

SOUTHERN  
MIDLANDS  
COUNCIL



# **MINUTES**

## **ORDINARY COUNCIL MEETING**

---

Wednesday, 11<sup>th</sup> December 2024  
2.00 p.m.

Oatlands Municipal Offices  
71 High Street, Oatlands

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# OPEN COUNCIL MINUTES

**MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD ON WEDNESDAY 11<sup>th</sup> DECEMBER 2024 AT THE OATLANDS MUNICIPAL OFFICES, 71 HIGH STREET OATLANDS, COMMENCING AT 2.01 P.M.**

## **1. PRAYERS**

Reverend Dennis Cousens recited prayers.

## **2. ACKNOWLEDGEMENT OF COUNTRY**

Mayor E Batt recited Acknowledgement of Country.

## **3. ATTENDANCE**

Mayor E Batt, Deputy Mayor K Dudgeon, Clr A E Bisdee OAM, Clr D Blackwell, Clr B Campbell, Clr D Fish and Clr 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**

Nil.

## **5. MINUTES**

### **5.1 Ordinary Council Meeting**

The Minutes (Open Council Minutes) of the previous meeting of Council held on the 27<sup>th</sup> November 2024, as circulated, are submitted for confirmation.

## **RECOMMENDATION**

**THAT the Minutes (Open Council Minutes) of the Council Meeting held 27<sup>th</sup> November 2024 be confirmed.**

## **DECISION**

*Moved by Clr A E Bisdee OAM, seconded by Clr B Campbell*

**THAT the Minutes (Open Council Minutes) of the Council Meeting held 27<sup>th</sup> November 2024 be confirmed.**

## **CARRIED**

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

- Campania Recreation Ground Management Committee Minutes – 19<sup>th</sup> November 2024
- Lake Dulverton & Callington Park Management Committee Minutes – 25<sup>th</sup> November 2024

## **RECOMMENDATION**

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

## **DECISION**

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

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

## **CARRIED**

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

## 5.2.2 Special Committees of Council - Endorsement of Recommendations

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

- Campania Recreation Ground Management Committee Minutes – 19<sup>th</sup> November 2024
- Lake Dulverton & Callington Park Management Committee Minutes – 25<sup>th</sup> November 2024

### RECOMMENDATION

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

### DECISION

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

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

### CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
Cllr A E Bisdee OAM	✓	
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

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

- Southern Tasmanian Councils Authority AGM Minutes– 28<sup>th</sup> November 2024

#### RECOMMENDATION

**THAT the Minutes of the above Joint Authority be received.**

#### DECISION

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

**THAT the Minutes of the above Joint Authority be received.**

#### CARRIED

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

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

Report(s) prepared by the following Joint Authority, as circulated, are submitted for receipt:

- Southern Tasmanian Councils Authority Annual Report 2023-24 (incl. Financial Statements)

#### RECOMMENDATION

**THAT the report prepared by the above Joint Authority be received.**

#### DECISION

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

**THAT the report prepared by the above Joint Authority be received.**

#### CARRIED

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

Clr F Miller	✓	
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## 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.

It is reported that no workshops have been held since the last Ordinary Meeting.

### RECOMMENDATION

**THAT the information be received.**

### DECISION

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

**THAT the information be received.**

### CARRIED

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

**Deputy Mayor K Dudgeon** – Question relating to the demolition of the old Swimming Pool. *Manager Infrastructure & Works advised that demolition work has commenced. Contractor engaged to undertake removal of asbestos. This work will be completed within a week. It was confirmed that a section of the sandstone perimeter wall has been removed temporarily to enable removal of the debris.*

**Clr A E Bisdee OAM** – Tunbridge Bridge Replacement – should Council arrange an official opening?

*General Manager suggested that the Department of State Growth, as the responsible entity for the Bridge replacement project would need to consider such a proposal. Would not be appropriate for Council to conduct an opening.*

**Clr A E Bisdee OAM** – Erskine Street, Kempton – Council owned Cemetery Property – report of excess vegetation that needs slashing.  
*To be inspected and appropriate action taken.*

**Clr D Blackwell** – Question relating to the Kempton Roadside Stopover Area.  
*Manager Development & Environmental Services provided comment. This included advice that Council officers have been communicating with a local resident to emphasis that it is Council's responsibility to monitor the site and its operations and not private residents.*

**Clr B Campbell** – Question relating to 'Tiny Homes' and the associated planning requirements (or limitations).  
*Manager Development & Environmental Services provided comment. His comments included advice that the State Planning Office has recently provided a 'Fact Sheet' relating to this issue and a copy has been placed on Council's Website.*

**Mayor E Batt** – Question relating to Council's maintenance responsibility (if any) relating to a number of properties off Green Valley Road, Bagdad whereby access is via reciprocal right-of-ways.  
*General Manager confirmed that Council has no maintenance responsibility. If requested, Council could provide a cost estimate to undertake certain work which would be done on a 'do and charge' basis (i.e. private works). The property owners would need to provide acceptance of the costs estimate and accept liability in advance.*

## **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. Improving Dog Welfare Outcomes in Tasmania – Discussion Paper
2. Sign and Sealing of a Vesting Order – Springhill Bottom Road
3. Closed Session Item – Clr B Campbell – Use and Control of Herbicides

### 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 Clr D Fish, seconded by Deputy Mayor K Dudgeon*

**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 A E Bisdee OAM	✓	
Clr D Blackwell	✓	
Clr B Campbell	✓	
Clr D Fish	✓	
Clr F Miller	✓	

## 10. PUBLIC QUESTION TIME (SCHEDULED FOR 2.30 P.M.)

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

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

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

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

*Note: The Question taken on notice last Council Meeting from Julia Jabour (Southern Midlands Regional News) relating to the Oatlands Dog Park is reported in Agenda Item 15.6.2.*

**Mr Alec Dean** – Ponsonby Vale Road, Whitefoord - Is there is any reason why Council only graded approximately 75% of the Ponsonby Vale Road – as opposed to the full length?  
*Manager Infrastructure & Works to investigate circumstances.*

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

Can an update be provided in relation to the Hotel Accommodation proposal?

*General Manager advised that there is ongoing communication with the preferred proponents. The proponents continue to review and revise the design concept plans aimed at reducing the estimated capital cost of the facility. The existing Agreement granting 'preferred proponent' status is due for revision and will be renegotiated early in the new-year.*

### 10.1 Permission to Address Council

Nil.

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

Nil.

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

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

**12.1 Development Applications**

Nil.

**12.2 Subdivisions**

Nil.

**12.3 Municipal Seal (Planning Authority)**

Nil.

**12.4 Planning (Other)**

Nil.

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



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

### **13.1 Roads**

**Strategic Plan Reference 1.1**

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

Nil.

### **13.2 Bridges**

**Strategic Plan Reference 1.2**

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

Nil.

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

**Strategic Plan Reference 1.3**

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

Nil.

### **13.4 Lighting**

**Strategic Plan Reference 1.4**

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

Nil.

### **13.5 Buildings**

**Strategic Plan Reference 1.5**

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

Nil.

### **13.6 Sewers / Water**

**Strategic Plan Reference(s) 1.6**

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

Nil.

### **13.7 Drainage**

**Strategic Plan Reference 1.7**

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

Nil.

### **13.8 Waste**

**Strategic Plan Reference 1.8**

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

Nil.

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

**Strategic Plan Reference 1.9**

*Improve access to modern communications infrastructure.*

Nil.

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

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

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

**Date:** 5 DECEMBER 2024

#### **Roads Program**

Maintenance grading works will continue throughout the municipality.

Pot holes in both sealed and unsealed roads are being addressed as resources allow. Council has engaged the services of a jet-patching contractor to address some of the defects in the sealed surface areas throughout the municipality.

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 have commenced.

Various large potentially dangerous roadside trees have been removed throughout the road network.

#### **Current Capital Works**

White Kangaroo Rivulet Road – re-sheeting of this section of Road has been completed with minor drainage works still to be undertaken.

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. A distance of 6 kilometres is scheduled to be sealed on 16<sup>th</sup> to 18<sup>th</sup> December 2024 (weather permitting). This leaves approximately 2 kilometres to complete early in the New Year with the aim of concluding the project by end of January 2025.

