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

The land is zoned Village and listed as a Local Heritage Place within the Southern Midlands Local Provisional Schedule (LPS) SOU – C6.1.144 St Peter's Catholic Cemetery CT34671/3 and CT154649/2 are Local Heritage Places. The cemetery area to the north of CT34671/3 is listed on the Tasmanian Heritage Register.

The proposal is to be assessed against both the development standards of the zone and applicable Codes within the Planning Scheme and the LPS. 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 three (3) representations were received from members of the public. In addition 13 signature petition against the development was also received.

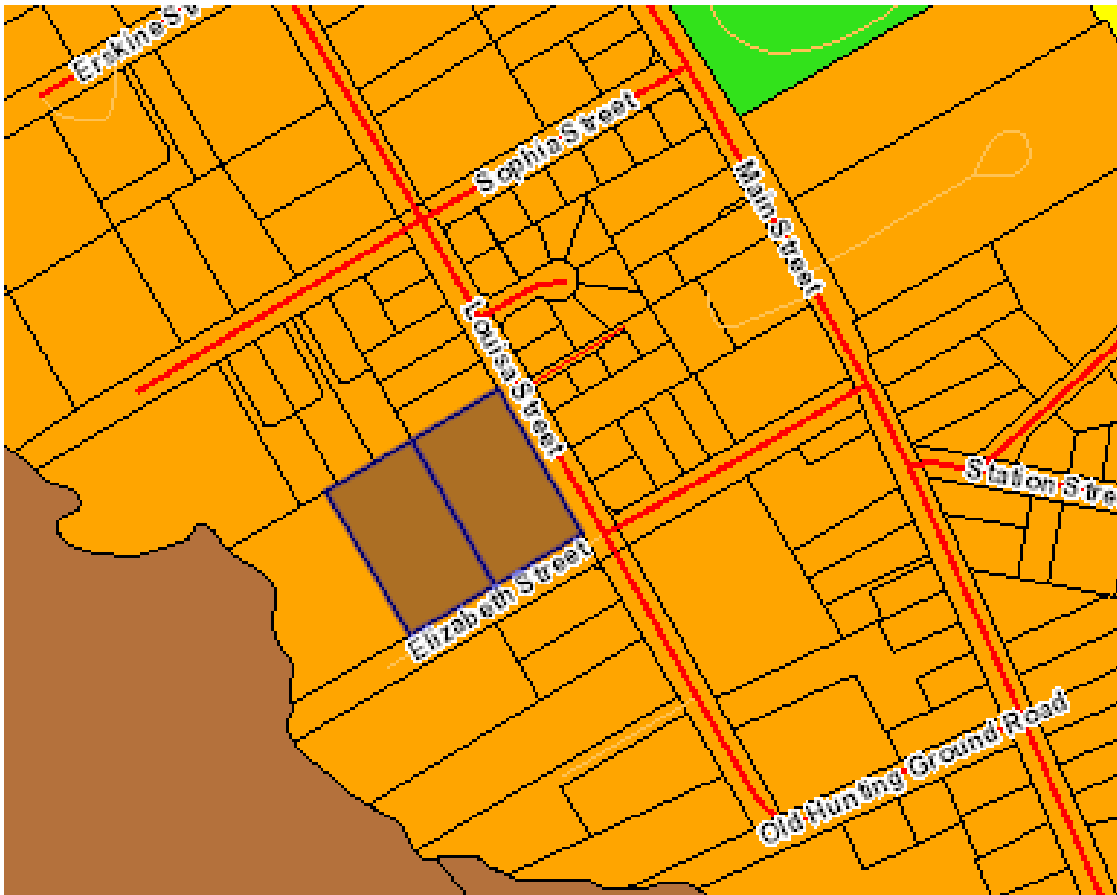
It is recommended that Council grant a permit for the proposed dwellings, subject to conditions.

THE SITE

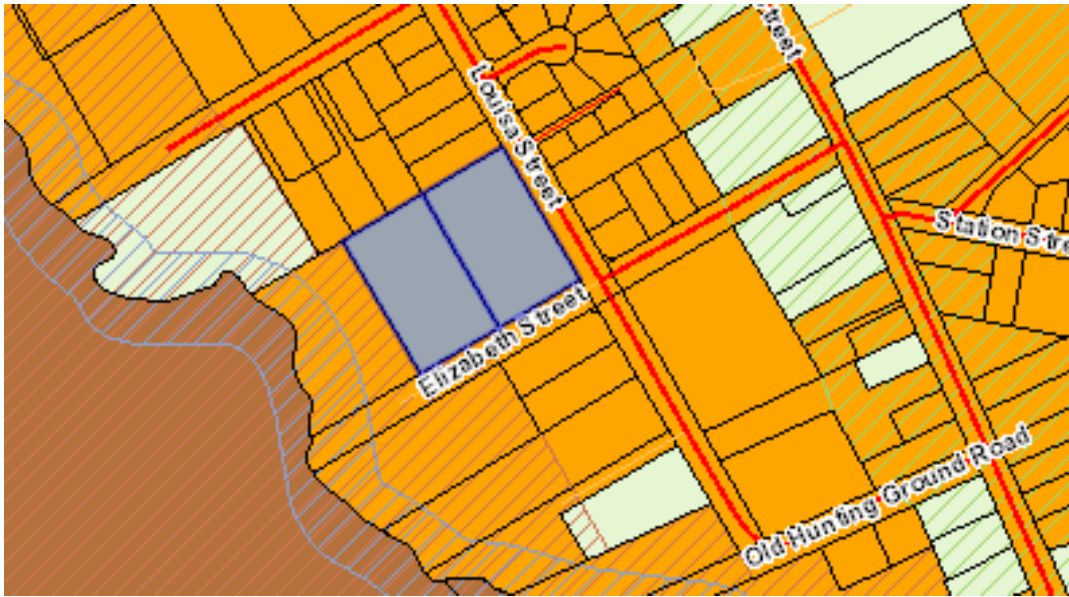
St Peters Catholic Cemetery and the adjacent vacant land are located to the west of the Kempton Township. The property is bound by Louisa Street to the east and Elizabeth Street to the south. Green Ponds Rivulet is located 55m from the western property boundary. The Northern property boundary is formed by the rear gardens of three properties on Sophia Street. A section of the proposed development will abut the existing Cemetery boundary for a distance of 36m.

The land is currently vacant and is used as paddocks. Some vegetation in terms of shrubs and short sections of hedges exist adjacent to the Cemetery. Several trees are located to the southern boundary, on Elizabeth Street. The vegetation species are predominantly exotic and the site has been modified.

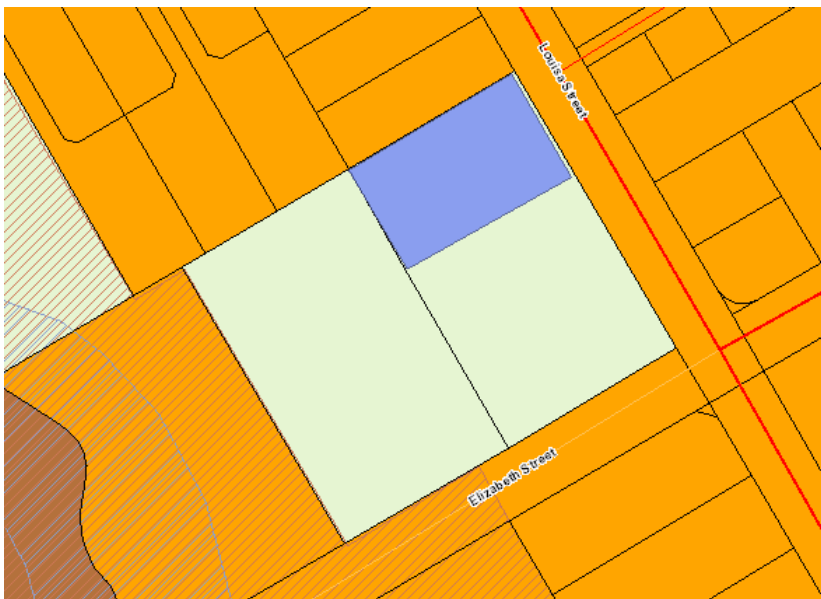
The predominant zoning of Kempton is Village Zone, which the property and surrounding dwellings are also zoned. Land to the west of the Rivulet is zoned Agriculture, reflecting the existing use of larger farming properties.



Map 1_The subject land and most surrounding properties are in the Village Zone (orange). Adjoining land to the far west is in the Agriculture Zone (brown). The blue lines identify the subject titles. Source: LISTmap (taken on 18/08/2024)



Map 2_ The land is subject to the following overlays, Local Heritage Place (cream colour)). Source: LISTmap (taken on 18/8/2024).



Map 3_ Local Heritage Place (cream colour), Heritage Registered property (Blue shaded area to the north of the title). Source: LISTmap (taken on 18/8/2024).



Map 4 _ Aerial image of the subject land and surrounding area. Subject titles marked with blue stars. Source: LISTmap (taken on 18/8/2024)

THE APPLICATION

In addition to the DA form and Certificate of Title documents, the applicant has submitted the following in support of the proposed development:

- Cover Letter from *Prime Design* addressing the Development Standards of the Tasmanian Planning Scheme – Southern Midlands;
- A combination of 51 drawings that include;
 - Site drawings including; Site Plan, Landscaping Plan, Shadow Diagrams and Locality Plan;
 - Building Drawings including elevations and floor plans for each unit;
 - Site Landscaping Plan
- Drawings from Engineers *Gandy & Roberts* which include;
 - Waste collection truck swept paths;
 - Driveway Longitudinal Sections;
 - Site Service Plan;
 - TasWater Sewer Longitudinal Section Plan;
 - TasWater Sewer and Water Services Plan;
 - Public Stormwater Services Plan;
 - Proposed Subdivision Plan 3 Lots;
 - Traffic Impact Assessment prepared by *Midson Traffic Pty Ltd* and dated December 2023; and
 - Stormwater Management and Inundation Analysis document prepared by engineers *Gandy & Roberts* and dated 20th June 2023.

A proposed Plan of Subdivision three (3) lots is included within the application documents, for information only. The plan indicates the intention to create a lot for the Cemetery, the development site for the 16 units and a lot which includes the access road to the development.

USE/DEVELOPMENT DEFINITION

The proposed use and development is defined as *Residential* under the Planning Scheme.

Residential Use is defined in the Planning Scheme to include;

Residential use of land for self-contained or shared accommodation. Examples include a secondary residence, boarding house, communal residence, home-based business, home-based child care, residential care facility, residential college, respite centre, assisted housing, retirement village and single or multiple dwellings.

The Planning Scheme defines multiple dwellings as; “*means two (2) or more dwellings on a site*”.

Although Residential development is provided for as a Permitted Use in the Village Zone, the proposed development is reliant on the Performance Criteria of several Development Standards.

The reliance on Performance Criteria defaults to a Discretionary Development activity status. Council therefore has the discretion to grant a permit for this proposal with or without conditions, or refuse to grant a permit subject to the notification and determination provisions of the Act.

Use/Development Status under the Planning Scheme

The application was advertised in accordance with Section 57(3) of the Act.

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised in *The Mercury* Newspaper on 16th July 2024 for a period not exceeding 14 days.

During the notification period (16-30 July 2024), a total of THREE (3) representations were received. In addition, a 13 signature petition opposing the development was also received. This report assumes Councillors will accept the petition, although Council has no official Policy on receiving petitions.

A summary of the matters raised in the representations are considered in the table below. For a full copy of the representations, please refer to the Attachments.

<i>Representation 1</i>	<i>Council Officer Comment</i>
<p>I'd like to put forward my disapproval for the planned development.</p> <p>1. I have 2 primary aged children whom walk to and from school regularly. I feel with 16 more units likely 32 more vehicles using that section of road my children will be at a much higher rate of danger.</p> <p>2. Our primary school has a weekly program in which students walk to a nearby farm, I believe adding so many units and vehicles</p>	<p><i>The Development Application is supported by a Traffic Impact Assessment which has been prepared by suitably qualified engineers. This report states that the traffic generation is likely to be 96 vehicles per day, with a peak of 10 vehicles per hour. The traffic generation can be absorbed in the road network safely and efficiently. In addition, the applicants Engineers have responded directly to the issue</i></p>

<p>to that area will impact the safety assessment meaning our students will again suffer with learning opportunities.</p> <p>3. Kempton is a family/ farming town adding 16 units limits family options. These units if they were to go ahead would be suited to singles or elderly not families due to their small size.</p> <p>4. The local water and sewage infrastructure is currently running outside of its own design capacity. I'm unaware of any plans to update this infrastructure.</p>	<p><i>raised in the representation, as follows;</i></p> <p><i>“The peak generation represents an increase of an average of 1 vehicle every 6 minutes. It is unclear how this will have an impact on a specific road user group of children. In general terms the traffic generation is relatively low and the road network is clearly established with separation for vehicles and pedestrians. The proposed development is not considered to be a road safety risk for children”.</i></p> <p><i>The application is for 16 units (a mix of one and two bedroom dwellings), which suggests the dwellings are not for families. However this is an assumption and the nature/demographic of inhabitants is not a material consideration.</i></p> <p><i>The applicant has provided the following response to this matter.</i></p> <p><i>“This development is specifically designed for residents aged 55 and over. By providing suitable and affordable housing options for our elderly population, we can ensure they continue to live within their community comfortably and independently. Kempton currently has no social housing options, which has left some residents in need of appropriate housing solutions. This development aims to support the transition of elderly residents from larger homes into smaller, more manageable dwellings. This transition helps to free up larger homes in the area, making them available for families and thus indirectly addressing the need for family housing”.</i></p> <p><i>TasWater were provided a copy of the Development Application, and are satisfied with the proposal. Additionally, TasWater advised that their "modelling indicates there is sufficient capacity in the existing network to supply this proposed</i></p>
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<p>5. The noise pollution 16 more units would create is an unpleasant thought.</p> <p>6. Negative impact on the local environment (no environmental plan available).</p> <p>7. Our closest supermarket, Drs surgery, dentist, is a 30 to 40 minute drive away. If these units were to house young adults or the elderly we have zero public transport options.</p> <p>8. Our roads need upgrading to account to our growing community.</p> <p>9. We currently don't have letter box services meaning 16 more residents would need to</p>	<p><i>development without impacting adversely on the existing infrastructure or customers."</i></p> <p><i>With regard to sewer capacity TasWater advised that their "modelling indicates there is sufficient capacity in the existing sewerage network to service the proposed development."</i></p> <p><i>With regards to the comment raised about the noise of an additional 16 units, the Tasmanian Planning Scheme does contain standards to assess against the noise for proposed dwellings.</i></p> <p><i>No Environmental Plan is required for this proposed development. The development is not within the Natural Assets Code of the Tasmanian Planning Scheme – Southern Midlands.</i></p> <p><i>The site is modified and is not considered to contain any environmental values.</i></p> <p><i>The comment regarding access to community facilities and services is noted. However, there is no assessment criteria in the Planning Scheme for the Village Zone in terms of availability to facilities or public transport. However, it is noted that Kempton does have a Community Vehicle and Mini Bus available for use. In addition, it is an assumption that residents will not have their own vehicles or find other ways to get to services nearby. Provision has been made for the off-street parking of residents/visitor vehicles.</i></p> <p><i>The concern regarding road upgrades is noted. The maintenance and repair of roads within Kempton is Council's responsibility. The Midland Highway is a Department of State Growth maintained road and responsibility.</i></p>
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<p>use our already run down Post Office service.</p> <p>Given the points above I request this application be denied. I don't believe this application has the community's best interest at heart.</p>	<p><i>Concerns regarding Post Office services is not a matter that can be addressed or assessed in the Planning Scheme or by Council. Equally, the addition of 16 units will generate more customers to the Post Office, helping to support the valued service in the Community.</i></p>
<p>Representation 2</p>	<p>Council Officer Comment</p>
<p>As a local resident of the historical village of Kempton, I have concerns over the proposed development. These concerns include the high number of dwellings (x16) proposed for a block of land of similar size that currently supports 6 residential homes.</p> <p>Community Housing will put a strain on the local community and any potential residents. Increased vehicles (97+ vehicle trips) on unmaintained roads will increase road safety issues. Minimal footpaths, gutters, unrepaired pot holes.</p> <p>Kempton is primarily a family and farming community that prides itself on being a supportive community. Overloading the village in a short period of time will negatively impact all residents and infrastructure.</p> <p>In regards to: 12.4.1 (A1) Residential Density and servicing for multiple dwellings;</p> <p>(a) Does not comply. Site area per dwelling is 315m²</p> <p>(b) Does not comply. Site is not currently connected to reticulated sewer and stormwater networks and water supply.</p>	<p><i>The property is zoned Village under the Tasmanian Planning Scheme – Southern Midlands.</i></p> <p><i>Multiple dwellings with a site area of not less than 600m² per dwelling are provided for as a Permitted Development in this zone.</i></p> <p><i>Whilst the proposal has a site area per dwelling less than this, the provisions of P1.1(c) enable a potentially higher density where the development provides specific accommodation need with significant social or community benefit. It is evident the development will provide for both affordable and social housing. As such the 600m² site area per dwelling is not applicable.</i></p> <p><i>There are no standards in the Planning Scheme to assess the potential strain on the community and residents.</i></p> <p><i>Please refer to the response provided to Representation 1 above in terms of increase in the number of vehicles and road maintenance.</i></p> <p><i>When a development proposal does not meet the Acceptable Solution of the Development Standard, an assessment is made against the Performance Criteria of that same standard. This assessment is discussed in the remainder of this report. The applicant has provided the following response to concerns regarding the proposed Community housing.</i></p>

<p>The local water and sewage infrastructure is currently running outside of its own design capacities while other existing estates are already being built and need to be considered for putting additional strain on the infrastructure.</p> <p>What is being done to mitigate a complete breakdown of services to the whole Kempton area?</p> <p>Negative impact on the local environment (No environmental impact report available), shared amenities/infrastructure e.g. parking, roads, sewerage, drainage, water, traffic flow, noise pollution (reversing garbage trucks).</p> <p>Lack of employment opportunities, limited public transport, No shops, No medical facilities, No dental facilities, 30km drive to the closest supermarket.</p> <p>I request this application be denied on the grounds that the multi-dwelling community housing proposal will have a negative impact on the area and residents.</p>	<p><i>“The introduction of social housing for older residents not only meets a critical need but also enhances the overall housing market by creating opportunities for families to move into larger homes. Social housing is a vital component of a healthy community. It ensures that all residents, regardless of their circumstances, have access to safe and affordable housing. This development represents an important step toward addressing the current gap in social housing options in Kempton. By providing suitable housing options, the development offers significant social and community benefits therefore meeting performance criteria P1.1(c).”</i></p> <p><i>Please refer to response provided to Representation 1 above in terms of Water and Sewage capacity. The capacity, maintenance and improvement of Water and Sewage infrastructure is a matter for TasWater as service providers.</i></p> <p><i>Please refer to response provided to Representation 1 above.</i></p> <p><i>Please refer to response provided to Representation 1 above.</i></p> <p><i>These comments are noted.</i></p> <p><i>These comments are noted.</i></p>
<p>Representation 3</p>	<p><i>Council Officer Comment</i></p>
<p>These concerns include the high number of dwellings for a block of land of similar size</p>	<p><i>Please refer to response provided to Representations 1 & 2 above.</i></p>

that supports 6 residential homes. The proposed buildings will be approximately 315m² or less, per dwelling. This is not in keeping with the current density of Kempton.

