

SOUTHERN
MIDLANDS
COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

Wednesday, 23rd October 2024
10.00 a.m.

Oatlands Municipal Offices
71 High Street, Oatlands

DRAFT

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OPEN COUNCIL MINUTES

MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD ON WEDNESDAY 23rd OCTOBER 2024 AT THE OATLANDS MUNICIPAL OFFICES, 71 HIGH STREET, OATLANDS COMMENCING AT 10.0A.M.

1. PRAYERS

Deputy Mayor K Dudgeon recited prayers.

2. ACKNOWLEDGEMENT OF COUNTRY

Mayor E Batt recited Acknowledgement of Country.

3. ATTENDANCE

Mayor E Batt, Deputy Mayor K Dudgeon, Cllr D Blackwell, Cllr B Campbell, Cllr D Fish and Cllr F Miller.

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

4. APOLOGIES

Cllr A E Bisdee OAM

5. MINUTES

5.1 Ordinary Council Meeting

The Minutes (Open Council Minutes) of the previous meeting of Council held on the 25th September 2024, as circulated, are submitted for confirmation.

RECOMMENDATION

THAT the Minutes (Open Council Minutes) of the Council Meeting held 25th September 2024 be confirmed.

DECISION

Moved by Cllr D Fish, seconded by Cllr B Campbell

THAT the Minutes (Open Council Minutes) of the Council Meeting held 25th September 2024 be confirmed.

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
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:

- Woodsdale Community Memorial Hall General Committee Meeting Minutes – 23rd September 2024
- Woodsdale Community Memorial Hall AGM Minutes – 23rd September 2024
- Woodsdale Community Memorial Hall General Committee Meeting Minutes – 13th October 2024
- Colebrook Memorial Hall Management Committee AGM Minutes – 7th October 2024

RECOMMENDATION

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

DECISION

Moved by Clr B Campbell, seconded by Deputy Mayor K Dudgeon

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

CARRIED

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

Note: Deputy Mayor K Dudgeon made reference to the Minutes of the Woodsdale Community Memorial Hall Management Committee Annual General Meeting where it was acknowledged that Mrs Kaye Rowlands decline the nomination for the position of President, this being a position she has held for something like 40 years.

The Southern Midlands Council, on behalf of the broader community, to write and congratulate and sincerely thank Mrs Rowlands for this magnificent period of service.

5.2.2 Special Committees of Council - Endorsement of Recommendations

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

- Woodsdale Community Memorial Hall General Committee Meeting Minutes – 23rd September 2024
- Woodsdale Community Memorial Hall AGM Minutes – 23rd September 2024
- Woodsdale Community Memorial Hall General Committee Meeting Minutes – 13th October 2024
- Colebrook Memorial Hall Management Committee AGM Minutes – 7th October 2024

RECOMMENDATION

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

DECISION

Moved by Cllr B Campbell, seconded by Deputy Mayor K Dudgeon

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

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
Cllr D Blackwell	✓	
Cllr B Campbell	✓	
Cllr D Fish	✓	
Cllr F Miller	✓	

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

5.3.1 Joint Authorities - Receipt of Minutes

Nil.

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

Nil.

6. NOTIFICATION OF COUNCIL WORKSHOPS

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

One workshop has been held since the last Ordinary Meeting.

A workshop was held on the 14th October 2024 at the Council Chambers, Oatlands commencing at 9.30 a.m.

Attendance: Deputy Mayor K Dudgeon, Ctrs 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, M Weeding (part) and H Geard (part).

Apologies: Mayor E Batt

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

1. Oatlands Dog Park

Mrs Jennifer Johnson circulated an Email to all Councillors relating to the proposed Dog Park at Oatlands. Permission has been granted for her to address the October Council Meeting.

Listed for preliminary discussion of Council's position.

2. White Kangaroo Road (extension to Council road network)

Preliminary briefing regarding the background circumstances and the proposal for Council to construct a section of road commencing from the end of White Kangaroo Road, Campania. The proposal to construct is based on Council's 'Crown Reserved Roads (Unmade Roads) Policy'. To be formally considered at the next scheduled Council Meeting.

3. Woodsdale Recreation Ground Property (Woodsdale Football Club)

Consideration of response / submission received from the Woodsdale Football Club. To be formally considered at the next scheduled Council Meeting.

4. Growing Regions Program (Round 2 Applications)

Briefing provided in relation to the two applications submitted under the Growing Regions Program (Round 2) which closed 10 October 2024:

- Bagdad Community Club
- Oatlands Recreation Ground

Project details were presented.

5. Any Other Matters:

5.1 Clr B Campbell – Woodsdale/Levendale/Runnymede – Development potential

General discussion, which included a review of Tas Irrigation projects which indicate that there are no current plans to provide additional irrigation water into this area.

Clr Campbell to have further discussions with the Hon Kerry Vincent MLC, Member for Prosser.

5.2 Item – Next Council Workshop

The Manager Development & Environmental Services (Mr Grant Finn) informed Council that a representative(s) from Tas Petroleum is seeking to address Council at its next workshop. The purpose being to receive feedback regarding a development proposal.

The workshop concluded at approximately 11.45 a.m.

RECOMMENDATION

THAT the information be received.

DECISION

Moved by Clr D Blackwell, seconded by Clr D Fish

THAT the information be received.

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
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.

Clr F Miller – advised that a Defibrillation Machine has recently been purchased and is available at the Campania Tavern. It was purchased by the local Social Committee. Could Council consider reimbursement to the Committee noting the benefits of this equipment being made available?

The General Manager indicated that there are numerous defib machines located throughout the community, which have been purchased by various Committees. Whilst Council has made contributions via the Community Small Grants Program, providing a contribution outside this Program would establish an unaffordable precedent. It also raises issues regarding responsibility for future servicing.

Clr B Campbell – Mount Seymour Hall – property continues to deteriorate. Should Council consider rating the property with the intention to go through the sale of property for non-payment of rates after a three-year period?

General Manager confirmed that this does provide a way forward in the absence of being able to confirm or identify the responsible Trustees/beneficiaries which would involve a considerable cost.

Clr B Campbell - Commented on the underutilisation of other Council owned properties, including the Parattah and Tunnack Recreation Grounds. The future of these properties need to be considered.

Clr B Campbell – commented on the process for disposal of lithium batteries.

General Manager advised that this could be referred to TasWaste South with a suggestion that they prepare education/awareness material that can be distributed within the community to encourage responsible disposal practices.

Clr B Campbell – questioned the amount payable to the Levendale Cricket Club to assist with mowing of the cricket ground? Has this been indexed in recent years?

General Manager confirmed that this was the amount paid and that it had not been indexed for an unknown period. This can be addressed through the budget process.

8. DECLARATIONS OF PECUNIARY INTEREST

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

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

Nil.

9. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

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

1. Development Application (DA2200075) - Agenda Item 12.1.1 – Council Development Incentive
2. Local Government Association of Tasmania – General Meeting Motions (General Meeting to be held 21st November 2024)

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

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

THAT Council resolve by absolute majority to deal with the above 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*.

CARRIED

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

**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 (DA2200075)

For six (6) Bond Storage, a Cooperage, a Bottling Shed and a Store Shed at 20 Bentwick Street, Oatlands (CT 122266/2), owned by Lake Frederick Inn Pty Ltd.

File Ref: DA2200075

Author: PLANNING OFFICER (BERNADETTE CONDE)

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

Date: 23 OCTOBER 2024

Enclosure(s)

*Development Application documents
Representation*

Discretions **C2.5.2**
 C2.6.3
 C2.6.5
 C3.5.1
 C13.5.1

PROPOSAL

ERA Planning Pty Ltd, on behalf of the owners, has applied for approval of application DA2200075 under section 57 of the Land Use Planning and Approvals Act 1993 ("the Act") and the Tasmanian Planning Scheme (Southern Midlands).

The application seeks approval of the following:

- An additional 6 x Bond Stores (dimensions 30m x 12m, 360m² GFA per building; total GFA of 2,160m²) with an approximate height of 6.7m (including a pitch roof that aligns with the existing bond stores.)
- A bottling plant building whose dimension are 70m x 20.5m (GFA of 1,435m²) with a height to the apex of 10.9m
- A cooperage building (dimensions of 16m x 35m, GFA 560m²) with a height of 8.9m
- A storage shed (dimensions 12m x 35m, GFA 420m²) with a height of 6.8m

- 13 new hardstand on-site car parking spaces (located adjacent to the bottling plant).
- A new site access (one-way) from Hastings Street (6.0m wide) and a single new site exit (one-way) of 6.0m wide to Bentwick Street is proposed.

The subject site is bounded by roads, including Tunnack Road to the east, Whynyates Street to the west, and Hastings Street to the north. Apart from the 18 existing storage sheds, the property is mostly pasture and slopes gently to the east, towards Tunnack Road.

The application has been lodged under the *Tasmanian Planning Scheme-Southern Midlands* (“the Planning Scheme”). The subject property is zoned Rural and is subject to the Bushfire-Prone Areas code overlay, Parking and Sustainable Transport Conde and Road and Railway Assets Code.

The Council gave notice of the application for public comment as required by the Act. During the notification period, one representation was received from a member of the public.

The applicant provided an extension of time approval. The application expires on 24 October 2024.

This report will assess the proposal against the relevant provisions of the Act and the Scheme. It recommends that the Council approve the proposal.

THE SITE

The property site, 20 Bentwick Street, Oatlands, is located south of the township covered in a single title, CT166622/1. It is generally flat and has an area of 8.698 ha, with frontages to Bentwick Street (gravel) and Hastings Street (gravel).

To the site's east side is the Tunnack Road (sealed), and to the west is Whynyates Street (unformed road).



Map 1_ Site location showing the surrounding road network (Source: Google map 10 October 2024)



Map 2_Shows the surrounding zoning. The subject site is zoned Rural to the north, east and west and Agriculture to the south. (Source: LISTmap 10 October 2024)



Map 3 Shows the site overlay. The brown lines represent the Bushfire Prone Area Code overlay. (Source: LISTmap 10 October 2024)

THE APPLICATION

The Applicant has submitted the attached Plans and reports to accompany the Development Application form and Certificate of Title documents.

- A cover letter and supporting documents from ERA Planning Pty Ltd address the development standards of the Tasmanian Planning Scheme – Southern Midlands. The supporting plans and reports include:

- *Site drawings from Cumulus Studio, including Site Plan, Location Plan, and Building Drawings, including elevations and floor plans for each proposed building;*
 - *Traffic Impact Assessment prepared by Pitt & Sherry;*
 - *Stormwater Management Plan prepared by ADG Engineers (Aust.) Pty Ltd;*
 - *Bushfire Hazard Report provided by ERA Planning and Environment.*
- *Crown Landowner Consent granted dated 4 September 2024.*

USE/DEVELOPMENT DEFINITION

The proposed use and development is defined under the Planning Scheme as ‘Resource Processing’ which is a Permitted Use under the Rural Zone:

Resource Processing - *use of land for treating, processing or packing plant or animal resources. Examples include an abattoir, animal saleyard, cheese factory, fish processing, milk processing, winery, brewery, cidery, distillery, and sawmilling.*

Although resource processing is permitted in the Zone, the proposed development relies on the performance criteria of several development standards in the planning scheme. Therefore, the development application is determined to be a Discretionary Development. Council 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 appeal provisions of the Act.

Use/Development Status under the Planning Scheme

Under the Scheme, a Development Application for resource processing must be considered at the discretion of Council.

The application was advertised in accordance with Section 57 of the Act as a discretionary development. Accordingly, the Council has the discretion to grant a permit or refuse to grant a permit but must have valid grounds under the Planning Scheme to base a refusal.

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised for public comment from the 13th of September until the 27th of September 2024.

One (1) representation was received during the notification period, summarised in the table below. Please refer to the enclosure to view the complete copy of the representation received.

Public Notice Period 13/09/2024 – 27/09/2024	
<i>Representation 1</i>	<i>Planners Comments</i>
<i>The concern is not with the shed but with the traffic, dust, and noise going up to Bentwick, where the sheds are to be built. This concern was raised before the first sheds were built.</i>	The Development Application is supported by a Traffic Impact Assessment prepared by suitably qualified engineers.

	<p>It was recommended in the TIA report that <i>“Seal/ reseal Bentwick Street for the initial 20m from the Tunnack Road/ Bentwick Street intersection, such that loose gravel is not transported onto Tunnack Road. Should dust suppression and maintenance continue to be an issue, consideration may be given to sealing Bentwick Street and/ or Hastings Street.”</i></p> <p>Considering the comments made in the representation, the Council considers the recommendation provided in the TIA as a condition of the Planning Permit. See Conditions below.</p>
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ASSESSMENT - TASMANIAN PLANNING SCHEME - SOUTHERN MIDLANDS

Rural Zone

The subject site is located within the Rural Zone. The purpose of the Rural Zone is:

- To provide for a range of use or development in a rural location:
 - a) where agricultural use is limited or marginal due to topographical, environmental or other site or
 - b) regional characteristics;
 - c) that requires a rural location for operational reasons;
 - d) is compatible with agricultural use if occurring on agricultural land; and
 - e) minimises adverse impacts on surrounding uses.
- To minimise conversion of agricultural land for non-agricultural use.
- To ensure that use or development is of a scale and intensity that is appropriate for a rural location and does not compromise the function of surrounding settlements.

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

20.4 Development Standards for Buildings and Works		
20.4.1 Building height		
Objective: To provide for a building height that:		
(a) is necessary for the operation of the use; and		
(b) minimises adverse impacts on adjoining properties.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Building height must be not more than 12m.	P1 Building height must be necessary for the operation of the use and not cause an unreasonable impact on	The maximum height of the proposed buildings would be no more than 10.94 meters.

	adjoining properties, having regard to: (a) the proposed height of the building; (b) the bulk and form of the building; (c) the separation from existing uses on adjoining properties; and (d) any buffers created by natural or other features.	The Acceptable Solution A1 is met.
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20.4.2 Setback Objective: That the siting of buildings minimises potential conflict with use on adjoining sites.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Buildings must have a setback from all boundaries of: (a) not less than 5m; or (b) if the setback of an existing building is within 5m, not less than the existing building.	P1 Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to: (a) the bulk and form of the building; (b) the nature of existing use on the adjoining properties; (c) separation from existing use on the adjoining properties; and (d) any buffers created by natural or other features.	The proposed buildings will have a minimum setback of at least 28m away from the side, front and rear boundaries. The Acceptable Solution A1 is met.
A2 Buildings for a sensitive use must be separated from an Agriculture Zone a distance of: (a) not less than 200m; or (b) if an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.	P2 Buildings for a sensitive use must be sited so as not to conflict or interfere with an agricultural use within the Agriculture Zone, having regard to: (a) the size, shape and topography of the site; (b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties; (c) the location of existing buildings on the site;	Not applicable. The proposal is not for sensitive use.

	<p>(d) the existing and potential use of adjoining properties;</p> <p>(e) any proposed attenuation measures; and</p> <p>(f) any buffers created by natural or other features.</p>	
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**CODE ASSESSMENT – TASMANIAN PLANNING SCHEME – SOUTHERN MIDLANDS
C2.0 Parking & Sustainable Transport Code**

The purpose of the Parking and Sustainable Transport Code is:

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

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

<p>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</p>		
Acceptable Solutions	Performance Criteria	<i>OFFICER COMMENT</i>
<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</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>In the Traffic Impact Assessment (Pitt & Sherry, 2024), I noticed that the parking spaces were computed based on the use class as 'storage'.</p> <p>For storage use, the scheme requires 1 space per 200m² of site area or 1 space per 2 employees, whichever is greater. This equates to 762 parking spaces. Therefore, the TIA noted that a maximum of 13 parking spaces was required to sufficiently accommodate all the employees travelling to the site in separate vehicles</p>

<p>plan and subject to Clause C2.7;</p> <p>(c) the site is subject to Clause C2.5.5; or</p> <p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <p>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: $N = A + (C - B)$ $N =$ Number of on-site car parking spaces required $A =$ Number of existing on site car parking spaces $B =$ Number of on-site car parking spaces required for the existing use or development specified in Table C2.1 $C =$ Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>	<p>(ii) efficiencies gained by consolidation of car parking spaces;</p> <p>(c) the availability and frequency of public transport within reasonable walking distance of the site;</p> <p>(d) the availability and frequency of other transport alternatives;</p> <p>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</p> <p>(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</p> <p>(g) the effect on streetscape; and</p> <p>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</p> <p>P1.2 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>during the shift changeover at 2:30 p.m.</p> <p>The TIA incorrectly assessed the proposal. The proposed use is classified as resource processing.</p> <p>Therefore, the requirement for resource processing is 2 parking spaces per 3 employees, which equates to 10 parking spaces. The applicant proposes 13 new on-site parking spaces, more than the scheme's requirement.</p> <p>The proposal meets the Acceptable Solution A1.</p>
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	(c) the pattern of parking in the surrounding area.	
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C2.5.2 Bicycle parking numbers

Objective: That an appropriate level of bicycle parking spaces are provided to meet the needs of the use.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Bicycle parking spaces must: (a) be provided on the site or within 50m of the site; and (b) be no less than the number specified in Table C2.1.</p>	<p>P1 Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to: (a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and (b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.</p>	<p>Table C2 prescribes 1 bicycle space per 5 employees. The proposal does not provide designated bicycle parking spaces.</p> <p>The Acceptable Solution A1 cannot be met; therefore, the proposal must be assessed against the Performance Criteria.</p> <p>The site, which is more than 8ha, is not constrained by the number of bicycle spaces it can provide.</p> <p>Moreover, considering the site's location in a predominantly car-dependent area, the employees are not expected to travel to work by bicycle.</p> <p>The Performance Criteria P1 is met.</p>

C2.5.4 Loading Bays

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

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 A loading bay must be provided for uses with a floor area of more than 1000m² in a single occupancy.</p>	<p>P1 Adequate space for loading and unloading of vehicles must be provided, having regard to: (a) the type of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading;</p>	<p>Two loading bays have been proposed near the bottling plant (the only building on the site with a floor area greater than 1000m²).</p> <p>The proposal meets the Acceptable Solution A1.</p>

	<p>(d) the location of the site; (e) the nature of traffic in the surrounding area; (f) the area and dimensions of the site; and (g) the topography of the site; (h) the location of existing buildings on the site; and (i) any constraints imposed by existing development.</p>	
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<p>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.</p>		
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>The proposed parking areas, site accesses, and circulation roadways will be constructed using a gravel seal, and the development will be drained into a stormwater (on-site detention) system as promoted by ADG Consulting.</p> <p>The proposal meets the Acceptable Solution A1.</p>

<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.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1.1 Parking, access ways, manoeuvring and</p>	<p>P1 All parking, access ways, manoeuvring and</p>	<p>The area for on-site parking, manoeuvring and</p>

<p>circulation spaces must either:</p> <p>(a) comply with the following:</p> <p>(i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;</p> <p>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</p> <p>(iii) have an access width not less than the requirements in Table C2.2;</p> <p>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</p> <p>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with Australian Standard AS 2890- Parking facilities, Parts 1-6.</p> <p>A1.2 Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p>	<p>circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the proposed slope, dimensions and layout;</p> <p>(c) useability in all weather conditions;</p> <p>(d) vehicle and pedestrian traffic safety;</p> <p>(e) the nature and use of the development;</p> <p>(f) the expected number and type of vehicles;</p> <p>(g) the likely use of the parking areas by persons with a disability;</p> <p>(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>circulation spaces comply with requirements of the Australian Standard AS 2890- Parking facilities, Parts 1-6.</p> <p>The proposal meets the Acceptable solution A1.1.</p>
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<p>(b) be incorporated into the overall car park design; and (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: (a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses; (b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and (c) the number of accesses minimise impacts on the streetscape.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 The number of accesses provided for each frontage must: (a) be no more than 1; or (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: (a) any loss of on-street parking; and (b) pedestrian safety and amenity; (c) traffic safety; (d) residential amenity on adjoining land; and (e) the impact on the streetscape.</p>	<p>The Acceptable Solution A1 (a) cannot be met. Therefore, the proposal must be assessed against the Performance Criteria.</p> <p>Two accesses to Hasting Street frontage are proposed to service the development.</p> <p>The proposal was referred to Council's Senior Technical Officer for consideration. After considering the information below as outlined in the TIA:</p> <ul style="list-style-type: none"> • Two deliveries per week to bond stores by a medium rigid vehicle (MRV), which will be a maximum of 2.50m wide and 8.80m long. • Two deliveries per year to bond stores by semi-trailers, which are a maximum of 2.50m wide and 19m long