Reseal programme dates being confirmed following the appointment of the successful contractor.

Bagdad shared walkway works continue and are nearing the Chauncy Vale Road junction which is the end point for this stage (although may be extended depending on project expenditure to date).

Callington Park new toilet works are advancing but works will not be completed prior to year-end.

### **Parks and Reserves**

Maintenance of recreation grounds, parks and playgrounds ongoing as required but recent rains have again increased workload.

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

### **Building Services Unit**

Construction of toilets at Callington Park.

Site preparations for the Barbecue facility to be installed at the Oatlands Aquatic Centre.

### **Christmas / New year Period**

Confirmed employee rostering over the Christmas / New-year period. There will be a skeleton crew working (other than public holidays) and an employee will be on-call seven days per week.

### **Planned Works**

- Roadside Slashing Programme – 2 Contractors – commenced in the Tunbridge and Campania district
- Drainage and pavement repairs various roads;
- Continue Interlaken Road upgrade works (nearing completion);
- Continue footbridge/pathway works Bagdad;
- Continue planning of works for Kempton-Mood Food Pathway;
- Edge break repairs on various roads;
- New toilet Callington park;
- Install BBQ at Oatlands aquatic centre;

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

**Clr D Fish** – Public Toilets (Blockages) – is this a Council issue or TasWater?

*Manager Infrastructure & Works advised that Council will respond initially and determine whether it is a blockage within the Council owned infrastructure or the TasWater mains. If the latter, TasWater will be called in.*

**Clr B Campbell** – Inglewood Road (vicinity of Waste Transfer Station) - number of road edge breaks.

*To be inspected and addressed.*

**Clr B Campbell** – Road Verges – levelling etc. – is it possible, over a period of time, to level areas of the verge where drainage works etc. is being undertaken which would then enable property owners to maintain sections of the verge particularly near property entrances.

*Manager Infrastructure & Works advised that identified areas could be assessed however this is not encouraged as it would involve private persons working within a road reservation without appropriate insurance liability cover.*

## RECOMMENDATION

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

## DECISION

*Moved by Cllr B Campbell, seconded by Cllr A E Bisdee OAM*

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

## CARRIED

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

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

### **14.1 Residential**

**Strategic Plan Reference 2.1**

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

Nil.

### **14.2 Tourism**

**Strategic Plan Reference 2.2**

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

Nil.

### **14.3 Business**

**Strategic Plan Reference 2.3**

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

Nil.

### **14.4 Industry**

**Strategic Plan Reference 2.4**

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

Nil.

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

### **15.1 Heritage**

<b>Strategic Plan Reference – Page 22</b>	
3.1.1	Maintenance and restoration of significant public heritage assets.
3.1.2	Act as an advocate for heritage and provide support to heritage property owners.
3.1.3	Investigate document, understand and promote the heritage values of the Southern Midlands.

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

**Author:** HERITAGE PROJECTS OFFICER (ALAN TOWNSEND)

**Date:** 6 DECEMBER 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:

- Coordinating hire of buildings
- Annual maintenance and repairs to the AiRSpace building
- Ongoing contribution from volunteers Rubee Dano and Linda Clark including “Escape from Oatlands” research series
- Ongoing participation in the Heritage Highway Regional Tourism Association workshop and meeting
- Assessment of AiRSpace applications and allocation of places. We now have 2026 fully booked
- Our next Artist in Residence (January 2026) is Lisa Moroney, a Tasmanian still life and landscape painter from Stonor. Lisa is interested in capturing the unique landscape of the midlands and has been a finalist in both the Glover and Henry Jones Art Prizes
- Ongoing public engagement with ABC 936

#### **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**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
Cllr A E Bisdee OAM	✓	
Cllr D Blackwell	✓	
Cllr 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:** 3 DECEMBER 2024

#### DETAIL

- The toilet block build at Callington Park continues. The brickwork has just been completed. The steel frame and some plumbing work is the next stage of the build. The screen for the front of the building has been made and is on route to Tasmania.
- Helen and Mary did some weed work around the edge of Lake Dulverton.
- Maria has been busy with Lake Dulverton & Callington Park Management Committee issues. A meeting was held on Monday 25<sup>th</sup> November. Minutes form part of the Council agenda.
- Maria and Helen attended a ChemCert Renewal course on Monday 2<sup>nd</sup> December at the Clarence Campus of TAFE. (Technical and Further Education).
- Helen has been assisting Mary with some on ground works in relation to weeds. See Weeds Officer report below.

#### Weeds Officer Report, Mary Smyth

18<sup>th</sup> November – 3<sup>rd</sup> December 2024

#### Enquiries/feedback

A report-a-weed enquiry was satisfactorily resolved: the resident had noticed a new thistle in their paddock and was wondering if it was Star thistle. Thankfully, it was not. Good photos supplied enabled a quick resolution on identification and control methods.

More reports of Patterson's curse have come in: follow up as time allows. One such report involved quite a bit of back and forth (phone calls/emails/texts) but has been well resolved with a contractor found to do the work and the landowner happy to pay.

A referred enquiry regarding whiteweed along TasRail lines coming in on ballast has resulted in a new contact at TasRail and some proactive interest on TasRail's behalf. Again, quite a few phone calls and follow-up required here.

#### Site visits

Total = 14+

Matzoo Lane, Tea Tree inspection revealed some Chilean needle grass and a single seeding Serrated tussock inside the fenceline of a SMC border property. All CNG and ST

removed along roadside, property owners visited to show them the ST plant for future reference (see Communication).

Isolated roadside infestation of Chilean needle grass on Native Corners Road visited and 46 plants removed. The owners of the land adjacent were phoned with a friendly reminder to spray the small patch of plants on their side of the fence.

Inspected Howletts Road but was unable to find any Chilean needle grass along it. I did dig out an isolated clump of *Agapanthus* in a roadside drain though...

Footpaths near the telephone exchange, Reeve Street Campania, inspected for Chilean needle grass (both sides of the road). None found.

Spraying of gorse and broom continued along the Dulverton Track near Hawthorn Bay, using the Quik Spray unit.

Shown around the main thistle patches in Chauncy Vale Wildlife Sanctuary by Graham Green, spraying Spear and Slender thistles as we went. Graham has done an excellent job in getting the thistles down to a manageable level, but the work is not finished yet! Californian thistles need spraying mid-December.

I was in the area, so I watered all the new plants at Mangalore Recreation Ground. 1 Banksia has died, 2 Cypress plants and 3 Swamp gums have been stolen.

Watered all the remaining 2024 seedlings at the Kempton Oval Mounds. All the Banksias and Hakeas have died, but everything else is okay.

Experimenting with the eradication of a patch of Carrot weed on the shore of Lake Dulverton. Most of the patch sprayed with one herbicide; the rest will be sprayed with another type (once the rain/wind stops).

Numbers in brackets = CNG plants removed. Lowdina Road (27), Brown Mountain Road (34), Reeve Street (0), Barton Vale Road (14) and Brodribbs Danby Road (8 + two clusters for follow-up spraying) inspected prior to slashing of roadsides. Much fewer than last year's tally.

## **Communication**

A package of pamphlets and other information on Chilean needle grass and Serrated tussock sent to property owners at a Tea Tree address where a new infestation of Serrated tussock found. The owners have offered to talk to their neighbours down the road (outside SMC) about these two Weeds of National Significance.

Received accurate identification of a couple of grasses (thanks to Matt Baker at the Tasmanian Herbarium in Hobart). The first was found during some Serrated tussock survey work at Spring Hill (it looked like a small, grazed flat ST) and it turned out to be a wallaby grass (*Rytidosperma geniculatum*). The second grass was the unknown plant in the drain at Pontville: this turned out to be Kentucky bluegrass (*Poa pratensis*). Matt is putting both specimens into the collection so detailed location data was forwarded to him.

A weed contractor phoned seeking supporting action from Council regarding a patch of Chilean needle grass on some Crown land in the Coal Valley. A visit to an adjoining property has been organised so I can view the problem and contact the Crown Lands department ASAP.

Another weed contractor phoned to pass on the discovery of a new infestation of Serrated tussock near Campania (>20 plants). This will be mapped and all plants chipped out ASAP.