Community Housing will put a strain on the local community and any potential residents.

Increased vehicles (97+ vehicle trips) on unmaintained roads will increase road safety issues. Particular concern is for the local primary school students.

The biggest concern is the permanent impact on our property from flooding. Lot 2 Louisa Street already has a natural pond that forms every time we have significant rainfall. The water that is not naturally absorbed into the ground, then gravitates towards the Rivulet by streaming across the corner of our property. If water is diverted from Lot 2 directly to the Rivulet, the concern is higher risk of flooding to our property to an even higher level.

Please refer to response provided to Representations 1 & 2 above.

Please refer to response provided to Representations 1 & 2 above.

The Development Application is supported by a Flood report which Council Planning Officers requested via s54 LUPAA. The provisions of C12.2.2 enable a planning authority to request additional information under C12.2.3 'where it believes, based on information in its possession, that the land is subject to risk from flood or has the potential to cause increased risk from flood.'

The property and surrounding properties are not located within any mapped areas of flooding. Council's Municipal Engineer has reviewed this document and is satisfied with the response. However, the applicant has provided the following response in relation to this concern.

"The analysis has shown that the proposed development results in a very minor redistribution of the flood path near the driveway to 12 Elizabeth Street but no net increase in flood depth is predicated within 12 Elizabeth Street nor other properties. The Green Ponds Rivulet catchment is a 1,310Ha catchment with the proposed development increasing the catchment impervious area by only 4,500m². This increase in impervious area is negligible in terms of catchment dynamics and this is borne out by the analysis undertaken. The Inundation Analysis has shown that there will not be an increase in flood extents. The full report should be read for further detail".

It is very disappointing that the Kempton community has not had any engagement from Council regarding this and is requesting council to conduct community consultation in line with their policy.

The local water and sewage infrastructure is currently running outside of its own design capacities while other existing estates are already being built and need to be considered for putting additional strain on the infrastructure. What is being done to mitigate a complete breakdown of services to the whole Kempton area?

There is no 30m clearance zone around the private sewerage pump station on the planned development as is a requirement of TasWater. Sewerage pumps need to be vented by a Sewer Vent Shaft which is a structure designed to limit pressure fluctuations in the sewerage system and/or to allow Air to Enter and Escape from the system. What is in place to ensure all residents are not going to be impacted by Air Pollution from the venting gases?

As a discretionary development, the application was advertised in accordance with Section 57 LUPAA.

The Policy referred to in this representation is not applicable to this Development Application, because the Policy is used for community consultation regarding major developments and strategic directions for the municipal area. It is not for the consultation of Development Applications.

Council's role in the assessment of Development Applications is prescribed under the Land Use Planning & Approvals Act 1993, not Council Policy.

Please refer to response provided to Representations 1 & 2 above.

There is an existing pump station on Elizabeth Street and the proposed dwellings are suitably setback from this station. The proposed sewage pump station will be private and will not form part of TasWater infrastructure. Therefore the 30m clearance zone has no bearing to the proposed development. The private sewer pump station is to be installed in accordance with AS/NZS3500 Volume 1 and 2 it will meet the standards required. Venting of the system is required the same as any dwelling is vented.

Conditions of approval will be adopted to this effect.

The applicant has provided the following response to this concern.

“Regarding the odour concerns. As advised by the civil engineer the design of the sewer pump station is designed to Australian Standard and Sewerage Pumping Station Code of Australia. Odour and noise will be managed in a compliant manner which accommodates for common

<p>What consideration is in place for existing Home Owners, the proposed Community Housing that will potentially cause a property value drop of 20% or more?</p> <p>Rubbish collection is planned to be collected from the front door, inside the development and not just on the street like every other resident of Kempton. The development address is in Louisa Street and rubbish collection should be from that street and not requiring the garbage truck to do tight turns inside a small area, resulting in excessive noise inside the estate, which will negatively impact all surrounding residents in the early hours.</p> <p>Negative impact on the local environment is a concern, (No environmental impact report is available) this includes, shared amenities/infrastructure e.g. parking, roads, sewerage, drainage, water, traffic flow and noise pollution.</p> <p>There will be negative impact on any Community House residents due to Kempton’s lack of employment opportunities, lack of public transport, No shops, No medical facilities, No dental facilities and 30km drive to the closest supermarket.</p> <p>I request this application be denied on the grounds that the multi-dwelling community housing proposal will have a negative impact on the area, existing residents and poses a significant flood risk to my property. There is also extreme concern over any failing of the development’s Sewerage Pumping Station.</p>	<p><i>practice of locating single source pump station in close proximity to dwellings”.</i></p> <p><i>The Tasmanian Planning Scheme – Southern Midlands does not take into consideration any potential decrease or increase in property values due to proposed development nearby.</i></p> <p><i>A new internal road will be created to serve the development. Rubbish collection will occur within the site boundaries and there is sufficient dimension to achieve the necessary on-site manoeuvring. This is not dissimilar to the existing arrangement of Elizabeth Court located nearby. The noise of general residential activities and utility/service providers is not assessed in the Tasmanian Planning Scheme.</i></p> <p><i>Please refer to response provided to Representations 1 & 2 above.</i></p> <p><i>Please refer to response provided to Representations 1 & 2 above.</i></p> <p><i>These comments are noted.</i></p>
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ASSESSMENT – TASMANIAN PLANNING SCHEME - SOUTHERN MIDLANDS

Zone & Overlays

The subject site is zoned Village and the following overlays also affect the site:

- Local heritage place
- Bushfire-prone areas

The purpose of the Village Zone is as follows:

- *To provide for small rural centres with a mix of residential, community services and commercial activities.*

- *To provide amenity for residents appropriate to the mixed use characteristics of the zone.*

Residential development is a Permitted Use in this Zone, subject to compliance with applicable standards.

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

12.4 Development Standards for Buildings and Works		
12.4.1 Residential density and servicing for multiple dwellings		
Objective: That the density of multiple dwellings:		
(a) makes efficient use of land for housing; and		
(b) optimises the use of infrastructure and community services.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Multiple dwellings must: (a) have a site area per dwelling of not less than 600m ² ; and (b) have a connection to a reticulated sewerage, stormwater and full water supply service.	P1.1 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 600m ² if the number of dwellings: (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. P1.2 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:	<i>Acceptable Solution A1 cannot be met, as the site area per dwelling is less than 600m². The development proposes a site area of 315m² per dwelling. The proposal must therefore be assessed against the Performance Criteria. The development is by Centacare Evolve Housing who are the largest provider of community housing in Tasmania. They currently have 3000 properties under management. The 16 units will provide accommodation to meet a specific housing need that is determined by the applicant. The applicant, Centacare Evolve Housing is a National Regulatory System Community Housing (NRSCH) registered Tier 1 provider. The NRSCH vision is "to ensure a well governed, well managed and viable community housing sector that meets the housing needs of tenants and</i>

	<p>(a) is sufficient for on-site wastewater and stormwater disposal and water supply; and</p> <p>(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>provides assurance for government and investors”.</i></p> <p><i>The applicant has provided supporting documents which state the housing is specifically designed for smaller households, such as residents aged 55 and over and therefore provides suitable and affordable housing options for the elderly population.</i></p> <p><i>P1.1 (c) is both satisfied and met.</i></p>
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<p>12.4.2 Building height Objective: That building height is compatible with the streetscape and does not cause an unreasonable loss of amenity for adjoining properties.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Building height must be not more than 8.5m</p>	<p>P1 Building height must be compatible with the streetscape and not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the height, bulk and form of existing buildings on the site and adjoining properties;</p> <p>(c) the bulk and form of proposed buildings;</p> <p>(d) sunlight to habitable rooms and private open space in adjoining properties; and</p> <p>(e) any overshadowing of adjoining properties or public places</p>	<p><i>The height of the dwellings are less than 5.5m.</i></p> <p><i>Acceptable Solution A1 is met.</i></p>

12.4.3 Setback		
Objective: 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
<p>A1 Buildings must have a setback from a frontage of:</p> <ul style="list-style-type: none"> (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. 	<p>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:</p> <ul style="list-style-type: none"> (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; (d) the appearance of proposed buildings when viewed from roads and public places adjoining the site; and (e) the safety of road users 	<p><i>The proposed dwellings are setback 5.5m from Elizabeth Street and 66m from Louisa Street.</i></p> <p><i>Acceptable Solution A1 is met.</i></p>
<p>A2 Buildings must have a setback from side and rear boundaries of not less than:</p> <ul style="list-style-type: none"> (a) 3m; or (b) half the wall height of the building, whichever is the greater. 	<p>P2 Buildings must be sited so that there is no unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the existing buildings and private open space areas on the site; 	<p><i>The proposed side/rear setbacks are a minimum of 3m and are up to 4m to the side and rear property boundaries.</i></p> <p><i>Acceptable Solution A2 is met.</i></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>A3 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 10m¹.</p> <p>¹ An exemption for air conditioners and heat pumps applies in this zone – see Table 4.6.</p>	<p>P3 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 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>	<p><i>Not applicable.</i></p> <p><i>No air extractions, pumping refrigeration systems etc. are proposed. The application is for a residential development, of which heat pumps and air conditioners are exempt as Miscellaneous Exemptions under Table 4.6 of the Planning Scheme.</i></p>

<p>12.4.4 Site coverage Objective: 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
<p>A1 Site coverage must be not more than 50%</p>	<p>P1 Site coverage must be consistent with that existing on established properties in the area, having regard to:</p>	<p><i>Site coverage is defined in the Planning Scheme as “the proportion of a site, excluding any access strip,</i></p>

	(a) the topography of the site; (b) the size and shape of the site; (c) the existing buildings and any constraints imposed by existing development; (d) the provision for landscaping and private open space; and (e) the character of development existing on established properties in the area.	covered by roofed buildings.” The site coverage is less than 50%. The proposal meets the Acceptable Solution A1,
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12.4.5 Fencing

Objective: That the height and transparency of frontage fences:

- (a) allows the potential for mutual passive surveillance between the road and the dwelling; and
- (b) provides reasonably consistent height and transparency.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 No Acceptable Solution.	P1 A fence (including a free-standing wall) within 4.5m of a frontage must: <ul style="list-style-type: none"> (a) provide for security and privacy, while allowing for passive surveillance of the road; and (b) be consistent with the height and transparency of fences in the street, having regard to: <ul style="list-style-type: none"> (i) topography of the site; and (ii) traffic volumes on the adjoining road. 	Not applicable, the proposal does not include front fences.

CODE ASSESSMENT – TASMANIAN PLANNING SCHEME – SOUTHERN MIDLANDS

C2.0 Parking & Sustainable Transport Code

The purpose of the 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.

This Code applies to all development. The applicable standards of this Code are addressed in the following table:

C2.5 Use Standards		
C2.5.1 Car parking numbers		
Objective: That an appropriate level of car parking spaces are provided to meet the needs of the use		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 The number of on-site car parking spaces must be no less than the number specified in Table C2.1, less the number of car parking spaces that cannot be 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</p>	<p>P1.1 The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</p> <p>(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;</p> <p>(b) the ability of multiple users to share spaces because of:</p> <p>(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</p>	<p><i>Requirement for the proposed residential development is: 1 space per bedroom plus 1 visitor space for every 5 multiple dwellings.</i></p> <p><i>This equates to a parking requirement of 30 spaces. The number of spaces provided is 31 spaces.</i></p> <p><i>The proposal meets the Acceptable Solution A1.</i></p>

<p>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> <p>N = A + (C- B)</p> <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <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</p>	<p>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 The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</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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development specified in Table C2.1.		
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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
<p>A1 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 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 road will be constructed of spray seal asphalt and all footpaths constructed from concrete or pavers.</i></p> <p><i>The development will be drained to a stormwater system, in accordance with a Plumbing Permit.</i></p> <p><i>Acceptable Solution A1 is met.</i></p>

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 Parking, access ways, manoeuvring and circulation spaces must either:</p> <p>(a) comply with the following: (i) have a gradient in accordance with</p>	<p>P1 All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to:</p>	<p><i>The car parking includes 22 spaces in a 'jockey style' arrangement - 2 single spaces within a driveway and 7 angle parking spaces located along the central road driveway within the site.</i></p>

<p>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-</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>The parking space dimensions and manoeuvring areas comply with the requirements of AS2890.1.</i></p> <p><i>The development therefore complies with the requirements of Acceptable Solution A1.1(b).</i></p>
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<p>Parking facilities, Parts 1-6.</p> <p>A1.2 Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.</p>		
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<p>C2.6 Development Standards for Buildings and Works C2.6.3 Number of accesses for vehicles Objective: 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</p> <p>(c) the number of accesses minimise impacts on the streetscape.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 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, whichever is the greater.</p>	<p>P1 The number of accesses for each frontage must be minimised, having regard to:</p> <p>(a) any loss of on-street parking; and</p> <p>(b) pedestrian safety and amenity;</p> <p>(c) traffic safety;</p>	<p><i>The proposal meets the Acceptable Solution A1, because a single point of vehicular access to the site is proposed.</i></p>

	(d) residential amenity on adjoining land; and (e) the impact on the streetscape.	
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C2.6.5 Pedestrian access

Objective: That pedestrian access within parking areas is provided in a safe and convenient manner.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1.1 Uses that require 10 or more car parking spaces must:</p> <p>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by:</p> <p>(i) a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</p> <p>(ii) protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</p> <p>(b) be signed and line marked at points where pedestrians cross access ways or parking aisles.</p> <p>A1.2 In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.</p>	<p>P1 Safe and convenient pedestrian access must be provided within parking areas, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the nature of the use;</p> <p>(c) the number of parking spaces;</p> <p>(d) the frequency of vehicle movements;</p> <p>(e) the needs of persons with a disability;</p> <p>(f) the location and number of footpath crossings;</p> <p>(g) vehicle and pedestrian traffic safety;</p> <p>(h) the location of any access ways or parking aisles; and</p> <p>(i) any protective devices proposed for pedestrian safety.</p>	<p><i>Acceptable Solution A1.1 (a) cannot be met, therefore the proposal must instead be assessed against the Performance Criteria.</i></p> <p><i>The site is a residential unit development. Pedestrian paths are provided within the site and the predicated traffic generation is expected to be low. Vehicle speeds will be very low due to the new no-through road and fact that it will service only the proposed development.</i></p> <p><i>The residential use is consistent with the surrounding land use. Residential use is duly anticipated in the Village Zone.</i></p> <p><i>The number of car parking spaces required meets the Acceptable Solution.</i></p> <p><i>The low traffic generation combined with low vehicle speeds will result in an acceptable and safe environment for shared use between pedestrians and vehicles.</i></p> <p><i>Needs of persons with a disability. Not applicable.</i></p>

		<p><i>A 1-metre wide footpath is provided adjacent to the parking area, internal circulation aisle and driveway access.</i></p> <p><i>Performance Criteria P1 is met.</i></p>
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C3.0 Road and Railway Assets Code

The purpose of the Code is:

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

This code applies to a use or development that:

- (a) will increase the amount of vehicular traffic or the number of movements of vehicles longer than 5.5m using an existing vehicle crossing or private level crossing;
- (b) will require a new vehicle crossing, junction or level crossing; or
- (c) involves a subdivision or habitable building within a road or railway attenuation area if for a sensitive use

C3.5 Use Standards

C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction

To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing.</p> <p>A1.2 For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p>	<p>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> <ol style="list-style-type: none"> (a) any increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road; (d) the speed limit and traffic flow of the road; (e) any alternative access to a road; 	<p><i>The Acceptable Solution cannot be met, therefore the proposal is assessed against the Performance Criteria.</i></p> <p><i>The application includes a Traffic Impact Assessment which demonstrates the proposed access arrangements satisfy the Performance Criteria requirements.</i></p> <p><i>The traffic increase is considered low, the safety of the road network will not be compromised by the additional vehicle movements generated by the development.</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: (a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> 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>(f) the need for the use; (g) any traffic impact assessment; and (h) any advice received from the rail or road authority.</p>	<p><i>In addition, it has been demonstrated by the applicant that the housing is needed.</i></p> <p><i>The proposal meets the Performance Criteria.</i></p>
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C6.0 Local Historic Heritage Code

The purpose of the Local Historic Heritage Code is:

To recognise and protect:

- (a) the local historic heritage significance of local places, precincts, landscapes and areas of archaeological potential; and
- (b) significant trees.

The Code applies to the following:

- (a) development on land within any of the following, as defined in this code:
 - (i) a local heritage place;
 - (ii) a local heritage precinct;
 - (iii) a local historic landscape precinct; and
 - (iv) for excavation only, a place or precinct of archaeological potential; and
- (b) the lopping, pruning, removal or destruction of a significant tree as defined in this code

As the property is identified as a *Local Heritage Place*, the proposal must therefore satisfy the following relevant standards of the Code.