		<ul style="list-style-type: none"> • Forklifts will operate throughout the site for approximately 30 minutes daily • Based on staff numbers, up to 13 light vehicles are expected to access and egress the site per day. Light vehicles are expected to typically access the site via the proposed access on Hastings Street. • The proposed site exit to Bentwick Street will be used primarily by MRV's to exit the site. • No visitors are expected to travel to the site. <p>The officer considers that the following information provided is satisfactory to address the Performance Criteria:</p> <p><i>“Given the low traffic volumes proposed, additional access are considered acceptable subject to necessary upgrades to the streets and intersections with Tunnack Road.”</i></p>
<p>A2 Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>	<p>P2 Within the Central Business Zone or in a pedestrian priority street, any new accesses must:</p> <ul style="list-style-type: none"> (a) not have an adverse impact on: <ul style="list-style-type: none"> (i) pedestrian safety and amenity; or (ii) traffic safety; and (b) be compatible with the streetscape. 	<p>A2 is not applicable as the development is not located in the Central Business Zone.</p>

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>The proposal is not providing a pedestrian footpath. As such the Acceptable Solution A1.1 (a) cannot be met.</p> <p>Therefore, the proposal must be assessed against the Performance Criteria.</p> <p>As discussed above, the required car parking spaces meet the Acceptable Solution.</p> <p>Therefore, they are not likely to detriment the safety and efficiency of pedestrians' movements to the site.</p> <p>The low traffic generation combined with low vehicle speeds will result in an acceptable and safe environment for shared use between pedestrians and vehicles.</p> <p>Needs of persons with a disability. Not applicable.</p> <p>The TIA provides that pedestrians and vehicles should be within reasonable sight of one another when navigating the car park and the site.</p> <p>Moreover, the TIA makes the following statement:</p> <p><i>“For uses that require 10 or more car parking spaces, the Planning Scheme requires that a 1m wide footpath, separated from access ways or parking aisles, is provided. Due to</i></p>

		<p><i>the limited traffic movements throughout the site, it is expected that pedestrians will be able to safely navigate the site without the needs for pedestrian paths. However, post construction, it is recommended that a qualified person is engaged to review the site operation and produce a Traffic Management Plan of the site to ensure the safe sharing of the site between vehicles and pedestrians.”</i></p> <p>The Performance Criteria P1 is satisfied with the conditions.</p>
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C2.6.6 Loading Bays		
Objective: That the area and dimensions of loading bays are adequate to provide safe and efficient delivery and collection of goods.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 The area and dimensions of loading bays and access way areas must be designed in accordance with Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.</p>	<p>P1 Loading bays must have an area and dimensions suitable for the use, having regard to: (a) the types of vehicles likely to use the site; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; (e) the topography of the site; (f) the location of existing buildings on the site; and (g) any constraints imposed by existing development.</p>	<p>The TIA detailed that there is sufficient space on site for loading bays to meet the requirements of AS 2890.2.</p> <p>The proposal meets the Acceptable solution A1.</p>
<p>A1 The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a</p>	<p>P1 Access for commercial vehicles to and from the site must be safe, having regard to:</p>	<p>The TIA provided that: <i>“There is sufficient space on site such that both 19m semi-trailers and 8.8m</i></p>

<p>forward direction in accordance with Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities.</p>	<p>(a) the types of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; (e) the location of the site and nature of traffic in the area of the site; (f) the effectiveness or efficiency of the surrounding road network; and (g) site constraints such as existing buildings, slope, drainage, vegetation, parking and landscaping.</p>	<p><i>MRVs can enter the site in a forward direction, park and turn around (as required), and exit the site in a forward direction.”</i></p> <p>The proposal meets the Acceptable solution A2.</p>
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C3.0 Road and Railway Assets Code

The purpose of the Road and Railway Assets 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

<p>C3.5 Use Standards</p>		
<p>C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction</p>		
<p>To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.</p>		
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>	<p>OFFICER COMMENT</p>
<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</p>	<p>P1 Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to: (a) any increase in traffic caused by the use; (b) the nature of the traffic generated by the</p>	<p>The proposed site is not located on a Category 1 Road or Limited Access Road, the rail network or using an existing vehicle crossing or private level crossing; Acceptable Solutions A1.1, A1.3, and A1.4 are not applicable.</p> <p>Acceptable Solution A1.2 cannot be met; therefore, the proposal is assessed</p>

<p>crossing to serve the use and development has been issued by the road authority.</p> <p>A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p>A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than: (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>use;</p> <p>(c) the nature of the road;</p> <p>(d) the speed limit and traffic flow of the road;</p> <p>(e) any alternative access to a road;</p> <p>(f) the need for the use;</p> <p>(g) any traffic impact assessment; and</p> <p>(h) any advice received from the rail or road authority.</p>	<p>against the Performance Criteria.</p> <p>The application includes a TIA which demonstrates that the proposed access arrangements satisfy the Performance Criteria requirements.</p> <p>The traffic increase is considered low; the additional vehicle movements generated by the development will not compromise the safety of the road network.</p> <p>Moreover, the applicant has demonstrated that the development will create more jobs for the community and boost the local economy.</p> <p>Considering that the development has been designed such that all vehicles can enter and exit the site in a forward direction, all vehicles are thus able to exit and enter Tunnack Road in a forward direction.</p> <p>The proposal meets the Performance Criteria P1.</p>
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C13.0 Bushfire-Prone Areas Code

The purpose of the Bushfire-Prone Areas Code is:

- To ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

This code applies to:

- (a) subdivision of land that is located within, or partially within, a bushfire-prone area; and
- (b) a use, on land that is located within, or partially within, a bushfire-prone area, that is a vulnerable use or hazardous use.

C13.5 Use Standards
C13.5.2 Hazardous uses

Objective: That hazardous uses can only be located on land within a bushfire-prone area where tolerable risks are achieved through mitigation measures that take into account the specific characteristics of both the hazardous use and the bushfire hazard.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 No Acceptable Solution</p>	<p>P1 A hazardous use must only be located in a bushfire prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to: (a) the location, characteristics, nature and scale of the use; (b) whether there is an overriding benefit to the community; (c) whether there is no suitable alternative lower-risk site; (d) the emergency management strategy (hazardous use) and bushfire management plan; and (e) other advice, if any, from the TFS.</p>	<p><i>ERA Planning & Environment</i> has undertaken a bushfire assessment report, which is contained within the application documents.</p> <p>The application provides a necessary BAL assessment and Bushfire Hazard Management Plan (BHMP) by an accredited person.</p> <p>The report concludes that the proposal has a tolerable level of risk and is consistent with the requirements of the Bushfire-Prone Areas Code.</p> <p>Therefore, the proposal complies with the Performance Criteria P1.</p>
<p>A2 An emergency management strategy (hazardous use) endorsed by the TFS or accredited person.</p>	<p>P2 No Performance Criterion.</p>	<p>An emergency management strategy has been endorsed by the Tasmanian Fire Service.</p> <p>The proposal complies with the Acceptable Solution A2.</p>
<p>A3 A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.</p>	<p>P2 No Performance Criterion.</p>	<p>A Bushfire Hazard Management Plan (BHMP) certified by an accredited person has been provided in the application.</p> <p>The proposal complies with the Acceptable Solution A3.</p>

CONCLUSION

The report has assessed a Development Application for the proposed 6 x Bond Stores, a bottling plant, a cooperage, a storage shed, 13 new hardstand on-site car parking spaces, and two new site accesses on land at 20 Bentwick Street, Oatlands.

One representation was received, and this has been assessed and considered within the body of this report.

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

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

RECOMMENDATION

THAT, in accordance with the provisions of the Tasmanian Planning Scheme - Southern Midlands, the Southern Midlands Local Provisional Schedule, and section 57 of the Land Use Planning & Approvals Act 1993, Council APPROVE the Development Application (DA2200075) for 6x Bond Stores, a bottling plant, a cooperage, a storage shed and associated works submitted by ERA obo Lake Frederick Inn Pty Ltd and that a permit be issued with the following conditions:

General

- (1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- (2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the Land Use Planning and Approvals Act 1993.

Amenity

- (3) All external metal building surfaces must be clad in non-reflective pre-coated metal sheeting or painted to the satisfaction of the Councils Manager Development & Environmental Services.

Approved Use

- (4) The buildings are to be used for the purposes detailed within the approved documents only: Resource Processing. The site must not be used for any other purpose or extended or intensified without further Council approval.
- (5) The use or development must only operate between the following hours unless otherwise approved by Council's Manager of Development and Environmental Services:

Monday to Friday 7:00 a.m. to 6:00 p.m.
Saturday, Sunday and State-wide public holidays 8:00 a.m. to 5:00 p.m.

Bushfire Protection

(6) The requirements of the approved Bushfire Hazard Management Plan (ERA Environment & Planning, 11 July 2024) must be in place prior to first use of the site and be maintained to the satisfaction of Councils Manager Development & Environmental Services.

Landscaping

(7) Prior to building approval being issued by Council, a landscape plan is to be submitted by a suitably qualified and experienced person, to the satisfaction of the Manager of Development and Environmental Services. The focus of this Landscaping Plan is to provide suitable landscape screening and visual softening to all of the Bond Storage Sheds on the property. This landscape plan should also provide details of:

- i. Plant numbers and species (common and botanical names) to be used;
- ii. Details of proposed mulching, staking and watering systems;
- iii. Details of proposed maintenance of landscaping to ensure its longevity and also appropriate replanting and replacement in the event of plants failing;
- iv. Timeframes for undertaking landscaping works in conjunction with the proposed development.

(8) The landscaping works must be completed in accordance with the endorsed Landscape Plan and to the satisfaction of the Manager of Development and Environmental Services within six (6) of the occupation of the proposed development. All landscaping must continue to be maintained to the satisfaction of Council.

Access to State Road

(9) Prior to the approval of engineering drawings the applicant must obtain a permit, or permits, provided by the Department of State Growth for any works affecting the State road reservation (Tunnack Road). Any conditions imposed by the Department of State Growth for works affecting the road reserve, including the discharge of stormwater, shall form part of this permit and must be adhered to.

No works on the State Road shall commence until the Minister's consent has been obtained and a permit issued in accordance with the Roads and Jetties Act 1935.

Advice: For further information, please visit https://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings or contact permits@stategrowth.tas.gov.au

(10) Prior to any discharge of stormwater or drainage into the State road drainage system the developer must obtain the consent of the Minister under Section 17B of the Roads and Jetties Act 1935 to concentrate and discharge drainage to the State road reserve.

The proponent must submit a drainage plan, including catchment area, flows and drainage design for any area discharging to the State road reserve.

If any enlargement of the existing State road drainage infrastructure is required in order to carry any additional drainage, these works must be undertaken under the supervision and to the satisfaction of an officer designated by the Minister. If such works are required, the costs associated with the works will be payable by the proponent.

The proponent is responsible for the ongoing maintenance of their own infrastructure. For further information please contact Road Assets at roadassets.utilities@stategrowth.tas.gov.au

Services

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

(12) Services located under the proposed driveway are to be relocated or provided with trafficable covers to the requirements of the relevant authority and to the satisfaction of Council's Municipal Engineer.

Roadworks

- (13). Prior to the use commencing the following road upgrades must be completed:
- (a) Hastings St/Tunnack Road intersection upgraded to include a sealed surface to accommodate the turning paths of the largest vehicle expected to access the proposed development;
 - (b) Bentwick Street/Tunnack Road intersection to include a sealed surface to accommodate the turning paths of the largest vehicle expected to access the proposed development;
 - (c) Hastings Street upgraded to include a sealed surface for a minimum distance of 20 metres from the Tunnack Road intersection;
 - (d) Bentwick Street upgraded to include a sealed surface for a minimum distance of approximately 110 metres from Tunnack Road to the western boundary of 11 Bentwick Street; and
 - (e) Filling of potholes east of the existing accesses to the development along both Bentwick Street and Hastings Street.

Parking and Access

- (14). New vehicular accesses from Bentwick Street and Hastings Street to the property boundary must include the following:
- (a) The vehicular access must be designed and constructed in accordance with Council Standards and Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.
 - (b) The minimum width of the access should allow an 8.8 metre Medium Rigid Vehicle (MRV) and a 19 metre articulated vehicle (AV) to enter and exit the site whilst remaining within the road carriageway and constructed driveway.
 - (c) The new vehicular access from Bentwick Street must be sealed from the edge of road to property boundary.
 - (d) The access details (including turning paths) are to be included in the engineering and parking plans required by this permit.
- (15) At least thirteen (13) car parking spaces must be provided on site at all times for the use of the development. New car parking spaces must be completed prior to the proposed expanded use commencing.
- (16). At least one (1) loading bay must be provided to the proposed Bottling Plant building.

- (17). The area and dimensions of loading bays and access way areas must be designed in accordance with Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.
- (18). The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities Off-street commercial vehicle facilities.
- (19). 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) Constructed with a durable all weather pavement;
 - (b) Drained to the stormwater system;
 - (c) Have a minimum gravel surface that is designed, constructed and maintained to avoid dust or mud generation, erosion or sediment transfer on or off site;
 - (d) Have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;
 - (e) Provide for all vehicles to enter and exit the site in a forward direction
 - (f) be delineated by line marking or other clear physical means.
- (20). 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) signage;
 - (h) lighting (where provided),
- (21). The parking plan is to be certified by an engineer and shall form part of the permit once accepted.
- (22). 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 proposed expanded use commencing.
- (23). All areas set-aside for parking and associated turning, and access must be completed before the proposed expanded use commencing and must continue to be maintained to the satisfaction of the Council's General Manager.

Access to Public Road

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 Southern Midlands Council prior to the proposed date of commencement of any works.

Stormwater

- (24) Stormwater from the proposed development must be retained on site or drain to the public stormwater system to the satisfaction of Council's General Manager and in accordance with the Building Act 2016.
- (a) The stormwater drainage system for the proposed development must be designed to comply with all of the following:
 - (b) Stormwater retention or detention must be provided such that peak flows from the site to the public stormwater system for up to a 2% AEP event are limited to pre-existing;
 - (c) The downstream public stormwater infrastructure must be upgraded as required to accommodate stormwater flows from the development.

Advice:

The public stormwater system downstream of the proposed development has insufficient capacity. The development will require detention to limit flows to pre development, the downstream system upgraded, or a combination of both.

- (25) Stormwater quality from the site must meet the following:
- (i) Standard Stormwater Treatment Requirements specified in Table 3 Water Quality Treatment Targets in DEP AND LGAT TASMANIAN STORMWATER POLICY GUIDANCE AND STANDARDS FOR DEVELOPMENT 2021 V1.
- (26). The development must incorporate overland flow paths through the site to accommodate a 1% AEP (plus climate change) rainfall event.
- (27). The stormwater system within the development must continue to be maintained to ensure the quality targets 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 properties.
- (28). The driveway must be drained to minimise surface runoff over adjoining land (including road reservation) in accordance with the requirements of the General Manager and the Building Act 2016.
- (29). Prior to the lodgement of building or plumbing applications the developer must submit an amended (for construction) Stormwater Management Report to Council's General Manager. 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.

Engineering

- (30). 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 Engineer.

- (31). 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.

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

- (32). Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's General Manager, and must show –
- (a) all existing and proposed services required by this permit;
 - (b) all existing and proposed roadwork required by this permit;
 - (c) measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
 - (d) measures to be taken to limit or control erosion and sedimentation;
 - (e) any other work required by this permit.
- (33). Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
- (34). 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.
- (35). An engineering plan assessment and inspection fee of 1% of the value of the approved public engineering works (minimum of \$500.00), or as otherwise specified in Council's Schedule of Fees, must be paid to Council prior to the approval of engineering plans.

Maintenance and Defects Liability Period

- (36). 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 in accordance with Council Policy

- (37). 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.

Erosion and Sediment Control

- (38). An Erosion and Sediment Control Plan (here referred to as a '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.
- (39). 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.

Construction Amenity

- (40). 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.
- (41). The road frontage of the development site including road, 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 General Manager.

- (42). Works associated with the development must only be carried out between the following hours unless otherwise approved by the Council's General Manager
- Monday to Friday 7:00 am to 6:00 pm
 - Saturday 8:00 am to 6:00 pm
 - Sunday and State-wide public holidays 10:00 am to 6:00 pm
- (43). 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.
- (44). 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 General Manager.

- (45). 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.

The following advice applies to this permit:

Legal:

- A. Pursuant to s 53(4) of the Land Use Planning and Approvals Act 1993 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. 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.

DECISION

Moved by Clr B Campbell, seconded by Deputy Mayor K Dudgeon

THAT, in accordance with the provisions of the Tasmanian Planning Scheme - Southern Midlands, the Southern Midlands Local Provisional Schedule, and section 57 of the Land Use Planning & Approvals Act 1993, Council APPROVE the Development Application (DA2200075) for 6x Bond Stores, a bottling plant, a cooorage, a storage shed and associated works submitted by ERA obo Lake Frederick Inn Pty Ltd and that a permit be issued with the following conditions:

General

- (1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- (2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the Land Use Planning and Approvals Act 1993.

Amenity

- (3) All external metal building surfaces must be clad in non-reflective pre-coated metal sheeting or painted to the satisfaction of the Councils Manager Development & Environmental Services.

Approved Use

- (4) The buildings are to be used for the purposes detailed within the approved documents only: Resource Processing. The site must not be used for any other purpose or extended or intensified without further Council approval.
- (5) The use or development must only operate between the following hours unless otherwise approved by Council's Manager of Development and Environmental Services:

Monday to Friday	7:00 a.m. to 6:00 p.m.
Saturday, Sunday and State-wide public holidays	8:00 a.m. to 5:00 p.m.

Bushfire Protection

- (6) The requirements of the approved Bushfire Hazard Management Plan (ERA Environment & Planning, 11 July 2024) must be in place prior to first use of the site and be maintained to the satisfaction of Councils Manager Development & Environmental Services.

Access to State Road

- (7) Prior to the approval of engineering drawings the applicant must obtain a permit, or permits, provided by the Department of State Growth for any works affecting the State road reservation (Tunnack Road). Any conditions imposed by the Department of State Growth for works affecting the road reserve, including the discharge of stormwater, shall form part of this permit and must be adhered to.

No works on the State Road shall commence until the Minister's consent has been obtained and a permit issued in accordance with the Roads and Jetties Act 1935.

Advice: For further information, please visit https://www.transport.tas.gov.au/roads_and_traffic_management/permits_and_bookings or contact permits@stategrowth.tas.gov.au

(8) Prior to any discharge of stormwater or drainage into the State road drainage system the developer must obtain the consent of the Minister under Section 17B of the Roads and Jetties Act 1935 to concentrate and discharge drainage to the State road reserve.

The proponent must submit a drainage plan, including catchment area, flows and drainage design for any area discharging to the State road reserve.

If any enlargement of the existing State road drainage infrastructure is required in order to carry any additional drainage, these works must be undertaken under the supervision and to the satisfaction of an officer designated by the Minister. If such works are required, the costs associated with the works will be payable by the proponent.

The proponent is responsible for the ongoing maintenance of their own infrastructure. For further information please contact Road Assets at roadassets.utilities@stategrowth.tas.gov.au

Services

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

(12) Services located under the proposed driveway are to be relocated or provided with trafficable covers to the requirements of the relevant authority and to the satisfaction of Council's Municipal Engineer.

Roadworks

(13). Prior to the use commencing the following road upgrades must be completed:

- (a) Hastings St/Tunnack Road intersection upgraded to include a sealed surface to accommodate the turning paths of the largest vehicle expected to access the proposed development;
- (b) Bentwick Street/Tunnack Road intersection to include a sealed surface to accommodate the turning paths of the largest vehicle expected to access the proposed development;
- (c) Hastings Street upgraded to include a sealed surface for a minimum distance of 20 metres from the Tunnack Road intersection;
- (d) Bentwick Street upgraded to include a sealed surface for a minimum distance of approximately 110 metres from Tunnack Road to the western boundary of 11 Bentwick Street; and
- (e) Filling of potholes east of the existing accesses to the development along both Bentwick Street and Hastings Street.