Corresponding with State Growth weeds officer regarding Patterson’s curse (us) and CNG (them).

### **Related and extra-curricular activities**

A request to the depot manager for a deep hole to safely dispose of bags of weeds/seeds was swiftly executed. Bags are still being filled and will be until the season is completed and the hole filled in.

Along with 220 other people, spent a very interesting lunchtime viewing a webinar on Myrtle Rust. This particular pathogen is not in Tasmania (yet) but I was interested in how it is affecting plants on the mainland. Myrtle rust is from South America and was first detected in Australia in 2010. It has had a particularly devastating effect on some rainforest species. Salient precautionary points from Carol Booth, one of the presenters (very relatable to weeds issues too):

1/ Prevention is paramount. (Environmental pathogens are generally not treatable: we import too many seeds etc.) 2/ If something is eradicable, pursue it quickly and with gusto! 3/ In policy, environmental consequences are mostly different to agricultural consequences.

### **Weeds Action Fund – Stemless thistle and serrated tussock**

At the tail end of the stemless thistle season, the lessee made himself, his ute and a single reel spray unit available and a good 5.5 hours was spent driving to all known infestations (and a couple of new ones) to spray any remaining plants. 231 plants sprayed.

Received all the photos taken by the contractors on their two-day “further afield” survey of Spring Hill. Co-ordinates on ST found during a walk around the Core Zone forwarded to the landowner for follow-up spraying by a separate contractor.

### **Weed of the Week**

Tree mallow and Prickly lettuce so far this month at Oatlands front office.

## **RECOMMENDATION**

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

## **DECISION**

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

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

## **CARRIED**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
Clr A E Bisdee OAM	✓	
Clr D Blackwell	✓	
Clr 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:** 4 DECEMBER 2024

**Enclosure:**

*Animal Management Statement 2024*

### ISSUE

Consideration of the Animal Management/Compliance Officer's report for December 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 December; *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:

#### ATTACK DETAILS:

28/11/24 – 5 sheep attacked, (3 Killed), 2 dogs destroyed - Campania area. Infringement to be issued.

**ENCLOSURE**  
*Agenda Item 15.6.1*

**YTD ANIMAL MANAGEMENT STATEMENT**

**2024**

<b>DOG IMPOUNDS</b>	<b>RECLAIMED</b>	<b>ADOPTED/DOGS HOME</b>	<b>EUTHANISED</b>	<b>OTHER IMPOUNDS</b>
17	14	3		1 – goat 1 – ram 1 – Weather 4 – Sheep 1 – Miniature goat

**JOBS ATTENDED**  
**December 2024**

<b>DOGS AT LARGE</b>	<b>DOG ATTACKS</b>	<b>DOG BARKING</b>	<b>DOG GENERAL</b>
4	1	0	4
<b>NEW KENNEL LICENCES</b>	<b>WELFARE</b>	<b>STOCK</b>	<b>Central Highlands</b>
1 pending	0	1	3

**REGISTERED DOGS: 1710**  
**KENNEL LICENCES: 67**  
**INFRINGEMENTS ISSUED: 0**

**RECOMMENDATION:**

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

**DECISION**

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

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

**CARRIED**

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

**15.6.2 Callington Park, Oatlands - Proposal to Establish an Off-Lead Dog Park (on the section of land adjacent to the Barrack Street Car Park)**

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

**Date:** 6 DECEMBER 2024

**ISSUE**

Council to formally consider the following question submitted during Public Question Time at the Council Meeting held 27<sup>th</sup> November 2024 (by Julia Jabour – Southern Midlands Regional News):

*“Is Council prepared to overrule, or reconsider, the decision of the Lake Dulverton & Callington Park Management Committee to refuse the placement of a fully-enclosed off-lead dog park at the Callington Park site?”*

**BACKGROUND**

The proposal to establish a ‘fenced off-lead Dog Park area’ (Dog Park) on that part of the Callington Park at Oatlands immediately adjacent to the Barrack Street Car Park.

This matter was referred to the Lake Dulverton & Callington Park Management Committee as the Committee responsible for that precinct.

For information, the Management Committee is an advisory committee and its ‘Roles, Function and Responsibilities’ include the following:

- (a) develop the area as a visitor attraction
- (b) oversee the maintenance and encourage community involvement in the maintenance and /or development and upgrading of the site buildings and facilities
- (c) .....
- (d) .....
- (e) .....
- (f) encourage the continued interest of the public to maximise the access and the use of the environs without compromising the integrity of the flora, fauna geoheritage and heritage values of the area.
- (g) provide advice to Council in regard to priority works and annual budgetary allocation requirements.
- (h) To promote and facilitate use of the Lake and Park for scientific studies based on the natural resources of the reserve.

The Management Committee is to consider and report on any matters which may be referred to it by Council.

**DETAIL**

In July 2023 Council received a petition with some 405 signatories seeking a fully-enclosed ‘off-lead’ dog exercise area in Oatlands. The petition did not refer to any particular location.

The petition was then referred by Council to the Lake Dulverton & Callington Park Management Committee to consider and provide a recommendation(s).

The Management Committee's initial discussion included the possibility of establishing the Dog Park at the Flax Mill (aka Fred's Point) on the basis that Parks and Wildlife had indicated (at that time) that this would be possible, although it would involve a lengthy approval process.

At the same time, the Committee looked at other options, including:

- Crown Land property near the old Catholic Cemetery (off Chatham Street);
- A property adjacent to Tunnack Road (near the Council Glenelg Street Depot); and
- A portion of Callington Park (as this was identified by the proponents as the preferred location).

In relation to the Dog Park being possibly being situated at Callington Park, this was specifically considered by the Management Committee at its meeting held in March 2024. As an outcome of that meeting, the Committee provided the following recommendation to Council (subsequently endorsed by Council):

***“THAT Callington Park be ruled out as a dog exercise area because it - is too close to the playground; is too close to children's facilities; should remain as public open space; could generate significant public backlash and it would be of concern to immediate neighbours.”***

Having provided the above recommendation, it was also acknowledged that the Committee would progress the Flax Mill option through lodgement of a 'Reserve Activity Assessment' with Parks and Wildlife.

In September 2024, Parks and Wildlife advised that due to cultural heritage and other concerns, it was not possible to progress with a dog park in the Flax Mill area.

Given the background information (as detailed above), it is apparent that there are three possible options available to Council:

1. Council confirm its acceptance of the recommendation provided by the Lake Dulverton & Callington Park Management Committee that a section of Callington Park be 'ruled-out' as an option for an 'off-lead' dog area.

This would require Council to continue to assess other locations, noting that this has been an ongoing process but it is proving to be extremely difficult to find a suitable location.

2. Council ask the Management Committee to reconsider its position regarding the use of Callington Park given the knowledge that the Flax Mill area has now been rejected.

Irrespective of the Management Committee's position, if a decision was made to proceed with the Callington Park option, a formal Development Application would still be required. This provides an opportunity for public representations etc.



3. That Council seek feedback from the broader community (say via the Council Newsletter) with the actual location within Callington Park being shown on a plan of the property.

Depending on the feedback received, Council can then elect whether to proceed and lodge a formal Development Application for this site.

**Human Resources & Financial Implications – To be considered.**

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

**Policy Implications – N/A**

**Priority - Implementation Time Frame – N/A**

### **RECOMMENDATION**

**THAT Council consider the options provided and determine its preferred approach.**

### **DECISION**

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

**THAT Council defer a decision until the January 2025 Council Meeting to enable further investigation and assessment of other possible locations.**

### **CARRIED**

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

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

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

**Date:** 3 DECEMBER 2024

#### **ISSUE**

Oatlands Aquatic Centre – Coordinator's Report for the month of November 2024.