C6.6 Development Standards for Local Heritage Places

C6.6.2 Site coverage

Objective: That site coverage is compatible with the local historic heritage significance of local heritage places.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 No Acceptable Solution.</p>	<p>P1 The site coverage must be compatible with the local historic heritage significance of a local heritage place, having regard to:</p> <ul style="list-style-type: none"> a) the topography of the site; and b) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person. 	<p><i>Being a cemetery, there is no precedent site coverage in terms of buildings for this particular local heritage place.</i></p> <p><i>It is therefore considered that the site coverage allowable by general planning considerations for the Village Zone are appropriate without any need for heritage considerations.</i></p> <p><i>The Performance Criteria is met.</i></p>

C6.6.3 Height and bulk of buildings

Objective: That the height and bulk of buildings are compatible with the local historic heritage significance of local heritage places.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 No Acceptable Solution.</p>	<p>P1 The height and bulk of buildings must be compatible with the local historic heritage significance of a local heritage place, having regard to:</p> <ul style="list-style-type: none"> a) the historic heritage values of the local heritage place as identified in the 	<p><i>There is no site coverage precedence in terms of buildings for this particular local heritage place.</i></p> <p><i>It is considered that the building height allowable by general planning considerations for the Village Zone are appropriate without any</i></p>

	<p>relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person;</p> <p>b) the character and appearance of the existing building or place;</p> <p>c) the height and bulk of other buildings in the surrounding area; and</p> <p>d) the setting of the local heritage place.</p>	<p><i>need for heritage considerations.</i></p> <p><i>The Performance Criteria is met.</i></p>
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<p>C6.6.4 Siting of buildings and structures</p>		
<p>Objective: That the siting of buildings is compatible with the local historic heritage significance of local heritage places.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 No Acceptable Solution.</p>	<p>P1 The front, side and rear setbacks of a building must be compatible with the local historic heritage significance of the place, having regard to:</p> <p>a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a</p>	<p><i>The proposed development is sited to the rear of the cemetery and will maintain the cemetery as the dominant street front element. It will read as a neighbour, rather than being integral to the cemetery.</i></p> <p><i>The proposed landscaping will provide a backdrop to the cemetery.</i></p> <p><i>It is recommended that as a condition of any approval, that a landscape buffer be installed on the southern edge of the cemetery to provide some separation between the access road and cemetery</i></p>

	<p>suitably qualified person;</p> <p>b) the topography of the site;</p> <p>c) the size, shape, and orientation of the lot; and</p> <p>d) the setbacks of other buildings in the surrounding area.</p>	<p><i>(this may be within the cemetery if desired).</i></p> <p><i>The Performance Criteria is met.</i></p>
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C6.6.5 Fences

Objective: That fences are compatible with the local historic heritage significance of local heritage places.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 New fences and gates on local heritage places must be designed and constructed to match existing original fences on the site.</p>	<p>P1 New fences and gates must be compatible with the local historic heritage significance of a local heritage place, having regard to:</p> <p>(a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person;</p> <p>(b) the architectural style of the buildings on the site;</p> <p>(c) the dominant fencing style in the setting;</p> <p>(d) the original or previous fences on the site; and</p>	<p><i>The proposed fencing (timber paling) is considered compatible to the local heritage place and surrounds.</i></p> <p><i>The Performance Criteria is met.</i></p>

	(e) the proposed height and location of the fence.	
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C6.6.6 Roof form and materials

Objective: That roof form and materials are compatible with the local historic heritage significance of local heritage places.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Replacement roofs on local heritage places which will be visible from any road or public open space adjoining the site, must be of a form and material to match the existing roof being replaced.</p>	<p>P1 Roof form and materials must be compatible with the local historic heritage significance of a local heritage place, having regard to: (a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person; (b) the design, period of construction and materials of the building on the site that the roof directly relates to; (c) the dominant roofing style and materials in the setting; and (d) the streetscape.</p>	<p><i>Being a cemetery, there is no precedent roof forms or materials for this particular Local Heritage Place.</i></p> <p><i>The proposed roof form takes into account Georgian design. The Colorbond material (roof + roofing accessories) are considered acceptable.</i></p> <p><i>The Performance Criteria is met.</i></p>

C6.6.8 Outbuildings and structures

Objective: That the siting of outbuildings and structures are compatible with the local historic heritage significance of local heritage places.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Outbuildings and structures on local heritage places must:</p> <ul style="list-style-type: none"> (a) not be located in the front setback; (b) not be visible from any road or public open space adjoining the site; (c) not have a side that is longer than 3m; (d) have a gross floor area less than 9m²; (e) have a combined total area of all outbuildings on the site of not more than 20m²; (f) have a maximum height less than 2.4m above existing ground level; (g) not have a maximum change of level as a result of cut or fill of more than 1m; and (h) not encroach on any service easement or be located within 1m of any underground service. 	<p>P1 Outbuildings and structures must be compatible with the local historic heritage significance of a local heritage place, having regard to:</p> <ul style="list-style-type: none"> (a) the historic heritage values of the local heritage place as identified in the relevant Local Provisions Schedule, or if there are no historic heritage values identified in the relevant Local Provisions Schedule, the historic heritage values as identified in a report prepared by a suitably qualified person; (b) the bulk, form and size of buildings on the site; (c) the bulk, form and size of the proposed outbuilding or structure; (d) the external materials, finishes and decoration of the outbuilding or structure; and (e) the visibility of the outbuilding or structure from any road or public open space adjoining the site. 	<p><i>Each unit will have a small outbuilding of 1.5m x 1.5m, to the rear garden. These are considered appropriate.</i></p> <p><i>Acceptable Solution A1 is met.</i></p>

CONCLUSION

The report has assessed a Development Application for the proposed 16 residential dwellings, comprising 13 individual dwellings and a set of 3 co-joined units on land described as Lot 2 Louisa Street, Kempton.

Three (3) representations were received and these have been assessed and considered in this report, with responses to the key concerns offered by the applicant.

The proposal has been found to comply with all the relevant standards of the Village Zone, and the applicable Codes of the Tasmanian Planning Scheme – Southern Midlands.

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 (DA2400016) for multiple dwellings (16 units) at Lot 2 Louisa Street, Kempton (CT36471/3 & CT154649/2) submitted by Prime Design Tasmania obo Centacare Evolve Housing Limited 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.

PRIOR TO WORKS

- 2) Prior to commencing work, the permit holder shall provide a copy of this Development approval to all persons undertaking activities authorised by this approval and explain to those persons how to comply with the permit conditions

Easements

- 3) Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's Municipal Engineer. The cost of locating and creating the easements shall be at the subdivider's full cost.
- 4) A minimum 2.5m wide drainage easement must be created over Lot 2 from the proposed stormwater connection point to the boundary with 27 Sophia Street to allow future connection to the proposed public stormwater main.

Landscaping

- 5) Before any work commences submit a landscape plan prepared by a suitably qualified person for approval by Council's General Manager. The landscape plan must include:
 - a) The areas to be landscaped,
 - b) Details of surface finishes of paths and driveways.

- c) Details of internal 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 the common areas of the site.
- 6) Included in the Landscape plan as part of Condition 5, must show a landscape buffer to be planted between the driveway and cemetery boundary. This may either be on the driveway side of the fence, or within the cemetery, as desired.
- 7) Planting must bear a suitable relationship to the proposed buildings, access and parking areas to enhance the amenity of the development. It must not use species listed as noxious weeds within Tasmania or displaying invasive characteristics. If considered satisfactory, the landscape plan will be endorsed and will form part of this permit.
- 8) 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 General Manager. Evidence showing compliance with this condition must be submitted to and approved by General Manager within 30 days of planting.

Roadworks

- 9) Prior to the use commencing the Louisa Street road frontage of the development across the entirety of Lot 3 (approximately 100 metres) must be upgraded to include:
- a. Kerb and channel on the western side
 - b. Road widening to achieve a minimum carriageway width of 8.9 metres (face of kerb to face of kerb)
 - c. 1.5m minimum width concrete path
 - d. Stormwater drainage
- 10) Prior to the use commencing a 1.5m wide concrete footpath must be extended from the development to connect to the existing public footpath in Louisa Street at the eastern corner of the intersection with Elizabeth Street.
- 11) Kerb ramps must be provided to accommodate the needs of people with disabilities in accordance with standard drawings and to the requirements of Council's General Manager.

Parking & Access to Public Road

- 12) Prior to the development commencing, or application for building or plumbing permits, the developer must submit to Council a parking plan including:
- a. pavement details,
 - b. design surface levels and gradients,
 - c. drainage,
 - d. turning and travel paths (where required to demonstrate compliance with AS2890),
 - e. dimensions (including clearances),
 - f. line marking,
 - g. lighting (where provided),

- h. pedestrian paths (including any signage, line marking, protective devices such as bollards, guard rails or planters),
- i. signage
- j. waste (garbage & recycling) bin collection locations for each dwelling

The parking plan is to be certified by an engineer and shall form part of the permit once accepted.

- 13) The completed parking and associated turning areas and access must be certified by a practicing civil engineer to the effect that they have been constructed in accordance with the endorsed drawings and specifications approved by Council before the use commences.
- 14) All areas set-aside for parking and associated turning, and access must be completed before the use commences and must continue to be maintained to the satisfaction of the Council's General Manager.

Advice: No works on or affecting any Council road reservation is to be commenced until the Southern Midlands Council has issued a WORKS IN ROAD RESERVATION PERMIT. Application for the issue of the necessary works permit is to be made to the Council prior to the proposed date of commencement of any works.

Stormwater

- 15) Prior to the lodgement of building or plumbing applications the developer must submit a revised (for construction) Stormwater Management Report to Council's Municipal Engineer. The Stormwater Management Report must be prepared and certified by a suitably qualified person, in accordance with section 2.6.2 of DEP & LGAT (2021). Tasmanian Stormwater Policy Guidance and Standards for Development. Derwent Estuary Program and Local Government Association of Tasmania (Hobart, Australia) and include calculations, design, construction and maintenance details of stormwater treatment, detention, and conveyance. The report must clearly demonstrate that the requirements of this permit are met and that adjacent and downstream properties will not be adversely impacted by the stormwater system. Once approved the Stormwater Management Report will form part of this permit.

Advice: General Manager's consent is required for connection to the public stormwater system in accordance with the Urban Drainage Act. Providing the planning permit conditions are met General Managers Consent will be granted

Erosion and Sediment Control

- 16) An Erosion and Sediment Control Plan (here referred to as an 'ESCP') prepared in accordance with the guidelines Erosion and Sediment Control, The fundamentals for development in Tasmania, by the Derwent Estuary Programme and Tamar Estuary and Esk Rivers Program, must be approved by Council's Director Development Services before development of the land commences. The ESCP shall form part of this permit when approved.

DURING WORKS

Private Open Space

- 17) The private open space must be formed or constructed to the satisfaction of Council's General Manager.

Erosion and Sediment Control

- 18) Temporary run-off, erosion and sediment controls must be installed in accordance with the approved ESCP and must be maintained at full operational capacity to the satisfaction of Council's Director Development Services until the land is effectively rehabilitated and stabilised after completion of the development.

Stormwater

- 19) The developer must construct a new DN300 minimum public stormwater main from the low point of the subject property to the Green Ponds Rivulet to service the property.
- 20) Any works in, or adjacent, the waterway must be carried out in accordance with the environmental best practice guidelines in the Waterways and Wetlands Works Manual (DPIWE 2003).

Construction Amenity

- 21) The developer must make good any damage to the road frontage of the development site including road, kerb and channel, footpath and nature strip to the satisfaction of Council's General Manager.
- 22) The road frontage of the development site including road, kerb and channel, footpath and nature strip, should be:
- a. Surveyed prior to construction, photographed, documented and any damage or defects be noted in a dilapidation report to be provided to Council's Asset Services Department prior to construction.
 - b. Be protected from damage, heavy equipment impact, surface scratching or scraping and be cleaned on completion.

In the event a dilapidation report is not provided to Council prior to commencement, any damage on completion, existing or otherwise, may be deemed a result of construction activity and require replacement or repair to the satisfaction of Council's Municipal Engineer.

- 23) The development must only be carried out between the following hours:
- | | |
|---------------------------------------|-------------------------|
| 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. |

- 24) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
- a) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - b) The transportation of materials, goods and commodities to and from the land.
 - c) Obstruction of any public footway or highway.
 - d) Appearance of any building, works or materials.
 - e) Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager of Development and Environmental Services.
- 25) 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.
- 26) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manger of Works and Infrastructure.

Services

- 27) 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.
- 28) Services located under the proposed driveway(s) are to be provided with trafficable covers to the requirements of the relevant authority and Council's General Manager.

Advice: *Property services must be contained wholly within each lots served or an easement to the satisfaction of the Council's Municipal Engineer and the responsible authority.*

Engineering

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

- 30) Engineering design drawings for all public works must be submitted to and approved by Council's General Manager before any works associated with development of the land commence.

Advice: Public works include all works within, or affecting, the road reservation including, but not limited to, kerb and channel, footpath, stormwater mains.

Unless approved otherwise by Council's General Manager the proposed public sewer extension in Louisa Street must be located clear of the road pavement and included in the design drawings submitted to Council for approval.

The engineering drawings submitted with the application are considered to be concept plans and may require alterations prior to consideration for approval.

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

AFTER WORKS

Amenity

- 34) All external metal building surfaces must be clad in non-reflective pre-coated metal sheeting or painted to the satisfaction of the Council's General Manager.
- 35) Outbuildings are approved as ancillary to the Residential Use and are to be used for domestic storage only. They are not to be used for commercial, industrial or habitable purposes, unless in accordance with a permit issued by Council or as otherwise permitted by Council's Planning Scheme.

Landscaping

- 36) 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.

Parking & Access

- 37) Parking and access must be generally in accordance with the endorsed plans and to the satisfaction of Council's General Manager.
- 38) A new 5.5m minimum width reinforced concrete vehicle access, including new kerb crossover, must be provided from the edge of road to the property boundary of the proposed unit development.
- 39) A new 3.6m minimum width reinforced concrete vehicle access, including new kerb crossover, must be provided from the edge of road to the property boundary to service the existing cemetery.
- 40) Vehicle accesses must be in accordance with Council's standard drawings, Australian Standard AS 2890, for the types of vehicles likely to use the site and to the satisfaction of Council's General Manager.
- 41) At least thirty (30) parking spaces must be provided on the land at all times for the use of the occupiers including at least two (2) car parking space per dwelling and at least five (6) designated for visitor parking, in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney.
- 42) Pedestrian paths must be provided to parking areas in accordance with the endorsed plans.
- 43) All parking, access ways, manoeuvring and circulation spaces must be provided in accordance with the endorsed drawings, Australian Standard AS 2890 - Parking facilities, Parts 1-6, or as otherwise required by this permit, and include all of the following;
 - a. be constructed with a durable all weather pavement;
 - b. be drained to the public stormwater system;
 - c. be surfaced by asphalt or concrete to restrict abrasion from traffic and minimise entry of water to the pavement.
 - d. have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;
 - e. provide for vehicles to enter and exit the site in a forward direction;
 - f. have an internal access width not less than 5.5m;
 - g. provide for two way traffic;
 - h. have a vertical clearance of not less than 2.1m above the parking surface level;
 - i. be delineated by line marking or other clear physical means.
- 44) Parking and vehicle circulation roadways and pedestrian paths must be provided with lighting in accordance with the Building Code and to the satisfaction of Council's General Manager.

Wastewater

- 45) The onsite private sewer system must be designed in accordance with a Certificate of Likely Compliance or Plumbing Permit issued by the Permit Authority in accordance with the Building Act 2016.
- 46) The private sewer system must continue to be maintained so as not to create any nuisance to adjacent properties.

TasWater

- 47) The use and/or development must comply with the requirements of TasWater, as detailed in the form Submission to Planning Authority Notice, Reference No TWDA 2024/00245-STM dated 08/07/2024, as attached to this permit.

Stormwater

- 48) Unless approved otherwise by Council's General Manager the stormwater system for the proposed development must be substantially in accordance with the *Stormwater Management and Inundation Analysis, Lot 2 Louisa Street, Kempton for Centacare Evolve Housing (CEH PD21285)*, dated 20 June 2023, prepared by Gandy and Roberts.
- 49) Stormwater from the proposed development must drain to the piped public stormwater system to the satisfaction of Council's General Manager and in accordance with the Building Act 2016.
- 50) The stormwater drainage system for the proposed development must be designed to comply with all of the following:
- a. be able to accommodate a storm with a 5% AEP, when the land serviced by the system is fully developed;
 - b. stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.
 - c. Stormwater from the proposed development must be treated prior to entering the public stormwater system to:
 - i. achieve that the quality targets in accordance with the State Stormwater Strategy 2010.
- 51) The development must incorporate overland flow paths through the site to accommodate a 1% AEP (plus climate change) rainfall event.
- 52) The stormwater system within the development must continue to be maintained to ensure the quality targets, in accordance with the State Stormwater Strategy 2010, and flow rates discharging to the public stormwater system are maintained as per the approved design and water is conveyed so as not to create any nuisance to adjacent or downstream properties.
- 53) The driveway must be drained to minimise surface runoff over adjoining land (including road reservation) in accordance with the requirements of the Municipal Engineer and the Building Act 2016.

Maintenance and Defects Liability Period

- 54) Public works provided as part of the development must be placed onto a twelve (12) month maintenance and defects liability period in accordance with Council Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.

Advice: *A bond is to be lodged with Council during the maintenance and defects liability period equal to 10% of the value of public works in accordance with Council Policy*

- 55) Prior to placing works onto the maintenance and defects liability period the Supervising Engineer must provide certification that the works comply with the Council's Standard Drawings, specification, and the approved plans.

The following additional advice applies to this permit:

Legal:

- A. This Planning Permit does not imply that any other approval required under any other legislation has been granted.
- B. This permit does not take effect until 15 days after the date that this permit was served on you as the applicant and each representor provided that no appeal is lodged as provided by s53 of the Land Use Planning and Approvals Act 1993.
- C. If you notify Council that you intend to commence the use or development before the date specified above you forfeit your right of appeal in relation to this permit.
- D. 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.
- E. Any changes to the use or development approved, may be deemed as substantially in accordance with the permit or may first require either a formal amendment to this permit or a new permit.

Asset Protection:

- F. In accordance with the Local Highway Bylaw 2 of 2015, the owner is required to repair any damage to any Council infrastructure caused during construction.
- G. No works on or affecting any Council road reservation is to be commenced until the Southern Midlands Council has issued a WORKS IN ROAD RESERVATION PERMIT.
- H. Council recommends contacting Dial-Before-You-Dig (phone 1100 or www.1100.com.au) before undertaking any works.

Other Approvals:

- I. This permit does not imply that any other approval required under any other by-law or legislation has been granted.
- J. 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.
- K. That any excavations be monitored by a qualified historical archaeologist. If any archaeological indications of burials or any early buildings are found, then Council's Manager Heritage Projects is to be consulted on an appropriate action to mitigate archaeological impact.
- L. Separate Council approval is required for the subdivision or strata division of the land.
- M. This permit does not ensure compliance with the *Aboriginal Heritage Act 1975*. It is recommended that you conduct a property search with Aboriginal Heritage Tasmania prior to commencing works – see this website for further details: <https://www.aboriginalheritage.tas.gov.au/assessment-process>

Generally:

- N. All engineering related queries should be directed to the Development Engineer. The Council General Manager has delegated functions relevant to the permit to the Development Engineer.

You may appeal against the above conditions, any such appeal must be lodged within fourteen (14) days of service of this notice to TASCAT, 38 Barrack Street, Hobart 7000 Ph.: (03) 6165 6790 or email resourceplanning@tascat.tas.gov.au

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

12.2 Subdivisions

Nil.

12.3 Municipal Seal (Planning Authority)

Nil.

12.4 Planning (Other)

Nil.

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

13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)

13.1 Roads

Strategic Plan Reference 1.1

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

Nil.

13.2 Bridges

Strategic Plan Reference 1.2

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

Nil.

13.3 Walkways, Cycle Ways and Trails

Strategic Plan Reference 1.3

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

Nil.

13.4 Lighting

Strategic Plan Reference 1.4

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

Nil.

13.5 Buildings

Strategic Plan Reference 1.5

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

Nil.

13.6 Sewers / Water

Strategic Plan Reference(s) 1.6

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

Nil.

13.7 Drainage

Strategic Plan Reference 1.7

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

Nil.

13.8 Waste

Strategic Plan Reference 1.8

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

Nil.

13.9 Information, Communication Technology

Strategic Plan Reference 1.9

Improve access to modern communications infrastructure.

Nil.

13.10 Officer Reports – Infrastructure & Works

13.10.1 Manager – Infrastructure & Works Report

Author: MANAGER INFRASTRUCTURE & WORKS (DAVID RICHARDSON)

Date: 19 SEPTEMBER 2024

Roads Program

Councils sealed and unsealed road network has received varying levels of damage due to the recent prolonged weather event, works are underway to remedy the affected roads on a priority basis. . Pot holes in both sealed and unsealed roads are being addressed as resources allow.

Culvert cleaning and drainage works are underway in various areas and will continue as weather permits. The focus on roadside drainage has proven to be invaluable during the high rain events and potentially contributed towards the level of resilience that has been observed throughout the road network.

Maintenance grading works will continue throughout the municipality.

A number of sealed roads have been identified that require edge break repairs to be undertaken, these works are programmed to be completed over the coming Months.

Current Capital Works

Planned capital works have been delayed due to weather conditions and resources allocated to deal with maintenance activities.

Interlaken Road upgrade works are progressing well. AWC are currently working around the 10-11km area from the Midlands Highway with drainage and verge widening.

Sealing works are planned for the prepared sections of Interlaken Road as soon as weather conditions allow.

Bagdad shared walkway works have commenced starting at the Bagdad Community centre heading north.

Station Street Colebrook has been upgraded the works included stormwater and road pavement repairs.

Parks and Reserves

Maintenance of recreation grounds, parks and playgrounds ongoing as required.

Crews busy cleaning up leaves and mowing grass around our towns.

Annual sports grounds maintenance works will be commencing shortly –top dressing, verti-draining and fertilizing as required.

Bridge Works

Minor works on some bridges to be scheduled as resources permits.