Parking and Access

(14). New vehicular accesses from Bentwick Street and Hastings Street to the property boundary must include the following:

- (a) The vehicular access must be designed and constructed in accordance with Council Standards and Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.
 - (b) The minimum width of the access should allow an 8.8 metre Medium Rigid Vehicle (MRV) and a 19 metre articulated vehicle (AV) to enter and exit the site whilst remaining within the road carriageway and constructed driveway.
 - (c) The new vehicular access from Bentwick Street must be sealed from the edge of road to property boundary.
 - (d) The access details (including turning paths) are to be included in the engineering and parking plans required by this permit.
- (15) At least thirteen (13) car parking spaces must be provided on site at all times for the use of the development. New car parking spaces must be completed prior to the proposed expanded use commencing.
- (16). At least one (1) loading bay must be provided to the proposed Bottling Plant building.
- (17). The area and dimensions of loading bays and access way areas must be designed in accordance with Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities, for the type of vehicles likely to use the site.
- (18). The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities Off-street commercial vehicle facilities.
- (19). 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) Constructed with a durable all weather pavement;
 - (b) Drained to the stormwater system;
 - (c) Have a minimum gravel surface that is designed, constructed and maintained to avoid dust or mud generation, erosion or sediment transfer on or off site;
 - (d) Have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;
 - (e) Provide for all vehicles to enter and exit the site in a forward direction
 - (f) be delineated by line marking or other clear physical means.
- (20). 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) signage;
 - (h) lighting (where provided),

- (21) The parking plan is to be certified by an engineer and shall form part of the permit once accepted.
- (22). 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 proposed expanded use commencing.
- (23). All areas set-aside for parking and associated turning, and access must be completed before the proposed expanded use commencing and must continue to be maintained to the satisfaction of the Council's General Manager.

Access to Public Road

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 Southern Midlands Council prior to the proposed date of commencement of any works.

Stormwater

- (24) Stormwater from the proposed development must be retained on site or drain to the public stormwater system to the satisfaction of Council's General Manager and in accordance with the Building Act 2016.
 - (a) The stormwater drainage system for the proposed development must be designed to comply with all of the following:
 - (b) Stormwater retention or detention must be provided such that peak flows from the site to the public stormwater system for up to a 2% AEP event are limited to pre-existing;
 - (c) The downstream public stormwater infrastructure must be upgraded as required to accommodate stormwater flows from the development.

Advice:

The public stormwater system downstream of the proposed development has insufficient capacity. The development will require detention to limit flows to pre development, the downstream system upgraded, or a combination of both.

- (25) Stormwater quality from the site must meet the following:
 - (i) Standard Stormwater Treatment Requirements specified in Table 3 Water Quality Treatment Targets in DEP AND LGAT TASMANIAN STORMWATER POLICY GUIDANCE AND STANDARDS FOR DEVELOPMENT 2021 V1.
- (26). The development must incorporate overland flow paths through the site to accommodate a 1% AEP (plus climate change) rainfall event.
- (27). The stormwater system within the development must continue to be maintained to ensure the quality targets 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 properties.

- (28). The driveway must be drained to minimise surface runoff over adjoining land (including road reservation) in accordance with the requirements of the General Manager and the Building Act 2016.
- (29). Prior to the lodgement of building or plumbing applications the developer must submit an amended (for construction) Stormwater Management Report to Council's General Manager. 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.

Engineering

- (30). 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 Engineer.
- (31). 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.

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

- (32). Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's General Manager, and must show –
- (a) all existing and proposed services required by this permit;
 - (b) all existing and proposed roadwork required by this permit;
 - (c) measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
 - (d) measures to be taken to limit or control erosion and sedimentation;
 - (e) any other work required by this permit.
- (33). Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
- (34). 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.

- (35) An engineering plan assessment and inspection fee of 1% of the value of the approved public engineering works (minimum of \$500.00), or as otherwise specified in Council's Schedule of Fees, must be paid to Council prior to the approval of engineering plans.

Maintenance and Defects Liability Period

- (36). 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 in accordance with Council Policy

- (37). 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.

Erosion and Sediment Control

- (38). An Erosion and Sediment Control Plan (here referred to as a '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.
- (39). 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.

Construction Amenity

- (40). 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.
- (41). The road frontage of the development site including road, 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 General Manager.

- (42). Works associated with the development must only be carried out between the following hours unless otherwise approved by the Council's General Manager
- Monday to Friday 7:00 am to 6:00 pm

- Saturday 8:00 am to 6:00 pm
- Sunday and State-wide public holidays 10:00 am to 6:00 pm

- (43). 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.
- (44). 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 General Manager.
- (45). 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.

The following advice applies to this permit:

Landscaping & Signage

Landscaping is to be undertaken in accordance with the previously granted Planning Approval DA2020-0113) and the landscape plan required the following:

- A. Prior to building approval being issued by Council, a Landscape Plan is to be submitted by a suitably qualified and experienced person. The focus of this Landscaping Plan is to provide suitable landscape screening and visual softening to all of the Bond Storage Sheds on the property. This landscape plan should also provide details of:
- *Plant numbers and species (common and botanical names) to be used;*
 - *Details of proposed mulching, staking and watering systems;*
 - *Details of proposed maintenance of landscaping to ensure its longevity and also appropriate replanting and replacement in the event of plants failing;*
 - *Timeframes for undertaking landscaping works in conjunction with the proposed development.*
- B. The landscaping and signage works must be completed in accordance with the endorsed Landscape Plan and to the satisfaction of the Manager of Development and Environmental Services within six (6) of the occupation of the proposed development. All landscaping must continue to be maintained to the satisfaction of Council.

Legal:

- A. Pursuant to s 53(4) of the Land Use Planning and Approvals Act 1993 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. 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.

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
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.

The first listed Supplementary Agenda was brought forward on the Agenda as it related to Agenda Item 12.1.1 (Development Application (DA2200075))

19.1 Development Application (DA2200075) – Agenda Item 12.1.1 – Council Development Incentive

The following introductory comments were provided by Deputy Mayor K Dudgeon.

“I have sought advice from the Manager I&W and the General Manager following contact by the proponent.

In regard to the Roadworks condition, the total estimated cost to construct the 130 metres of roadway, plus the two junction upgrades would be in the vicinity of \$54,625. This does not include the need to upgrade the drainage / stormwater systems which is probably an additional \$10K.

In recognition that SMC has already allocated \$20,000 in its 2024/25 Capital Works Program to upgrade and seal the Bentwick Street junction, I would to propose that Council allocate this Budget in the form of a development incentive (i.e. as a co-contribution).

This would either be paid to the developer at the time that the work is completed; or alternatively, if Council undertakes the road construction work, then this would be deducted from the total cost of the works required in the DA condition.”

DECISION

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

THAT:

- 1. in recognition of the level of investment made by Lake Frederick Inn Pty Ltd (i.e. Callington Mill Distillery) in Oatlands and surrounding areas, and the employment opportunities that have been created and will be created as a result of this investment, then Council:**
 - a) Subject to the approval of DA 2200075, Council agree to the provision of a development incentive (refer following) to assist with meeting the cost of the roadworks which are recommended as part of the report assessing the Development Application; and secondly**
 - b) If it agreed to provide a development incentive, an incentive of \$20,000 be offered which is the amount that is included in the 2024/25 Capital Works Program to upgrade and seal the Bentwick Street junction which will no longer be required as this work will be undertaken as part of the conditions for the development.**
- 2. The actual means and process for providing this incentive to be negotiated with the proponent by the Manager Infrastructure & Works.**

CARRIED

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

- Agenda Item 12.1.1 – Council Development Incentive

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: 15 OCTOBER 2024

Enclosure(s):

Capital Works Program Projected Timelines 2024-2025

Roads Program

Maintenance grading works will continue throughout the municipality.

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.

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

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 and progressing well.

Callington Park new toilet works have commenced (services are installed to proposed site) building works will now commence.

Parks and Reserves

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

Spring grass growth is keeping mowing crews busy as well as weed growth

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 the two accommodation units in Oatlands are completed.

Maintenance works have been carried out on various council buildings.

Construction of toilets at Callington Park has commenced

Planned Works

- Drainage and pavement repairs various roads;
- Undertake various bridge maintenance repairs;
- 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;
- Preparation works on various roads for Annual spray sealing and stabilization programmes;
- Edge break repairs on various roads;
- New toilet Callington park;
- Install BBQ at Oatlands aquatic centre.(waiting for arrival) of BBQ;
- Commence roadside slashing programme.

Campania infrastructure budgeted 2024/25 and planned works

The following information is provided in response to the question raised by Cllr Miller at the previous council meeting regarding proposed projects for the Campania area.

Campania Recreation Ground

Council has allocated a total budget amount of \$344,625 (\$91,625 direct Council contribution) in the 2024/25 Capital Works Budget for the Campania Recreation Ground. This Ground was identified as a high priority in the recently completed *Southern Midlands Community Infrastructure Plan*. As part of the improvement plan for that property, the following works are planned for this financial year which will be supplemented by an amount of \$253,000 from the recently announced Tasmanian State Government Budget: Works include:

- Provision of “all abilities’ car parking focussed on improving access for disabled persons;
- Installation of an electronic scoreboard to provide for the cricket and football teams; and
- Landscaping and tiered seating at the northern end of the oval to address drainage issues and provide spectator seating.

Other planned Campania infrastructure projects 2024/25

- Campania Recreation Ground change rooms (proposed upgrade – total project cost of \$1.1 million which was subject to securing a \$400K grant through the ‘Open Spaces Grant Program – Round 2) – pending;
- Campania Car-Park improvements \$67,600.00;

- Walkway Climie Street (across railway) \$41,250.00;
- Reeve Street (west adjacent to flour mill park) \$100,209.00;
- Reeve street (East –Rec ground entrance to Villeneuve street) \$51,500.00;
- Reeve street footpath (through to hall) \$30,000.00;
- Reeve street bus stop (all access bus stop upgrade program) \$40,696.00;
- Memorial Hall (external painting) \$10,600.00.

QUESTIONS WITHOUT NOTICE TO MANAGER, INFRASTRUCTURE & WORKS

Clr B Campbell – Campania Flour Mill Park Toilets – advised that guttering repairs are necessary on both the Community Hall side and the Education Department building side of the Toilets.

To be addressed.

Clr B Campbell - Guide Posts – questioned how many guide posts have recently been installed to replace broken and/or intentionally damaged guide posts.

Manager Infrastructure & Works commented that there is always a need to replace numerous guide posts for various reasons, including intentional damage.

Clr B Campbell - Rhyndaston Road (vicinity of Lake Tiberias Road) – bitumen patching required.

To be addressed.

Deputy Mayor K Dudgeon – need for signage to provide direction to Callington Park playground.

To be considered noting the concern regarding the potential for over-signage.

Deputy Mayor K Dudgeon – sought update on the timeframe for the sign at the front of the Oatlands Aquatic Centre.

Deputy General Manager indicated that it is approximately one week until delivery.

Mayor E Batt – Bagdad Shared Pathway – noted that this project is progressing.

Manager Infrastructure & Works commented that there has been some delays due to weather and other priorities which have arisen (e.g. Dysart WTS).

RECOMMENDATION

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

DECISION

Moved by Cllr D Fish, seconded by Cllr B Campbell

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

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
Cllr D Blackwell	✓	
Cllr B Campbell	✓	
Cllr D Fish	✓	
Cllr F Miller	✓	

ENCLOSURE

Agenda Item 13.10.1

Capital Works Program 2024-2025 Projected Timelines
as at 30 Sept 2024

Project	Total Project Cost (\$)	2024						2025						
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	
Road Resheeting														
Clifton Vale Road Resheeting	113,893													
Road Resealing - Sealed Roads														
Various Projects	596,787													
Road Reconstruction & Seal														
Elderslie - Pelham Road (1km)	160,000													
York Plains - Vicinity of 'Handroyd' - 800 metres	130,000													
Woodsdale - Woodsdale Road (2.4 kllms) Cricket Ground towards Quarry	370,000													
Colebrook - Station Street (includes drainage)	25,000													
Construct & Seal (Unsealed Roads)														
Oatlands - Bentwick Street	20,000													
Oatlands - Interlaken Road	5,746,180													
Junction / Road Realignment / Other														
Sealed Road Edge Breaks - Woodsdale Road & York Plains Road	300,000													
Andover - Nala Road Junction with Inglewood Road (Asphalt junction)	30,000													
Campania - Car Park Improvements	67,600													
Campania - Estate Road (vicinity Mallow property)	49,000													
Elderslie - Cliftonvale Road (Guard Rail) - 600 metres	90,000													
Oatlands - Hasting Street Junction	15,000													
Oatlands - Stanley Street (from Midland Highway junction to Nelson Street)	35,000													
Oatlands - William Street (from Wellington Street towards Stanley Street)	13,500													
Tunbridge - Main Street (Kerb & Gutter Renewal)	40,000													
Tunnack - Link Road Landslip	25,000													
York Plains Road (vicinity of Rooney's Road) - Guard Rail - approx. 50 metres	7,250													
Footpaths														
Footpaths - General Streetscapes	40,000													
Bagdad - Midland Highway Pathway (Primary School north to Community Club)	240,000													
Bagdad - Midland Highway Pathway (north of Bagdad Community Club)	645,840													
Campania - Clirmie Street (Across Railway)	41,250													
Campania - Reeve Street (West - adjacent to Flour Mill Park)	100,209													
Campania - Reeve Street (East - Rec Ground entrance to Villeneuve Street)	51,158													
Campania - Reeve Street - Footpath through to Hall	30,000													
Campania - Reeve Street Bus Stop - All Access All Weather Bus Stop Upgrade Program	40,696													
Kempton - Burnett Street to Mood Food	425,565													
Oatlands - High Street Bus Stop - All Access All Weather Bus Stop Upgrade Program	28,300													
Oatlands - Stanley Street (High Street to Nelson - 280 metres - kerb & footpath)	75,000													
Oatlands - Campbell Street (scope of works expanded to include kerb/gutter)	85,000													
Oatlands - Church Street (Sth Parade to William St - north. side - Footpath - 130 m)	30,000													

Capital Works Program 2024-2025 Projected Timelines
as at 30 Sept 2024

Project	Total Project Cost (\$)	2024						2025						
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	
Public Toilets														
Oatlands - Callington Park	203,000													
Stormwater Drainage														
Stormwater System Management Plans (Urban Drainage Act 2013)	50,000													
Bagdad / Mangalore - Hydraulic Assessment (Flood Mapping)	221,460													
Tourism														
Oatlands - Heritage Interpretation Panel renewal	2,000													
Heritage														
Jericho - Memorial Avenue - Plaques	20,000													
Kempton - Memorial Avenue Park - Interps	19,545													
Melton Mowbray - Recognition plaque JH Bisdee VC OBE (DVA Grant)	8,480													
Oatlands - Callington Mill - Structural Repair & External painting	40,000													
Oatlands - Council Chambers - Internal Toilets & Access Upgrade	100,000													
Oatlands - Court House (Wall Stabilisation)	15,000													
Oatlands - Gaolers Residence (Chimney Capping & Fireplace Repairs)	5,000													
Oatlands Gaolers Residence (Wingwall)	23,000													
Oatlands - Heritage Buildings (Security Upgrades)	10,000													
Oatlands - Heritage Collections Store	10,000													
Oatlands - Roche Hall (Building Improvements)	90,000													
Oatlands - Roche Hall Forecourt (Interps - Planning Condition of Approval)	40,000													
Parattah - Railway Station -Shed for Gangers Trolley	2,000													
Natural														
Campania - Bush Reserve / Cemetery	300,000													
Chauncy Vale - Day Dawn Cottage Improvements	12,000													
Chauncy Vale - Toilet & Interps Upgrade	45,000													
Cultural														
Oatlands - Aquatic Centre (Forecourt - Art Installation)	20,000													
Regulatory - Development														
Master / Structure Plans (Bagdad / Mangalore / Campania)	50,000													
Property Purchase - 10 Barrack Street, Oatlands (Police Residence)	530,000													
Oatlands - Stanley Street Master Plan	20,000													
Regulatory - Public Health														
Oatlands - GP Accommodation Units	500,000													

Capital Works Program 2024-2025 Projected Timelines
as at 30 Sept 2024

Project	Total Project Cost (\$)	2024						2025						
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	
Animal Control														
Oatlands - Off-Lead Dog Park	35,000		Deferred											
Recreation														
Bagdad - Bagdad Community Club (Precinct Plan)	25,000													
Bagdad - Iden Road Park Development	75,000		Deferred											
Broadmarsh - Broadmarsh Hall "The Haven"	1,747,054													
Campania - Justitia Court POS - Shelter Hut	16,000													
Campania - War Memorial Hall (External Repainting)	10,600													
Campania - Recreation Ground (Electronic Scoreboard)	47,875													
Campania - Recreation Ground (All abilities Car Parking)	26,750													
Campania - Recreation Ground (Ground Improvements - Landscaping & Tiered Seating)	270,000													
Campania - Recreation Ground (Upgrade Change rooms)	1,100,000													
Colebrook - Hall Improvements (Resurface Timber Flooring)	1,800													
Kempton - Recreation Ground (Irrigation)	60,000													
Kempton - Recreation Ground (Site Dev and Play Equipment)	24,250													
Mangalore - Recreation Ground (Upgrade Horse Arena)	6,400													
Mangalore - Recreation Ground (Dust Remediation - Tree planting etc.)	5,000													
Melton Mowbray - Streetscape Works (Trough / Shelter etc)	60,000													
Oatlands - Aquatic Centre (Courtyard Development -Shelter / BBQ)	30,000													
Oatlands - Aquatic Centre (Reception - Sliding Counter Window)	6,000													
Oatlands - Aquatic Centre (Gymnasium - Mirror & Equipment)	16,400													
Oatlands - Gay Street, Hall (Air Lock & Heating)	30,000													
Oatlands - Midlands Community Centre (External Painting - Front of Building)	8,000													
Oatlands - Old Swimming Pool (Staged demolition)	200,000													
Woodsdale Recreation Ground	45,000													
Legend														
	Scheduled	Infrastructure & Works												
	Completed	Infrastructure & Works												
		Heritage Projects												
		Heritage Projects												

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.*

10.1 Permission to Address Council

10.30 a.m. - Mrs Jennifer Johnson – Oatlands Dog Park Proposal

Mrs Jennifer Johnson addressed Council and made reference to the initial Petition submitted relating to the need for a Dog Park at Oatlands, and the mostly positive comments on Facebook regarding the option of locating the Dog Park in the property adjoining Callington Park. This site is supported due to its location and available amenities.

Mayor E Batt thanked Mrs Johnson for her presentation.

Public Question Time

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

Mrs Toni Cowle, presenting the Woodsdale Football Club Inc. and the newly established Woodsdale Recreational Community Centre Inc., circulated revised plans for the proposed development at the Woodsdale Recreation Ground. These plans now exclude the relocation of the Colebrook Ground amenities.

Mrs Cowle provided confirmation of the funding that has been allocated by the Tasmanian Government, and commented in relation to the need for an \$8K operational subsidy that is being sought should ownership of the property transfer. This would assist with insurance; general maintenance etc. of the property.

The question being asked was primarily focussed on whether Council would support the position taken by the Club in seeking the greater amount?

Mayor E Batt indicated that this issue will be addressed at the time that the relevant Agenda Item is considered later in the meeting.

DECISION

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

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

CARRIED

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

DECISION

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

THAT the meeting reconvene at 11.25 a.m.

CARRIED

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

DECISION

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

THAT Agenda Item 16.2.2 be brought forward on the Agenda for consideration.

CARRIED

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) – 2578 Woodsdale Road, Woodsdale - Sale of Property

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 16 OCTOBER 2024

Enclosure(s)

Woodsdale Football Club – Email dated 1st October 2024

Extract – Minutes of the Council Meeting held 25th September 2024

ISSUE

Council to consider further Email correspondence received from the Woodsdale Football Club dated 1st October 2024.

BACKGROUND

Reference is made to the report submitted to the Council Meeting held 25th September 2024 (copy attached).

Council determined that the likelihood of reaching any negotiated position that would be acceptable to both parties is extremely remote. In light of that, Council further resolved to progress with the proposed sale of the property in accordance with the *Local Government Act 1993*.