#### **BACKGROUND**

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

#### **DETAIL**

The purpose of the report is twofold:

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

**Financial Reporting:**

**OATLANDS AQUATIC CENTRE - OPERATING BUDGET**

<b>INCOME</b>	<b>Annual Budget 2024/25</b>	<b>Nov 2024</b>	<b>Nov 2023</b>	<b>2024/25 Year to Date</b>	<b>2023/24 Year to Date</b>	<b>% of Budget 2024/25</b>
Admission Fees	\$237,500	\$19,074	\$12,450	\$85,056	\$74,108	35.8%
Sale of Goods	\$12,500	\$1,153	\$1,343	\$6,320	\$4,839	50.6%
Charging Station Energy Use Reimbursement	\$14,000	\$0	\$3,278	\$9,028	\$3,278	64.5%
<b>Sub-Total</b>	<b>\$264,000</b>	<b>\$20,227</b>	<b>\$17,071</b>	<b>\$100,404</b>	<b>\$82,225</b>	<b>38.0%</b>

<b>EXPENDITURE</b>	<b>Annual Budget 2024/25</b>	<b>Nov 2024</b>	<b>Nov 2023</b>	<b>2024/25 Year to Date</b>	<b>2023/24 Year to Date</b>	<b>% of Budget 2024/25</b>
Salaries (incl. On-Costs)	\$473,945	\$40,713	\$38,444	\$180,994	\$209,823	38.2%
Operating Costs - Other	\$260,395	\$29,966	\$24,074	\$148,006	\$133,475	56.8%
<b>Total Expenditure</b>	<b>\$734,340</b>	<b>\$70,679</b>	<b>\$62,518</b>	<b>\$329,000</b>	<b>\$343,298</b>	<b>44.8%</b>

<b>Budgeted Deficit</b>	<b>-\$470,340</b>	<b>-\$50,453</b>	<b>-\$45,447</b>	<b>-\$228,596</b>	<b>-\$261,073</b>	<b>48.6%</b>
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**Group Bookings & Programs – November (18/11/24 - 3/12/24):**

<b>Event / Booking</b>	<b>School / Group</b>	<b>Participation Numbers</b>
Centre Visits	Tagari Lia Child & Family Centre	30 participants
Physio Rehab Sessions	Annabel Butler – Physiotherapist	13 individual bookings
Lane Hire	Midlands Swimming Club	2 individual bookings
Centre Hire	Masters Swimming Tasmania	60 participants
Lane Hire	Campbell Town District School	1 group booking
Lane Hire/Student Visits	Oatlands District School	1 group bookings

**USAGE FOR THE PERIOD 16/10/2024 – 17/11/2024**

**PAID UPFRONT**

<b>Type</b>	<b>Units</b>
<b>Gym</b>	
Gym Pass 10 Sessions (17 years)	0
Gym Pass 10 Sessions (Concession)	0
PAYG – Gym (17 years)	11
PAYG – Gym (Concession)	5
<b>Gym/Pool Combo</b>	
Gym/Pool Pass 10 Sessions (17 years)	1
Gym/Pool Pass 10 Sessions (Concession)	1
PAYG – Gym/Pool Combo (17 years)	2
PAYG – Gym/Pool Combo (Concession)	2
<b>Learn to Swim (Total Numbers)</b>	
Term 4, 2024 Program Enrolments (Currently)	132
<b>Pool</b>	
Pool Passes 10 Sessions (Child/Concession)	2
Pool Pass 10 Session (17 years)	0
Upfront 6 Months Pool Membership (17 +)	1
Upfront 6 Months Pool Membership (Concession)	0
Upfront 6 Months Pool Membership (Family)	0
PAYG – Pool (4 years and under)	46
PAYG – Pool (5-16)	98
PAYG – Pool (17)	135
PAYG – Pool (Concession)	139
PAYG – (Family)	12

**DIRECT DEBITS – Current Numbers**

<b>Type</b>	<b>Units</b>
DD Pool/Gym	12
DD Gym	7
DD 6 Months Pool – 17 years +	0
DD 6 Months Pool – Child/Concession	21
DD 6 Months Pool – Family	0

## **Grant Applications & General Information**

See below an update on new programs implemented during November:

- **Ticket to Wellbeing Program for 2025:**

Oatlands Aquatic Centre has signed up to be a provider for a new State Government Program called “Ticket to Wellbeing”. This program allows eligible participants over the age of 65 years to access 2x \$100.00 vouchers to be put towards Club/Centre Membership costs over a financial year period. These vouchers will be suitable for either GYM/Pool 10 Visit Cards or 6 month memberships. This program has a major upside for the Centre and making it even more accessible to the Community. The program will be commencing early in 2025.

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

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

**Policy Implications** – N/A

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

## **RECOMMENDATION**

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

## **DECISION**

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

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

## **CARRIED**

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

*Clr A E Bisdee OAM departed the meeting at 3.01 p.m.*

### 16.1.1 Bagdad Community Club Inc. – Community Club Precinct – Transfer of Ownership to Southern Midlands Council

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

**Date:** 4 DECEMBER 2024

**Attachment(s):**  
*Business Case*

#### ISSUE

To:

- a) provide Council with an update following the conduct of the Community Meeting held 24<sup>th</sup> November 2024; and
- b) confirm the proposed project plan to achieve transfer of ownership of the Precinct to the Southern Midlands Council.

#### BACKGROUND

Council, at its last meeting held in October 2024, resolved to:

- a) *note and approve the proposed amendments to the ‘Terms of Reference’ for the Bagdad Community Precinct Management Committee; and*
- b) *acknowledge that a community meeting is to be held (date to be confirmed), which will be jointly convened by the BCC Management Committee and Council for the purpose of informing the community regarding the proposed transfer of ownership of the Precinct to the Southern Midlands Council and the terms associated with the transfer;*

Prior to that, at its Meeting held in February 2024, Council resolved as follows:

*“THAT:*

- a) *The information be received;*
- b) *Council agree ‘in-principle’ that ownership of the Bagdad Community Club property should be transferred to the Southern Midlands Council for the following reasons:*
  - a. *In the absence of any substantial Council owned property in this area, with Council investment it is ideally positioned to provide for the long-term needs of the community in terms of community and sporting infrastructure; and*
  - b. *Council ownership of the property provides a more sustainable management structure with the intention to establish a Special Management Committee under the provisions of the Local Government Act 1993 to ensure and maintain local community input (the Committee include a representative from each user group)*
- c) *‘In-principle’ agreement to receive ownership includes a commitment that the property would be classified as ‘Public Land’ (as defined in the Local Government*

- Act 1993) and it is Council's aim to develop the property in accordance with the Master Plan (prepared by Lange Design); and*
- d) *Council, in conjunction with the Bagdad Community Club Management Committee, proceed to undertake the necessary consultation to achieve the objective of transferring ownership; and*
- e) *Following the consultation process, a further report be provided in relation to any issues that may arise and the proposed transition arrangements."*

## DETAIL

Council, in conjunction with the Bagdad Community Club Management Committee, conducted a community meeting held on 24<sup>th</sup> November 2024. Approximately 30 people were in attendance, and were presented with the proposal to transfer ownership and the terms and conditions associate with the transfer. The terms primarily relate to:

- Transfer ownership for a peppercorn amount; and
- Agreement relating to the Terms of reference for the Special Committee that will be established under section 24 of the *Local Government Act 1993*. This Special Committee is focussed on maintaining community involvement and input into the future management and operation of the Precinct.

No person that attended the meeting were opposed to the proposal to transfer ownership.

In terms of where to from here, Councillors may recall that the following process was endorsed by Council at its meeting held in July 2024:

- a) Finalise the roles and responsibilities of the Council Management Committee to be established under section 24 of the *Local Government Act 1993* (refer draft attached);

*Note: Section 24 of the Act provides the following:*

### **24. Special committees**

- (1) *A council may establish, on such terms and for such purposes as it thinks fit, special committees.*
- (2) *A special committee consists of such persons appointed by the council as the council thinks appropriate.*
- (3) *The council is to determine the procedures relating to meetings of a special committee.*
- b) Seek formal agreement of these terms and conditions with the BCC Management Committee. This stage would include an information update to the community;
- c) Call for expressions of interest from within the community to be representatives on the Council Management Committee. Council to formally appoint;
- d) Prepare Contract for transfer of ownership and finalise;
- e) Obtain fresh valuation of the property which will be required for the purpose of calculating stamp duty payable on the transfer of ownership;
- f) Prepare / amend the Lease agreements that are currently in place (i.e. Zelda's Bar & Bistro; Bagdad Child Car Centre; and the Bagdad Golf Club Inc.); and
- g) Following formal transfer of ownership, provide ongoing support to the Management Committee to progress the identified priorities.