Building Services Unit

Construction of 2 accommodation units in Oatlands progressing wll the carpark surface area is planned

Planned Works

- Drainage and pavement repairs various roads;
- Undertake various bridge maintenance repairs;
- Complete construction of accommodation units Oatlands;
- Continue Interlaken Road upgrade works;
- Continue footbridge/pathway works Bagdad;
- Commence planning of works for Kempton-Mood Food Pathway;
- Commence Tunbridge Kerb replacement works main road Tunbridge.

Tunbridge Bridge Replacement

The Manager Infrastructure and Works met with contractor Hazell Bros who have been awarded the contract to re-construct the Tunbridge Bridge, on Monday the 15 July for a pre-start meeting these works are progressing.

The project is expected to take between 4-6 Months for completion.

Proposed Change to Road infrastructure budget allocations 2024/25

Road Reconstructions

Increased budget: Woodsdale Road \$81,250 (additional)
 Pelham Road \$160,000 (new)
\$241,250.00

Funded From: \$28,875.00 Sugerloaf road to reseal budget
 \$20, 000, 00 Station Street re-construct to reseal
 \$38,000.00 Savings on York Plains road
 \$154,375.00 from unallocated roads to recovery funding
\$241,250.00

QUESTIONS WITHOUT NOTICE TO MANAGER, INFRASTRUCTURE & WORKS

RECOMMENDATION

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

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

14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

14.1 Residential

Strategic Plan Reference 2.1

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

Nil.

14.2 Tourism

Strategic Plan Reference 2.2

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

Nil.

14.3 Business

Strategic Plan Reference 2.3

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

Nil.

14.4 Industry

Strategic Plan Reference 2.4

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

Nil.

15. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)

15.1 Heritage

Strategic Plan Reference – Page 22

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

15.1.1 Heritage Project Program Report

Author: HERITAGE PROJECTS OFFICER (ALAN TOWNSEND)

Date: 20 SEPTEMBER 2024

ISSUE

Report from the Heritage Projects Officer on various Southern Midlands Heritage Projects.

DETAIL

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

- Exhibition by our current Artist in Residence Fiona Hayes, Saturday and Sunday 21/2nd November 10am to 4pm at 79 High St
- Planning a research project with Rubee Dano, our new volunteer. Rubee is focussing on escapes from the Oatlands Gaol
- Ongoing social media presence
- Researching material for appearances on ABC Local radio. Recent subjects have included the Birmingham Arms Inn and the Commissariat

RECOMMENDATION

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

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D Fish		
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 PROGRAMS MANAGER (MARIA WEEDING)

Date: 16 SEPTEMBER 2024

DETAIL

- Maria has been busy with works relating to the proposed toilet block at Callington Park. Newly exposed pipe at the current foreshore toilet block has meant that a revised Hydraulic Plan has not been necessary, after the Hydraulic Engineer spoke with the TasWater technical officer. There is a suitable access point to connect to the current TasWater pipe. Consequently there is no need to go back to Council for the issue of an amended Plumbing Permit. Protech have advised they will recommence work on Monday 30th September 2024.
- The Kempton town clock has had the updated program installed, and the time corrected to show the actual time (as it was about 3 or 4 minutes out). The work was done by Peter Reading, a clock expert from Hobart, under instruction from Ingrams Time Systems (Victoria), the people that automated the clock and installed the system.
- Helen, Maria and Mary have undertaken some spring season works around the Lake foreshore as weather and time has permitted. This mostly involves tidy up and maintenance on the foreshore banks where the native plants have been planted, including controlling of any weeds attempting to establish a presence!
- Helen and Maria have prepared a presentation for a Tasmania Landcare workshop session that is to take place on 21st September at Campania. Over 60 people have registered to attend the event. There are a number of speakers. SMC will be talking about establishing tree shelter belts/amenity plantings and native plant species selection for sites in the Southern Midlands.
- A Lake Dulverton & Callington Park Management Committee meeting was held on Monday 9th September. Maria has been doing follow up from the meeting.
- Helen has been assisting Mary with some on ground works in relation to weeds. See Weeds Officer report below.

Weeds Officer Report, Mary Smyth

12th August – 16th September 2024

Enquiries/feedback

Two emails and a phone call in response to Spanish heath mail out letters.

A positive response from a local resident regarding the thistles article in the Ratepayer's newsletter, with an accompanying request to check out thistles on their land.

A passing mention of boneseed weeds during a chat with a local landholder was met with “What’s boneseed?” I showed him a few photos and the next day he was texting me about all the boneseed along various State Roads in Hobart! This has spurred me to enquire from the State Growth weeds officer whether this particular weed is part of their control programme.

Site visits

Total = 7 plus the 20 boneseed sites.

Visited Kempton Recreation Grounds with HG to seek and destroy all remaining boxthorn on the mounds. 5 native plants replaced and another 10 planted in gaps along the mounds.

Sprayed around all current plant spots at the Pound, Oatlands. All 10 of the recently planted Banksias are still alive, but two are looking a bit sick. A second visit saw six replacement plants put in (including mulch mats, corflute guard, two stakes and mulch for each plant).

Sprayed the remaining Tree Lupin up behind the metals pile at Oatlands tip. There was quite a bit more than I thought, with a substantial number of tiny to small seedlings which had germinated recently.

Roadside spraying of Spanish heath along Woodsdale Road was begun but had to be abandoned when rain began a few hours earlier than forecast. The very windy, stormy weather has continued to hamper efforts to complete this job and move on to others.

Visited a stretch of Interlaken Road to view and plan some selected roadside willow control. It just happened to snow when I was up there...

Assisted MW and HG (and later SP from the depot) to clean up a section of garden bed and lawn near Church Street on Lake Dulverton.

Spent a day with HG in the field, visiting various boneseed sites (20 in all) around Dysart and Bagdad. It was very pleasing to note that a total of fewer than 50 small plants and seedlings were found and dispatched.

Communication

Met with Graham Green at Kempton to upload the latest batch of roadside weed Garmin data, and to discuss the merits of phone Apps to record mapping information.

Article published in Southern Midlands Regional News on general weed control tips.

Article published in the Ratepayer’s Newsletter on thistles.

Discussions continuing regarding getting Fonz the weed detector dog onto the serrated tussock property to check out the area beyond the core infestation. There is a considerable amount of native Poa tussock grass nearby and it can be very difficult for people to spot ST in these situations.

Sent off 24 letters regarding Spanish heath to various landholders in the Woodsdale/Levendale/Runnymede areas. Have had a few replies since, to which I responded with appreciation.

Contacted the new NRM officer at Glamorgan Spring Bay council regarding Spanish heath on GSB lands right next to our eastern border.

Related and extra-curricular activities

Assisted HG with checking and re-arming the pedestrian counters on Lake Dulverton,

pruning a couple of branches over the walkway nearby, and removing all the old plant stakes behind Parattah Hall.

Cut and pasted a lone boneseed on a roadside near to the southern border of SMC. I have discovered that the source of this plant is a localised infestation in a public reserve in Clarence City Council, and I will be liaising with their weeds officer to get some action on eradicating this infestation. It has taken well over 10 years of dedicated work to almost eradicate boneseed from around Dysart and Bagdad; the last thing we need is boneseed getting established on another front!

On another morning whilst out and about in my own time, I happened to be travelling along Lower Marshes Road when I spied a single large Patterson's Curse plant on the roadside. It happened to be right next to Bishton Creek. It was swiftly removed.

A request from a UTAS student for some samples of weeds for her weed herbarium was met with enthusiasm: I was able to supply quite a few weeds (mainly from my back yard(!) and a local car park) and the student was very grateful.

Weeds Action Fund – Stemless thistle and serrated tussock

The paperwork has finally come through to fund a contractor to undertake a 3-day property survey for any serrated tussock plants which may have spread beyond the core infestation. HG and I will support this work by surveying roadsides, stock yards etc. at the same time.

Stemless thistle follow-up spray still pending: delays are due to bad weather.

Research

Looked into the process involved in forwarding an Expression of Interest to nominate Spanish heath as a Weed of National Significance (current WONS include the likes of gorse, blackberry, Chilean needle grass, serrated tussock, willow, African boxthorn and brooms). The EOI comes before official nomination, and must have at least two institutions for the EOI to be accepted. Discussions are occurring with Karen Stewart from Biosecurity Tasmania for BT to take the lead with SMC as a seconder for the EOI.

Viewed a live webinar from the USA on the iNaturalist app and the global impacts of citizen science backed up by qualified identifiers. An excellent session, albeit between 2 and 3am our time!

Whilst perusing the Tasmanian Weeds FaceBook page, I came across a notification of a 'Provocations' public lecture at Charles Sturt University by Professor Leslie Weston on "Adapting to Change – invasive plants and pests take up the challenge". I contacted the uni and was sent a copy of the lecture. Professor Weston had recently visited family in the USA and had some truly shocking photos of the damage Kudzu vine and Japanese knotweed can wreak on the environment. Patterson's curse was also mentioned, in an Australian context. Interestingly, PC roots have defence metabolites which help protect the plant: they have herbicidal, anti-bacterial and anti-fungal properties. It is no wonder some plants end up being such troublesome weeds with these kinds of advantages built in. Unfortunately, here as in the USA, there is very little funding set aside for research into weeds.

At the request of Wendy Young, MW, HG and I have been researching suitable plants for a small project in Mangalore Recreation Reserve. Visited the site, took some photos for reference, and then took extra photos of local hedge plants. A spreadsheet of suggested works is in progress.

Weed of the Week

Mallow, stinging nettle, hawthorn flowers and berries, mirror bush and boneseed displayed this month.

RECOMMENDATION

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

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D Fish		
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: 18 SEPTEMBER 2024

ISSUE

Consideration of the Animal Management/Compliance Officer's report for September 2024

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 September; *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:

17/9/24 – Failing to ensure dog is not at large X3 – Oatlands area

17/9/24 – Dog attacking animal causing serious injury or death X2 – Oatlands area

ATTACK DETAILS:

Lambs and ewes attacked – Oatlands area

**YTD ANIMAL MANAGEMENT STATEMENT
 2024**

DOG IMPOUNDS	RECLAIMED	ADOPTED/DOGS HOME	EUTHANISED	OTHER IMPOUNDS
15	12	3		1 – goat 1 – ram 1 – Weather 4 – Sheep 1 – Miniature goat

**JOBS ATTENDED
 September 2024**

DOGS AT LARGE	DOG ATTACKS	DOG BARKING	DOG GENERAL
3	1	1	4
NEW KENNEL LICENCES	WELFARE	STOCK	Central Highlands
1 new licences in the process	2	3	1

REGISTERED DOGS: 1622 registered – 94 pending
KENNEL LICENCES: 66
INFRINGEMENTS ISSUED: 5

RECOMMENDATION:

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

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

15.7 Environmental Sustainability

Strategic Plan Reference 3.7

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

Nil.

16. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

16.1 Community Health and Wellbeing

Strategic Plan Reference 4.1

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

16.1.1 Southern Midlands Council Community Small Grants Program 2024

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 19 SEPTEMBER 2024

Enclosure(s):

Analysis of the Community Small Grants Program September 2024 (A3 Spreadsheet)

BACKGROUND

Council has conducted a Community Small Grants program twice a year since 2008, converting to an annual program in September 2009. The main aim of the program is to streamline and condense the many requests for financial support received from various community groups, charitable organisations and service providers throughout the year. The program has proven to be very popular with all the target groups and excellent goodwill is gleaned from the successful grant recipients. Additional kudos has been obtained by having presentations to successful Grantee organisations at the Australia Day function in January.

[EXTRACT FROM THE GUIDELINES]

The Southern Midlands Council's Community Small Grants program has been established to support projects, programs and activities developed for the benefit of the residents of the Southern Midlands local government area.

The Community Small Grants provide assistance to community groups to provide programs, improve safety, undertake minor capital works, facilitate small seminars, conferences and forums or purchase equipment.

The Southern Midlands Council recognises the immense community benefit provided to our residents and visitors by local community organisations through the provision of opportunity for involvement in activities in Southern Midlands.

The Community Small Grants Program is one method of supporting and assisting local organisations in providing additional opportunities for the Southern Midlands community.

Purpose

To provide financial assistance in a regulated and equitable way to community groups catering for, and responding to, the needs of the residents and visitors to Southern Midlands.

The program provides assistance to organisations to conduct a wide range of activities. The following broad categories are designed to give applicants an idea as to the types of projects which Council seeks to support through this program:

Community Building

Projects which aim to increase community participation & access to information, services & facilities while strengthening community and social well-being.

Minor Capital Works

Projects which enhance our community facilities by aiding in the development of new facilities or improvements to any existing Community/Council owned facility. It will provide assistance for projects such as fencing, roofing, ground lighting, shade sails, building refurbishments, paving, etc.

Safety/Accessibility Upgrades/Equipment

Projects that increase the capacity of local groups and clubs to cater for the needs of the community. These developments can be in the form of a construction project or the purchase of equipment.

Frequency

Council's grant program is currently held on an annual basis.

Important Dates:

The current round for assistance opens at 8.30am on Monday 29th July 2024 and **closes on Monday 2nd September 2024 at 4:00pm**. Applications can be lodged at either the Oatlands or Kempton Office, or lodged electronically at mail@southernmidlands.tas.gov.au

Projects are able to start from Monday 7th October 2024 - full acquittal is required by 30th July 2025.

Level of Funding Available

An organisation can apply for assistance up to a maximum of \$3000 per round- no minimum grant amount applies.

Eligibility

Financial Assistance WILL be considered for:

- Any not for profit community group or voluntary association that is legally constituted as an incorporated body or under the auspice of one.
- The group or organisation is located in the Southern Midlands municipal area or is proposing an activity or project which will take place in the Southern Midlands municipal area, for the benefit of those who live, visit or conduct business in the municipal area.
- The applicant is able to demonstrate financial viability and competence.
- The applicant meets Council's insurance requirements.
- Education providers are able to apply on the condition that the project/activity is open to all residents and has a broad community benefit.
- For equipment grants, applicants are required to contribute at least 50% towards the cost of equipment for items considered 'consumables' eg cricket bats / balls , Footballs etc .Items of a longer term nature eg line marking

machines , training equipment and the like would be eligible for up to 100% funding.

- *Projects that are seeking funding from \$3,001 to \$5,000 shall be required to have a matching 50% contribution from other sources.*

The following are important areas to address

- *Any application which relates to works or projects on property not under the applicants direct ownership (land tenure) or control, must provide a letter of authorisation and approval for said works / projects from the land owner with the grant application.*
- *In the case of applications from the Department of Education, where the facilities will be used by Community and school students alike, the application requires written commitment from the Department of Education / Principal that the facilities (or improvements) will be accessible by the public.*

Financial Assistance WILL NOT be given for:

- *Activities by a private person that is not a formal representative of a bone fide organisation.*
- *Activities of For-Profit organisations.*
- *Applicant organisations who have previously failed to acquit Council assisted projects in line with the agreed terms.*
- *Projects that have previously received funding from this grant program.*
- *Working Capital or straight donation purposes.*
- *Projects by local schools/education providers that are exclusive to student's core school curriculum with no availability to the general public.*
- *Retrospective request for a project already fully or partially completed*
- *Community Organisations who already receive Council funds to undertake a specific activity for which funding is being sought or community organisations wanting to do a specific activity that is already funded by Council.*
- *Facilities where little or no public access is available.*
- *Travel to sporting competitions or conferences for individual or community groups.*
- *Projects/ programs that are not based in or focused on southern midlands residents*

It should be noted that meeting the eligibility criteria is not a guarantee of funding.

The following conditions apply to all financial assistance allocated through the program

Project Management

Funds will only be spent on the project for which funds were applied and as approved by the Southern Midlands Council.

Successful applicants must finalise and acquit the project within the approved time frame and approved budget as per application form.

Any variation of this agreement, such as an extension of the project completion date, shall only be made in writing between the parties. Any request for extension of time must be received in writing prior to the relevant original acquittal completion date.

Successful applicants are required to maintain a copy of all receipts of project expenditure for the term of the grant program, including copies of any advertising, media, newsletters, etc. Council will require copies of expenditure invoices / receipts as part of its acquittal procedure.

If relevant, applicants must obtain and comply with all applicable Council Permit Regulations for example planning, &/or building permit – including road closures, outdoor advertising and any health and safety programs (please ensure that costs for these permits, if required, are included in your application). Please ensure that you have allowed sufficient timeline for these approvals to be obtained and the project to be completed in a timely manner.

The Council strongly encourages that all equipment acquired through the program be insured against theft and fire or covered under your organisations insurance policy.

Although possession of current public liability insurance is not a condition of eligibility, Council strongly encourages all applicants to investigate all their insurance requirements to ensure activities are adequately covered and protected.

Financial

Should a group not be able to fulfil the grant conditions as indicated on the application form or substantial savings have been made, any unspent funds shall be returned to the Southern Midlands Council. In special circumstances, surplus funds from savings made may be authorized for redirection to fund similar projects/ activities. Pre-approval in writing should be sought from Council prior to any additional funds being expended. Should the project exceed the amount estimated, groups will be required to meet the additional costs.

Promotion

The Council requests that successful applicants actively promote the support of the Southern Midlands Council. This may include (but not limited to) any of the following:

- Inclusion of the Southern Midlands Council logo in press advertising or any promotional material.*
- Acknowledgement of the Southern Midlands Council in radio or television advertising, award presentation, etc.*

- *Opportunities for the Mayor or delegate to participate in any public relations activities, launches, or proceedings associated with the project. Sufficient notice should be given in the form of an official letter of invite addressed to the General Manager.*
- *Must attend Council arranged event celebrating the provision of the grant funding, in particular providing a representative at Council's Australia Day ceremony.*
- *Prominently displaying any certificates or plaques associated with the Council's provision of any grant funding*

A version of Council's Logo is available and will be provided on request. The logo can only be used for a specific purpose to which it was requested and must be replicated in its existing form and not altered in any way.

If use of the Council logo is not practicable, the following wording should be incorporated in any material related to the funded project: "Proudly supported by the Southern Midlands Council".

Evaluation / Acquittal Process

Once the project or equipment purchase has been completed, grant recipients must submit an evaluation and provide copies of any advertising, newsletters and media releases relating to the funded project. An evaluation form will be provided with the grant approval letter.

Evidence of expenditure of funds is required to accompany the evaluation. It is preferred that the evaluation / acquittal information be forwarded as soon as the project or purchase is complete ie not left until the final acquittal date

Unsatisfactory acquittal of the grant may lead to withdrawal of the grant approval and subsequent request for return of the allocated funding. Inability to apply for future grant funding may also apply in this circumstance. If you are having difficulties completing the acquittal obligations, please contact Council's grant staff to discuss possible solutions.

Priority Criteria

Due to the limited amount of funds available, priority will be given to projects that:

1. *Demonstrate considerable benefit to the Southern Midlands community;*
2. *Raise the awareness of or access to a service, program, group or issue or maximize the participation or use of a facility;*
3. *Demonstrate coordination with other groups in the community;*
4. *Address local issues by attempting to meet a community need or gap;*
5. *Show evidence of community support for the project;*
6. *Enhance the lifestyle options for residents and visitors in the community;*

7. *Demonstrate an ability to manage the project through resource allocation including financial resources, effective planning, clear goals and evaluation processes;*
8. *Demonstrate the ability to be ongoing [if applicable]*
9. *Is the project reliant on other funds, if so has other funding been approved (evidence of the other funding is required to accompany the application);*
10. *Includes the ability for broad Community access – Land Tenure [in the ownership of the applicant or in other ownership]*
11. *Grant funds applied for as a % of the total amount to complete the project [inc. in kind contribution] i.e. A financial contribution by the applicant/s would be favorably looked upon*
12. *The Project shall be one that has not received any previous funding for the same purpose by Council or any other funding body (i.e. no ‘double dipping’)*
13. *Demonstrate that a Risk Assessment of the project is deemed within acceptable limits*
14. *Has the Applicant received funding over the last five years (if the organisation has received funding over the last five years through this program, then a weighting will be included to provide a higher ranking for Applicants that have not received funding over the last five years)*

Final funding decisions are made on the merit of each application against the stated eligibility criteria, guidelines and an assessment against the aforementioned criteria.