DETAIL

The Woodsdale Football Club has since advised that the Club is now seriously considering Council's initial offer to transfer the ground for \$1, together with a one-off grant payment of \$45,000. However the Club would like to submit that:

- a) Council provide a yearly subsidy of \$8,000, plus exemptions with rates etc.; and
- b) There be a further discussion in relation to the ground being mowed by Council, as this would assist the Club immensely, with Council driving past the ground to mow Runnymede. This would be a great gesture from Council to ensure the area receives the same support as other recreation grounds in the Municipality.

The Woodsdale Football Club Inc. is seeking an official offer from Council to formally discuss amongst its Committee.

Discussion / Comment:

Whilst the Football Club's Email suggests that a yearly subsidy offer of \$8,000 and exemptions with rates etc. was put forward at the initial meeting with Club representatives, this was not the case. An operational subsidy was flagged as an issue with no position agreed.

In relation to the Club's latest submission, initial discussion within Council suggests that there should be consistency with other community/private owned facilities, and therefore the following should apply:

- The Club would be entitled to an exemption from the General Rate (similar to other community owned facilities), however they would still be liable for annual service charges and levies only (i.e. Fire Service Levy; Waste Management Levy and the Household Collection Service charge if that service is utilised)

Note: The property would be exempt from land tax if owned by a not-for-profit organisation.

- Similar to the privately owned Levendale Cricket Ground, Council provide an annual contribution of \$1,000 to assist with mowing and upkeep of the ground; and
- 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'. Under the Policy, the Southern Midlands Council will reimburse 50% of the cost of maintaining Public Liability Cover (i.e. cost of the premium) for the premises under its control. This reimbursement amount from Council is capped at \$500.00 per policy.

The provision of an annual operating subsidy (over and above those listed above) was not supported.

Human Resources & Financial Implications – To provide clarity, and in response to the Woodsdale Football Club's request for Council to make a formal offer, the following offer would be referred:

1. Along with transferring ownership of the property to the Woodsdale Football Club, Council to provide a 'one-off' non-refundable grant amount of \$45,000 (less deductions referred to below).

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.

2. Transfer the property for a peppercorn amount (say \$1.00).
3. Stamp Duty to be paid by Council and deducted from the one-off grant (estimated value of \$1,222.50)
4. 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);
5. Each party to engage their own legal representative and meet the associated legal costs (excluding stamp duty payable on the sale transaction);
6. 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 \$1,000 (to be indexed by the annual Hobart March CPI percentage to be applied for the following financial year);
7. The Club will be liable for annual service charges and levies only, with an entitlement to be exempt from the General Rate.

8. 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'. (50% of the policy premium capped at \$500.00)
9. The Woodsdale Football Club would still be entitled to make application for any financial assistance through Council's Community Small Grants Program;
10. 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 this 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.

Community Consultation & Public Relations Implications – Irrespective of the final outcome of the negotiations with the Woodsdale Football Club, it is still necessary for Council to proceed and advertise its intention to sell the Woodsdale Recreation Ground property (i.e. public land).

Policy Implications – Policy position.

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

RECOMMENDATION

THAT:

1. the information be received;
2. Council confirm the following offer to be submitted to the Woodsdale Football Club Inc. (subject to finalising the public notification and sale of public land process):
 - Along with transferring ownership of the property to the Woodsdale Football Club, Council to provide a 'one-off' non-refundable grant amount of \$45,000 (less deductions referred to below).

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.
 - Transfer the property for a peppercorn amount (say \$1.00).
 - Stamp Duty to be paid by Council and deducted from the one-off grant (estimated value of \$1,222.50)
 - 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 \$1,000 (to be indexed by the annual Hobart March CPI percentage to be applied for the following financial year);
 - The Club will be liable for annual service charges and levies only, with an entitlement to be exempt from the General Rate.
 - 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'. (50% of the policy premium capped at \$500.00)
 - The Woodsdale Football Club would still be entitled to make application for any financial assistance through Council's Community Small Grants Program;
 - 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 this 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.
3. This offer must be accepted (or rejected) 'in-principle' by no later than 30th November 2024 or the offer is to be withdrawn and Council will then determine the preferred method of disposal at that time; and
4. If the offer is accepted 'in-principle', then the transfer of ownership is to be finalised by the end of April 2025 (unless an extension of time is mutually agreed by the parties). This includes the requirement for the Woodsdale Football Club to provide confirmation that the external sources of funding have been secured to enable upgrade of the facility to a standard that is consistent with the Football Club's expectations and achieves compliance with the Building Code of Australia and other applicable legislation.

DECISION

Moved by Clr D Blackwell, seconded by Clr F Miller

THAT:

1. the information be received;
2. Council confirm the following offer to be submitted to the Woodsdale Football Club Inc. or the newly created Incorporated Entity (subject to finalising the public notification and sale of public land process):

- **Along with transferring ownership of the property to the Woodsdale Football Club Inc. (or the newly created Incorporated Entity), Council to provide a ‘one-off’ non-refundable grant amount of \$45,000 (less deductions referred to below).**
Council’s contribution will be contingent upon the Woodsdale Football Club Inc. (or the newly created Incorporated Entity) 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.
 - **Transfer the property for a peppercorn amount (say \$1.00).**
 - **Stamp Duty to be paid by Council and deducted from the one-off grant (estimated value of \$1,222.50)**
 - **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 Inc. (or the newly created Incorporated Entity), 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 \$1,000 (to be indexed by the annual Hobart March CPI percentage to be applied for the following financial year);**
 - **The Club will be liable for annual service charges and levies only, with an entitlement to be exempt from the General Rate.**
 - **The Woodsdale Football Club Inc. (or the newly created Incorporated Entity) would be entitled to a part premium reimbursement for Public Liability Cover relating to the property under Council’s ‘Donations and Community Support Policy’. (50% of the policy premium capped at \$500.00)**
 - **The Woodsdale Football Club Inc. (or the newly created Incorporated Entity) would still be entitled to make application for any financial assistance through Council’s Community Small Grants Program;**
 - **Should the ground cease being used by the Woodsdale Football Club Inc. (or the newly created Incorporated Entity), 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 this 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.**
- 3. This offer must be accepted (or rejected) ‘in-principle’ by no later than 30th November 2024 or the offer is to be withdrawn and Council will then determine the preferred method of disposal at that time; and**

4. If the offer is accepted ‘in-principle’, then the transfer of ownership is to be finalised by the end of April 2025 (unless an extension of time is mutually agreed by the parties). This includes the requirement for the Woodsdale Football Club Inc. (or the newly created Incorporated Entity) to provide confirmation that the external sources of funding have been secured to enable upgrade of the facility to a standard that is consistent with the Football Club’s expectations and achieves compliance with the Building Code of Australia and other applicable legislation.

AMENDMENT

Moved by Clr B Campbell, seconded by Deputy Mayor K Dudgeon

THAT the offer (as recommended) be amended by including an exemption from both the Waste Management Levy and the Collection Charge (total combined cost for 2024/25 would be \$548).

The amendment was put and lost.

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

AMENDMENT

Moved by Clr B Campbell, seconded by Deputy Mayor K Dudgeon

THAT the offer (as recommended) be amended by increasing the amount of the annual operating grant to \$2,000 (as opposed to \$1,000).

The amendment was put and lost.

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

AMENDMENT

Moved by Cllr B Campbell,

THAT the offer (as recommended) be amended to provide for Council to pay the Stamp Duty on transfer of ownership of the property, however this amount is not to be deducted from the \$45,000 ‘one-off’ grant payable (grant payable subject to conditions).

The amendment lapsed due to the lack of a seconder.

The original Motion was put and CARRIED.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
Cllr D Blackwell	✓	
Cllr B Campbell		✓
Cllr D Fish	✓	
Cllr F Miller	✓	

ENCLOSURE
Agenda Item 16.2.2

Timothy Kirkwood

From: Woodsdale football club Woodsdale football club <woodsdaafc@gmail.com>
Sent: Tuesday, 1 October 2024 3:23 PM
To: Timothy Kirkwood
Cc: Andrew Benson; 'kvincent@ruralsolutionstas.com.au';
'jane.howlett@parliament.tas.gov.au'; 'Andrew Dean'; 'Geoff Young'
Subject: Re: Woodsdale Recreation Ground

Hi Tim

I refer to our first meeting, with the proposal from Council of the transfer of the ground for \$1, a one-off grant payment of \$45,000, yearly subsidy of \$8,000 and exemptions with rates etc...where applicable, which we are seriously considering.

However, we would like to discuss the mowing of the ground by Council, as this would assist us immensely, with Council driving past the ground to mow Runnymede. This would be a great gesture from Council to ensure the area receives the same support as other recreation grounds in the Municipality.

We would like an official offer from Council to formally discuss amongst our Committee.

Thank You
Toni Cowle
President
Woodsdale Football Club

[EXTRACT FROM COUNCIL MEETING 25 SEPTEMBER 2024]

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
<p>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);</p>		
<p>Each party to engage their own legal representative and meet the associated legal costs (excluding stamp duty payable on the sale transaction);</p>		
<p>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>	<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>	<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.</p>
<p>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.</p>	<p>Rates and Taxes exclusion</p>	<p>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.</p>
<p>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’.</p>	<p>Included as part of the annual operating subsidy being sought.</p>	<p>Refer comment above re: operational subsidies.</p>

Council Position	Woodsdale Football Club Position	Comment
Land tax (if applicable) will also be payable by the property owner;		The property would be exempt from land tax if owned by a not-for-profit organisation.
The Woodsdale Football Club would still be entitled to make application for any financial assistance through Council's Community Small Grants Program;		
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.		

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

Moved by Clr F Miller, seconded by Clr D Blackwell

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*.

CARRIED

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	✓	

[END EXTRACT FROM COUNCIL MEETING 25 SEPTEMBER 2024]

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.

14.4.1 Greater South East Irrigation Scheme

Author: GENERAL MANAGER (TIMOTHY KIRKWOOD)

Date: 17 OCTOBER 2024

Attachment(s):

Fact Sheet – Greater South East Irrigation Scheme

ISSUE

For Council to understand the current funding issues surrounding the Greater South East Irrigation Scheme.

BACKGROUND

The Greater South East Irrigation Scheme will integrate the three existing (stage 1, 2 and 3) schemes in the south east into a new, interconnected single scheme with a new water source to supply the Stages 2 and 3.

It will service existing and additional demand around Gretna, Jordan River Valley, Brighton, Richmond, Dulcote, Cambridge, Colebrook, Campania, Tea Tree, Orielton, Pawleena, Penna, Sorell, Forcett, Elderslie and Broadmarsh.

The proposed scheme will increase reliability of supply and support significant growth to one of the driest areas in the State. In this area, the principal primary production focus is cherries, apples, salad vegetables, wine grapes, stone fruit, cereal crops, lucerne, walnuts and olives.

The Scheme will source water directly from Lake Meadowbank in the Derwent Valley, supplied by Hydro Tasmania. The existing schemes source water from a combination of the Craighourne Dam via the Coal River (stage 1) and through treated water supplied by TasWater from Bryn Estyn (stages 2 and 3), which is Hobart's primary source of drinking water.

This Scheme is one of the third tranche of projects identified in the Pipeline to Prosperity Program. This program was added to Infrastructure Australia's "priority initiatives" in 2019.

The Scheme comprises for following.

The Scheme capacity:	18,600 megalitres in each delivery period (summer + winter)
Number of irrigators:	300-plus
Number of new irrigators:	120
Kilometres of pipeline:	160;
Pump stations:	4
Construction start target:	Early 2028
Commissioning target:	Early 2030

This Scheme is an essential part of the Tasmanian Government’s commitment to grow the farmgate value of agriculture to \$10 billion by 2050. It is anticipated that it will provide.

- Net Economic Benefit \$291 million
- 225 construction + 468 ongoing jobs
- Affordable water
- Will enable farmer diversification and expansion
- Drought security and climate change resilience
- Reduced use of at times salty water from the Coal River
- Remove reliance on expensive, treated drinking water
- Increase land productivity and food security
- Encourage greater water conservation and sustainable practices
- Provide farm business with confidence and economic resilience



Greater South East Irrigation Scheme Plan
Building Water Security and Economic Resilience for Tasmania.

DETAIL

TasFarmers believe that a price cliff for farmers is coming unless the Scheme is funded.

The Tasmanian farming community is seeking \$150 million from the Federal Government to facilitate the construction of the Greater South East Irrigation Scheme. This contribution will complete the funding required for the project and allow its construction, providing water surety for farmers and an expected net economic benefit of \$291 million, as well as creating 225 construction jobs and 468 direct and indirect ongoing jobs.

TasWater, who provide the majority of the water to the current schemes, have stated a price rise from the current \$200 per megalitre to \$1,260 per megalitre is required by 2026.

Tasmanian Irrigation and TasWater have negotiated an extension for this price rise, however this is totally contingent on the proposed scheme receiving approved funding. If the scheme is not approved, it will result in an increase in water charges of more than 500 per cent.

This would make almost every agricultural enterprise reliant on stages 2 and 3 water uneconomic for local farmers, resulting in the handback of water entitlements, and a collapse of the schemes and most related agricultural enterprises in the district.

This would be an economic disaster for the state which can only be avoided by the commitment of funding by the Federal Government for the construction of the Greater South East Irrigation Scheme, and the new water source it will provide.

RECOMMENDATION

THAT Council:

1. Receive and note the report;
2. Supports the Tasmanian farming community in seeking \$150 million from the Federal Government to facilitate the construction of the Greater South East Irrigation Scheme. This contribution will complete the funding required for the project and allow its construction, providing water surety for farmers and an expected net economic benefit of \$291 million, as well as creating 225 construction jobs and 468 direct and indirect ongoing jobs

DECISION

Moved by Clr D Fish, seconded by Clr D Blackwell

THAT Council:

1. Receive and note the report;
2. Supports the Tasmanian farming community in seeking \$150 million from the Federal Government to facilitate the construction of the Greater South East Irrigation Scheme. This contribution will complete the funding required for the project and allow its construction, providing water surety for farmers and an expected net economic benefit of \$291 million, as well as creating 225 construction jobs and 468 direct and indirect ongoing jobs; and
3. Write to Tasfarmers to inform that organisation of Council's decision, and secondly, to encourage Tasfarmers to further consult with the State Government and property owners regarding the need to either expand or 'free-up' existing water entitlements with the aim of future proofing the rural sector.

CARRIED

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

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: 16 OCTOBER 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:

- Discussions with representatives from the Royal Society of Tasmania regarding collaboration on a touring exhibition (2025) of replica pictures from the Society's Colonial Art Collection of 900 works on paper
- Ongoing communication with Edge Film on their proposal for audio visual interpretations in Oatlands heritage buildings, pending grant funding opportunity being identified
- Presentation by Brad to the Tasmanian Historical Research Association about the Picton archaeology
- Continuing appearances on ABC radio 936 regarding the history of the Southern Midlands
- Ongoing contribution from volunteers Rubee Dano and Linda Clark

RECOMMENDATION

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

DECISION

Moved by Cllr B Campbell, seconded by Deputy Mayor K Dudgeon

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

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
Cllr D Blackwell	✓	
Cllr B Campbell	✓	
Cllr D Fish	✓	
Cllr F Miller	✓	

15.2 Natural

Strategic Plan Reference – page 23/24

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

15.2.1 NRM Unit – General Report

Author: NRM PROGRAMS MANAGER (MARIA WEEDING)

Date: 15 OCTOBER 2024

ISSUE: Southern Midlands NRM Unit Monthly Report.

DETAIL

- Maria has been busy with works relating to the proposed toilet block at Callington Park. Protech recommenced works on Monday 30th September to install of the sewer line from the sewer pump pit on the foreshore through to the toilet slab connection point. Protech completed their works on Monday 14th October with a reseal of the road way section of the route. Works on the building commenced on Tuesday 15th October with the slab being prepared.
- Helen and Maria were guest speakers at a Tasmania Landcare workshop session on 21st September at Campania. Over 60 people attended. Both spoke about establishing tree shelter belts/amenity plantings and native plant species selection for sites in the Southern Midlands. There was a lot of interest and discussion on the topic. Received positive feedback following the day.
- A Lake Dulverton & Callington Park Management Committee meeting was held on Monday 9th September. Maria, in conjunction with other Council staff, have been doing follow up work from the meeting. This involves providing information to Parks as to proposed changes to dog management on the foreshore of Lake Dulverton. This is so that Parks can formally recognise the presence of dogs in a section of the conservation area.
- Helen, Mary and Maria have been assisting with a project to establish some vegetation at the edge of the Mangalore Rec Ground – Equestrian arena. This is to mitigate the impact of sandy soils that sometimes blow from the arena into neighbouring properties. Information about the proposed types of plants and the location of the plants was provided to the users of the area, which has been met with approval by the users. The plants have now been purchased and will be planted in the next week.
- Helen has been assisting Mary with some on ground works in relation to weeds. See Weeds Officer report below.

Weeds Officer Report, Mary Smyth

16th September – 15th October 2024

Enquiries/feedback

Had a query from an audience member at the Dryland Restoration Workshop (see below) regarding Horehound control.

Two queries from the one resident on Amsinckia and whiteweed control.

Another query on Amsinckia; a weed that is starting to pop up in some isolated spots...

One query regarding Periwinkle control.

A phone call from a ratepayer questioning the efficacy of contractor spraying to control Spanish heath was resolved when I contacted said contractor and he was actually spraying guideposts, not SH.

Site visits

Total = 19 plus 10 Spanish heath roadside sites.

Weeded, watered and generally maintained the new plantings on the mounds at Kempton Recreation Reserve. It has been too windy to spray anything more than circles around the new and younger plants. A few more of the original Cootamundra wattles have succumbed to age/wind/weather.

Aside from the Amsinckia off Lovely Banks Road (see below), another two patches of this plant were discovered on the border at Pontville. A Tunbridge resident reported Amsinckia for the first time this year on her property, and I suspect that machinery is spreading it around the district.

Experimenting with a slightly different broadleaf weed herbicide mix to tackle thistles (to hopefully reduce follow-up work): sprayed a patch past the 4th bin at Oatlands tip, and results are looking good so far. The tree lupin up the back of the metals pile at Oatlands tip is also dying off nicely.

Windy weather has much delayed roadside spraying of Spanish heath this year, and this was properly started only in early October. The stretch between Levendale Hall and Runnymede is yet to be completed.

One day was spent tackling a few outlier populations of tree Lucerne, Patterson's curse, Montpellier broom and African lovegrass. Of course, whenever I see one or two weeds in passing, when I get back to dispatch them, you can bet there are a whole lot more besides. A couple of examples: I thought I had 4 tree Lucerne in 3 locations along Brown Mountain Road. Oh no, it was really 27 tree lucernes, and 110+ Montpellier brooms! The extras are usually small plants/seedlings, but they do take extra time to eradicate. At another location, I dug out all the African lovegrass I had spotted previously, but discovered more plants over the road, plus two new patches of Amsinckia.

Checked 2 locations from the data base for boneseed: both free of the weed.

Sprayed 42 small Spanish heath plants along an embankment out the back of Campania.

Visited a couple of adjoining properties in Kempton where Periwinkle is needing eradication.

Communication

Whilst chatting with the weeds/slashing contractor, I found out about a very isolated patch of Amsinckia off Lovely Banks Road. The farmer adjacent has sprayed his paddock, and the roadside has now been sprayed.

Previous conversations regarding a spear thistle weed problem on forestry land impacting an adjoining property in Levendale was rewarded with an invitation by Midway Tasmania (the managers of the forest) to attend a morning in the field, followed by lunch at the Kentish on 7.10.24. There was a group of about 20 people and it was excellent to learn about native and exotic forest production, carbon credits, related jobs and what is involved in growing a good tree.

Related and extra-curricular activities

Attended (with another local) the *Dryland Restoration Workshop* at Campania Hall on Saturday 21.9.24, hosted by Landcare Tasmania, at which MW and HG were presenting. Successful planting, climate change, seed provenance and revegetation in general were covered at this most interesting event.

In my own time, I attended the *Drought Resilience – Landscapes* workshop at the sustainability Learning Centre, Mt. Nelson, on 24.9.24. It is always stimulating to attend such events to network, learn, discuss and review various topics.

Again, in my own time, started weeding boneseed from a neglected pocket reserve on Fingerpost Road. This weed-infested, neglected piece of land is not in SMC, but it is quite close to the southern border. The last thing I want is to eradicate boneseed from the Bagdad/Dysart areas, only to have it appear somewhere else in the Council. First session eradicated 433 plants. More to go when I get a chance.