Steps (a) and (b) have now been completed.

Prior to progressing with the remaining steps, it would be appropriate for the Management Committee of the Bagdad Community Club Inc. to record a further decision at its next meeting to confirm its decision to transfer ownership having reached agreement on the terms conditions and consulted the community with no adverse feedback.

**Human Resources & Financial Implications** – An indicative operational budget (under Council ownership) was provided to the Council Meeting held July 2024. However, this may be irrelevant given that an application for significant funding has been submitted under the Government’s Growing Regions Program. If successful, the Budget will be consistent with the Business Plan prepared in association with the above application.

A copy of the Business Plan is included as an attachment.

**Community Consultation & Public Relations Implications** – Refer detail provided.

**Policy Implications** – N/A

**Priority - Implementation Time Frame** – The transfer of ownership will be progressed as a priority.

## RECOMMENDATION

**THAT:**

- a) **The information be received; and**
- b) **Council acknowledge the remaining steps to secure ownership of the property will be progressed accordingly.**

## DECISION

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

**THAT:**

- a) **The information be received;**
- b) **Council acknowledge the remaining steps to secure ownership of the property will be progressed accordingly; and**
- c) **Council arrange to brief Rebecca White MP as the recently announced candidate for the federal seat of Lyons.**

## 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	✓	



## 15.7 Environmental Sustainability

**Strategic Plan Reference 3.7**

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

Nil.

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

### 16.1 Community Health and Wellbeing

**Strategic Plan Reference 4.1**

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

### 16.2 Recreation

**Strategic Plan Reference 4.2**

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

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

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

**Date:** 4 DECEMBER 2024

**Enclosure(s):**

*Constitution of the Woodsdale Recreational Community Centre 'Wallaby Park' Management Committee*

### ISSUE

To provide Council with an update in response to the offer provided to the 'Woodsdale Recreation & Community Hub Inc.' regarding the possible transfer of ownership of the Woodsdale Recreation Ground to that organisation.

### BACKGROUND

Reference is made to the decision made at the Council Meeting held 23<sup>rd</sup> October 2024. The following is an extract from the Minutes:

**"THAT:**

1. 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.*
2. *This offer must be accepted (or rejected) ‘in-principle’ by no later than 30<sup>th</sup> November 2024 or the offer is to be withdrawn and Council will then determine the preferred method of disposal at that time; and*
3. *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.”*

## **DETAIL**

Councillors are advised that the following Email (address to the General Manager) was received on 25<sup>th</sup> November 2024:

*“Good Afternoon*

*The Woodsdale Recreation & Community Hub Committee are willing to accept the offer of taking ownership of the Woodsdale Recreation Ground.*

Thank you  
Geoff Young  
Toni Cowle”

This Email was acknowledged together with a request to provide the names of all Committee Members. A response had not been received at the time of finalising the Agenda.

Note: A search of the Incorporated Association System confirms that the Name ‘Woodsdale Recreation & Community Hub Inc.’ has been submitted however an Incorporation Number has yet to be allocated. This probably indicates that the application is still being assessed. In addition, the ASIC ‘Organisation and Business Names Register’ does not include any reference to the ‘Woodsdale Recreation & Community Hub Inc.’

The above search does provide access to a copy of the Constitution (as submitted) and in particular, it is noted that the Dissolution Clause is inconsistent with the offer determined by Council.

The WR&CH Inc. Constitution states:

### **13. DISSOLUTION**

- (a) In the event of the dissolution of the Committee all funds and assets shall be sold with the funds donated to local non-for-profit organisations at the discretion of the Committee.

Council’s offer specified the following:

- *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.*

Whilst Council’s interest specifically related to the property (as opposed to any other funds that the Association may have accumulated), the existing wording of the Dissolution Clause does not require any funds to be returned to Council. Although it does stipulate that the funds will be donated to ‘local not-for-organisations’.

### **Timeframes**

Having accepted the offer ‘in-principle’, the second milestone aims to finalise the transfer of ownership by the end of April 2025 (unless an extension of time is mutually agreed by the parties).

The transfer of ownership is however dependent on the newly Incorporated Association providing 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.”

### **Sale and Disposal of Public Land Process**

In relation to the ‘Sale and disposal of Public Land’ process, Council will recall the decision made (by absolute majority) at its meeting held 25<sup>th</sup> September 2024:

“*THAT:*

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

The notice of intention to sell public land was published in the Mercury newspaper on two occasions and a copy of the notice was displayed on the boundary of the property.

At the end of the 21 day objection period, no objections or representations were received.

In accordance with section 178 of the *Local Government Act 1993*, Council is now in a position that it may sell, lease, donate, exchange or otherwise dispose of this public land.

Under this proposal, Council is effectively donating the land. Based on the recent government valuation of \$60,000 for the entire property, this would be the amount recognised as a donation to the organisation and reported in Council’s Annual Report.

Having said that, any decision to confirm transfer of ownership may be premature at this point, pending confirmation that the terms and conditions associated with the transfer of ownership can be satisfied by the ‘Woodsdale Recreation & Community Hub Inc.’

### **Development Application**

The remaining issue relates to the need for the Woodsdale Recreation & Community Hub Inc. to submit a Development Application. This will be necessary to confirm the actual conditions that would be included in any Development Approval, and hence, determine what the compliance requirements will be.

As this is a pre-requisite to the transfer of ownership, it follows that the Southern Midlands Council, as the property owner at the time of lodgement, will need to provide consent for the lodgement of the Development Application (i.e. sign the application form).

As a final comment, recognising that the Southern Midlands Council is the owner of the property and there have been extended discussions over a considerable period of time, it is

suggested and recommended that any Development Application be referred for external assessment and report (as opposed to being assessed internally by Council officers).

**Human Resources & Financial Implications** – refer comment above.

**Community Consultation & Public Relations Implications** – refer comment above.

**Policy Implications** – N/A.

**Priority - Implementation Time Frame** – Refer milestones mentioned in the report.

## **RECOMMENDATION**

**THAT:**

1. the information be received and noted;
2. Council specifically seek an amendment to the ‘Dissolution Clause’ contained within the Woodsdale Recreation & Community Hub Inc. Constitution to clearly state that the net proceeds from the disposal of the property (i.e. land and buildings) be returned to the Southern Midlands Council for re-distribution within the local community; and
3. Council recommend to the WR&CH Inc. Committee that it review the entire Constitution to:
  - A) Correct a number of issues, including (but not limited to):
    - i. Inconsistency regarding the name of the Association and the property;
    - ii. spelling errors
    - iii. delete reference to the Southern Midlands Council (and Council’s Facilities & Recreation Committee) when there is no need;
  - B) reconsider the suitability of the Constitution for this type of organisation given that it appears to have been based on the ‘Terms of Reference’ normally used for a Special Committee of Council.

## **DECISION**

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

**THAT:**

1. the information be received and noted;
2. Council specifically seek an amendment to the ‘Dissolution Clause’ contained within the Woodsdale Recreation & Community Hub Inc. Constitution to clearly state that the net proceeds from the disposal of the property (i.e. land and buildings) be returned to the Southern Midlands Council for re-distribution within the local community; and
3. Council recommend to the WR&CH Inc. Committee that it review the entire Constitution to:
  - A) Correct a number of issues, including (but not limited to):

- i. Inconsistency regarding the name of the Association and the property;**
  - ii. spelling errors**
  - iii. delete reference to the Southern Midlands Council (and Council’s Facilities & Recreation Committee) when there is no need;**
- B) reconsider the suitability of the Constitution for this type of organisation given that it appears to have been based on the ‘Terms of Reference’ normally used for a Special Committee of Council.**
- C) Council inform the Committee that the Tasmanian Government’s CBOS Website contains Model rules for an Incorporated Association that may be more suitable for this organisation and can easily be adapted.**