Assessment

The application process is as follows:

The application forms can be accessed from the Council Chambers, Oatlands and Kempton or via the Council Website: www.southernmidlands.tas.gov.au

Applicants are encouraged to contact Council’s Manager Community & Corporate Development, Andrew Benson on 6254 5050 if you have any questions relating to completion of the forms or require information in regard to how your project meets the guidelines of the program.

The completed applications, once received within timeline parameters, will be assessed and prioritized by the assessment panel consisting of Council Officers and Councillors. The panel’s decision is final and no further correspondence shall be entered into.

The assessment panel will then make their recommendations to the next scheduled Council Meeting for adoption.

Once adopted by Council the applicants will be informed of their success or otherwise in gaining funding. Successful applicants will need to supply Council with a tax invoice [on their own letterhead preferably] for the approved grant amount

*to allow funding of grant monies to be processed .**This should be done as soon as the approved grant funding letter has been received.***

Tips for completing the Application Form

Please use the following as a guide to help you to complete the application form.

Section 1: General Information

1 – 5 As directed by the form, please provide as many details as possible about your group / organisation / club.

Section 2: Details of the Project

Tell us about your project, what you are planning and what you want to achieve.

- 6. Select the category that your project best fits under.*
- 7. Give your project a name which represents what your project/activity is about.*
- 8 Indicate where the project/activity is to be held or carried out (e.g. Hall, park, or facility).*
- 9 When answering this question think about the following:*
 - What does your group want to achieve? (e.g. raise awareness of a service program, group or local issue, improve access to and use of a community facility, maximize participation in your group or a particular activity, improve safety).*
 - What steps are you planning to take to make sure your project/activity runs smoothly?*
 - Who might you involve; (e.g.) young persons, older persons, people with different abilities, people from different cultural backgrounds).*
 - Why is this project/activity important for your group/organisation and the wider community?*
- 10 When answering this question think about the following?*
 - How things will be different for your group and/or the wider community?*
 - What might it allow them to do that they can't at present?*
 - How might it improve access to or participation in activities?*
 - Who will benefit most from your project/activity?*

Keep in mind concepts such as community pride, attracting people to the region and spending money in the community, forming new community links, etc.
- 11 Tell us how your group identified a need in the community (e.g. community consultation, public meeting, suggestion box).*
 - Why do you think the need exists?*
 - Why is it a problem/issue for your group and/or the wider community?*

- *Who have you spoken to about this need?*
- *Why has your group chosen this way to tackle the problem and/or improve the situation?*

12 *To answer these questions think about:*

- *Can you draw on volunteers from within your group or organisation? If yes, what sort of work will they be asked to do or in what way can they help?*
- *What equipment, machinery, etc. you have?*
- *What sort of skills or abilities do the individuals involved in the project/activity have? (e.g. financial management, organisational, trade skills – e.g. plumber, builder etc).*
- *What type of outside assistance will you seek to complete the project or run the event?*

13. *For example:*

- *Increased participation/membership*
 - *A well attended event or activity*
 - *Peoples comments and thoughts (how will you get these?)*
 - *Media coverage (e.g. newspaper, community newsletter)*
- You may wish to identify the main aims of your project which you can go back and review to see whether you were successful.*

14. *Please provide approximate start date, completion date, and a contact person for the project.*

Section 3: Budget

Please complete this section as accurately as possible and attach more pages if necessary.

15. *Clearly list the expenses for your project/activity and indicate which expenses you intend to use Council's contribution for.*

16. *Please provide details of the confirmed and anticipated sources of funding for your project. If available please provide with your application any documents confirming the availability of these funds (e.g. bank statements, loan details, letters, etc).*

Good luck with your Application

[END OF EXTRACT FROM THE GUIDELINES]

CURRENT POSITION

This is the eighteenth round of the Grants Program that Council have offered, with the application form and guidelines being continually refined to provide clear and concise information and criteria for community groups and organisations who apply for the grants.

The Program time table is shown below:-

The process consisted of;

- **Firstly**, a set of criteria in a matrix format to establish the initial eligibility of the applicants. This set of criteria was extracted from the grant guidelines as issued to the Applicants. This set of criteria required a YES, NO or N/A response. These are classified as *must comply*, if an Applicant does not meet this then the application is not further assessed.

MUST - Eligibility YES
A not for profit community group or voluntary association that is legally constituted as an incorporate body
A not for profit community group or voluntary association that is not legally constituted as an incorporate body but will operate this grant under the auspice of one - Name of auspicing body
The group or organisation is located in the Southern Midlands municipal area
The group or organisation is proposing an activity or project which will take place in the Southern municipal area, for the benefit of those who live, visit or conduct business in the municipal area.
The applicant is able to demonstrate financial viability and competence.
The applicant meets Council's insurance requirements (if applicable).
Is the applicant an educational organisation
If an education provider will the project/activity be open to all residents and does it have a broad community benefit.
If the application is for an equipment grants applicants are required to contribute at least 50% towards the cost of the equipment, has this been identified in the budget.

- **Secondly**, a set of criteria in a matrix format to establish the areas in which the grant does not cover. This set of criteria was extracted from the grant guidelines as issued to the Applicants. This set of criteria required a YES, NO or N/A response. These are also classified as *must comply*, if an Applicant scores a YES in response then the application is not further assessed.

MUST - NOs	Funds not available for the following
Has the Applicant organisation previously failed to acquit Council assisted projects in line with the agreed terms.	
Actions/services previously disbursed.	
Fundraising purposes (donations).	
Program/projects by local schools/education providers that are exclusive to students Core school curriculum and activities cannot be considered.	
Projects with ongoing costs e.g. staff, salaries, administration, maintenance, insurance, rental or lease arrangements.	
Community Organisations who already receive Council funds to undertake a specific activity for which funding is being sought or community organisations wanting to do a specific activity that is already funded by Council.	

The purchase of land.
Routine and regular maintenance work to existing facilities (e.g. gardening, cleaning).
Facilities where little or no public access is available.
Travel to sporting competitions or conferences for individual or community groups.

- **Thirdly**, a set of criteria that have been called the WANTS in a matrix format that are ‘weighted’ to gauge the extent to which the assessment team believe that the application meets the criteria detailed below. This set of criteria has been extracted from the grant guidelines as they are pivotal to the decision making process, eg risk assessment, funding sought from Council as a percentage of the total project costs, etc.

This set of criteria required a “raw scoring” of between 1 and 5 (5 being the highest/best category), which is then multiplied by the weighting to achieve a “refined score”. For example in Criterion 1 on the next page, the weighting (WT) is 10 because it was felt that this criterion represents a very high priority, when the application is scored by an assessment panel member against this criterion, if the member of the assessment panel scores it as a 1, in the 1 to 5 range, this is then automatically multiplied by the weighting (WT), which arrives at a “refined score” of 10. Likewise if the member assessed it as a 5, in the 1 to 5 range which is then automatically multiplied by the weighting (WT) it comes up with a “refined score” of 50. Working this process through against each of the fourteen criteria by each of the assessment panel members it arrives at a total as shown on the A3 Summary Sheet. Affectively in this model the highest collective score is determined to be the most deserving application.

WANT
Criteria 1 Demonstrate considerable benefit to the community;
Criteria 2 Raise the awareness of or access to a service, program, group or issue or maximize the participation or use of facility;
Criteria 3 Demonstrate coordination with other groups in the community;
Criteria 4 Address local issues by attempting to meet a community need or gap;
Criteria 5 Show evidence of community support for the project;
Criteria 6 Enhance the lifestyle options for residents and visitors in the community;
Criteria 7 Demonstrate an ability to manage the project through resource allocation, effective planning, clear goals and evaluation processes;
Criteria 8 Demonstrate the ability to be ongoing (if appropriate).

Criteria 9
Is the project reliant on other funds, if so has other fund been approved
Criteria 10
Includes the ability for broad Community access – Land Tenure
Criteria 11
Grant funds applied for as a % of the total to complete the project
Criteria 12
The Project shall be one that has not received any previous funding for the same purpose by Council or any other funding body
Criteria 13
Risk Assessment of this Project
Criteria 14
Funding received over the last five years

- **Potential Conflict of Interest** We had seven people that assessed and scored the applications because of the high level of potential 'conflict of interest' that is present in such a small Community. When a Councillor or officer identifies a conflict of interest (ie if an Elected Member or an Officer on the Assessment Panel is an office bearer for the organisation that is an Applicant for a grant, they are required to declare that interest and exit the meeting, they do not enter into discussions or score that application) and the automatic scoring in the spread sheet is adjusted by the averaging (ie if there is no conflict of interest with an Application the totals of all seven scorers is summed and then divided by seven to achieve the average. If there is one conflict of interest then the totals of all six scorers is summed and then divided by six to achieve the average). Therefore with potentially seven assessors individually scoring fourteen criteria, coupled with the weightings and then the averaging, no one assessor has the ability to adversely influence the potential outcome of the scoring. In a further element of transparency the A3 Summary Sheet is available to all applicants so that they can gauge their level of success compared with the other applicants based purely on the identified criteria.

The Members of the Assessment Panel who declared an interest and therefore stood aside in relation the nominated application were;

Mayor E Batt – Navigate Family Services

Deputy Mayor K Dudgeon – Mt Pleasant Football Club

Clr Don Fish – Oatlands Golf Club

Clr Donna Blackwell – Broadmarsh/Elderslie Progress Association & St Mary's Community Cemetery

Jo Rowley – Broadmarsh/Elderslie Progress Association

These declarations made and they withdrew from the room ensured the integrity of the process.

It is noted that the Manager Community & Corporate Development, Wendy Young participated as an observer of the grants assessment process in her role as

Internal Compliance Officer to verify the integrity of the whole process in her reporting to the Audit Panel.

Following the detailed assessment of the applications in accordance with the aforementioned process, the following documents are provided,

1. Analysis of the Community Small Grants Program September 2024 (A3 Spreadsheet) – enclosure
2. Summary of Applicants and also the Committee recommendations following the assessment (on the following page)

The two aforementioned documents detail the ranking of the assessments by the Assessment Panel Summary, in accordance with the criteria, which then allows for the dollar values to be trickled down from the highest ranking application. value,.

The Summary and the associated assessment provides the recommended funding level to Council.

Grant Assessment Outcome

Southern Midlands Community Small Grants Program 2024								
Applications						Recommendation		
Group/Club	Auspiced by	Project	Project Cost	Grant Sought	Will Accept	Recommend to Council	Score	Remarks
Bagdad Field & Game	nil	Poly water tank and fittings	\$ 3,066.00	\$ 3,000.00	\$ 2,290.00	\$ -	13	GST No, ABN Yes, PL Yes.
Bagdad VFB	TFC	655ltr refrigerator	\$ 1,899.00	\$ 1,899.00	\$ 1,799.00	\$ -	15	GST Yes, ABN Yes, PL Yes.
Broadmarsh Elderslie Progress	nil	Supply & install new blinds to windows	\$ 3,925.00	\$ 3,000.00	\$ 1,500.00	\$ 1,500.00	7	GST No, ABN Yes, PL Yes.
Colebrook Recreation Centre	nil	Internal wall linings to club room shed	\$ 4,605.00	\$ 3,000.00	\$ 2,500.00	\$ 2,500.00	3	GST No, ABN Yes, PL No.
Kempton Festival/GPPA	nil	Funding of Fitness Classes	\$ 2,890.00	\$ 2,695.00	\$ 2,500.00	\$ 2,500.00	6	GST No, ABN Yes, PL Yes.
Levendale Cricket Club	nil	Water tank plus Gazebo	\$ 2,883.00	\$ 2,883.00	\$ 2,000.00	\$ 2,000.00	9	GST No, ABN Yes, PL Yes.
Mount Pleasant FC	nil	Two door fridge	\$ 3,881.00	\$ 3,000.00	\$ 2,000.00	\$ 2,000.00	8	GST No, ABN Yes, PL Yes.
Navigate Family Services	nil	Allow participation in professional dev.	\$ 4,344.00	\$ 3,000.00	\$ 2,500.00	\$ 2,727.00	4	GST Yes, ABN Yes, PL Yes.
Oatlands Community Assn	nil	New smaller tables	\$ 2,963.00	\$ 2,963.00	\$ 2,963.00	\$ -	14	GST Yes, ABN Yes, PL Yes.
Oatlands Community Hub	OCA	Support with funding transport trips	\$ 3,978.00	\$ 2,228.00	\$ 1,935.00	\$ -	13	GST No, ABN Yes, PL Yes.
Oatlands District High School A	nil	AstroTurf to cricket nets	\$ 12,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	1	GST No, ABN Yes, PL Yes.
Oatlands Football Club	nil	Score Board and signage	\$ 34,665.00	\$ 3,000.00	\$ 2,500.00	\$ 2,990.00	5	GST No, ABN Yes, PL Yes.
Oatlands Golf Club	nil	Gravel and top soil for golf course	\$ 4,970.00	\$ 2,215.00	\$ 2,000.00	\$ 2,215.00	2	GST No, ABN Yes, PL Yes.
Runnymede Cricket Club	nil	Concrete slab for shaded area	\$ 12,480.00	\$ 3,000.00	\$ 3,000.00	\$ -	12	GST No, ABN Yes, PL Yes.
St Marys Community Cemetery	nil	Internal painting to windows	\$ 3,520.00	\$ 1,760.00	\$ 1,750.00	\$ 1,750.00	11	GST Yes, ABN Yes, PL Yes.
Tunnack Community Club	nil	Upgrade external bar area & kitch. Door	\$ 3,640.00	\$ 3,000.00	\$ 2,000.00	\$ 1,818.00	10	GST Yes, ABN Yes, PL Yes.
			\$ 105,709.00	\$ 43,643.00	\$ 36,237.00	\$ 25,000.00		
		Budgeted Funding for 2024				\$ 25,000.00		

The Facilities & Recreation Committee took the following decision.

DECISION

Moved: Edwin Batt, Seconded: Karen Dudgeon

THAT

- 1. The following financial allocations based on the assessment for the eighteenth round of the Southern Midlands Council Community Small Grants be submitted to the next Full Council meeting for ratification; and**
- 2. The Committee requests Council to consider that the budget for the Southern Midlands Community Grant Program 2025 be increased to \$30,000**

CARRIED

Councillor	Vote For	Vote Against
Clr D F Fish (Chairperson)	√	
Mayor E Batt	√	
Deputy Mayor K Dudgeon	√	

CONCLUSION

The Facilities & Recreation Committee received sixteen applications identifying **\$105,709.00** worth of projects to be undertaken in the Southern Midlands for the benefit of the Community, requesting a total of **\$43,643.00**, but acknowledging the acceptance of a lower figure (will accept) of **\$36,237.00** of support from Council through the SMC Community Small Grants Program 2024. Council had allocated \$25,000.00 in its 2024/2025 budget for the Program. A rigorous and transparent assessment was undertaken as detailed above with the available funds being allocated in priority order as detailed in the Assessment Results on the preceding page.

From an historical perspective it is interesting to note that since the inception of the Southern Midlands Community Small Grants Program in 2007, **Council have paid out to Community Groups through this Program \$397,697.00, supporting \$1,338,986.00 worth of Community Projects.**

It must be acknowledged that this Program and this Council has made a significant contribution to this Southern Midlands Community through the Program, a contribution that current and past Councillors should be rightly proud of.

Human Resources & Financial Implications - Nil, funds included in the 2024/2025 budget.

Community Consultation & Public Relations Implications - Include an award session for the next Australia Day event.

Policy Implications - Nil.

Priority - Implementation Time Frame - From the date of the September Council meeting.

RECOMMENDATION

THAT the financial allocations for the eighteenth round of the Southern Midlands Council Community Small Grants Program 2024 to the following organisation be approved:

1 \$2,727.00 *Navigate Family Service Inc*

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

THAT the financial allocations for the eighteenth round of the Southern Midlands Council Community Small Grants Program 2024 to the following organisation be approved:

1 \$2,000.00 *Mount Pleasant Football Club Inc*

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor Edwin Batt		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D Fish		
Clr F Miller		

THAT the financial allocations for the eighteenth round of the Southern Midlands Council Community Small Grants Program 2024 to the following organisation be approved:

1 \$1,750.00 *St Mary’s Community Cemetery Inc*
2. \$1,500.00 *Broadmarsh Elderslie Progress Association Inc*

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor Edwin Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr B Campbell		
Clr D Fish		
Clr F Miller		

THAT the financial allocations for the eighteenth round of the Southern Midlands Council Community Small Grants Program 2024 to the following organisation be approved:

1 \$2,215.00 *Oatlands Golf Club Inc*

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor Edwin Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr F Miller		

THAT the financial allocations for the eighteenth round of the Southern Midlands Council Community Small Grants Program 2024 to the following organisation be approved:

1 \$2,500.00 *Colebrook Recreation Centre Inc*
2. \$2,500.00 *Green Ponds Progress Assn Inc. Festival Committee*
3 \$2,000.00 *Levendale Cricket Club Inc.*
4 \$3,000.00 *Oatlands District High School Association*
5 \$2,990.00 *Oatlands Football Club Inc*
6 \$1,818.00 *Tunnack Community Club Inc*

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor Edwin Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D Fish		
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: 18 SEPTEMBER 2024

ISSUE

Oatlands Aquatic Centre – Coordinator’s Report for the month of August 2024.