Assisted MW with some weeding around Lake Dulverton near the public toilets.

Weeds Action Fund – Stemless thistle and serrated tussock

A couple of follow-up visits to the stemless thistle property; one to spray rosettes on the hilltops of the core zone, the other to dig up outlier plants further afield. Again, progress has been delayed by windy weather. Once the wind stops, the lessee will provide spray reel and chemical to complete spraying for the season.

Serrated tussock property: dates set in early November for a two-day survey by contractors using WAF funds. HG and I will be surveying internal roads/yards etc. at the same time. Negotiations continue regarding getting the detector dog to survey the monitor zone just outside the core zone.

Research

Worked with the NRM team to research options and then complete the plans for new plantings at Mangalore Recreation Ground (far end of arena). Consultation has occurred, plants bought, and the area sprayed in readiness.

Weed of the Weed

Whiteweed, Pride of Madeira, broom and winged slender thistle displayed this month in the Oatlands front office.

RECOMMENDATION

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

DECISION

Moved by Clr D Fish, seconded by Clr B Campbell

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

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
Clr 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: 16 OCTOBER 2024

Enclosure: *Animal Management Statement 2024*

ISSUE

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

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

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

Resource Sharing

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

INFRINGEMENT DETAILS:

23/09/24 – Failing to register dog over 6 months

25/09/24 - Failing to register dog over 6 months

25/09/24 - Failing to register dog over 6 months

16/10/24 - Failing to ensure dog is not at large – Oatlands area

ATTACK DETAILS: Nil

ENCLOSURE
Agenda Item 15.6.1

**YTD ANIMAL MANAGEMENT STATEMENT
2024**

DOG IMPOUNDS	RECLAIMED	ADOPTED/DOGS HOME	EUTHANISED	OTHER IMPOUNDS
16	13	3		1 – goat 1 – ram 1 – Weather 4 – Sheep 1 – Miniature goat

**JOBS ATTENDED
October 2024**

DOGS AT LARGE	DOG ATTACKS	DOG BARKING	DOG GENERAL
1	0	3	15
NEW KENNEL LICENCES	WELFARE	STOCK	Central Highlands
2 pending	2	2	3

REGISTERED DOGS: 1682
KENNEL LICENCES: 66
INFRINGEMENTS ISSUED: 4

RECOMMENDATION:

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

DECISION

Moved by Cllr B Campbell, seconded by Deputy Mayor K Dudgeon

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

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
Cllr D Blackwell	✓	
Cllr B Campbell	✓	
Cllr D Fish	✓	
Cllr F Miller	✓	

15.7 Environmental Sustainability

Strategic Plan Reference 3.7

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

Nil.

16. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

16.1 Community Health and Wellbeing

Strategic Plan Reference 4.1

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

Nil.

16.2 Recreation

Strategic Plan Reference 4.2

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

16.2.1 Oatlands Aquatic Centre – Coordinators Report

Author: OATLANDS AQUATIC CENTRE COORDINATOR (ADAM BRIGGS)

Date: 15 OCTOBER 2024

ISSUE

Oatlands Aquatic Centre – Coordinator's Report for the month of September 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	Sep 2024	Sep 2023	2024/25 Year to Date	2023/24 Year to Date	% of Budget 2024/25
Admission Fees		\$237,500	\$18,408	\$18,016	\$45,452	\$42,671	19.1%
Sale of Goods		\$12,500	\$986	\$920	\$2,858	\$2,332	22.9%
Charging Station Energy Use Reimbursement		\$14,000	\$0	\$0	\$4,168	\$0	29.8%
Sub-Total		\$264,000	\$19,394	\$18,936	\$52,478	\$45,003	19.9%

EXPENDITURE		Annual Budget 2024/25	Sep 2024	Sep 2023	2024/25 Year to Date	2023/24 Year to Date	% of Budget 2024/25
Salaries (incl. On-Costs)		\$473,945	\$31,092	\$36,769	\$94,417	\$132,810	19.9%
Operating Costs - Other		\$260,395	\$56,973	\$28,015	\$108,667	\$59,054	41.7%
Total Expenditure		\$734,340	\$88,065	\$64,784	\$203,084	\$191,864	27.7%

Budgeted Deficit		-\$470,340	-\$68,671	-\$45,848	-\$150,606	-\$146,861	32.0%
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Group Bookings & Programs – September (18/9/24 - 15/10/24):

Event / Booking	School / Group	Participation Numbers
Lane Hire	Bridgewater PCYC	60 participants
Physio Rehab Sessions	Annabel Butler – Physiotherapist	26 individual bookings
Lane Hire	Midlands Swimming Club	2 individual bookings
Centre Visits	Birthday Parties	2 group bookings
Lane Hire	Lady Gowrie – Swansea	15 participants
Lane Hire	Campbell Town Early Learning Program	11 participants
Lane Hire/Student Visits	Oatlands District School	5 group bookings
Centre Visits	Parkside Program Group	12 participants
Lane Hire	Bagdad Vacation Care Program	25 participants

USAGE FOR THE PERIOD 18/9/2024 – 15/10/2024

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 4, 2024 Program Enrolments (Currently)	118
October School Holiday Program – Private Lessons	27
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	11
DD Gym	7
DD 6 Months Pool – 17 years +	0
DD 6 Months Pool – Child/Concession	20
DD 6 Months Pool – Family	0

Grant Applications & General Information

See below an update on new programs implemented during September:

- Midlands Swimming Club – Junior Squad Program:**
 Working closely with Midlands Swimming Club we have expanded the current Squad Program being offered/operated out of the Oatlands Aquatic Centre from a Senior Squad only option to now offer a Junior Squad. This squad targets swimmers aged 12/13 years and under who are demonstrating strong stroke development and ability to increase overall fitness. Midlands Swimming Club has now grown from a 10 swimmer club to 18 swimmer due to the new Squad with the hope continue to grow this number.
- October School Holiday Program – Private Lessons:**
 Centre staff at our quarterly training days are encouraged to bring new ideas or improvements the Oatlands Aquatic Centre could look at implementing into its current structure. At our July training day it was discussed looking at operating Private Lessons for Learn to Swim clients. The decision was made to trial this idea in our October School Holiday Program, the feedback and results were better than expected. In both weeks of holiday’s we had a total of 27 different students participate in lessons between Monday – Friday. Lessons operated between 8am – 12:30pm each day. Student abilities improved rapidly over the period of lessons and lead to new clients from Triabunna, Orford, Brighton and Campbell Town, these clients are now booked in our Term 4 group classes program.
 With the Private Lessons success we are planning to operate these lessons each school holidays period throughout 2025 with the next program commencing in January, 2025 school holidays.

Human Resources & Financial Implications – Refer above detail.

Community Consultation & Public Relations Implications – Not applicable.

Policy Implications – N/A

Priority - Implementation Time Frame – Not applicable.

RECOMMENDATION

THAT the information be received and noted.

DECISION

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

THAT the information be received and noted.

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
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 Public Open Space (POS) Policy

Author: MANAGER – DEVELOPMENT & ENVIRONMENTAL SERVICES
(GRANT FINN)

Date: 15 OCTOBER 2024

Enclosure(s):

Public Open Space Policy

ISSUE

Council are required to review and update its various policies from time to time. The Public Open Space Policy has been reviewed, no amendments made, and now requires consideration and adoption by Council.

DETAIL

With this policy having been available for consideration by Council at the August 2024 Council Meeting, the proposed draft version of the *Public Open Space Policy* is enclosed with no recommendations for change.

Human Resources and Financial Implications

The assessment and application of the Policy will require both officer time and other operational resources.

Policy Implications

N/A

RECOMMENDATION

THAT Council adopt the Public Open Space Policy

DECISION

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

THAT Council adopt the Public Open Space Policy

CARRIED

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

ENCLOSURE
Agenda Item 17.1.1



Council Policy
PUBLIC OPEN SPACE
Approved by: Council
Approved date: 28 Aug 2024 (TBC)
Review date: 28 Aug 2027

1. PURPOSE

The Southern Midlands Council is committed to providing public open space that is fit for purpose and valued by the community.

2. OBJECTIVE

To establish a consistent approach on the contribution of land for public open space and the calculation of payment instead of the land for public open space, as well as the associated expenditure of those funds.

3. BACKGROUND

The *Local Government (Building and Miscellaneous Provisions) Act 1993* (the Act) provides for Council to require land for Public Open Space or a payment instead of increasing public open space.

In addition to ensuring Council meets the requirements of the Act, this policy will:

- (a) Facilitate a strategic approach to the development of a contemporary and well-planned open space network.
- (b) Clarify the process of determining whether a land or cash in lieu contribution is required as part of a subdivision development.
- (c) Provide criteria for determining suitability of land contributions for public open space.
- (d) Provide guidance on how public open space contributions are to be determined and paid.
- (e) Provide guidance on how funds obtained through cash in lieu contributions will be utilised.
- (f) Ensure developers contribute to the provision of public open space commensurate with the scale and type of their development.

4. DEFINITIONS

Council	refers to the Southern Midlands Council.
Lot	means a block of land created by subdivision of a larger block of which it was part.
Public Open Space	means space for public recreation or public gardens or for similar purposes.
Subdivide	means to divide the surface of a block of land by creating estates or interests giving separate rights of occupation otherwise than by: <ol style="list-style-type: none">a) a lease of a building or of the land belonging to and contiguous to a building between the occupiers of that building; orb) lease of air space around or above a building; orc) a lease of a term not exceeding 10 years or for a term not capable of exceeding 10 years; ord) the creation of a lot on a strata scheme or a staged development scheme under the <i>Strata Titles Act 1998</i>; ore) an order adhering existing parcels of land.
Subdivision	means the act of subdividing or the lot subject to an act of subdividing.



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- Suitably Qualified Person means a person who can adequately demonstrate relevant tertiary qualifications (or equivalent) and experience in a recognised field of knowledge, expertise or practice with direct relevance to the matter under consideration.
- Valid Final Plan A final plan lodged in accordance with section 88 of the *Local Government (Building and Miscellaneous Provisions) Act 1993*.

5. POLICY

That:

- 5.1 Council will require a Public Open Space contribution by way of either:
- (a) A maximum of five percent of the subdivision land area that could result in an increase in demand for public open space allocated as Public Open Space and transferred to Council's ownership; **or**
 - (b) A cash in lieu contribution or either cash in lieu or land, equal to five percent of the unimproved value of the land not including the balance lot, that is calculated in accordance with s117(2) of the Act.
- 5.2 This policy applies to applications for subdivisions in the Southern Midlands, where new lots are created in the following zones;
- General Residential Zone
 - Low Density Residential Zone
 - Rural Living Zone
 - Village Zone
 - Local Business Zone
 - General Business Zone or
 - Otherwise where a subdivision results in an increased demand and/or utilisation of Public Open Space – to be assessed on its merits in accordance with this Policy.
- 5.3 This policy does not apply to strata developments, minor boundary adjustments where no new lots are created, or subdivision for the development of public utilities, as detailed in the Act
- 5.4 Public Open Space contributions in excess of this policy may be offered by the developer or in all other circumstances as resolved at a General Council meeting.
- 5.5 Cash in lieu is the preferred public open space contribution.
- 5.6 Council will use its discretion in determining the open space contribution and each subdivision will be assessed having regard to its individual facts and circumstances.
- 5.7 The Policy enables Council to refuse a subdivision if it is of the opinion that the proposal should be altered to include (or omit) public open space.



Council Policy
PUBLIC OPEN SPACE
Approved by: Council
Approved date: 28 Aug 2024 (TBC)
Review date: 28 Aug 2027

6. GENERAL PRINCIPLES

6.1 Procedure to Determine Public Open Space Requirements

- 6.1.1 A decision as to whether land or cash-in-lieu is provided will be dependent upon whether the proposed subdivision provides an opportunity to obtain land that meets the public open criteria detailed at section 6.3 of this policy. If the development is not able to provide public open space of community benefit and in accordance with the criteria for land contributions, then cash-in-lieu will be required. The preference for land versus cash-in-lieu will be at the discretion of Council, based on:
- The attributes of the site
 - The need for public open space provision in the area
 - Benefit and value to the community
 - Compliance with this policy; and
 - Council's Community Infrastructure Plan or any future Public Open Space Strategy or public open space projects endorsed by Council.
- 6.1.2 The planning officer's report supporting the decision of a subdivision application must include a section as to how the relevant parts of the Act and this Policy are complied with.
- 6.1.3 If a subdivision contains land that is of strategic importance in providing for the open space needs of the community and those needs can only be satisfied by requiring public open space to be provided in excess of 5% of the area of the land in the plan of subdivision, Council may require an additional area (more than 5%) to be provided as public open space, subject to the payment of compensation in accordance with s116 of the Act.
- 6.1.4 Where a subdivision is submitted in the form of a staged development and a cash-in-lieu contribution is required, the public open space contribution may be paid proportionately in each stage, subject to a new valuation if required, in accordance with 6.2 below.
- 6.1.5 Where a cash-in-lieu contribution is required, the developer will be required to provide a current valuation of the land calculated in accordance with s117(2) of Act and prepared by a suitably qualified person, having regard to the following:
- (a) The valuation is to be based on the whole area in the plan of subdivision contributing to the increase in demand for Public Open Space, regardless of zoning and/or previous subdivisions, less any area provided for public open space in the final plan and any area created by the final plan of riparian reserve; and
 - (b) The valuation is to be based on the status of the land as at the date of valid lodgement of the final plan, inclusive of any works required to facilitate the subdivision but excluding any improvements in existence at the time of lodgement of the application for subdivision (i.e. existing structural improvements on the land, such as a dwelling/outbuildings); and
 - (c) The valuation must be completed not more than 3 months prior to the date of valid lodgement of the final plan, noting the requirements of Part 6.1.5 (b) above.
- 6.1.7 If Council doubts that the valuation provided by the developer properly reflects the true value of the land, Council reserves the right to ask for a revised valuation or seek its own valuation advice and, if necessary, refer the matter for determination as a disputed claim for compensation under the Land Acquisition Act 1993. Costs to be borne by the subdivider.
- 6.1.8 All money received by way of contribution shall be reserved exclusively for the purposes of Public Open Space acquisition or improvement.



Council Policy
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Approved by: Council
Approved date: 28 Aug 2024 (TBC)
Review date: 28 Aug 2027

6.2 Payment of Public Open Space Contributions

- 6.2.1 The cash in lieu of land must be paid prior to the sealing of the Final Plan of Subdivision.
- 6.2.2 If a land transfer is to occur, it must occur at the time of the sealing of the Final Plan, or in a staged subdivision, as part of the first stage.
- 6.2.3 If this is not possible, the transfer is to occur as early as possible during the subdivision.
- 6.2.4 All monies received will be reserved exclusively for the purposes of Public Open Space acquisition or improvement in accordance with s117(5) of the Act and have regard to a future Public Open Space Strategy, Community Infrastructure Plan or any public open space projects endorsed by Council.
- (a) Expenditure from the Public Open Space Contributions Account (or similar) will be subject to a report to Council for consideration.
 - (b) Interest earned on the account will be rolled over into that account.
- 6.2.5 In a staged subdivision, payment shall be made in accordance with Part 6.4 of this policy.

6.3 Criteria for Land Contributions

- 6.3.1 A public open space land contribution will only be considered where one or more of the following apply:
- (a) Acquisition of the land would be consistent with one or more the following principles
 - (i) it would further the objectives of any adopted Council policy or strategic document
 - (ii) the land is the best location for POS in the wider area where the subdivision is located and there is low likelihood of alternative sites
 - (iii) the land is convenient, accessible and fit for purpose (i.e. useable and not overly constrained by topography, shape, natural hazards or infrastructure) and does not duplicate nearby POS
 - (iv) the land provides or improves permeability through the site or surrounding area
 - (v) the land provides or improves connectivity to other existing or prospective open space areas or public destinations
 - (vi) the land enhances the general amenity and urban character of the area
 - (vii) the land has special values (for example native flora, fauna, habitat, geomorphology, water catchment or cultural heritage values)
 - (viii) the land provides for a riparian reserve or habitat corridor
 - (ix) the land can be sustainably managed having regard to Council's Community Infrastructure Plan.
- 6.3.2 Land used for the following purposes shall not be transferred to Council for public open space;
- (a) Stormwater detention basins or drainage swales and natural water courses that would otherwise form part of the overall drainage infrastructure within the subdivision
 - (b) Above or below ground infrastructure that would limit the use of the land or landscaping treatments
 - (c) Pedestrian footways or other kinds of ways dedicated under section 95 of the LGBMP Act;
 - (d) Inaccessible estuarine/riverine areas, and
 - (e) Land burdened by easements or rights of way.



Council Policy
PUBLIC OPEN SPACE
Approved by: Council
Approved date: 28 Aug 2024 (TBC)
Review date: 28 Aug 2027

- 6.3.3 The following will be considered in the decision to acquire land for public open space;
- (a) the existing provision of public open space in the area
 - (b) whether the land is conveniently located to service existing or future users
 - (c) whether the land is fit for propose in terms of size, shape, topography, gradient, infrastructure, conservation covenants, is not burdened by evasive weeds or other encumbrances; Where evasive weeds are present, Council will require a financial contribution from the subdivider to eliminate evasive weeds to ensure the open space area is 'fit for purpose.'
 - (d) the extent to which the land contributes to Council's ability to support a diversity of recreational activities
 - (e) the biodiversity value, extent and condition of existing vegetation/habitat
 - (f) the best location for public open space in the area and the likelihood of alternative sites
 - (g) the land's vulnerability to natural hazards
 - (h) The size, shape and location of land is consistent with established *Crime Prevention Through Environmental Design* (CPTED) Principles.

7. LEGISLATION & RELATED DOCUMENTS

Local Government (Building & Miscellaneous Provisions) Act 1993

Local Government Act 1993

Tasmanian Planning Scheme

Tasmanian Open Space Policy and Planning Framework

8. DOCUMENT ADMINISTRATION

This Instruction is a managed document and is to be reviewed every three (3) years or as directed by the General Manager.

This document is Version 1.0 effective 28-08-2024. The document is maintained by Development & Environmental Services for the Southern Midlands Council.

17.2 Sustainability

Strategic Plan Reference 5.2

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

17.2.1 Tabling of Documents

Nil.

17.2.2 Elected Member Statements

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

Deputy Mayor K Dudgeon – made reference to the selection of 13 year-old Mia Barwick in the Hobart Hurricanes Cricket Team. Mia Barwick was part of the team that won the T20 Spring Challenge.

17.2.3 Local Government Shared Services – Quarterly Update – Information Only

Author: FINANCE OFFICER (MANDY BURBURY)

Date: 18 OCTOBER 2024

Enclosure(s):

Shared Services Report – Southern Midlands Council – July - September 2024

ISSUE

To inform Council of the Common Services Joint Venture activities for the period July - September 2024.

BACKGROUND

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

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

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

DETAIL

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

RECOMMENDATION

THAT the information be received.

DECISION

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

THAT the information be received.