**CARRIED**

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

**ENCLOSURE**  
*Agenda Item 16.2.2*

**CONSITIUTION  
OF THE  
WOODSDALE RECREATIONAL  
COMMUNITY CENTRE  
'WALLABY PARK'  
MANAGEMENT COMMITTEE**

**Approved at the Annual General Meeting  
Held on 29th October 2024**



**At the Woodsdale Recreation Ground**

**CONSTITUTION OF THE**

**WOODSDALE RECREATION & COMMUNITY HUB**

**MANAGEMENT COMMITTEE**

**1. INTERPRETATION**

In this Constitution unless otherwise stated: -

**“The Council”** shall mean the elected Council of the Southern Midlands.

**“The Committee”** shall mean the Committee of Management of the **Woodsdale Recreation & Community Hub**

**“The Premises”** shall mean the property known as the **Woodsdale Recreation Ground “Wallaby Park”, situated at 2578 Woodsdale Road, Woodsdale**

**2. OBJECTS**

The objects of the Committee shall be: -

- (a) To manage the use of the premises
- (b) To actively encourage diversity in community use of the premises and its facilities
- (c) To make sure rules not inconsistent with this Constitution as may be deemed necessary for the purpose of administration and control of the premises
- (d) To develop, upgrade and maintain the premises and its facilities for the benefit of the whole community irrespective of race, religion, gender, sexual orientation, or disability  
N.B. Maintenance includes the day-to-day maintenance of the internal fabric of the premises, e.g., cleaning, caretaking, replacement of defective electric light globes, plumbing, painting, fire maintenance checks, repairs to electrical appliances, equipment, and furniture, etc
- (e) To raise funds for the purposes of meeting expenditures by the Committee for the operation of the premises
- (f) The Committee shall be non-political and non-sectarian

### 3. POWERS AND OBLIGATIONS

#### 4. OFFICE BEARERS

(a) The Committee shall be comprised of the following Office Bearers:

- 1- President
- 2- Vice President
- 3- Secretary
- 4- Treasurer

In the event that no nominations are received for the general membership categories in any given year then it shall be valid for that position to remain vacant without impact on the constitutional powers of the Committee

(b) Offices Bearers will be elected on an annual basis

(c) Only members elected to the Committee shall have the power to vote on the Committee

(d) Only persons being 18 years of age, or more are eligible for election as Office Bearers on the Committee

#### 5. DUTIES OF THE OFFICE BEARERS

The duties of the Office Bearers shall include:

##### **PRESIDENT**

The President may chair all meetings of the Executive, the Committee and General Meetings unless he/she chooses not to. The President shall be responsible for the efficient management of the premises within the objects of this constitution. The president shall issue all public statements on behalf of the Committee. The president shall prepare:

The Annual Report of the Committee comprising a report on the achievements of the previous year, as well as the aims and objectives of the Committee in the year head.

##### **VICE PRESIDENT**

The Vice President shall chair meetings of the Executive, the Committee and General Meetings should the President be absent or should the President choose not to chair the meeting. The Vice President shall assist the President with his/her duties.

**SECRETARY**

The Secretary shall keep the minutes of all meetings of the Executive, the Committee and General Meetings. The Secretary shall forward a copy of all minutes to Committee members for information and endorsement of recommendations where appropriate. The Secretary shall be responsible for correspondence and any other duties as delegated by the Committee. The Secretary shall submit a report on the maintenance needs of the premises (i.e., external structural maintenance, general maintenance, and grounds maintenance) to Councils Facilities & Recreation Committee by no later than 30<sup>th</sup> April, each year.

**TREASURER**

The Treasurer shall keep the books of account of the Committee. The Treasurer shall: -

- (a) Receive and bank all subscriptions and other monies paid to the premises into an account opened in the name of the Committee
- (b) Make all authorised disbursements on the Committees behalf
- (c) Keep proper accounts and records of all sums of money received and expended by the Woodsdale Recreational Community Centre and the matter in respect of which the receipt or expenditure takes place, and of the credits and liabilities of the Woodsdale Recreational Community Centre
- (d) Produce a list of accounts for payment including the most recent bank statement at each Committee Meeting and each General Meeting
- (e) Present accounts for payment to the Committee at meetings
- (f) Produce all books, receipts, and accounts to the Committee for audit at the end of each financial year
- (g) The Treasurer shall submit a full report on the financial accounts to the Committee by no later that 15<sup>th</sup> August each year
- (h) Subject to any reasonable restrictions as to the time and manner of inspection, these accounts shall be open to inspection by members of the Committee

#### **GENERAL MEMBER**

General Members of the Committee shall attend Committee Meetings, serve on Subcommittees as appropriate and perform any duties as delegated by the Committee.

### **6. TERMINATION OF OFFICE BEARERS**

- (a) Any person elected to the position of office bearer in the Committee shall hold office until their successor is elected
- (b) The Committee may seek to expel any member of the Committee whose conduct in the opinion of the Committee is discreditable or injurious to the character or interests of the Committee
- (c) The position of any elected Office Bearer shall be automatically deemed vacant if that person is absent without leave of absence for three (3) consecutive Committee Meetings
- (d) Any member may resign from the Committee. Such resignations must be in writing and forwarded to the Secretary

### **7. ORGANISATIONAL STRUCTURE**

#### **(a) COMMITTEE**

The Committee shall be responsible for the day-to-day management of the premises within the objects of this Constitution. The Committee shall meet on a 3 monthly basis unless otherwise determined by the Committee. All elected members of the Committee of this Constitution may vote at Committee Meetings.

#### **(b) EXECUTIVE**

The Executive shall be: -

- i) The President or in the Presidents absence or unavailability of the Vice President
- ii) The Secretary
- iii) The Treasurer

Meetings of the Executive shall be held as determined by the President. The Executive shall have the power to make any necessary administrative decisions

between normal Committee Meetings. Any such decisions or actions taken by the executive shall be reported at the next meeting of the Committee. Provided always that any major decisions must be referred to the full Committee for consideration and decision.

A quorum for the decisions made by the Executive shall comprise at least two members of the Executive including either the President or in the Presidents absence or unavailability the Vice President

(c) SUBCOMMITTEES

The Committee may appoint Subcommittees for a specified purpose. Any user or resident may be appointed by the Committee as a member.

The Convenor of a Subcommittee shall be a Committee Member and shall report to the Committee on the activities and decisions of the Subcommittee. The President or in his/her absence the Vice President shall be an ex-officio member of all Subcommittees.

## **8. MEETINGS**

(a) ANNUAL GENERAL MEETING

- i) The Annual General Meeting shall be held on or between the 1<sup>st</sup> and 31<sup>st</sup> day of October each year on such a day as determined by the committee. Advice of the Committees determination is to be provided to all committee no later than the 15<sup>th</sup> September each year. Club Secretary shall notify the public by an advertisement online and in the Southern Midlands newspaper. Members of the committee shall be given notice in writing at least fourteen days prior to the meeting. Proof of posting and notice of meeting shall be deemed sufficient notification;
- ii) Any resident of the Southern Midlands or Volunteer is entitled to attend and is entitled to vote at the Annual General Meeting;
- iii) The Annual General Meeting shall deal with the following items of business:
  - Presentation of the Annual Report

- Presentation of the audited Annual statement of accounts and balance sheet
- The election of office bearers
- Any general business

(b) SPECIAL GENERAL MEETING

- i) A Special General Meeting may be called for any specified purpose by the committee;
- ii) The President of the Committee shall be the chairperson at all special general meetings. Should the President not be present within 10 mins of the time appointed for holding the meeting then the Vice President or Secretary shall take the chair. In absences of both the Vice President or Secretary the meeting shall be cancelled and another time arranged.
- iii) A special general meeting shall not deal with any business other than that specified.

(c) COMMITTEE MEETINGS

- i) The Committee shall meet at least once each 3 calendar months unless otherwise determined for the purpose of
  - Confirming the minutes of the previous meeting
  - The payment of accounts
  - Correspondence and
  - General business
- ii) If on account of circumstances beyond the control of the Committee an Annual General Meeting cannot be held, the committee shall carry on until such time as an Annual General Meeting is held
- iii) In the event of a vacancy occurring during the year the Committee shall have the power to appoint a new member for the unexpired term of the member
- iv) Should the committee be unable to fill the vacancy then it may convene a Special General Meeting for the purpose of filling such vacancy
- v) The committee shall have the power to adjourn and otherwise regulate its meetings as it deems fit. Any three members shall have the power to

call a meeting of the committee. The President of the committee with take the chair at all such meetings.