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:

OATLANDS AQUATIC CENTRE - OPERATING BUDGET

INCOME		Annual Budget 2024/25	Aug 2024	Aug 2023	2024/25 Year to Date	% of Budget 2024/25
Admission Fees		\$237,500	\$12,439	\$13,621	\$27,234	11.5%
Sale of Goods		\$12,500	\$886	\$727	\$1,872	15.0%
Charging Station Energy Use Reimbursement		\$14,000	\$4,168	\$0	\$4,168	29.8%
Sub-Total		\$264,000	\$17,494	\$14,348	\$33,274	12.6%

EXPENDITURE		Annual Budget 2024/25	Aug 2024	Aug 2023	2024/25 Year to Date	% of Budget 2024/25
Salaries (incl. On-Costs)		\$473,945	\$25,060	\$56,974	\$63,326	13.4%
Operating Costs - Other		\$260,395	\$24,570	\$14,047	\$51,695	19.9%
Total Expenditure		\$734,340	\$49,631	\$71,021	\$115,020	15.7%

Budgeted Deficit		-\$470,340	-\$32,137	-\$56,673	-\$81,746	17.4%
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Group Bookings & Programs – August (21/8/24 - 17/9/24):

Event / Booking	School / Group	Participation Numbers
Centre Hire – Swim Carnival	Campania District School: Gr 3 to 10	70 participants
Physio Rehab Sessions	Annabel Butler – Physiotherapist	18 individual bookings
Lane Hire	Midlands Swimming Club	4 individual bookings
Centre Hire – Swim Carnival	Oatlands District School: Gr 3 to 10	35 participants
Centre Hire – Splash Day	Oatlands District School: Kinder to 2	50 participants
Lane Hire	Lifeguard Course – SWN & Royal	11 participants
Centre Hire/Student Visits	Oatlands District School	9 group bookings

USAGE FOR THE PERIOD 21/8/2024 – 17/9/2024

PAID UPFRONT

Type	Units
Gym	
Gym Pass 10 Sessions (17 years)	0
Gym Pass 10 Sessions (Concession)	0
PAYG – Gym (17 years)	11
PAYG – Gym (Concession)	1
Gym/Pool Combo	
Gym/Pool Pass 10 Sessions (17 years)	0
Gym/Pool Pass 10 Sessions (Concession)	3
PAYG – Gym/Pool Combo (17 years)	1
PAYG – Gym/Pool Combo (Concession)	1
Learn to Swim (Total Numbers)	
Term 3, 2024 Program Enrolments (Currently)	104
Adult Learn to Swim	0
Pool	
Pool Passes 10 Sessions (Child/Concession)	3
Pool Pass 10 Session (17 years)	1
Upfront 6 Months Pool Membership (17 +)	0
Upfront 6 Months Pool Membership (Concession)	2
Upfront 6 Months Pool Membership (Family)	0
PAYG – Pool (4 years and under)	74
PAYG – Pool (5-16)	149
PAYG – Pool (17)	249
PAYG – Pool (Concession)	129
PAYG – (Family)	14

DIRECT DEBITS – Current Numbers

Type	Units
DD Pool/Gym	12
DD Gym	8
DD 6 Months Pool – 17 years +	1
DD 6 Months Pool – Child/Concession	20
DD 6 Months Pool – Family	0

Grant Applications & General Information

See below an update on the current Grant Application:

- **Corumbene Possible Program:**

Working with Corumbene the Oatlands Aquatic Centre are looking at starting a new 10 week program based around improving overall wellbeing in the GYM and Pool space. Funding Grant is currently being sourced by Corumbene, once program is confirmed I will advise.

- **Southern Works Network – Lifeguard Course:**

On Saturday 7th & 8th September the Oatlands Aquatic Centre was host of a Lifeguard Course operated between the Southern Works Network and Royal Life Saving Tasmania. The course was funded by SWN with no charge to 11 participants across the Southern, Northern, Central and Brighton Local Government areas. With Oatlands Aquatic Centre the central hub for these type of ongoing programs it will not only provide us with potential future staff but also surrounding Local Government areas and their local summer pools.

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

16.2.2 Woodsdale Recreation Ground (PID 5839745 – C/T 10138/1) – Possible transfer of Property Ownership to Woodsdale Football Club

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 20 SEPTEMBER 2024

Attachment(s)

Woodsdale Football Club – Email dated 6th September 2024 – included the following:

- *Woodsdale Football Club – Mission; Aim and Goals*
- *Facilities Upgrade Plan*
- *AFL Tasmania – Letter dated 29 January 2023*
- *Tasmania Football Club AFL Ltd – Letter (not dated)*
- *Kean & Kean Design, Drafting & Building – Remedial Works (incl. quotation)*

ISSUE

To report on the outcomes of the negotiations with the Woodsdale Football Club relating to the possible transfer of ownership of the Woodsdale Recreation Ground to the Woodsdale Football Club.

BACKGROUND

The Southern Midlands Community Infrastructure Plan, prepared by *Inspiring Place*, was adopted by Council at its meeting held 27th March 2024.

In respect to the Woodsdale Recreation Ground property, the consultants did recommend that the property be sold and any proceeds should be invested in the upgrade of the Woodsdale Community Hall. An upgrade might include the acquisition of some adjoining land to provide additional community infrastructure, such as a dedicated car parking area at the rear, an expanded playground, and upgraded barbecue facilities.

As an alternative, Council resolved in the first instance to initiate a process to negotiate the terms and conditions that could be associated with the possible transfer of ownership of the Woodsdale Recreation Ground (Certificate of Title 10138/1) to the Woodsdale Football Club (noting the requirement to adhere to the provisions relating to the sale of public land under the *Local Government Act 1993*).

In the absence of reaching a consensus on the terms and conditions associated with any transfer of ownership, then Council would need to consider the consultants initial recommendation to proceed and dispose of the land (having complied with the legislative process).

As part of the above decision, Council confirmed that it would provide a 'one-off' non-refundable grant amount (in the vicinity of \$45,000) which was based on the initial indicative amount being sought by the Woodsdale Football Club from Council to achieve its objective of football being played at this facility.

Note: Council's contribution was contingent upon the Woodsdale Football Club providing confirmation that the external sources of funding have been secured to enable upgrade

of the facility to a standard that is consistent with its expectations and achieves compliance with the Building Code of Australia and other applicable legislation.

DETAIL

Council subsequently adopted a position (i.e. the proposed terms and conditions) that would be used as the basis for the negotiations which are detailed in the following Table (column 1).

In response to the proposed terms and conditions, and following two meetings with Council's General Manager, Deputy General Manager and representatives from the Woodsdale Football Club, the Football Club has sent an Email communication (plus attachments) to Councillors – copy provided as an attachment.

Where applicable, the Football Club's position has been inserted beside the relevant term or condition (refer column 2).

Council Position	Woodsdale Football Club Position	Comment
<p>Along with transferring ownership of the property to the Woodsdale Football Club, Council to provide a 'one-off' non-refundable grant amount (in the vicinity of \$45,000 less deductions – refer below) which is the indicative amount being sought by the Woodsdale Football Club from Council to achieve its objective of football being played at this facility.</p> <p>Council's contribution will be contingent upon the Woodsdale Football Club providing confirmation that the external sources of funding have been secured to enable upgrade of the facility to a standard that is consistent with its expectations and achieves compliance with the Building Code of Australia and other applicable legislation.</p>	<p>The Woodsdale Football Club has submitted a Plan prepared by Kean & Kean (refer attached) and pricing which totals \$246,947. The response indicates that a total of \$258,000 is needed to ensure the overall upgrade meets the community needs.</p> <p>The Club has indicated that the State Government has committed \$148,000 (to be confirmed as part of the State Government Budget) – leaving a balance of \$110,000.</p> <p>\$75,000 is being sought from Council and the Football Club is confident that it can raise the balance of \$35,000.</p> <p>Council has also been requested to fund the wastewater disposal system upgrade (unknown cost pending design and pricing). The Football Club is in the process of finalising a Design Plan and Quote for the upgrade, which will be available very soon.</p>	<p>The Plan submitted by the Woodsdale Football still incorporates the relocation of the Toilet facility from the Colebrook Recreation Ground. Confirmation has been provided on a number of occasions that this is not a viable or possible option as it is being used at the Colebrook Recreation Ground and will be for the foreseeable future.</p> <p>Without this Colebrook facility, there is no provision for Umpires changerooms or toilets within the proposal submitted by the WFC.</p> <p>There is presently no compliant facilities under the Disabilities Discrimination Act 1992 on the site, which is another reason that Council sees the site as a no functional space for community activities.</p> <p>The proposed size and layout of the changerooms are well below the minimum requirement provided in the AFL Preferred Facility Guidelines for 'local-level'. The Guidelines indicate preferred minimum area of 45m² for each room; players amenities (i.e. toilets/showers) of 25m² per room; with 3 showers and 3 toilets per amenity.</p> <p>Any development approval for the site would include a requirement for adequate car parking for participants and spectators. The Planning Scheme requires a minimum of 50 parking spaces that include disability parking requirements. The latter would require a hard finished surface with markings.</p>

	<p>In relation to the ground, the Club has stated in its submission that the actual ground condition and size has been endorsed by the ODFA and AFL Tasmania to be fit for use.</p> <p>We have signed letters from five other clubs in the ODFA supporting us playing back at home at Woodsdale. It was Council who refused to let games be played at Woodsdale, not the Insurance Company refusing to offer Insurance. The Woodsdale Recreation ground and facilities are currently Insured under the Council's Umbrella Policy used for all recreation grounds.</p>	<p>Ground Condition: The Football Club's submission included a copy of a letter provided by AFL Tasmania. In reference to that letter, it is clearly stated that AFL Tasmania supports games being played under the condition of the venue being deemed safe for usage considering the venue owners' insurance requirements. Support is also provided on the provision that the adequate provision of change facilities for players and umpires.</p> <p>Council has been clear from the outset that its insurers have deemed the property not fit for purpose without significant investment. This would require further funding to improve the current oval playing surface that is not adequate to facilitate game day matches or more permanent training and usage. The power that feeds the ground and facilities may need to be upgraded to facilitate any new proposed works for both buildings and minimum lux lighting standards for ovals has not yet been costed.</p>
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Council Position	Woodsdale Football Club Position	Comment
<p>It is intended to transfer the property for a peppercorn amount (say \$1.00) acknowledging that a recent valuation provided by the Valuer-General has determined a total valuation of \$60,000.</p> <p>a) The valuation (cost met by Council) was required for two purposes:</p> <p>a. It is a requirement of the Act to obtain a valuation prior to the sale or disposal of any land (i.e. in order to determine the value of the asset); and</p> <p>b. It will be required for the purpose of assessing the amount of stamp duty payable in the event of transferring ownership. Stamp Duty will be \$1,222.50 and would be paid by Council and offset against the allocated \$45,000).</p>		<p>Noted.</p>

Council Position	Woodsdale Football Club Position	Comment
The property is to be sold on an 'as is where is' basis and from the date of transfer Council will cease to have any responsibility for future maintenance (e.g. mowing; building maintenance; waste removal); insurance or other costs associated with the property (e.g. electricity);		
Each party to engage their own legal representative and meet the associated legal costs (excluding stamp duty payable on the sale transaction);		
Following completion of the upgrade to be undertaken by the Woodsdale Football Club, and subject to the property being used as a recreation ground for the purpose of playing organised sport, Council will provide an annual operating grant of \$(amount to be considered) (to be indexed by the annual Hobart March CPI percentage to be applied for the following financial year);	<p>Seek \$10,000 annually for running expenses and maintenance (CPI increase) (includes Insurance, Public Liability, Electricity, General Maintenance, Playground Softfall, Fire Extinguishers, Rodent Baits, Cleaning Supplies and Weed Control, and other Sundries)</p> <p>Regular mowing and ground maintenance (with Council mower and equipment needed, driving past the ground, this would see us aligned with other grounds in the municipality)</p>	The ongoing provision of substantial operational subsidies does not achieve any cost savings that can be reallocated to other priorities identified in the Southern Midlands Community Infrastructure Plan.
Similar to other community owned facilities, the Club will be liable for annual service charges and levies only, with an entitlement to be exempt from the General Rate.	Rates and Taxes exclusion	The Woodsdale Football Club, or the newly established entity, would be responsible for the Fire Service Levy; Waste Management Levy and the Household Collection Service charge if that service is utilised.
The Woodsdale Football Club would be entitled to a part premium reimbursement for Public Liability Cover relating to the property under Council's 'Donations and Community Support Policy'.	Included as part of the annual operating subsidy being sought.	Refer comment above re: operational subsidies.
Council Position	Woodsdale Football Club Position	Comment

<p>Land tax (if applicable) will also be payable by the property owner;</p>		<p>The property would be exempt from land tax if owned by a not-for-profit organisation.</p>
<p>The Woodsdale Football Club would still be entitled to make application for any financial assistance through Council's Community Small Grants Program;</p>		
<p>Should the ground cease being used by the Woodsdale Football Club, then the property is to be sold. As a 'not-for-profit organisation' it is likely that the Club's constitution provides direction for its resources should the Association be 'wound-up'. In relation to this, Council would seek to have the net sale proceeds returned to the Southern Midlands Council for re-distribution within the local community.</p>		

Human Resources & Financial Implications – refer above comments.

The response from the Woodsdale Football Club seeks a significant increase in the amount of funding that Council is prepared to offer. The level of investment being sought is inconsistent with the outcomes and recommendation(s) contained within the Community Infrastructure Plan.

The level of investment should also consider the current valuation of the property (\$60,000) and whether such an investment provides value for money.

Community Consultation & Public Relations Implications – To be considered.

Policy Implications – Policy position.

Priority - Implementation Time Frame – Requires resolution in the short-term.

RECOMMENDATION

THAT:

- a) the information be received;
- b) Council determine that the likelihood of reaching any negotiated position that would be acceptable to both parties is extremely remote; and
- c) In light of that, Council progress with the proposed sale of the property in accordance with the *Local Government Act 1993*.

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

16.2.3 Woodsdale Recreation Ground (PID 5839745 – C/T 10138/1) – 2578 Woodsdale Road, Woodsdale - Sale of Property

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 20 SEPTEMBER 2024

Attachment(s)

Property Title / Plan

Community Infrastructure Plan (Inspiring Place) – Extract (Section 6.4 - Sports Venues)

ISSUE

Council to make a formal decision regarding its intention to sell the Woodsdale Recreation Ground property.

BACKGROUND

Firstly, the *Local Government Act 1993* provides Council with the authority to sell, lease, donate, exchange or otherwise dispose of land owned by it.

The Woodsdale Recreation Ground property is classified as ‘public land’ under the Act, (being land that provides health, recreation, amusement or sporting facilities for public use), and Council must therefore comply with the provisions relating to the sale, exchange of public land.

Before a council sells, leases, donates, exchanges or otherwise disposes of any land, it is also required to obtain a valuation of the land from the Valuer-General or a person who is qualified to practise as a land valuer under [section 4 of the Land Valuers Act 2001](#).

A council may sell –

- (a) any land by auction or tender; or
- (b) any specific land by any other method it approves.

A resolution of the council to sell, lease, donate, exchange or otherwise dispose of public land is to be passed by an absolute majority.

DETAIL

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

178. Sale, exchange and disposal of public land

- (1) *A council may sell, lease, donate, exchange or otherwise dispose of public land owned by it in accordance with this section.*
- (2) *Public land that is leased for any period by a council remains public land during that period.*
- (3) *A resolution of the council to sell, lease, donate, exchange or otherwise dispose of public land is to be passed by an absolute majority.*
- (4) *If a council intends to sell, lease, donate, exchange or otherwise dispose of public land, the general manager is to–*
 - (a) *publish that intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and*
 - (ab) *display a copy of the notice on any boundary of the public land that abuts a highway; and*

(b) notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication.

(5) If the general manager does not receive any objection under [subsection \(4\)](#) and an appeal is not made under [section 178A](#), the council may sell, lease, donate, exchange or otherwise dispose of public land in accordance with its intention as published under [subsection \(4\)](#).

(6) The council must –

(a) consider any objection lodged; and

(b) by notice in writing within 7 days after making a decision to take or not to take any action under this section, advise any person who lodged an objection of –

(i) that decision; and

(ii) the right to appeal against that decision under [section 178A](#).

(7) The council must not decide to take any action under this section if –

(a) any objection lodged under this section is being considered; or

(b) an appeal made under [section 178A](#) has not yet been determined; or

(c) the Appeal Tribunal has made a determination under [section 178B\(b\)](#) or [\(c\)](#).

(8)

Comment:

The recommendation to sell the Woodsdale Recreation Ground property follows completion and adoption of the Community Infrastructure Plan prepared by Inspiring Place in March 2024. This being a strategic document focused on addressing the needs of the community through to 2042.

The section of the Plan relating to ‘Sports Venues’ is included as an attachment to this report and the following extract specifically relates to the Woodsdale Recreation Ground (page 47 of the Plan):

“The Woodsdale Recreation Ground is in poor condition and will require a major capital investment to meet current health and safety standards. This investment cannot be justified for a single sports venue in a regional location. AFL Preferred Facility Guidelines suggests that Woodsdale is not meeting any of the recommended standards, including as a training ground. The poor quality of facilities at Woodsdale are a significant issue for Council considering the Victorian court case in which Bayside Council was liable for \$235,810 in damages because the ground failed to meet AFL guidelines.

Woodsdale is currently playing competition at Kempton, but this is not meeting club expectations in terms of sport or social facilities. Consideration should be given to providing a quality venue for Woodsdale Football Club at Oatlands Recreation Ground. This would need to include a bar and kiosk to help sustain the club financially and socially. While this may not be ideal for the club given their wish to upgrade their own facilities at the Woodsdale Recreation Ground, the advice from Council's insurer is that the facilities would require very significant investment.

Upgrading Woodsdale’s facilities does not fit the hierarchy of recreation planning where the largest support needs to go to multi-use, multi-sport regional facilities. The location and characteristics of this property do not suit use as a community hub or as an evacuation centre. The single steep entry and proximity to fireprone forest do not fit with the Tasmanian

Fire Service’s requirements for an evacuation centre. There are many competing priorities within the municipal area and investment needs to focus on infrastructure that caters for a multitude of activities.

Any proceeds from the sale of Woodsdale Recreation Ground property should be invested in a Community Hall upgrade. An upgrade might include the acquisition of some adjoining land to provide additional community infrastructure, such as a dedicated car parking area at the rear, an expanded playground, and upgraded barbecue facilities.”

The final Plan did also include the following option:

“Influenced by past discussions with the Woodsdale Football Club, Council identified an additional option for the property. As an alternative to the sale of the Woodsdale Recreation Ground, Council might consider the option of transferring ownership of the ground to the Woodsdale Football Club. The advantage for Council is that it would no longer be liable for activities and condition of the ground. The disadvantage to the wider community is the loss of income from the sale the ground that might be used to upgrade the hall.”

With reference to the previous report on this Council Agenda, it is apparent that there is no likelihood of reaching any negotiated position that would be acceptable to both the Woodsdale Football Club and Council.

When considering the sale of public land, it is necessary that Council make a decision that it is in the public’s interest. It should consider the following questions:

Will the community suffer financial hardship due to the loss of access to, and the use of, the public land?

In responding to this question, the ‘community’ is considered to be Woodsdale and the immediate surrounding area as opposed to the broader southern midlands community.

It is difficult to identify any circumstances whereby the community will be disadvantaged financially. For numerous years, particularly since the Woodsdale Football Club was dissolved in 2015, there has been minimal use of the Recreation ground and any use has generally been for social gatherings. The Woodsdale Community Hall is in close proximity and offers a premises that is more suitable for these type of social activities with a higher standard of kitchen and toilet amenities. The Hall, like all community Halls, is underutilised and has capacity to cater for additional events.

In terms of the Recreation Ground being suitable for playing football, football has not been played at the ground since the Club was dissolved in 2015.

The loss of the ground won’t be an issue because it is not in use now, and not likely to be in use without substantial investment. At present it is considered a high risk. No revenue is generated from the ground and not likely to be therefore no financial hardship. In fact the community will likely benefit by an upgrade to the Hall.

Inspiring Place (the consultants who prepared the Community Infrastructure Plan) has highlighted the many issues associated with the Recreation Ground. Essentially, it is not fit for purpose, particularly football, and use of the land could only continue after significant investment.

OR

Is there a similar facility available to the users of that facility?

Refer comment above in relation to the Woodsdale Community Hall being available for meeting and social events. In terms of the built structure, the Hall can well serve as a substitute for the limited use the building at the ground now gets.

Whilst the Woodsdale Football Club, since its reformation in late 2022, has been occupying the property for football club activities, the ground has not been used for playing football in the two seasons since the Club re-commenced, with home games and training taking place at the Kempton Recreation Ground.

In regard to the long-term, the Community Infrastructure Plan recommends that consideration be given to providing a quality venue for the Woodsdale Football Club at the Oatlands Recreation Ground. This would need to include a bar and kiosk to help sustain the club financially and socially.