CARRIED

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

ENCLOSURE
Agenda Item 17.2.3

**2024/25 Shared Services Report
to 30 September 2024**

PROVIDED BY SOUTHERN MIDLANDS COUNCIL					Total Hours Sep 2024 Quarter
Council	Fortnight Ending	Officer	Service Provided	Hours	
Central Highlands	14/07/2024	D Mackey	Regulatory	12.50	
		L Brown	Regulatory	18.00	
	28/07/2024	D Mackey	Regulatory	12.00	
		L Brown	Regulatory	18.00	
	11/08/2024	D Mackey	Regulatory	10.00	
		L Brown	Regulatory	16.00	
		R Collis	Animal Management	9.00	
	25/08/2024	D Mackey	Regulatory	20.00	
		L Brown	Regulatory	16.00	
		R Collis	Animal Management	8.50	
	8/09/2024	D Mackey	Regulatory	11.00	
		G Finn	Regulatory	11.50	
	22/09/2024	D Mackey	Regulatory	12.00	
		G Finn	Regulatory	4.00	
	R Collis	Animal Management	1.50		
					180.00
Derwent Valley	14/07/2024	D Mackey	Regulatory	1.00	
	28/07/2024	B Williams	Heritage	1.00	
					2.00
Tasman	14/07/2024	D Mackey	Regulatory	9.50	
	28/07/2024	D Mackey	Regulatory	4.50	
		P Krause	Plumbing Surveying	14.25	
	11/08/2024	D Mackey	Regulatory	4.00	
		P Krause	Plumbing Surveying	16.50	
	25/08/2024	D Mackey	Regulatory	2.00	
		P Krause	Plumbing Surveying	12.00	
	8/09/2024	D Mackey	Regulatory	11.00	
		P Krause	Plumbing Surveying	12.75	
	22/09/2024	D Mackey	Regulatory	7.00	
	P Krause	Plumbing Surveying	6.00		
					99.50
Total Hours Provided by Southern Midlands					281.50
PROVIDED TO SOUTHERN MIDLANDS COUNCIL					Total Hours Sep 2024 Quarter
Council	Period Ending	Officer	Service Provided	Hours	
Brighton	7/07/2024	L Wighton	Development Engineering	3.75	
	21/07/2024	L Wighton	Development Engineering	6.25	
	18/08/2024	L Wighton	Development Engineering	1.25	
	1/09/2024	L Wighton	Development Engineering	2.75	
	29/09/2024	L Wighton	Development Engineering	0.50	
					14.50
Glenorchy	30/06/2024		EHO Services	11.00	
	7/07/2024		EHO Services	12.00	
	7/07/2024		EHO Services (Immunisation)	26.50	
	14/07/2024		EHO Services	13.00	
	21/07/2024		EHO Services	11.50	
	28/07/2024		EHO Services	9.50	
	4/08/2024		EHO Services	7.00	
	11/08/2024		EHO Services	16.50	
	18/08/2024		EHO Services	8.50	
	8/09/2024		EHO Services	10.00	
15/09/2024		EHO Services	8.50		
					134.00
Total Hours Provided to Southern Midlands					148.50

17.2.4 SMC External Grant Projects - Quarterly Update

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 18 OCTOBER 2024

Enclosure:

Report to Council on Various SMC Grant Projects as at 30th September 2024

ISSUE

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

BACKGROUND

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

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

DETAIL

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

RECOMMENDATION

THAT the information be received.

DECISION

Moved by Clr B Campbell, seconded by Clr D Blackwell

THAT the information be received.

CARRIED

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

Report to Council on Grant Funded Projects as at 30th September 2024

Project Title	Brief Description	Grant Body	Project Value Grant Funds	Project Value SMC Funds	Project Manager	Current Project Status (% complete)	Anticipated Completion Date	Remarks
Bagdad Recreation Precinct Redevelopment	New Pavilion New Club Rooms Oval Reconstructed New Waste Water management system	Growing Regions Program Round 2 (Australian Government)	\$ 10,624,973	\$4,478,561 Bagdad Community Club Inc. \$75,000	Tim Kirkwood <i>(Project Financials)</i> Andrew Benson <i>(Project Delivery)</i>	Preparation of Application	Submission date 10.10.24	
Oatlands Regional Sports & Wellbeing Centre	At Oatlands Rec Grd major refurbishment of existing clubrooms. New change rooms and amenities building	Growing Regions Program Round 2 (Australian Government)	\$2,000,000	\$800,000	Tim Kirkwood <i>(Project Financials)</i> Andrew Benson <i>(Project Delivery)</i>	Preparation of Application	Submission date 10.10.24	
Oatlands Aquatic Centre	Development of the proposed Aquatic Centre in Oatlands	1. Australian Government 2. Tasmanian Government 3. Station Child Care Centre 4. Loan Funds by SMC	\$2,000,000 \$2,000,000 \$80,350	\$5,920,000	Tim Kirkwood <i>(Project Financials)</i> Andrew Benson <i>(Project Delivery)</i>	99% Vos Constructions are yet to complete the sandstone	Changed	A couple of minor other issues. Negotiating with Vos on costs from Extension of Time
South Central Sub-region – Workforce Development Coordinator Project	The submission of grant for a workforce coordinator for the Southern Midlands, Central Highlands, Brighton and Derwent Valley to (three year contract). The State Government through Jobs Tas to operate a Jobs Hub for the Sub Region.	Tasmanian Community Fund Jobs Tasmania	\$400,000 over three years \$1,625,000	\$15,000 \$0	Andrew Benson	100% Triannual funding depending on Annual reviews 70%	July 2023 Nov 2024	Contract targets of people to be employed were significantly exceeded, plus working with schools and employers on a range of activities The project is currently exceeding expectations

Report to Council on Grant Funded Projects as at 30th September 2024

Project Title	Brief Description	Grant Body	Project Value Grant Funds	Project Value SMC Funds	Project Manager	Current Project Status (% complete)	Anticipated Completion Date	Remarks
	This is a partnership with the three other Councils.	Jobs Tasmania	\$2,100,000	\$0 Plus In-kind		Extension of Funding Agreement	Dec 2024 to Nov 2027	Deed of Agreement to be executed following the budget passing Parliament.
Southern Midlands Drought Weeds Grant 2020 – Support for Farmers	\$30,000 for on ground works, \$25,000 for wages.	State Government of Tasmania	\$55,000	\$0	Mary Smyth Weeds Officer and Maria Weeding	80%	Ongoing- until funds run out.	Limited funds remaining – may use for some Stemless Thistle follow up works. (High Priority for SMC)
Wombat Woodland Walk	Nature interpretation and adventure trail for children at Chauncy Vale	Healthy Tasmania Fund	\$29,250	\$10,000	Graham Green	80%	April 2023	All work complete except for rope bridge.
Play Well Participation Grant Program	Health & Wellbeing Event/Day to promoting GYM classes & introducing new programs the community can utilise to help improve overall Health & Wellbeing.	Australian Sports Commission	\$15,000	Nil (in-kind)	Adam Briggs	0%	December 2024	Awaiting funding application results.
Road Infrastructure Upgrade	Reconstruction of Interlaken Road from Oatlands to Central Highlands Council boundary	Department of Infrastructure, Transport, Regional Development, communities and the Arts	\$5,346,180	\$300,000	David Richardson / Craig Whatley	85% AWC appointed as Contractor	Dec 2024	Progressing well
Natural Disaster Risk Reduction Grant Program	Bagdad/Mangalore hydraulic assessment	Australian Government Attorney General's Department	\$80,830	\$80,830	David Richardson / Andrew Benson	100% original 85% revised Consultants/Engineers Report received, reviewed & <i>shape</i> files loaded on Planning Scheme maps	April 2024 Revised to Dec 2024	Submitted Extension of Time and Expanded Scope. EoT & Scope approved

Report to Council on Grant Funded Projects as at 30th September 2024

Project Title	Brief Description	Grant Body	Project Value Grant Funds	Project Value SMC Funds	Project Manager	Current Project Status (% complete)	Anticipated Completion Date	Remarks
Better Active Transport in Tasmania Rd 1	Bagdad RC Walkway	Department of State Growth	\$370,000	\$270,000	David Richardson / Andrew Benson	60%	December 2024	Progressing footpath with the footbridges construction completed
Better Active Transport in Tasmania Rd 2	Footpath connection between Mood Food and Kempton	Department of State Growth	\$278,000	\$146,310 cash	David Richardson / Andrew Benson	Project Planning ready for construction 5%	June 2025	Deed of Agreement signed. Waiting for dry weather as part of the site is saturated.
Bus Stops Program	Upgrade Campania Bus Stop outside the War Memorial Hall	Department of State Growth	\$26,246	\$14,450	Andrew Benson	Grant Deed signed 0%	June 2025	Approved
Bus Stops Program	New Bus Stop High Street Oatlands (north bound)	Department of State Growth	\$13,000	\$15,300	Andrew Benson	Grant Deed signed 0%	June 2025	Approved
Active Tas Development Grant	Funding support for Lifeguards Project	Active Tasmania	\$30,000	\$0	Andrew Benson	26%	June 2026	Project partnership with the Jobs Hub to train and support 40 lifeguards over two years. Delivery through the Oatlands Aquatic Centre
Saluting Their Service	Recognition (sign, plaque & sandstone) of JH Bisdee VC OBE	Department of Veterans Affairs	\$7,480	\$1,00 in-kind	Andrew Benson	Grant Deed Signed	April 2025	Approved
Vulnerable Road User Program 2024	RC Footpath along Reeve St adjacent to Flour Mill Park, from Opposite Lee St (TasRail entrance) to Community Hall at Campania	Department of State Growth	\$58,616	\$41,593 cash \$10,000 in-kind	Andrew Benson	Grant Deed Signed	June 2025	Approved
Vulnerable Road User Program 2024	RC Footpath along Reeve St, adjacent to Rec Grd from entrance to	Department of State Growth	\$36,258	\$14,900 cash \$5,000 in-kind	Andrew Benson	Grant Deed Signed	June 2025	Approved

Report to Council on Grant Funded Projects as at 30th September 2024

Project Title	Brief Description	Grant Body	Project Value Grant Funds	Project Value SMC Funds	Project Manager	Current Project Status (% complete)	Anticipated Completion Date	Remarks
	Campania Rec Grd to Villeneuve St							
Vulnerable Road User Program 2024	Pedestrian Crossing of railway line at Climie St Campania	Department of State Growth	\$35,250	Design \$6,429 (paid) Cash \$6,000 In kind \$1,000	Andrew Benson	Grant Deed Signed	June 2025	Approved
LGAT Open Space Program (Rd 2)	Campania Rec Grd Change Rooms	LGAT/DPaC	\$400,000	\$700,000	Andrew Benson	Application Submitted		Approved via letter from LGAT but some challenges based on their funding allocation.
UNSUCCESSFUL GRANTS APPLICATIONS								
Bus Stops Program	New Bus Stop at Campania outside the Community Hall 45 Reeve St	Department of State Growth	\$26,246,	\$39,653	Andrew Benson	Application Submitted	December 2024	Unsuccessful, although I did apply also under the VRUP so we may get the funds to undertake the works.
Play Our Way Program - Stream 1 Expression of Interest (EOI)	Oatlands Rec Grd Facilities Upgrade and new 'Away Team' Facilities	Dept of Health & Aged Care (Australian Govt.)	\$2,000,000	\$800,000	Andrew Benson	Submitted EOI (Stage1), awaiting to see if the Project is elevated for a Stage 2 Submission		Unsuccessful
RECENTLY COMPLETED PROJECT(S)								
Encouraging Active Ageing	Ageing members of our community activity program	Foundation for Rural & Regional Renewal	\$10,000	Nil	Wendy Young	100%	Completed	Acquittal completed
Commonwealth Bank	Small grant to help communities around Australia to	Commonwealth Bank	\$500	Nil	Adam Briggs	100%	Completed	

Report to Council on Grant Funded Projects as at 30th September 2024

Project Title	Brief Description	Grant Body	Project Value Grant Funds	Project Value SMC Funds	Project Manager	Current Project Status (% complete)	Anticipated Completion Date	Remarks
Community Grant Program	purchase equipment or group activity.							
Premier's Fund for Children and Young People	Equipment for the Oatlands Aquatic Centre (OAC)	Department of Premier & Cabinet	\$50,000	Nil	Adam Briggs	100%	Completed	Providing tremendous value to the Community using the OAC
Reeve St / Native Crns Rd Junction plus carpark at Campania	Reeve Street Junction with Climie St plus carpark	Department of State Growth, under the Vulnerable Road User Program	\$200,000.00	\$50,000.00	Andrew Benson	100%	Completed October 2023	Acquittal submitted and accepted
Safer Rural Roads Program	Woodsdale Road – Guard Rail	Department of State Growth	\$95,000	\$5,000	David Richardson / Craig Whatley	100% Included in 23/24 Works Program	29 February 2024	
Safer Rural Roads Program	Green Valley Road – Guard Rail & Line Marking	Department of State Growth	\$110,000	\$10,000	David Richardson	100% Included in 23/24 Works Program	8 January 2024	
2019-20 Black Summer Bushfire Recovery Grants Program	Support impacted Communities – Refurbishment of the Broadmarsh Hall as a Emergency Management Recovery Centre	National Recovery and Resilience Agency	\$M1.55	Nil (<i>In-kind</i>)	Andrew Benson/ Donna Blackwell Broadmarsh Elderslie Progress Assn (BEPA) Wendy Young (Project Finances)	100%	May 2024	SMC working in partnership with the Broadmarsh / Elderslie Progress Assn Inc Official Opening held on 07.06.24 Now in DL period
Healthy Lift - Expression of Interest	Lift Local grants are for local government to support activities that strengthen planning for health and wellbeing.	Healthy Tas (Dept. of Health Tas)	\$20,000	Nil	Andrew Benson / Wendy Young	100% Eol submitted in December 2022 Final submission March 2023		These funds were used as part fund the SM Community Infrastructure Plan development project by Inspiring Place Acquittal Report submitted.

17.3 Finances

Strategic Plan Reference 5.3

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

17.3.1 Monthly Financial Statement (Period ending 30 September 2024)

Author: FINANCE OFFICER (MANDY BURBURY)

Date: 16 OCTOBER 2024

ISSUE

Provide the Financial Report for the period ending 30th September 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 30 Sept 2024.
- Operating Expenditure Report – 1 July 2022 to 30 Sept 2024.
- Capital Expenditure Report – 1 July 2022 to 30 Sept 2024.
- Cash Flow Statement – 1 July 2022 to 30 Sept 2024.

OPERATING EXPENDITURE (OPERATING BUDGET)

Overall operating expenditure to end of September was \$2,454,650 which represents 87.2% 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

Sub-Program – Regulatory (Animals) - expenditure to date (\$31,091 – 113.71%).
Additional expenditure relates to increased resources required to address non-compliance issues.

Strategic Theme – Community

Sub-Program – Capacity & Sustainability - expenditure to date (\$26,314 – 118.79%).
Increased expenditure is due to costs relating to 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

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

THAT the Financial Report be received and the information noted.

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
Cllr D Blackwell	✓	
Cllr B Campbell	✓	
Cllr D Fish	✓	
Cllr F Miller	✓	

STATEMENT OF COMPREHENSIVE INCOME
for the period 1 July 2024 to 30 September 2024

	Annual Budget \$	Year to Date Actual \$	%	Comments
Income				
Rates	7,375,148	7,383,744	100.1%	Includes Interest & Penalties on rates
User Fees (refer Note 1)	1,304,313	395,317	30.3%	Includes Private Works
Interest	486,000	123,399	25.4%	
Government Subsidies	11,700	0	0.0%	Heavy Vehicle Licence Fees
Other (refer Note 2)	232,400	250,594	107.8%	Includes TasWater Distributions
Sub-Total	9,409,561	8,153,054	86.6%	
Grants - Operating	4,426,800	197,107	4.5%	
Total Income	13,836,361	8,350,162	60.3%	
Expenses				
Employee benefits	-5,735,244	-1,158,154	20.2%	Less Roads - Resheeting (Capitalised)
Materials and contracts	-3,996,965	-1,151,881	28.8%	Less Roads - Resheeting (Capitalised), Includes Land Tax & Private Works
Depreciation and amortisation	-4,120,000	-1,038,466	25.2%	Percentage Calculation (based on year-to-date)
Finance costs	-4,979	-2,577	51.8%	Interest
Contributions	-287,371	-71,843	25.0%	Fire Service Levies
Other	-173,993	-63,558	36.5%	Audit Fees and Councillor Allowances
Total expenses	-14,318,552	-3,486,479	24.3%	
Surplus (deficit) from operations	-482,191	4,863,683	-1008.7%	
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	4,925,522	143.9%	

**STATEMENT OF COMPREHENSIVE INCOME
for the period 1 July 2024 to 30 September 2024**

NOTES	Annual Budget \$	Year to Date Actual \$	%	Comments
1. Income - User Fees				
- All other Programs	919,613	328,575	35.7%	
- Private Works	384,700	66,743	17.3%	
	<u>1,304,313</u>	<u>395,317</u>	30.3%	
2. Income - Other				
- Tas Water Distributions	182,400	38,000	20.83%	
- Public Open Space Contributions	50,000	15,500	31.00%	
- Regional Community Learning Centre Levendale Contribution	0	776		
- Insurance Recoveries	0	5,425		Includes Premium Recoveries and JLB Trust Interest Distribution
- MMPHC Community Advisory Committee Cont. to GP Units	0	50,000		
- MMPHC Auxiliary Contribution to GP Units	0	49,999		
- TasWater Contribution to OAC Sculpture	0	5,000		
- Blue Gum Rovers donation to Tunnack Rec. Ground	0	185		
- Committee Contribution for Broadmarsh Hall Variations	0	85,708		
	<u>232,400</u>	<u>250,594</u>	107.8%	
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)
- LRCI - 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 (to 30 Sep 24)	BUDGET (to 30 Sep 24)	YTD VARIANCE	YTD %	FULL YEAR BUDGET - INC. GRANTS & OTHER
INFRASTRUCTURE					
Roads	335,522	332,848	-2,674	100.80%	3,695,184
Bridges	-	12,807	12,807	0.00%	459,620
Walkways	50,104	58,490	8,386	85.66%	243,503
Lighting	13,934	23,484	9,550	59.33%	84,790
Public Toilets	22,039	23,314	1,275	94.53%	96,102
Sewer/Water	-	-	-	-	-
Stormwater	5,693	7,432	1,738	76.61%	85,679
Waste	274,610	374,366	99,755	73.35%	1,373,747
Information, Communication	-	5,000	5,000	0.00%	20,000
INFRASTRUCTURE TOTAL:	701,903	837,741	135,838	83.79%	6,058,625
GROWTH					
Residential	-	-	-	-	-
Tourism	20,705	25,034	4,329	82.71%	47,718
Business	71,153	84,134	12,980	84.57%	391,418
Industry	-	-	-	-	-
GROWTH TOTAL:	91,859	109,168	17,309	84.14%	439,136
LANDSCAPES					
Heritage	62,244	136,094	73,850	45.74%	471,709
Natural	47,252	56,238	8,986	84.02%	206,318
Cultural	-	5,000	5,000	0.00%	25,000
Regulatory - Development	217,936	255,555	37,619	85.28%	1,050,886
Regulatory - Public Health	3,359	5,055	1,696	66.46%	20,220
Regulatory - Animals	31,091	27,342	-3,750	113.71%	115,108
Environmental Sustainability	-	1,250	1,250	0.00%	5,000
LANDSCAPES TOTAL:	361,882	486,533	124,651	74.38%	1,894,241
COMMUNITY					
Community Health & Wellbeing	63,963	89,993	26,031	71.07%	313,472
Recreation	314,350	402,848	88,498	78.03%	1,212,694
Access	-	-	-	-	-
Volunteers	2,557	3,750	1,193	68.20%	51,000
Families	418	1,500	1,082	27.85%	10,000
Education	-	-	-	-	-
Capacity & Sustainability	26,314	22,151	-4,163	118.79%	49,605
Safety	1,360	8,488	7,127	16.03%	33,950
Consultation & Communication	2,637	9,325	6,688	28.28%	37,300
LIFESTYLE TOTAL:	411,599	538,055	126,456	76.50%	1,708,021
ORGANISATION					
Improvement	-	20,630	20,630	0.00%	80,289
Sustainability	762,415	706,095	-56,320	107.98%	2,928,058
Finances	124,993	117,718	-7,275	106.18%	355,238
ORGANISATION TOTAL:	887,408	844,443	-42,965	105.09%	3,363,585
TOTALS	\$2,454,650	\$2,815,939	\$361,289	87.2%	\$13,463,607

CAPITAL EXPENDITURE PROGRAM 2024-25
As at 30 September 2024

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION
		\$	\$	\$		DEADLINE
INFRASTRUCTURE						
ROAD ASSETS						
Resheeting Program	Roads Resheeting	586,107	30,776	555,331		
	Dysart - Clifton Vale Road Resheeting	113,893	-		LRCI - \$113,893	30 June 2025
Reseal Program	Roads Reseal Program (as below)	456,787	-	456,787		
	Bagdad - Green Valley Road (towards Huntingdon Tier Rd Jct) - 2200m2					
	Campania - Estate Road (370m from Reeve St to bridge) - 7000m2		11,981			
	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	80,000	-	80,000	Roads to Recovery - \$70,000	30 June 2025
	Pontville - Brighton Road - 6000m2	60,000	-	60,000	Roads to Recovery - \$56,687	30 June 2025
	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	15,500	9,500	Seal component moved to Reseal Program	
Construct & Seal	Oatlands - Interlaken Road	5,746,180	4,012,837	1,733,343	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	32,354	2,646	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	4,135,963	4,222,442		
BRIDGE ASSETS	Nil	-	-	-		
		-	-	-		