- vi) All notices of committee meetings shall unless extreme urgency arises, be in writing to members at least seven days after the meetings.
- vii) The committee shall have the power to delegate any of its powers to a subcommittee or delegates to deal with any matter or matters upon such terms as the committee may think fit except the power to expend the funds of the Management Committee.

## **9. ELECTIONS**

- (a) The office bearers shall be elected at the Annual General Meeting and shall hold office until the next Annual General Meeting notwithstanding that a Special General Meeting may be called for the purpose of electing a new Committee or Member thereof.
- (b) A returning officer may be appointed by the Annual General Meeting or Special General Meeting called for the purpose of the election of office bearers.

## **10. POWERS OF THE COMMITTEE**

- i) The Committee retains the right to refuse admission to anyone who misbehaves or misuses the premises or equipment
- ii) The business and affairs of the premises shall be under the management of the Woodsdale Recreational Community Centre Committee.
- iii) The committee may, subject to the constitution and rules, exercise the powers required to do such things to which it considers necessary or expedient to carry out the objects of the committee
- iv) The committee may make rules binding on all users of the premises provided that before such rule takes effect a copy of the proposed rule is displayed on the notice board of the premises and the Facebook page for at least 28 days. Anyone has the right to object to the rule before the expiration of the 28 days and all objects shall be considered by the committee
- v) The committee may at any time rescind or amend a rule after giving 28 days' notice, except in cases of urgency when execution will be immediate

## **11. FINANCE**

- (a) All monies raised by, for or otherwise on behalf of the Committee (including subcommittees) shall be used solely for the premises needs and shall be deposited in Bank Accounts maintained for the purpose of the committee.
- (b) The treasurer shall maintain a cheque account.
- (c) The Secretary may maintain a gate, canteen and bar cash float of up to \$250 each.
- (d) The financial year shall commence on 1 July. The Annual statement of accounts and Balance sheet shall be prepared by the treasurer and audited prior to the Annual General Meeting.
- (e) A financial statement shall be prepared quarterly (30 Sept, 31 Dec and 31 March) and presented to the next appropriate Committee Meeting.
- (f) An appropriate independent shall audit the Balance Sheets and Statements of receipts and expenditure at the end of each financial year unless it is determined otherwise.

## **12. THE CONSITUTION**

- (a) This constitution may be amended at an Annual General Meeting providing that the amendments are presented to the Secretary in writing by no later than two days prior to the Annual General Meeting
- (b) This constitution may be amended at a Special General Meeting if it is called specifically for that purpose.
- (c) A motion to amend the constitution must receive the support of no less than 75% of those present and eligible to vote.
- (d) This shall be the only constitution of the Management Committee. The Secretary shall supply a copy of this constitution to any member of the committee upon request.

## **13. DISSOLUTION**

- (a) In the event of the dissolution of the Committee all funds and assets shall be sold with the funds donated to local non-for-profit organisations at the discretion of the Committee.



### 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 Policy Development - Body Worn Camera (BWC) (Draft)**

**Author:** MANAGER COMMUNITY & CORPORATE DEVELOPMENT (WENDY YOUNG)

**Date:** 3 DECEMBER 2024

**Enclosure:**

*Closed Circuit Television (CCTV) Policy*

#### **ISSUE**

The introduction of body worn cameras for staff of the Southern Midlands Council.

#### **BACKGROUND**

The Southern Midlands Council continually strives to provide the safest possible working environment. The introduction of body worn cameras (BWC) for Council staff (where deemed appropriate and necessary) further contributes to this commitment.

The primary purpose of a BWC is to securely capture and store quality evidence via audio and/or visual recording.

#### **DETAIL**

This policy provides a framework for Council staff on the correct use of BWC and requirement required by legislative on the data captured by the device.

BWC is an additional tool and used as supporting evidence, and does not replace existing requirements, procedures or policies in respect of recording statements or declarations.

Access to and use of recorded material will be in accordance with Council's Closed Circuit Television (CCTV) Policy.

This is the first reading of the draft Policy.

#### **RECOMMENDATION**

##### **THAT Council:-**

- 1. The information be received; and**
- 2. Consider the draft Body Worn Camera Policy, with formal adoption at January 2025 Council Meeting.**

**DECISION**

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

**THAT:**

- 1. The information be received; and**
- 2. Consider the draft Born Worn Camera Policy, with formal adoption at January 2025 Council Meeting.**

**CARRIED**

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

**ENCLOSURE**  
*Agenda Item 17.1.1*



Council Policy  
**BODY WORN CAMERA POLICY**

Approved by: Council  
Approved date: Insert date  
Review date: Insert date

**1. PURPOSE**

The Southern Midlands Council continually strives to provide the safest possible working environment. The introduction of body worn cameras (BWC) for Council staff (where deemed appropriate and necessary) further contributes to this commitment.

The primary purpose of a BWC is to securely capture and store quality evidence via audio and/or visual recording.

**2. OBJECTIVE**

The Policy's objectives are to ensure:

- The correct use of BWC by staff of the Southern Midlands Council.
- That all staff that have access to either the BWC equipment or the data contained within, or captured by the device, comply with legislative and policy requirements.

**3. SCOPE**

Council employees may commence BWC recording in the following circumstances unless there are legal reasons not to do so:

- When an employee could be reasonably expected to act in an enforcement capacity;
- When an employee decides to use statutory powers;
- Prior to entering any privately owned land, including building, in order to search those premises;
- When an employee believes an interaction presents, or is likely to present a risk to the safety of the employee or other person

Employees are not required to verbally announce the fact that they are recording an interaction, however may use their discretion to do so. Making a verbal announcement may, in some circumstances, assist to calm a volatile situation.

**4. POLICY**

When responding to an incident involving contact with a member of the public, in line with policy requirements, employees should commence recording at the earliest possible opportunity in order to maximise the opportunities to capture evidence. Best practice should involve activation of recording shortly before arriving at the destination. The decision to stop recording rests with the individual employee. However, employees should be satisfied that, in making the decision to stop recording, the risk of not capturing evidential material is minimised.

BWC is an additional tool, and does not replace existing requirements, procedures or policies in respect of recording statements or declarations.



Council Policy  
**BODY WORN CAMERA POLICY**

Approved by:  
Approved date:  
Review date:

Council  
Insert date  
Insert date

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Council employees must be conversant with relevant legislation, including relevant provisions of the *Listening Devices Act 1991 (Tas)*.

Employees should be aware recording in the following situations may require additional consideration and assessment by an employee prior to recording:-

- Near a public toilet block or public changing room facilities
- At a childcare centre or school
- Recording conversations and other activities within Council facilities unless authorised to do so.

At the conclusion of use, the employee in the possession of the BWC device must:

- a) dock the device in the supplied docking station for charging and data upload;
- b) ensure all measures are taken to protect the security and integrity of evidence;
- c) appropriately tag and categorise captured BWC footage as soon as practicable; and
- d) ensure that the BWC device is fully charged at all times and the security and integrity of the BWC device is maintained at all times.

BWC recordings do not replace the need for formal written statements from complainants and witnesses, but shall rather be used as supporting evidence for written statements and other evidence obtained.

The admissibility of evidence obtained by a BWC is subject to the provisions, exceptions and limitations imposed by the *Evidence Act 2001 (Tas)* and relevant case law.

Access to and use of recorded material will be in accordance with Council's Closed Circuit Television (CCTV) Policy.

Members of the public requesting access to BWC footage will have the release dealt with under the current requirements of the *Right to Information Act 2009 (Tas)*. BWC footage is considered 'information' pursuant to the *Right to Information Act 2009 (Tas)* and as such, all footage captured by a BWC device is subject to the disclosure and protection provisions specified under that Act.

## 5. LEGISLATION

*Local Government Act 1993 (Tas)*.  
*Dog Control Act 2000 (Tas)*.  
*Listening Devices Act 1991 (Tas)*.  
*Evidence Act 2001 (Tas)*  
*Right to Information Act 2009 (Tas)*.