Finally, it is confirmed that a valuation of the land has been obtained from the Valuer-General.

Human Resources & Financial Implications – refer above comments.

Community Consultation & Public Relations Implications – To be considered.

Policy Implications – Policy position.

Priority - Implementation Time Frame – Requires resolution in the short-term.

RECOMMENDATION

THAT:

- a) the information be received;
- b) in accordance with section 178 of the Local Government Act 1993, Council resolve (by absolute majority) to sell the Woodsdale Recreation Ground property (PID 5839745 – C/T 10138/1); and
- c) the General Manager proceed to–
 - publish this intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and
 - display a copy of the notice on any boundary of the property that abuts a highway; and
 - notify the public that objection to the proposed sale be made to the general manager within 21 days of the date of the first publication.

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

16.3 Access

Strategic Plan Reference 4.3

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

Nil.

16.4 Volunteers

Strategic Plan Reference 4.4

Encourage community members to volunteer.

Nil.

16.5 Families

Strategic Plan Reference 4.5

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

Nil.

16.6 Education

Strategic Plan Reference 4.6

Increase the educational and employment opportunities available within the Southern Midlands

Nil.

16.7 Capacity & Sustainability

Strategic Plan Reference 4.7

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

Nil.

16.8 Safety

Strategic Plan Reference 4.8

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

Nil.

16.9 Consultation & Communication

Strategic Plan Reference 4.8

Improve the effectiveness of consultation & communication with the community.

Nil.

17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

17.1 Improvement

Strategic Plan Reference 5.1

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

17.1.1 Review and Amendment of Mobile Food Vendors Policy

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 18 SEPTEMBER 2024

Attachment(s):

Draft Revision – Mobile Food Vendors Policy – Version 3

ISSUE

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

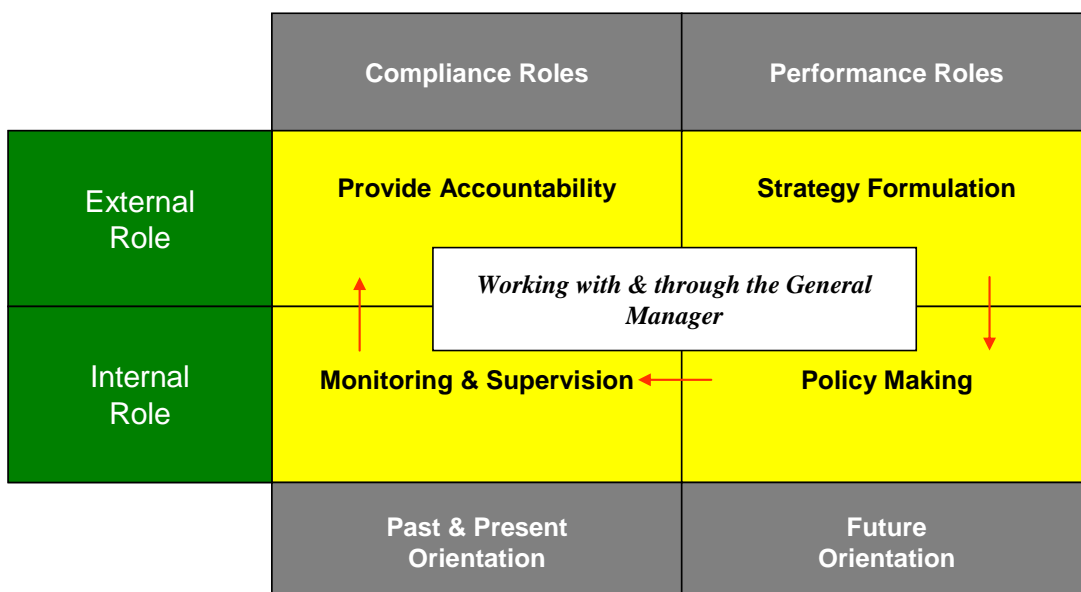
BACKGROUND

The follow is an extract from the August 2024 Council meeting where this matter was first table for review.

[EXTRACT Minutes of the August 2024 Council Meeting]

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.



DETAIL

This draft revision of the Mobile Food Vendors Policy is submitted for Council's consideration. The review has identified a conflict in respect of the following clause and one of the identified sites;

[EXTRACT]

OBJECTIVES

2.3 Accommodate mobile food vendor trading on Council or community land in a reasonable manner which will:

- complement and not unreasonably compete with existing fixed address food businesses;*

[END OF EXTRACT]

The author of this report was contacted, on the afternoon of Friday 23rd August 2024, by the Proprietor of the Campania Tavern. He was extremely disappointed that a Mobile Food Vendor had given notice via the Campania Community Facebook page, that they intended to set up their Vendor Food Van in the Campania carpark adjacent to the Campania Tavern, on Saturday 24th August 2024. The proprietor of the Campania Tavern stated that the Mobile Food Vendor would be setting up in direct competition to his business.

Further, it is noted that Council are undertaking works over this current financial year to upgrade the carpark in meeting burgeoning needs in the area. Therefore the inclusion of this site as a Mobile Food Vendor location under the policy would also be an impediment to safety and therefore a potential liability that Council could do without within the Council owned carpark.

The removal of the Campania carpark location within the policy is the significant change to this policy. It is noted that this policy would still permit a site in the Campania Recreation Ground being available to service the Campania area/events.

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 Mobile Food Vendor Policy is attached and shows some the changes to the document as discussed above. There are no changes required by legislation.

RECOMMENDATION

THAT Council

- 1. Receive and note the report;**
- 2. Consider draft version 3 of the Mobile Food Vendors Policy in preparation for the adoption of the revised policy, at the September 2024 Council meeting, subject to any Council amendments.**

DECISION

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

THAT Council

- 1. Receive and note the report;**
- 2. Consider draft version 3 of the Mobile Food Vendors Policy in preparation for the adoption of the revised policy, at the September 2024 Council meeting, subject to any Council amendments.**

CARRIED

[END OF EXTRACT Minutes of the August 2024 Council Meeting]

DETAIL

With this policy having been available for consideration by Council since the August 2024 Council Meeting, the proposed draft version of the *Mobile Food Vendors Policy version 3*, as attached and any final recommendations for amendment, may be discussed and if agreed, included within the document.

RECOMMENDATION

THAT Council:

1. Receive and note the report;
2. Consider the revised version of the *Mobile Food Vendors Policy* for adoption, subject to any Council amendments.

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

17.1.2 Local Government Amendment (Code of Conduct) Act 2023

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 9 SEPTEMBER 2024

Attachment(s):

Local Government (Code of Conduct) Order 2024

ISSUE

To inform Council that the provisions of the *Local Government Amendment (Code of Conduct) Act 2023* commenced on 10th September 2024, along with the supporting Amendment Regulation provisions and a new Code of Conduct Order.

BACKGROUND

Nil.

DETAIL

The Amendment Act will deliver a number of targeted improvements to the Local Government Code of Conduct framework, including:

- Providing for a single statewide Code, which will automatically apply to all councillors.
- Requiring councils to adopt a dispute resolution policy within 12 months of its commencement.
- Introducing a 'public interest' test for investigating complaints.
- Having a more rigorous initial assessment process undertaken by a Panel member who is a lawyer (who will not be on any subsequent investigating Panel).
- Having the Code of Conduct Panel Executive Officer undertake monitoring of compliance with sanctions.

A new Code of Conduct Order 2024 has also been issued (refer attached) which will replace the existing Code. This will automatically apply to all councillors without the need for formal adoption by individual councils.

To support the intent of the Amendment Act changes, the General Regulations are also being amended to:

- Establish prescribed minimum standards for dispute resolution policies; and
- Set annual reporting requirements for dispute resolution policies.

Note: The Local Government Association of Tasmania will develop a model dispute resolution policy for councils to adopt where they wish to do so.

Human Resources & Financial Implications – Nil.

Community Consultation & Public Relations Implications – N/A.

Priority - Implementation Time Frame – All councils will be required to adopt a dispute resolution policy by no later than 10 September 2025.

RECOMMENDATION

THAT the information be received and Council acknowledge that the new Local Government (Code of Conduct) Order has effect from 10th September 2024.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt		
Deputy Mayor K Dudgeon		
Clr A E Bisdee OAM		
Clr D Blackwell		
Clr B Campbell		
Clr D Fish		
Clr 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.

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 August 2024)

Author: FINANCE OFFICER (MANDY BURBURY)

Date: 17 SEPTEMBER 2024

ISSUE

Provide the Financial Report for the period ending 31st August 2024.

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 Aug 2024.
- Operating Expenditure Report – 1 July 2022 to 31 Aug 2024.
- Capital Expenditure Report – 1 July 2022 to 31 Aug 2024.
- Cash Flow Statement – 1 July 2022 to 31 Aug 2024.

OPERATING EXPENDITURE (OPERATING BUDGET)

Overall operating expenditure to end of July was \$1,621,016 which represents 87.7% of the Year to Date Budget.

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

Strategic Theme - Infrastructure

Nil.

Strategic Theme – Growth

Nil.

Strategic Theme – Landscapes

Nil.

Strategic Theme – Community

Sub-Program – Capacity & Sustainability - expenditure to date (\$21,563 – 133.93%). Increased expenditure relates to costs incurred in running the Heritage and Bullock Festival.

Strategic Theme – Organisation

Nil.

CAPITAL EXPENDITURE PROGRAM

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

Legend – Source and completion deadlines for grant funded projects

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

RECOMMENDATION

THAT the Financial Report be received and the information noted.

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

STATEMENT OF COMPREHENSIVE INCOME
for the period 1 July 2024 to 31 August 2024

	Annual Budget \$	Year to Date Actual \$	%	Comments
Income				
Rates	7,375,148	7,378,240	100.0%	Includes Interest & Penalties on rates
User Fees (refer Note 1)	1,304,313	283,417	21.7%	Includes Private Works
Interest	486,000	107,990	22.2%	
Government Subsidies	11,700	0	0.0%	Heavy Vehicle Licence Fees
Other (refer Note 2)	232,400	59,884	25.8%	Includes TasWater Distributions
Sub-Total	9,409,561	7,829,531	83.2%	
Grants - Operating	4,426,800	197,107	4.5%	
Total Income	13,836,361	8,026,638	58.0%	
Expenses				
Employee benefits	-5,735,244	-783,982	13.7%	Less Roads - Resheeting (Capitalised)
Materials and contracts	-3,996,965	-798,805	20.0%	Less Roads - Resheeting (Capitalised), Includes Land Tax & Private Works
Depreciation and amortisation	-4,120,000	-699,836	17.0%	Percentage Calculation (based on year-to-date)
Finance costs	-4,979	-2,577	51.8%	Interest
Contributions	-287,371	0	0.0%	Fire Service Levies
Other	-173,993	-28,705	16.5%	Audit Fees and Councillor Allowances
Total expenses	-14,318,552	-2,313,905	16.2%	
Surplus (deficit) from operations	-482,191	5,712,734	-1184.7%	
Grants - Capital (refer Note 3)	3,905,575	61,680.00	1.6%	
Sale Proceeds (Plant & Machinery)	0	0		
Sale Proceeds (Land & Buildings)	0	0		
Sale Proceeds (Other Assets)	0	159		
Net gain / (loss on disposal of non-current assets)	0	0		
Surplus / (Deficit)	3,423,384	5,774,573	168.7%	

STATEMENT OF COMPREHENSIVE INCOME
for the period 1 July 2024 to 31 August 2024

NOTES	Annual Budget \$	Year to Date Actual \$	%	Comments
1. Income - User Fees				
- All other Programs	919,613	256,016	27.8%	
- Private Works	384,700	27,401	7.1%	
	<u>1,304,313</u>	<u>283,417</u>	21.7%	
2. Income - Other				
- Tas Water Distributions	182,400	0	0.00%	
- Public Open Space Contributions	50,000	0	0.00%	
- Regional Community Learning Centre Levendale Contribution	0	776		
- Insurance Premium Recovery & JLB Trust Interest Distribution	0	4,108		
- MMPHC Auxiliary Contribution to GP Units	0	49,999		
- TasWater Contribution to OAC Sculpture	0	5,000		
	<u>232,400</u>	<u>59,884</u>	25.8%	
3. Grants - Capital				
- Roads To Recovery	665,531	0	0.00%	
- Rural & Remote Roads Program	2,673,090	0	0.00%	Interlaken Road Project (\$1,069,236 in 2022-23 budget)
- LRCl - Phase 4	397,584	0	0.00%	
- Aust Govt - BS Bushfire Recovery Grant - The Haven	0	0		Broadmarsh/Elderslie Progress Association Inc Grant
- Vulnerable Road User Program	130,124	0		Included in 2022-23 budget
- Tas Govt (Better Active Transport) - Bagdad Shared Walkway	0	0		
- Tas Govt (Bus Stop Program) - Oatlands & Campania	39,246	0		1st Instalment - Total of grants \$39,246
- Tas Govt (Dept Health) - Oatlands Medical Accommodation	0	0		
- Tas Govt (State Growth) - VRUP Round 1 1st Instalment	0	0		2024-25 budget items - 2 Projects Reeve St & 1 Project Climie St. Campania
- Tas Govt (State Growth) - Safer Rural Roads	0	55,000		2023-24 Projects - Woodsdale & Green Valley Rds Guard Rail
- Aust Govt - DVA Saluting their Service	0	6,680		
	<u>3,905,575</u>	<u>61,680</u>	1.58%	
4. Grants - Operating				
- FAGS 2024/25	4,426,800	194,549	4.39%	
- Navigate Family Services (School Holiday Program)	0	2,559		
	<u>4,426,800</u>	<u>197,107</u>	4.5%	

**SOUTHERN MIDLANDS COUNCIL : OPERATING EXPENDITURE 2024/25
 SUMMARY SHEET**

PROGRAM	ACTUAL (as at 31 Aug 24)	BUDGET (as at 31 Aug 24)	YTD VARIANCE	YTD %	FULL YEAR BUDGET - INC. GRANTS & OTHER
INFRASTRUCTURE					
Roads	214,901	221,899	6,998	96.85%	3,695,184
Bridges	-	8,538	8,538	0.00%	459,620
Walkways	29,745	38,993	9,249	76.28%	243,503
Lighting	8,087	15,656	7,569	51.65%	84,790
Public Toilets	15,490	15,543	53	99.66%	96,102
Sewer/Water	-	-	-	-	-
Stormwater	5,331	4,954	-377	107.60%	85,679
Waste	170,536	249,577	79,041	68.33%	1,373,747
Information, Communication	-	3,333	3,333	0.00%	20,000
INFRASTRUCTURE TOTAL:	444,090	558,494	114,404	79.52%	6,058,625
GROWTH					
Residential	-	-	-	-	-
Tourism	20,678	23,251	2,573	88.93%	47,718
Business	51,050	56,089	5,039	91.02%	391,418
Industry	-	-	-	-	-
GROWTH TOTAL:	71,728	79,340	7,612	90.41%	439,136
LANDSCAPES					
Heritage	44,833	91,401	46,569	49.05%	471,709
Natural	31,279	37,492	6,213	83.43%	206,318
Cultural	-	3,333	3,333	0.00%	25,000
Regulatory - Development	154,094	170,370	16,276	90.45%	1,050,886
Regulatory - Public Health	1,941	3,370	1,429	57.59%	20,220
Regulatory - Animals	18,812	18,228	-584	103.20%	115,108
Environmental Sustainability	-	833	833	0.00%	5,000
LANDSCAPES TOTAL:	250,958	325,027	74,069	77.21%	1,894,241
COMMUNITY					
Community Health & Wellbeing	43,337	59,162	15,825	73.25%	313,472
Recreation	204,673	232,815	28,142	87.91%	1,212,694
Access	-	-	-	-	-
Volunteers	2,033	2,500	467	81.32%	51,000
Families	418	1,000	582	41.78%	10,000
Education	-	-	-	-	-
Capacity & Sustainability	21,563	16,101	-5,462	133.93%	49,605
Safety	556	5,658	5,103	9.82%	33,950
Consultation & Communication	726	6,217	5,491	11.67%	37,300
LIFESTYLE TOTAL:	273,306	323,453	50,148	84.50%	1,708,021
ORGANISATION					
Improvement	-	13,753	13,753	0.00%	80,289
Sustainability	564,507	522,890	-41,617	107.96%	2,928,058
Finances	16,428	24,750	8,322	66.38%	355,238
ORGANISATION TOTAL:	580,935	561,393	-19,542	103.48%	3,363,585
TOTALS	\$1,621,016	\$1,847,707	\$226,691	87.7%	\$13,463,607

CAPITAL EXPENDITURE PROGRAM 2024-25
As at 31 August 2024

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION
		\$	\$	\$		DEADLINE
INFRASTRUCTURE						
ROAD ASSETS						
Resheeting Program	Roads Resheeting	700,000	20,100	679,900	LRCI - \$113,893	
Reseal Program	Roads Reseal Program (as below)	596,787	-	596,787	Roads to Recovery - \$126,687 (orig. \$101,400)	30 June 2025
	Bagdad - Green Valley Road (towards Huntingdon Tier Rd Jct) - 2200m2					
	Campania - Estate Road (370m from Reeve St to bridge) - 7000m2					
	Colebrook - Station Street - 400m2 - 2 Coat Seal				Originally Reconstruct & Seal	
	Kempton - Sugarloaf Road (Main Street to Bridge) - 8800m2 (150m)				Originally Reconstruct & Seal	
	Kempton - Council Office (Rear Carpark) - 470m2 - 2 Coat Seal					
	Oatlands - High Street (Wellington Street to Barrack Street) - 9400m2					
	Oatlands - Stanley Street (Midland H'way to Marlborough Street) - 6000m2					
	Orielton - Aldridge Road (off Tasman Highway) - 3300m2					
	Pontville - Brighton Road - 6000m2					
	Sealed Roads - Edge Breaks (as below)	300,000	-	300,000		
	Woodsdale Road		-			
	York Plains Road		-			
Minor Seals (New)	Oatlands - Bentwick Street	20,000	-	20,000	Budget c/f	
Reconstruct & Seal	Elderslie - Pelham Road (1km)	160,000	-	160,000	Funded from Projects moved to Reseal / RTR	30 June 2025
	York Plains - Vicinity of 'Handroyd' - 800 metres	130,000	-	130,000	Roads to Recovery - \$130,000 (originally \$168K)	30 June 2025
	Woodsdale - Woodsdale Road (2.4 kms) Cricket Ground towards Quarry	370,000	-	370,000	Roads to Recovery - \$370,000 (originally \$288,750)	30 June 2025
	Colebrook - Station Street (includes drainage)	25,000	511	24,489	Seal component moved to Reseal Program	
Construct & Seal	Oatlands - Interlaken Road	5,746,180	3,579,360	2,166,820	23/24 WIP - \$2,983,324	31 December 2024
Junction / Road Realignment	Andover - Nala Road Junction with Inglewood Road (Asphalt junction)	30,000	-	30,000		
Other	Campania - Car Park Improvements	67,600	-	67,600	LRCI - \$65,816	30 June 2025
	Campania - Estate Road (vicinity Mallow property)	49,000	14,974	34,026	Budget c/f - WIP \$14,974	
	Campania - Structure Plan - Town Gateway and Streetscape	40,000	-	40,000		
	Elderslie - Cliftonvale Road (Guard Rail) - 600 metres	90,000	-	90,000	Roads to Recovery - \$78,506	30 June 2025
	Oatlands - Hasting Street Junction	15,000	959	14,041	Budget c/f - WIP \$959	
	Oatlands - Stanley Street (from Midland Highway junction to Nelson Street)	35,000	31,954	3,046	Shoulder Repairs & Drainage (i.e. piping)	
	Oatlands - William Street (from Wellington Street towards Stanley Street)	13,500	16,475	- 2,975	Approx. 100 metres - Shoulder Repairs & Drainage (i.e. piping)	
	Tunbridge - Main Street (Kerb & Gutter Renewal)	40,000	-	40,000		
	Tunnack - Link Road Landslip	25,000	107	24,893	Budget c/f - WIP \$107	
	York Plains Road (vicinity of Rooney's Road) - Guard Rail - approx. 50 metres	7,250	-	7,250		
		8,460,317	3,664,440	4,795,877		
BRIDGE ASSETS	Nil	-	-	-		
		-	-	-		