CAPITAL EXPENDITURE PROGRAM 2024-25
As at 30 September 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	308,249	337,591	Better Active Transport in Tas - \$370K; LRCI - \$145	30 September 2024
	Campania - Climie Street (Across Railway)	41,250	6,707	34,543	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	520,160	1,312,858		
PUBLIC TOILETS	Oatlands - Callington Park	203,000	27,478	175,522	Election Commitment - \$45,000 & 23/24 Budget c/f of \$158,000	
	General Public Toilets - Upgrade Program	20,000	-	20,000	Budget c/f	
	Oatlands Public Toilets - rear of Town Hall		865	865		
		223,000	28,343	194,657		
DRAINAGE	Stormwater System Management Plans (<i>Urban Drainage Act 2013</i>)	50,000	456	49,544		
	Bagdad / Mangalore - Hydraulic Assessment (Flood Mapping)	221,460	144,400	77,060	Grant Funding \$80,830 WIP \$127,285	30 September 2024
		271,460	144,857	126,604		
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 30 September 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	94,639	205,361	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	103,196	253,804		
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	5,325	44,675		
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	13,674	593,826		
REGULATORY					
- PUBLIC HEALTH					
Oatlands - GP Accommodation Units	500,000	411,683	88,317	Council Commitment \$100K (grant funded)	
	500,000	411,683	88,317		
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 30 September 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"	1,737,247	1,737,247	-	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 - \$200,00 & 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	7,247	9,153		
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	-	11,902	-	11,902 Subject to Grant Funding	
Woodsdale Recreation Ground	45,000	-	45,000		
Water Bottle Refill Stations	7,980	-	7,980	Budget c/f	
	3,847,502	1,869,056	1,978,446		
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 30 September 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	2,495	5,005		
	Oatlands - Town Hall (External Painting Doors & Window Frames)	-	105	105		
		63,000	13,436	49,564		
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	54,196	286,061		
		1,447,057	75,538	1,371,519		
GRAND TOTALS		18,153,127	7,487,160	10,577,154		

Southern Midlands Council
Minutes – 23rd October 2024

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)	(373,541)											(1,162,633)
Materials and contracts	(1,634,717)	(331,633)	(234,312)											(2,200,662)
Interest	(2,577)	0	0											(2,577)
Other	(23,300)	(43,531)	(152,853)											(219,683)
	(2,067,861)	(756,988)	(760,706)	0	0	0	0	0	0	0	0	0	0	(3,585,556)
Receipts														
Rates	387,766	855,775	2,038,182											3,281,724
User charges	67,092	198,531	47,643											313,266
Interest received	53,664	54,327	15,409											123,399
Subsidies	0	0	0											0
Other revenue grants	0	197,107	0											197,107
Other	86,726	112,946	232,743											432,415
	595,249	1,418,685	2,333,976	0	0	0	0	0	0	0	0	0	0	4,347,911
Net cash from operating activities	(1,472,612)	661,698	1,573,270	0	0	0	0	0	0	0	0	0	0	762,355
Cash flows from investing activities														
Payments for property, plant & equipment	(211,844)	(830,072)	(956,248)											(1,998,165)
Proceeds from sale of property, plant & equipment	0	0	0											159
Proceeds from Capital grants	61,680	0	0											61,680
Proceeds from Investments	0	0	0											0
Payment for investments	0	0	0											0
Net cash used in investing activities	(150,005)	(830,072)	(956,248)	0	0	0	0	0	0	0	0	0	0	(1,936,325)
Cash flows from financing activities														
Repayment of borrowings	(8,632)	0	0											(8,632)
Proceeds from borrowings	0	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)	617,021	0	0	0	0	0	0	0	0	0	0	(1,182,602)
Cash at beginning of reporting month	14,547,299	12,916,051	12,747,676	13,364,697	13,364,697	13,364,697	13,364,697	13,364,697	13,364,697	13,364,697	13,364,697	13,364,697	13,364,697	14,547,299
Cash at end of reporting period	12,916,051	12,747,676	13,364,697	13,364,697	13,364,697	13,364,697	13,364,697	13,364,697	13,364,697	13,364,697	13,364,697	13,364,697	13,364,697	13,364,697

18. MUNICIPAL SEAL

Nil.

19. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

19.1 Local Government Association of Tasmania – General Meeting (To be held 21st November 2024)

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 20 OCTOBER 2024

Enclosure(s):

Local Government Association of Tasmania – General Meeting Motions - Submission of Motion(s)

ISSUE

Council to consider Motions which have been submitted for consideration at the Local Government Association of Tasmania's General Meeting scheduled for 21st November 2024.

BACKGROUND

These Motions have been included on the Agenda to allow for discussion prior to the General Meeting and to provide voting direction for Mayor Batt as Council's delegate to the Association.

DETAIL

The Local Government Association of Tasmania (LGAT) has prepared two Motions, both relating to Development Assessment Panels, and member Councils have submitted six other motions to date for consideration.

Local Government Association of Tasmania – Development Assessment Panels

Motion 1

“That LGAT informs the State Government:

- **That local government supports the Government's Development Assessment Panels legislation, with some amendments as outlined in the Local Government Association of Tasmania's submission.**

Supported

If this motion is supported, then the second motion does not need to be put. If the motion is lost, then we will put the following motion:

Motion 2

That LGAT informs the State Government:

- **That local government rejects the Government's Development Assessment Panels legislation but remains open to a well-designed Development**

Assessment Panels proposal in concept as a potential tool to resolve specific assessment problems.

SMC Comments (Damian Mackey):

I am comfortable with the idea of DAPs in certain circumstances. One principle in favour of DAPs is that: where a proposal has substantial implications that extend outside a municipality, (whether negative or positive), it may not be appropriate for that Planning Authority to determine the application.

The wind farm proposals at Central Highlands are a good example. Renewable energy, striving to achieve carbon neutrality, etc. are goals at the state, national and even international levels. It is odd that these DAs could be potentially determined on small-scale local matters.

The idea of DAPs seems to be generally supported by many Councils, but the details of the government's proposed DAP process has attracted criticism by some Councils, and they have called for a better DAP process. I suspect any other DAP process would likely attract criticism once developed to the same level of detail, one way or another.

All these regulatory reforms are not perfect when first introduced. They need to get in place and be operated for a few years before the real problems can be identified. Then amendment legislation can be introduced to fine-tune the system.

1. King Island Council – Proposed Change to *Local Government (Meeting Procedures) Regulations 2015*: Video conference attendance at Council Meetings

Refer attached which provides the background comment provided by the King Island Council.

Motion:

“Request that the Tasmanian Government amend the *Local Government (Meeting Procedures) Regulations 2015* to allow councillors to attend Council Meetings via video conferencing in emergency and other special circumstances.”

SMC Comments:

The reasons for submitting this Motion have been detailed in the background comment. However it is noted that the motion only provides for ‘emergency and other special circumstances’. This ‘proviso’ then raises the question who determines those circumstances?

2. Central Highlands Council – Government Business Enterprises Rate Equivalent Payments

Refer attached which provides the background comment provided by the Central Highlands Council.

Motion:

“THAT the Local Government Association of Tasmania pursue with the State Government the following:

Funds received by the State Government from a Government Business Enterprise as Rate Equivalent payments be in the most part distributed to Local Government.”

SMC Comments:

Recommend support for the motion on the basis that any funds collected by the State Government which have been calculated as ‘local government rate equivalent’ payments under competitive neutrality reform principles should be distributed to local government.

3. Circular Head Council – Code of Conduct – Timeframe for Making a Complaint

Motion:

“THAT the Local Government Association of Tasmania actively engages with the Office of Local Government to seek a reduction in the current six-month timeframe prescribed in the Councillor Code of Conduct for complaints to be lodged.”

Rationale (as submitted by Circular Head Council):

The Councillor Code of Conduct currently allows potential complainants a six month period in which to lodge a complaint about an incident or perceived incident.

The threat of a Code of Conduct matter effectively being held over a councillor’s head is leading to a great deal of stress and uncertainty for elected representatives across the State.

Council asks for the sector’s support for LGAT to engage with the Office of Local Government to seek a reduction in the timeframe the next time the Local Government Act is amended.

The Circular Head Council believes that a two month period is more realistic.

SMC Comments:

Nil from an officer’s perspective.

4. Clarence City Council – Review of Cat Management Legislation

Refer attached which provides the background comment provided by the Clarence City Council.

Motion:

“THAT the Local Government Association of Tasmania establishes a review to determine whether or not to develop a sector wide position on cat management and that the determination of any such position be presented to the State Government addressing issues including, but not limited to:

- (i) **The recognition that cat management is a shared responsibility across all levels of government, business and the community;**
- (ii) **Avenues to increase community awareness, participation and commitment by pet cat owners to manage cats responsibly;**
- (iii) **Assessment of best practice techniques in relation to the planning, management and control of stray and feral cats;**
- (iv) **Improved knowledge about feral, stray and domestic cats to better inform management;**
- (v) **Minimising the impacts of cats in areas with important conservation values and agricultural assets;**
- (vi) **Undertake legislative change and the provision of resources to create an effective framework for managing cats, including resourcing for cat management facilities;**
- (vii) *Review the roles and responsibilities of local and state governments in relation to cat management and resource allocation”.*

SMC Comments:

There is no argument that cat management requires a state-wide approach that facilitates greater consistency across local government boundaries and agreed resourcing from all levels of government.

The Motion proposes that the LGAT seek to develop a sector wide position that can identify the key issues and provide input into the preparation of a ‘Cat Management Plan 2024-2029’ and this motion should be supported.

5. Huon Valley Council – Review of Statutory Rights of Carriageway over Crown Road Reserves

Refer attached which provides the background comment provided by the Huon Valley Council.

Motion:

“THAT the Local Government Association of Tasmania request the State Government to urgently amend the *Crown Lands Act 1976* to establish automatic statutory rights of access over Crown Reserved Road for all landowners to access their adjoining properties that have Reserved Roads accessing their properties as proposed in the *Crown Lands – Reserved Road, Position Paper, July 2009* to provide certainty of access to landowners generally and for the purposes of meeting access requirements under the Tasmanian Planning Scheme.”

SMC Comments:

In reference to the background comment provided by the Huon Valley Council, there are numerous examples within the Southern Midlands Council area where these circumstances are applicable.

An automatic right of access where a landowner relies upon a road reserve for access makes sense and is consistent with the outcome(s) of the review undertaken in 2009.

Recommend support for this Motion.

6. King Island Council – Proposed Amendment to *Local Government (Meeting Procedures) Regulations 2015*: Retrospective leave of absence for Council Meetings

Refer attached which provides the background comment provided by the King Island Council.

Motion:

‘THAT the *Local Government (Meeting Procedures) Regulations 2015* be amended to allow councillors to seek leave of absence retrospectively in emergency situations.’

SMC Comments:

Nil.

Human Resources & Financial Implications – Not applicable.

Community Consultation & Public Relations Implications – Issues to be considered.

Priority - Implementation Time Frame – LGAT General Meeting scheduled for 14th March 2024.

RECOMMENDATION

THAT Council consider its position in relation to each of the Motions submitted to the Local Government Association of Tasmania for consideration at its General Meeting to be held 14th March 2024.

DECISION

RESOLVED THAT:

- a) LGAT Motion Re: Development Assessment Panel – noting the comments provided by SMC officers, the Mayor to take into consideration the debate at the LGAT meeting and vote accordingly;
- b) King Island Council Re: Amendment to Meeting Procedures - the Mayor to take into consideration the debate at the LGAT meeting and the issue raised by Council regarding the nominated circumstances where this would apply (i.e. the proviso);
- c) All other Motions submitted be supported.



Title: Development Assessment Panels

Decisions sought

Motion 1

That LGAT informs the State Government:

- *That local government supports the Government's Development Assessment Panels legislation, with some amendments as outlined in the Local Government Association of Tasmania's submission.*

If this motion is supported, then the second motion does not need to be put. If the motion is lost, then we will put the following motion:

Motion 2

That LGAT informs the State Government:

- *That local government rejects the Government's Development Assessment Panels legislation but remains open to a well-designed Development Assessment Panels proposal in concept as a potential tool to resolve specific assessment problems.*

Background

These two motions are raised by LGAT to gauge members position to the Tasmanian Government's proposed format and design for development assessment panels, as described in the [draft Land Use Planning and Approvals Amendment \(Development Assessment Panels\) Bill 2024](#) (the draft Bill). Member responses to these motions will determine LGAT's advocacy actions and their intensity. LGAT is to looking to establish whether the majority of members:

1. Support DAPs as currently proposed; or
2. Are open to a proper exploration of the case for DAPs and potentially a well designed format that meets the needs of councils, communities and proponents;
or
3. Wholesale reject any case for DAPs in Tasmania.

LGAT has received two related motions from members, relating to the planning authority role. These are:

Title: "Council as a Planning Authority"

Date: March 2021

Mover: Burnie City Council

Outcome: Lost

Decision Sought:

That LGAT investigate the level of support among Tasmanian councils and identify the relevant considerations and options to propose an amendment of the Land Use Planning and Approvals Act 1993 to -

- a) Delete the mandatory requirement for a council to act as a planning authority for purposes of determining an application for a permit to use or develop land within its municipal area; and*
- b) Provide as an alternative, the establishment of an independent development assessment panel to determine a permit application.*

Title: "LUPAA Amendment Conflicts of Interest"

Date: December 2021

Mover: Clarence City Council

Outcome: Carried

Decision Sought:

That LGAT lobby the State Government to investigate amending the Land Use Planning and Approvals Act 1993 to provide alternative mechanisms for consideration of the development applications submitted by elected members as a means to removing any perception of bias or conflict of interest. The investigation shall provide the pros and cons of any (alternative) solutions".

During the Future of Local Government Review (FoLGR), the Local Government Board raise the issue deconflicting councils' role as both community elected representatives and planning authorities with a legal development control role. When this became

contentious for the Government, it announced that it would not deal with this matter within the FoLGR.

Soon after in mid 2023, it announced that it would pursue development assessment panels. In late 2023 it released a Development Assessment Panel (DAP) Framework Position Paper.

At that time, 23 of 29 councils made submissions (available on the [State Planning website](#)). LGAT analysed these submissions qualitatively and found that:

1. No councils supported the DAPs proposal as designed at that time.
2. Only once council outright rejected DAPs under any circumstances in Tasmania.
3. Fourteen councils were open to DAPs in some form, but not as proposed.
4. At least nine councils found that the Government had not sufficiently made the case for DAPs in the Position Paper.
5. At least fourteen councils advised using the plentiful existing DAPs-like assessment pathways, including planning scheme amendments¹, major projects², planning tribunal appeals³, major infrastructure projects⁴, and projects of state significance⁵.

The 2024 draft Bill closely resembles the format proposed in the 2023 Position Paper. None of the recommendations LGAT made in [its submission](#) have been adopted. Some small changes have been made that take the proposal further away from LGAT's recommendations.

¹ *Land Use Planning and Approvals Act 1993* (LUPAA), Part 3B, Division 4

² LUPAA, Part 4, Division 2A

³ LUPAA, Part 4, Division 3

⁴ *Major Infrastructure Development Approvals Act 1999*

⁵ *State Policies and Projects Act 1993*



Call for Submission of Motions
*Councils are invited to submit motions for debate
to be Included at General Meetings*

Name of Council : King Island Council

Contact person: Dr Catherine Dale, Acting General Manager

Phone: 03 6462 9000 Email: kicouncil@kingisland.tas.gov.au or cdale@kingisland.tas.gov.au

Date of General Meeting for Motion to be Included November

Motion Requirements:

In order for a Motion to be considered please indicate if the proposed Motion:

- Addresses the objectives of the Association¹.
- Concerns a local government matter.
- Is a matter of common concern to councils and not a specific local issue.
- Is linked to LGAT's current Annual Plan, available [here](#)
- It not an existing resolution of the sector (please refer to the Follow up of Resolutions Report in the preceding General Meeting for a list of current resolutions).
- Has not been considered at a General Meeting in the 12 months prior.
- Relates to existing, or sought activities/policy of the Tasmanian Government and would benefit from members understanding the Tasmanian Government position prior to considering².

LGAT staff are happy to assist you in developing your motion. Please phone 03 6146 3740 in the first instance.

Please attach –

The proposed Motion, which should clearly articulate the action required of LGAT or the policy position being sought from the sector.

The attachment should also include additional background comments to ensure members have a complete understanding of what is being sought and how the Motion addresses the requirements listed above.

Email to admin@lgat.tas.gov.au

¹The objectives of LGAT are

- (a) Protect and represent the interests and rights of Councils in Tasmania;
- (b) Promote an efficient and effective system of local government in Tasmania; and
- (c) Provide services to Members, councillors and employees of Councils.



Details of Motion

Motion Title: Proposed Change to Local Government (Meeting Procedures) Regulations 2015:
Video conference attendance at Council meetings.

Decision Sought:

Request that the Tasmanian Government amend the Local Government (Meeting Procedures) Regulations 2015 to allow councillors to attend Council Meetings via video conferencing in emergency and other special circumstances.

Background Comment

Regulation 37 (2) of the Local Government (Meeting Procedures) Regulations 2015 requires that “a council may not determine that a Councillor may attend a meeting in any manner that does not consist of the person attending the meeting in person.”

This Regulation precludes a Council enabling a Councillor to attend a meeting by remote means such as video conferencing.

King Island Council proposes that LGAT advocate for an amendment to the Regulations to enable Councillors to attend a Council meeting on occasions when attendance in person is not possible.

During the height of the COVID pandemic special provisions were implemented that allowed Councillors to attend meetings via video conferencing. This provision recognised that it was important to allow Councillors to attend remotely when circumstances did not allow them to attend in person. On King Island and throughout Tasmania, the decision-making processes and functions of council were maintained during the pandemic. Without the option to attend via video conferencing this would have been exceedingly difficult.

During that time, when video conferencing was allowed, there were not any instances when the good governance of the King Island Council was compromised due to the use of this technology. Unfortunately, this provision has been discontinued and all Tasmanian Councils have been forced to revert to the pre-pandemic conditions.

As mentioned, the conditions were put in place because of the difficulty for Councillors to attend in person. Ignoring the pandemic, Councillors are still presented with situations when attending in person is difficult, if not, impossible. Such circumstances include changing weather conditions where travel to or from a Council meeting is dangerous, personal illness situations where a Councillor may be precluded from attendance at the Council Chamber but is fit to attend remotely, situations where due to remoteness a Councillor is required to travel off the Island for medical or other appointments either for themselves or as a carer, and yet is able to access video conferencing facilities.

Other Australian states have recently amended regulations or codes of meeting practice to enable attendance at Council meetings by video conferencing:

- The Victorian Government’s Regulatory Legislation Amendment (Reform) Act 2022 (Reform Act) introduced into the Local Government Act 2020 (the Act) provisions relating to electronic attendance and participation in council meetings and delegated committees on a permanent basis. The new provisions took effect on 2 September 2022.
- The NSW Local Government Model Code of Meeting Practice 2021 provides that a Councillor may seek permission of the council to attend a meeting by video conferencing and provides guidance to Councils on appropriate procedures to be followed in such circumstances. (Clause 5.19 -5.30)
- WA Regulation 14C(2) stipulates that a member may attend a meeting via electronic means for a range of specified reasons or as authorised by the Mayor or Council.
- Section 245K of the Queensland Local Government Act provides that a person (including Councillors) may attend a Council or Committee meeting by audio visual link.

The proposed amendment is consistent with the LGAT Objective promoting an “efficient and effective system of local government in Tasmania”. The impact of the proposed amendment would be to enable Councillors who may otherwise not be able to attend a scheduled meeting in person to participate in local government decision making.

This motion is supported by Flinders Council and while the capacity to attend Council meetings by audio visual link is a matter of concern to both King Island Council and Flinders Council specifically, the introduction of such an option is a matter relevant to all Councils in Tasmania regardless of remoteness and would assist all Tasmanian Councillors to fulfil their responsibilities.



Call for Submission of Motions
*Councils are invited to submit motions for debate
to be Included at General Meetings*

Name of Council :Central Highlands Council

Contact person (name, title) Stephen Mackey Acting General Manager

Phone:03 595503..... Email: smackey@centralhighlands.tas.gov.au

Date of General Meeting for Motion to be Included.....21st November 2024.....

Motion Requirements:

In order for a Motion to be considered please indicate if the proposed Motion:

- Addresses the objectives of the Association¹.
- Concerns a local government matter.
- Is a matter of common concern to councils and not a specific local issue.
- Is linked to LGAT's current Annual Plan, available [here](#)
- It not an existing resolution of the sector (please refer to the Follow up of Resolutions Report in the preceding General Meeting for a list of current resolutions).
- Has not been considered at a General Meeting in the 12 months prior.
- Relates to existing, or sought activities/policy of the Tasmanian Government and would benefit from members understanding the Tasmanian Government position prior to considering².

LGAT staff are happy to assist you in developing your motion. Please phone 03 6146 3740 in the first instance.

Please attach –

The proposed Motion, which should clearly articulate the action required of LGAT or the policy position being sought from the sector.

The attachment should also include additional background comments to ensure members have a complete understanding of what is being sought and how the Motion addresses the requirements listed above.

Email to admin@lgat.tas.gov.au

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Details of Motion

Motion Title **Government Business Enterprises Rate Equivalent Payments**

Decision Sought

That the Local Government Association of Tasmania pursue with the Tasmanian Government the following:

Funds received by the State Government from Government Business Enterprise as Rate Equivalent payments be in the most part distributed to Local Government.

Background Comment

Background

Competitive neutrality reform

The competitive neutrality reform program was a commitment under clause 3 of the Competitive Principles Agreement. Under clause 7 of the Competitive Principles Agreement, states and territories committed to also apply this reform at local government level.

The Australian Government and the state and territory governments undertook to ensure that their publicly owned businesses did not enjoy any net competitive advantage simply because they are publicly owned. For significant government businesses, government undertook to adopt a corporatisation model where appropriate and to impose on the business full taxes or tax equivalents and debt guarantee fees to offset advantages from government guarantees, and to apply to the business regulations normally applying to private sector businesses.

In 1996, each government published a competitive neutrality policy statement, outlining its implementation program and mechanism for handling complaints that significant businesses were not appropriately applying competitive neutrality principles. Government also issued a policy statement that addressed the application of this principle to local governments.

Governments published annual National Competition Policy progress reports addressing implementation progress, including allegations of non-compliance, over the life of the National Competition Policy.

Each of the National Competition Council's annual progress assessments considered competitive neutrality implementation.

Related reform – electricity

Arising from the Competition Principles Agreement and the Agreement to Implement the National Competition Policy and Related Reforms, governments undertook to :

- Restructure their electricity sector, apply competitive neutrality and review electricity regulation that restricts competition (Competition Principles Agreement) and
- Introduce fully competitive National Electricity Market (NEM) in southern and eastern Australia, extend competition in supply so that all consumers could have choice of supplier and provide for specific bodies to have operational responsibility in the market (1994) intergovernmental electricity agreement).

Under the intergovernmental electricity agreements governments undertook, prior to joining the NEM, to structurally separate the monopoly electricity transmission function and competitive generation activities, and ring-fence retail and distribution businesses.

The major undertaking was the agreement to establish the National Electricity Market (NEM) in southern and eastern Australia. The NEM was to have been implemented from 1 July 1995, or on such other date agreed by the parties. In December 1996, the implementation date was changed to early 1998. The NEM commenced on 13 December 1998.

The NEM operates in New South Wales, Victoria, Queensland, South Australia, Tasmania and the Australian Capital Territory. Western Australia and the Northern Territory are not part of the NEM because of the distances between their local centres and the interconnected electricity network in the southern and eastern states, but both jurisdictions committed to apply all other electricity sector reforms.

The electricity agreements set the following objectives for the competitive electricity market.

- The ability for customers to choose the supplier, including generators, retailers and traders, with which they will trade (full contestability)
- Non-discriminatory access to the interconnected transmission and distribution network
- No discriminatory legislative or regulatory barriers to entry for new participants in generation or retail supply and
- No discriminatory legislative or regulatory barriers to interstate and/or intrastate trade.

There are now numerous councils in Tasmania separately dealing with options to receive income from these business with some success. But it would now be in Local Governments best interests to formalize a process of rating these developments or for councils to receive (PiLOR) payment in lieu of rates which is the case in Victoria.

Recently The West Coast Council again attempted to bring this matter to a head by commenting on the rate equivalent received by the state Government. At that point it was stated that Hydro Tasmania pays \$5.7 million as a rate equivalent over and above its normal dividend payment. Hydro Tasmania stated that these funds are paid to Local Government, yet a government spokesperson stated it went into consolidated revenue not to Local Government. Local Government Act 1993 states as follows under exemptions from rates.

Section 87 (1) c Land owned by the Hydro- Electric Corporation or land owned by a subsidiary within the meaning of the Government Business Enterprise Act 1995, of the Hydro-Electric Corporation on which assets or operations relating to electricity infrastructure, within the meaning of the Hydro-Electric Corporations Act 1995, other than wind-power developments are located.



Call for Submission of Motions
*Councils are invited to submit motions for debate
to be Included at General Meetings*

Name of Council : Circular Head Council

Contact person (name, title) Vanessa Adams, General Manager

Phone: 03 6452 4815 Email: vadams@circularhead.tas.gov.au

Date of General Meeting for Motion to be Included: Thursday 21 November 2024

Motion Requirements:

In order for a Motion to be considered please indicate if the proposed Motion:

- Concerns a local government matter¹.
- Is a matter of common concern to local government and not a specific local issue.
- Addresses the objectives of the Association².
- Is linked to LGAT's current Annual Plan, available [here](#)
- Is not an existing resolution of the sector (please refer to the Follow up of Resolutions Report in the preceding General Meeting for a list of current resolutions).
- Has not been considered at a General Meeting in the 12 months prior.
- Relates to existing, or sought, activities/policy of the Tasmanian Government that would benefit from members understanding the Tasmanian Government position prior to consideration. *LGAT staff are happy to assist you in developing your motion. Please phone 03 6146 3740 in the first instance.*

Please attach –

The proposed Motion that clearly articulates the action required of LGAT, or the policy position being sought from the sector.

The attachment should also include additional background comments, including matters listed above, to ensure members have a complete understanding of what is being sought and how the Motion addresses the requirements listed above.

Email to admin@lgat.tas.gov.au

¹ Considering the functions outlined in the *Local Government Act 1993*, Section 20.

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Please contact the LGAT office on 6146 3740 for closing dates for Submission of Motions

Notice of Motion by Circular Head Council

Code of Conduct – Timeframe for Making a Complaint

Council moves that LGAT:

Actively engages with the Office of Local Government to seek a reduction in the current six month timeframe prescribed in the Councillor Code of Conduct for complaints to be lodged

Rationale

The Councillor Code of Conduct currently allows potential complainants a six month period in which to lodge a complaint about an incident or perceived incident.

The threat of a Code of Conduct matter effectively being held over a councillor's head is leading to a great deal of stress and uncertainty for elected representatives across the State.

This Council asks for the sector's support for LGAT to engage with the Office of Local Government to seek a reduction in the timeframe the next time the Local Government Act is amended.

This Council believes that a two month period is more realistic.



Call for Submission of Motions
*Councils are invited to submit motions for debate
to be Included at General Meetings*

Name of Council : Clarence City Council
Contact person (name, title) Ian Nelson Chief Executive Officer
Phone: 62179501..... **Email:** inelson@ccc.tas.gov.au
Date of General Meeting for Motion to be Included 21 November 2024

Motion Requirements:

In order for a Motion to be considered please indicate if the proposed Motion:

- Addresses the objectives of the Association¹.
- ✓ Concerns a local government matter.
- ✓ Is a matter of common concern to councils and not a specific local issue.
- Is linked to LGAT's current Annual Plan, available [here](#)
- ✓ Is not an existing resolution of the sector (please refer to the Follow up of Resolutions Report in the preceding General Meeting for a list of current resolutions).
- ✓ Has not been considered at a General Meeting in the 12 months prior.
- ✓ Relates to existing, or sought activities/policy of the Tasmanian Government and would benefit from members understanding the Tasmanian Government position prior to considering².

LGAT staff are happy to assist you in developing your motion. Please phone 03 6146 3740 in the first instance.

Please attach –

The proposed Motion, which should clearly articulate the action required of LGAT or the policy position being sought from the sector.

The attachment should also include additional background comments to ensure members have a complete understanding of what is being sought and how the Motion addresses the requirements listed above.

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Details of Motion

MOTION TITLE REVIEW OF CAT MANAGEMENT LEGISLATION

Decision Sought

“That the Local Government Association of Tasmania establishes a review to determine whether or not to develop a sector wide position on cat management and that the determination of any such position be presented to the State Government addressing issues including, but not limited to:

- (i) The recognition that cat management is a shared responsibility across all levels of government, business and the community;
- (ii) Avenues to increase community awareness, participation and commitment by pet cat owners to manage cats responsibly;
- (iii) Assessment of best practice techniques in relation to the planning, management and control of stray and feral cats;
- (iv) Improved knowledge about feral, stray and domestic cats to better inform management;
- (v) Minimising the impacts of cats in areas with important conservation values and agricultural assets;
- (vi) Undertake legislative change and the provision of resources to create an effective framework for managing cats, including resourcing for cat management facilities;
- (vii) Review the roles and responsibilities of local and state governments in relation to cat management and resource allocation”.

Background Comment

The growth in cat management issues across Clarence (and Tasmania as a whole) has seen increasing pressure placed on Councils and the community in the absence of consistent legislative provisions or resourcing from the Tasmanian Government.

This shift has not been without controversy with many recent media articles highlighting the difficulties faced by local councils and the community to address cat management issues. Links to some recent articles as follows:

[80+ stray cats: Rescue operation underway after animals killed in Rokeby - Pulse Tasmania](#)

[Broken teeth, missing ear: rescue finds population boom in Rokeby after animals killed | The Mercury](#)

The proposed motion is entirely consistent with Clarence City Council’s “Cats in Clarence” consultation process and if adopted by LGAT, would provide an opportunity to utilise that information in any future submission put forward by Clarence City Council.

It is clear the response to cat management requires a state-wide approach that facilitates greater consistency across local government boundaries and agreed resourcing from all levels of government.

LGAT has provided a briefing note that provides background and an update in relation to Cat Management in Tasmania. With NRE currently developing a new cat management plan for 2024 – 2029, it is timely to raise key issues for consideration, via LGAT, to be discussed and included in any sector wide response to the new plan.



Call for Submission of Motions
*Councils are invited to submit motions for debate
to be Included at General Meetings*

Name of Council :HUON VALLEY COIUNCIL

Contact person (name, title) MATTHEW GRIMSEY, GENERAL COUNSEL

Phone: Matt Grimsey..... Email: mgrimsey@huonvalley.tas.gov.au

Date of General Meeting for Motion to be Included..... 21 NOVEMBER 2024.....

Motion Requirements:

In order for a Motion to be considered please indicate if the proposed Motion:

- Addresses the objectives of the Association¹.
- Concerns a local government matter.
- Is a matter of common concern to councils and not a specific local issue.
- Is linked to LGAT's current Annual Plan, available [here](#)
- It not an existing resolution of the sector (please refer to the Follow up of Resolutions Report in the preceding General Meeting for a list of current resolutions).
- Has not been considered at a General Meeting in the 12 months prior.
- Relates to existing, or sought activities/policy of the Tasmanian Government and would benefit from members understanding the Tasmanian Government position prior to considering².

LGAT staff are happy to assist you in developing your motion. Please phone 03 6146 3740 in the first instance.

Please attach –

The proposed Motion, which should clearly articulate the action required of LGAT or the policy position being sought from the sector.

The attachment should also include additional background comments to ensure members have a complete understanding of what is being sought and how the Motion addresses the requirements listed above.

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Details of Motion

Motion Title Creation of Statutory Rights of Carriageway over Crown Road Reserves.....

Decision Sought

That the Local Government Association of Tasmania request the State Government to urgently amend the *Crown Lands Act 1976* to establish automatic statutory rights of access over Crown Reserved Road for all landowners to access their adjoining properties that have Reserved Roads accessing their properties as proposed in the *Crown Lands – Reserved Road, Position Paper, July 2009* to provide certainty of access to landowners generally and for the purposes of meeting access requirements under the Tasmanian Planning Scheme.

Background Comment

Not all land in Tasmania has a legal frontage to a public road, whether this is maintained by a Council or by the State Government. A significant amount of land relies upon Crown "Road Reserves" for access to and from a public road.

In accordance with the provisions of the *Crown Land Act 1976* the Crown undertakes a practice of issuing licences to use Crown Land to landowners that rely upon a Road Reserve for access. Increasingly the Crown have been agreeing to Right of Way Easements over Road Reserves as an alternative.

The process for obtaining a licence or an easement is time consuming and is at cost of each landowner including survey costs, valuation costs, the purchase price and associated legal costs. All this to guarantee an access to their land that the Crown has allowed to be created in the first place without any public road frontage.

To some extent the licence system has worked effectively however with the Tasmanian Planning Scheme (TPS) coming into force across most Council's there is a significant impact on the ability of a person to undertake development on a property that relies upon a licence.

Under the TPS, land that is within the Rural, Agricultural and Landscape Conservation zones (See Clauses 20.4.3, 21.4.3, 22.4.3) require new dwelling to be either located on lots that have frontage to a public road or, "must have legal access, by right of carriageway ..." to a public road.

Much of this land relies upon Road Reserves to provide for access so in any given application it will be necessary for the applicant to have applied to the Crown for a right of way easement in their favour before they can meet the planning scheme requirement for access. This will subsequently delay development and increase cost to the landowner who relies upon the Road Reserve. This is also considered to be an unnecessary administrative burden on the Crown that can be addressed by other means.

In 2009 the Government undertook a review of the Crown Lands Act. As a result of that review the proposal was to amend the Act to establish automatic statutory rights of access over reserved roads for those that need it to access their property.

The review considered that a right be provided over land that did not otherwise have frontage to a road however there are many historic circumstances where road reserves were used irrespective of public access. There is no reason why any statutory right should be limited.

The proposed amendment would define landowner responsibilities and dispute resolution for shared accesses.

No amendments were made to the Act at the time and the reason for this is not known. Given the changes made by the TPS there is now the opportunity to provide certainty to all landowners relying on a Reserved Road for access, to ensure easy compliance with the TPS and to reduce an unnecessary administrative burden for the Crown.

The proposal is to support amendments to the Act to address this issue.

See attached Issues Paper, Consultation Report and Position Paper as background.

Motions Requirements

- **Addresses the objectives of the Association³.**

Councils acting as Planning Authorities are responsible for administering the Tasmanian Planning Scheme (TPS). Access requirements and Crown Road Reserves relate directly to TPS administration.

Councils are also consulted by the Crown in relation to the granting of access licences and easements over Road Reserves.

Both (a) and (b) are addressed.

- **Concerns a local government matter.**

Councils acting as Planning Authorities are responsible for administering the Tasmanian Planning Scheme and dealing with applicants.

- **Is a matter of common concern to councils and not a specific local issue.**

All Councils in Tasmania are responsible for implementation of the TPS and will have properties that rely on Road Reserves for access.

- **Is linked to LGAT's current Annual Plan, available [here](#)**

This involves general legislative advocacy and supports Councils to implement the Tasmanian Planning System.

- **It not an existing resolution of the sector (please refer to the Follow up of Resolutions Report in the preceding General Meeting for a list of current resolutions).**

It is not an existing resolution

- **Has not been considered at a General Meeting in the 12 months prior.**

It has not been considered in the previous 12 months.

- **Relates to existing, or sought activities/policy of the Tasmanian Government and would benefit from members understanding the Tasmanian Government position prior to considering⁴.**

This relates to the implementation of the TPS and day to day activities of the Tasmanian Government in dealing with access licence and easement applications over Reserve Roads.

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Call for Submission of Motions
*Councils are invited to submit motions for debate
to be included at General Meetings*

Name of Council : King Island Council

Contact person: Dr Catherine Dale, Acting General Manager

Phone: 03 6462 9000 Email: kicouncil@kingisland.tas.gov.au or cdale@kingisland.tas.gov.au

Date of General Meeting for Motion to be Included **November**

Motion Requirements:

In order for a Motion to be considered please indicate if the proposed Motion:

- Addresses the objectives of the Association¹.
- Concerns a local government matter.
- Is a matter of common concern to councils and not a specific local issue.
- Is linked to LGAT's current Annual Plan, available [here](#)
- It not an existing resolution of the sector (please refer to the Follow up of Resolutions Report in the preceding General Meeting for a list of current resolutions).
- Has not been considered at a General Meeting in the 12 months prior.
- Relates to existing, or sought activities/policy of the Tasmanian Government and would benefit from members understanding the Tasmanian Government position prior to considering².

LGAT staff are happy to assist you in developing your motion. Please phone 03 6146 3740 in the first instance.

Please attach –

The proposed Motion, which should clearly articulate the action required of LGAT or the policy position being sought from the sector.

The attachment should also include additional background comments to ensure members have a complete understanding of what is being sought and how the Motion addresses the requirements listed above.

Email to admin@lgat.tas.gov.au

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- (c) Provide services to Members, councillors and employees of Councils.



Details of Motion

Motion Title: Proposed Amendment to Local Government (Meeting Procedures) Regulations 2015: retrospective leave of absence for Council meetings

Decision Sought:

That the Local Government (Meeting Procedure) Regulations 2015 be amended to allow councillors to seek leave of absence retrospectively in emergency situations.

Background Comment

Regulation 39 (1) of the Local Government (Meeting Procedures) Regulations 2015 requires that “If a councillor wishes to take a leave of absence in respect of one or more meetings, the councillor, or the chairperson on behalf of the councillor, may request that leave of absence.” Regulation 39 (3) states that “A leave of absence may not be granted retrospectively.”

King Island Council proposes that this Regulation be amended to enable retrospective leave of absence to be granted in circumstances where it is not possible for a Councillor to seek prospective approval for leave of absence.

The need to seek leave of absence in advance of a Council meeting requires that a Councillor knows in advance that he or she will not be able to attend a given meeting and has the means to communicate their request for leave of absence by the commencement of that meeting.

However, there may be circumstances where such a request is not possible in advance and the Councillor concerned will have their absence from the Council meeting recorded. The circumstances where this may occur include emergency situations where a Councillor is detained from a meeting due to weather conditions, personal emergency or mishap such as motor vehicle accident and is not able to seek leave or request that their request be conveyed on their behalf.

While this issue impacts on remote locations such as King Island where weather conditions and communications can be unstable, however many parts of Tasmania also suffer these conditions.

The proposed change will ensure that Councillors are not inadvertently found to have not complied with Regulations. Such a change would contribute to the efficient and effective system of local government in Tasmania.

RECOMMENDATION

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

DECISION

Moved by Clr B Campbell, seconded by Clr D Blackwell

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

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
<i>Closed Council Minutes - Confirmation</i>	15(2)(g)
<i>Applications for Leave of Absence</i>	15(2)(h)
<i>Property Matter – Campania</i>	15(2)(f)
<i>Contract – Annual Road Stabilisation Program</i>	15(2)(b)(ii)
<i>Heavy Plant Replacement Quotes</i>	15(2)(b)(ii)
<i>Property Matter – Bagdad</i>	15(2)(f)

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
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

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

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

CARRIED

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

CLOSED COUNCIL MINUTES

20. BUSINESS IN “CLOSED SESSION”

20.1 Closed Council Minutes - Confirmation

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

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

20.2 Applications for Leave of Absence

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

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

20.3 Property Matter - Campania

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

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

20.4 Contract – Annual Road Stabilisation Program

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

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

20.5 Heavy Plant Replacement Quotes

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)(b)(ii) of the Local Government (Meeting Procedures) Regulations 2015.

**20.6 Property Matter - Bagdad
Bagdad Community Club Incorporated - Property Ownership (1661 Midland Highway, Bagdad)**

*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

Moved by Clr D Blackwell, seconded by Clr B Campbell

THAT Council move out of “Closed Session”.

CARRIED

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

OPEN COUNCIL MINUTES

21. CLOSURE

The meeting closed at 1.08 p.m.