CAPITAL EXPENDITURE PROGRAM 2024-25
As at 31 August 2024

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION
		\$	\$	\$		DEADLINE
WALKWAYS	Footpaths - General Streetscapes	40,000	-	40,000		
	Bagdad - Midland Highway Pathway (Primary School north to Community Club)	240,000	-	240,000	Election Commitment - \$150,000	
	Bagdad - Midland Highway Pathway (north of Bagdad Community Club)	645,840	164,016	481,824	Better Active Transport in Tas - \$370K; LRCI - \$145	30 September 2024
	Campania - Climie Street (Across Railway)	41,250	6,337	34,913	VRUP Grant - \$35,250	31 December 2024
	Campania - Reeve Street (West - adjacent to Flour Mill Park)	100,209	414	99,795	VRUP Grant - \$58,616	31 December 2024
	Campania - Reeve Street (East - Rec Ground entrance to Villeneuve Street)	51,158	-	51,158	VRUP Grant - \$36,258	31 December 2024
	Campania - Reeve Street - Footpath through to Hall	30,000	432	29,568	Budget c/f	
	Campania - Reeve Street Bus Stop - All Access All Weather Bus Stop Upgrade Progra	40,696	120	40,576	Bus Stops Grant - \$26,246	31 December 2024
	Kempton - Burnett Street to Mood Food	425,565	4,100	421,465	\$147,565 Budget c/f	
	Oatlands - High Street Bus Stop - All Access All Weather Bus Stop Upgrade Program	28,300	120	28,180	2024-25 budget project	21 December 2024
	Oatlands - Stanley Street (High Street to Nelson - 280 metres - kerb & footpath)	75,000	114,945	-39,945	LRCI P4 - \$75,000	30 June 2025
	Oatlands - Campbell Street (scope of works expanded to include kerb/gutter)	85,000	85,074	-74	LRCI P4 - \$85,000	30 June 2025
	Oatlands - Church Street (Sth Parade to William St - north. side - Footpath - 130 m)	30,000	-	30,000		
		1,833,018	375,558	1,457,460		
PUBLIC TOILETS	Oatlands - Callington Park	203,000	26,556	176,444	Election Commitment - \$45,000 & 23/24 Budget c/f of \$158,000	
	General Public Toilets - Upgrade Program	20,000	-	20,000	Budget c/f	
		223,000	26,556	196,444		
DRAINAGE	Stormwater System Management Plans (<i>Urban Drainage Act 2013</i>)	50,000	456	49,544		
	Bagdad / Mangalore - Hydraulic Assessment (Flood Mapping)	221,460	143,415	78,045	Grant Funding \$80,830 WIP \$127,285	30 September 2024
		271,460	143,872	127,588		
WASTE	Wheelee Bins and Crates	5,000	-	5,000		
	WTS Safety & Operational Improvements	25,000	-	25,000		
		30,000	-	30,000		
GROWTH TOURISM	Oatlands - Heritage Interpretation Panel renewal	2,000	-	2,000		
	Oatlands Accommodation Facility	-	42,283	-42,283	WIP \$42,283 (Offset by Barrack Street Property)	
		2,000	42,283	-40,283		

CAPITAL EXPENDITURE PROGRAM 2024-25
As at 31 August 2024

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION
		\$	\$	\$		DEADLINE
LANDSCAPES						
HERITAGE						
	Jericho - Memorial Avenue - Plaques	20,000	4,300	15,700	Budget c/f WIP \$4,300	
	Kempton - Memorial Avenue Park - Interps	19,545	155	19,390	Budget c/f WIP \$155	
	Melton Mowbray - Recognition plaque JH Bisdee VC OBE (DVA Grant)	8,480	240	8,240	Saluting Their Service Grant \$7,480	30 November 2024
	Oatlands - Callington Mill - Structural Repair & External painting	40,000	-	40,000		
	Oatlands - Council Chambers - Internal Toilets & Access Upgrade	100,000	9,357	90,643	Budget c/f WIP \$9,357	
	Oatlands - Court House (Wall Stabilisation)	15,000	4,764	10,236	WIP \$1,187	
	Oatlands - Gaolers Residence (Chimney Capping & Fireplace Repairs)	5,000	-	5,000		
	Oatlands Gaolers Residence (Wingwall)	23,000	-	23,000	Budget \$15K c/f	
	Oatlands - Heritage Buildings (Security Upgrades)	10,000	-	10,000		
	Oatlands - Heritage Collections Store	10,000	3,700	6,300	Budget c/f WIP \$3,700	
	Oatlands - Roche Hall (Building Improvements)	90,000	-	90,000		
	Oatlands - Roche Hall Forecourt (Interps - Planning Condition of Approval)	40,000	7,820	32,180	Budget c/f WIP \$7,820	
	Parattah - Railway Station - Shed for Gangers Trolley	2,000	11,771	9,771	Budget c/f	
		383,025	42,107	340,918		
NATURAL						
	Campania - Bush Reserve / Cemetery	300,000	93,770	206,230	WIP \$93,346	
	Chauncy Vale - Day Dawn Cottage Improvements	12,000	8,557	3,443	WIP \$8,557	
	Chauncy Vale - Toilet & Interps Upgrade	45,000	-	45,000	Election Commitment \$45,000	
		357,000	102,326	254,674		
CULTURAL						
	Oatlands - Aquatic Centre (Forecourt - Art Installation)	20,000	24,083	4,083	TasWater Contribution \$5,000	
		20,000	24,083	4,083		
LANDSCAPES						
REGULATORY						
- DEVELOPMENT						
	Master / Structure Plans (Bagdad / Mangalore / Campania)	50,000	1,786	48,214		
	Kempton Council Chambers - Office Furniture & Equipment	7,500	2,958	4,542		
	Property Purchase - 10 Barrack Street, Oatlands (Police Residence)	530,000	-	530,000		
	Oatlands - Stanley Street Master Plan	20,000	172	19,828	Budget c/f WIP \$172	
	Oatlands - MMPC Church Street Sub-Division	-	5,219	5,219	WIP \$4,988 Offset by sale of property	
		607,500	10,134	597,366		
REGULATORY						
- PUBLIC HEALTH						
	Oatlands - GP Accommodation Units	500,000	349,925	150,075	Council Commitment \$100K (grant funded)	
		500,000	349,925	150,075		
ANIMAL CONTROL						
	Oatlands - Off-Lead Dog Park	35,000	-	35,000	LRCI - \$35,000	
		35,000	-	35,000		

CAPITAL EXPENDITURE PROGRAM 2024-25
As at 31 August 2024

	BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
	\$	\$	\$		
COMMUNITY					
RECREATION					
Facilities & Recreation Committee	38,200	-	38,200	\$1800 to Colebrook Hall - Stage Flooring	
Bagdad - Bagdad Community Club (Precinct Plan)	25,000	23,817	1,183	Budget c/f WIP \$23,817	
Bagdad - Iden Road Park Development	75,000	-	75,000		
Broadmarsh - Broadmarsh Hall "The Haven"	1,747,054	1,717,054	30,000	Administration of Progress Assoc. Grant (incl SMC Cont \$30K)	
Campania - Justitia Court POS - Shelter Hut	16,000	15,516	484	LRCI P4 - WIP \$15,516	30 June 2025
Campania - Memorial Hall (External Repainting)	10,600	-	10,600		
Campania - Recreation Ground (Electronic Scoreboard)	47,875	-	47,875	Election Commitment - \$35,000 & LRCI - \$12,875	
Campania - Recreation Ground (All abilities Car Parking)	26,750	-	26,750	Election Commitment - \$18,000	
Campania - Recreation Ground (Ground Improvements - Landscaping & Tiered Seating)	270,000	-	270,000	Election Commitment - \$200,000 & LRCI - \$70,000	
Campania - Recreation Ground (Upgrade Change rooms)	1,100,000	3,850	1,096,150	LRCI - \$100,000 - Bal. Subject to Grant Funding	
Colebrook - Hall Improvements (Resurface Timber Flooring)	1,800	9,000	-	\$7,200 reimb by Tas Electoral Commission	
Kempton - Recreation Ground (Irrigation)	60,000	1,637	58,363	LRCI P4 - \$60,000; WIP \$1637	30 June 2025
Kempton - Recreation Ground (Site Dev and Play Equipment)	24,250	5,837	18,413	Budget c/f	
Mangalore - Recreation Ground (Upgrade Horse Arena)	6,400	-	6,400	Election Commitment (to be reallocated)	
Mangalore - Recreation Ground (Dust Remediation - Tree planting etc.)	5,000	-	5,000		
Melton Mowbray - Streetscape Works (Trough / Shelter etc)	60,000	16,323	43,677		
Oatlands - Aquatic Centre (Courtyard Development - Shelter / BBQ)	30,000	-	30,000		
Oatlands - Aquatic Centre (Reception - Sliding Counter Window)	6,000	-	6,000		
Oatlands - Aquatic Centre (Gymnasium - Mirror & Equipment)	16,400	2,360	14,040		
Oatlands - Aquatic Centre (Replace pump)	-	-	-		
Oatlands - Gay Street, Hall (Air Lock & Heating)	30,000	-	30,000		
Oatlands - Midlands Community Centre (External Painting - Front of Building)	8,000	-	8,000		
Oatlands - Old Swimming Pool (Staged demolition)	200,000	26,081	173,919	WIP \$26,081.22	
Oatlands Recreation Ground Redevelopment	-	7,950	7,950	Subject to Grant Funding	
Woodsdale Recreation Ground	45,000	-	45,000		
Water Bottle Refill Stations	7,980	-	7,980	Budget c/f	
	3,857,309	1,829,424	2,027,885		
CAPACITY & SUSTAINABILITY					
Property Purchase - 9 Barrack Street, Oatlands (Police Residence)	73,248	49,683	23,565	Budget \$519,490 less \$446K spent in 22/23	
Levendale Community Centre - Dept. Natural Resources & Env. Trf Fees	-	13,098			
	73,248	62,781	23,565		

CAPITAL EXPENDITURE PROGRAM 2024-25
As at 31 August 2024

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION
		\$	\$	\$		DEADLINE
ORGANISATION						
SUSTAINABILITY						
	Monitors; PC's; Keyboards & UPS's	7,500	-	7,500		
	Communications Link (possible transfer to Tasmanet)	16,000	-	16,000		
	WIFI Equipment	7,000	-	7,000		
	Council Website - Upgrade	25,000	-	25,000		
	New Phone System	-	10,836	10,836		
	Oatlands - Town Hall (General - Incl. Office Equip/Furniture)	7,500	-	7,500		
		63,000	10,836	52,164		
WORKS						
	Minor Plant Purchases	12,000	-	12,000		
	Survey Equipment (Road Layout & Stormwater Projects)	25,000	21,342	3,658		
	Variable Message Board	20,000	-	20,000		
	Radio System	5,000	-	5,000		
	Plant Replacement Program					
	Heavy Vehicles - Refer separate Schedule (Trade Allowance - \$227)	1,044,800	-	1,044,800		
	Light Vehicles (Net Changeover) (Trade Allowance - \$178)	340,257	-	340,257		
		1,447,057	21,342	1,425,715		
	GRAND TOTALS	18,162,933	6,705,667	11,470,365		

CASH FLOW 2024/2025	INFLOWS	INFLOWS	INFLOWS	INFLOWS	INFLOWS	INFLOWS	INFLOWS	INFLOWS	INFLOWS	INFLOWS	INFLOWS	INFLOWS	INFLOWS	INFLOWS
	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)	(OUTFLOWS)
	July 2024	Aug 2024	Sep 2024	Oct 2024	Nov 2024	Dec 2024	Jan 2025	Feb 2025	Mar 2025	Apr 2025	May 2025	Jun 2025	(Total 2024/25)	
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
Cash flows from operating activities														
Payments														
Employee costs	(407,267)	(381,825)												(789,092)
Materials and contracts	(1,634,717)	(331,633)												(1,966,350)
Interest	(2,577)	0												(2,577)
Other	(23,300)	(43,531)												(66,830)
	(2,067,861)	(756,988)	0	0	0	0	0	0	0	0	0	0	0	(2,824,849)
Receipts														
Rates	387,766	855,775												1,243,542
User charges	67,092	198,531												265,623
Interest received	53,664	54,327												107,990
Subsidies	0	0												0
Other revenue grants	0	197,107												197,107
Other	86,726	112,946												199,672
	595,249	1,418,685	0	0	0	0	0	0	0	0	0	0	0	2,013,934
Net cash from operating activities	(1,472,612)	661,698	0	0	0	0	0	0	0	0	0	0	0	(810,915)
Cash flows from investing activities														
Payments for property, plant & equipment	(211,844)	(830,072)												(1,041,916)
Proceeds from sale of property, plant & equipment	0	0												159
Proceeds from Capital grants	61,680	0												61,680
Proceeds from Investments	0	0												0
Payment for Investments	0	0												0
Net cash used in investing activities	(150,005)	(830,072)	0	0	0	0	0	0	0	0	0	0	0	(980,077)
Cash flows from financing activities														
Repayment of borrowings	(8,632)	0												(8,632)
Proceeds from borrowings	0	0												0
Net cash from (used in) financing activities	(8,632)	0	0	0	0	0	0	0	0	0	0	0	0	(8,632)
Net increase/(decrease) in cash held	(1,631,248)	(168,375)	0	0	0	0	0	0	0	0	0	0	0	(1,799,623)
Cash at beginning of reporting month	14,547,299	12,916,051	12,747,676	12,747,676	12,747,676	12,747,676	12,747,676	12,747,676	12,747,676	12,747,676	12,747,676	12,747,676	12,747,676	14,547,299
Cash at end of reporting period	12,916,051	12,747,676	12,747,676	12,747,676	12,747,676	12,747,676	12,747,676	12,747,676	12,747,676	12,747,676	12,747,676	12,747,676	12,747,676	12,747,676

18. MUNICIPAL SEAL

18.1 Signing & Sealing Grant Deed Better Active Transport in Tasmania Grant Program - Round 2/2024 Mood Food to Kempton Shareway

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 18 SEPTEMBER 2024

Attachment(s)

Grant Deed – Mood Food to Kempton Shareway

ISSUE

Signing and Sealing the Grant Deed for the construction contribution for the proposed reinforced concrete shareway between Mood Food and Kempton, under the Better Active Transport in Tasmania Grant Program 2/2024, with the Department of State Growth.

BACKGROUND

Council would recall that this has been a project that has been waiting for a State Government contribution for a number of years and despite many grant applications being submitted by Council Officers, in the past, this one has been successful.

DETAIL

The Approved Purpose of this Grant is to assist the Recipient (Council) with the construction of cycling infrastructure between Kempton and Mood Food on the Midland Highway, in accordance with its Application submitted under the Better Active Transport in Tasmania Grant Program - Round 2/2024

The Grant Deed states

Amount: \$278,000 (two hundred and seventy eight thousand dollars), GST exclusive, is payable in one payment

Completion: 30 June 2025

The Department of State Growth required a very short turnaround time in the signing of the Grant Deed and that has meant that this Report is seeking the endorsement of the Deed that has had to be signed, sealed and returned before the Council meeting which authorises the Sealing of the Deed.

Human Resources & Financial Implications – The value of the Grant is \$278,000.00 with a Council contribution of \$146,310.00, which has already been allocated in the draft 2024/25 budget.

Community Consultation & Public Relations Implications – A number of Community Forums have been held in Kempton and in all of them this project has been flagged as a grant application that Council will be pursuing.

Policy Implications – Nil

Priority - Implementation Time Frame – 30th June 2025.

RECOMMENDATION

That Council endorse the Signing and Sealing of the Grant Deed for the funding agreement between the Tasmanian Government through the Department of State Growth and the Southern Midlands Council for the amount of \$278,000.00 for the construction of a reinforced concrete shareway between Mood Food and the Kempton parallel to the Midland Highway.

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

**18.2 Signing & Sealing Sale Agreement
Levendale Public Open Space at 1315 Woodsdale Road, Between the Crown
and Southern Midlands Council**

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 18 SEPTEMBER 2024

Attachment(s):
Sale Agreement – Levendale Public Open Space

ISSUE

Signing and Sealing the Sale Agreement between the Crown and Southern Midlands Council for the parcel of land to be subdivided from the former Levendale Primary School site, through the Department of Natural Resources and Environment.

BACKGROUND

Council would recall that this parcel of land that includes the tennis court and the playground equipment, which were integral to the former Levendale Primary School site, was agreed to be set aside and created as a public open space in the Levendale district, adjacent to the Levendale Community Hall.

DETAIL

1315 Woodsdale Road Levendale



The next stage is for Council to submit a Development Application for the subdivision, which requires the Minister's approval. With this being undertaken it allows the Crown to proceed to take the former School site to the market for sale.

The Crown required a very short turnaround time in the signing of the Sale Agreement and that has meant that this Report is seeking the endorsement of the Sale Agreement that has had to be signed, sealed and returned before the Council meeting which authorises the Sealing of the Sale Agreement. This has been a long standing process and this mile stone is consistent with Council's declared intentions.

Human Resources & Financial Implications – The value of the sale is \$30,000.00 ex GST. A deposit of \$3,000.00, has already been paid by Council. The Crown's incidental costs associated with this purchase by Council are, Crown Solicitor's Fee \$630.00, Valuation Fee \$1,568.40, Survey Admin Fee \$1,500.00, Plan Drafting Fee \$6,400.00, exclusive of GST.

Community Consultation & Public Relations Implications – Two Community Forums had been held in Levendale in order to brief the Community on the surrendering of the former Levendale Primary School site, back to the Crown in accordance with its reversionary clause in the original sale / transfer agreement. The retaining of the tennis court and the playground equipment along with the land on which they are sited was a strong desire articulated at those Community meetings.

Policy Implications – Nil

Priority - Implementation Time Frame – As soon as possible.

RECOMMENDATION

That Council endorse the Signing and Sealing of the Sale Agreement for \$30,000.00 plus the associated incidental costs for the purchase from the Crown in the acquisition of the public open space at 1315 Woodsdale Road Levendale.

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

19. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

RECOMMENDATION

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

Matter	<i>Local Government (Meeting Procedures) Regulations 2015 Reference</i>
<i>Closed Council Minutes - Confirmation</i>	15(2)(g)
<i>Applications for Leave of Absence</i>	15(2)(h)
<i>Bagdad Mangalore Structure Planning Project</i>	15(2)(f)

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

CLOSED COUNCIL AGENDA

20. BUSINESS IN “CLOSED SESSION”

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 Bagdad Mangalore Structure Planning Project

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

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

RECOMMENDATION

THAT Council move out of “Closed Session”.

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

OPEN COUNCIL AGENDA

21. CLOSURE