## 6. RELATED DOCUMENTS

Closed Circuit Television (CCTV) Policy



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Council Policy  
**BODY WORN CAMERA POLICY**

Approved by: Council  
Approved date: Insert date  
Review date: Insert date

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**7. DOCUMENT ADMINISTRATION**

This Instruction is a managed document and is to be reviewed every <INSERT> or as directed by the General Manager.

This document is Version X.X effective XX-XX-XXXX. The document is maintained by <INSERT DEPARTMENT>, for the Southern Midlands Council.

## 17.1.2 Policy Development – Private Works Policy (Draft)

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

**Date:** 5 DECEMBER 2024

**Enclosure(s):**

*Private Works Policy (Draft)*

**Attachment(s):**

*Tasmanian Audit Office – Report of the Auditor General No 3 of 2023-2024 (Private Works undertaken by councils)*

### ISSUE

Adoption of Policy relating to the undertaking of private works.

### BACKGROUND

The Tasmanian Audit Office has recently undertaken a performance review relating to private works undertaken by Councils.

A copy of the Report is included as an attachment.

The review evaluated the following criteria:

1. Are private works processes transparent and consistent?
  - Have councils established policies and/or practices to manage private works?
  - Are decisions to undertake private works consistent and/or compliant with policies and procedures?
  - Is a dispute resolution process in place?
  - Do councils manage conflicts of interest in relation to private works?
2. Were councils' private works fees and processes compliant with relevant legislative requirements?
  - Have councils established transparent fees and charges schedules?
  - Have councils complied with the National Competition Policy?

### DETAIL

The report contains a number of findings and recommendations (applicable to all or most Councils):

- 1) Councils that undertake or may undertake private works establish private works policies that:
  - i. are publicly available
  - ii. establish clear and transparent decision-making processes
  - iii. outline or reference existing dispute resolution and conflict of interest policies.

- 2) Councils implement appropriate controls to ensure compliance with private works policy requirements.
- 3) Councils that undertake or may undertake private works establish a list of fees and charges and make these available for public inspection.
- 4) Councils apply the Competitive Neutrality Policy and associated guidance to their private works activities. This includes regularly documenting their reasoning as to whether private works is a significant business activity.

Specifically in relation to the Southern Midlands Council, the report includes the following references:

- Approximate private works revenue in 2021-22 of \$370,000 (\$168K revenue from other government entities & \$202K from private entities)
- Private works policies and process – one of thirteen councils which undertook private works and had other procedures, forms, or other policies for the management of private works, although these did not fully meet our expectations.

*Central Coast, Derwent Valley, Dorset, Sorell, Northern Midlands and Southern Midlands Councils had internal forms which were not sufficient for various reasons. While Central Coast, Derwent, and Northern Midlands forms required approval by a council officer, they were not accompanied by a policy outlining who had delegation to approve private works. Dorset, Sorell, and Southern Midlands forms did not require approval. Derwent Valley did not fully complete the form for the one private works project it undertook.<sup>31</sup> Dorset, Northern, and Southern Midlands did not complete a form for all tested private works projects.*

- Decision-making processes – one of eight councils who were not fully compliant with internal or publicised decision-making processes.

The Southern Midlands Council had internal forms which were not sufficient for various reasons. Firstly, they did not require approval and secondly, a form was not available for all tested private works projects.

### **Compliance with the *Local Government Act 1993* and the National Competition Policy**

Councils had largely not complied with the 2 key compliance requirements relevant to private works in the 2021-22 financial year.

#### ***Local Government Act 1993* compliance**

The *Local Government Act 1993* requires councils to establish a list of fees and charges for private works, which must be made available for public inspection.

Eleven had some combination of approved fee schedule or documented method for calculating private works charges, but they were not applied consistently or did not cover all the kinds of private works being undertaken.

Five councils – Brighton, Central Highlands, Flinders, King Island and Southern Midlands Councils – had established a fee schedule which covered and was applied to some private works projects. However, the schedule did not cover all private works projects.



### **National Competition Policy compliance**

Tasmania's Competitive Neutrality Policy requires councils to consider whether their activities constitute significant business activities. The national competition principles should be applied to significant business activities unless there is sufficient public interest in not applying the principles. Guidance from the Department of Treasury and Finance requires councils to document their reasoning as to whether an activity could be a significant business activity, given the judgement involved in making this determination. No council had documented its reasoning as to whether its private works were a significant business activity.

All 29 councils that undertook private works had not documented their consideration of whether these works constituted a significant business activity.

### Discussion

In the first instance, a draft 'Private Works Policy' has been drafted which is aimed at addressing the majority of the recommendations within the report.

In respect to the compliance with the National Competition Policy, Councillors will note that the draft Policy indicates that all private works undertaken by council will be evaluated and assessed against the principles of competitive neutrality as outlined by the Department of Treasury and Finance. This is an interim position whilst a more formal assessment is being undertaken and a further report will be submitted to the Audit Panel.

In respect to the fees schedule, it is not practical to document a fee for each type of activity that may be undertaken given the variables involved. It follows that the fee will be based on the following calculation:

- Actual wages, plus 45% on-costs
- Plant & machinery – nominated charge rate which applies to all Council works
- Actual cost of Materials (if applicable)
- Actual cost of subcontractors (if applicable)
- Actual cost of any sundry items
- All of the above costs are then sub-totalled and a 20% administration charge is applied;
- GST is then applied to the amount inclusive of the administration charge.

### **RECOMMENDATION**

#### **THAT:**

- a) The report be received and noted; and**
- b) In accordance with Council's Policy making process, the draft Private Works Policy be tabled and considered for formal adoption at the next meeting.**

**DECISION**

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

**THAT:**

- a) The report be received and noted; and
- b) In accordance with Council’s Policy making process, the draft Private Works Policy be tabled and considered for formal adoption at the next meeting.

**CARRIED**

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

**ENCLOSURE**  
*Agenda Item 17.1.2*



Council Policy  
**PRIVATE WORKS - POLICY**

Approved by: Council  
Approved date:  
Review date:

**1. PURPOSE**

The purpose of this policy is to provide a framework for performing private works that is applicable to everyone, transparent, objective and consistent.

**2. SCOPE**

This policy applies to any work undertaken by the Southern Midlands Council upon agreement with a landowner, on private lands and/or public lands which is outside the responsibility of Council. This policy applies to hire of Council resources such as items of plant and equipment (P&E) and/or other goods and services that council may provide.

**3. OBJECTIVES**

The Council's objective is to:

- a) have a consistent and transparent approach in the provision of private works and associated costs for the work; and
- b) ensure that the Council undertakes private works that is consistent with anti-competitive requirements of the *Trade Practices Act 1974* and the no advantage requirements of the *Local Government Act 1993*.

**4. POLICY**

Priority for use of Council's plant, equipment, labour and other resources is to be given to Council's own work program at all times, before entering into a private works arrangement. It is Council's preference that all private works be undertaken by private contractors in the first instance.

Council reserves the right to refuse a request for private works if it is deemed to be outside of Council's capabilities, resource availability or for any other reason deeming the works unachievable by Council.

**Major Private Works**

Major Private Works will only be considered in the following circumstances:

- There is no private contractor available to undertake the work; and
- The project would be of strategic economic, social or environmental benefit to the community; and
- The Staff and Council have the capacity to engage in the project; and
- It may provide a valuable training opportunity for the Staff.

Major Private Works with an estimated valued over and above \$20,000 (excl. GST) will require the consent of Council by resolution.

### **Minor Private Works**

Minor Private Works with an estimated valued at or below \$20,000 (excl. GST) will require the consent of the relevant Department Manager

### **Plant Hire**

- Council will not hire plant without an approved Council operator and in accordance with this Policy.
- Council is responsible for the payment of Council operators engaged on private works. No other payment arrangements are permissible.
- Where Council agrees to undertake Private Works and the works are not on private property engaged directly by the land owner, the hirer shall have adequate public liability insurance to cover the activities of the hired plant. Evidence for that insurance and permission of the land owner must be provided to Council prior to commencement of the works.

### **Scope of Works**

- A scope of works is to be included with estimates and quotes for all private works.
- The scope of works for Minor Private Works must be clearly outlined, including the works to be undertaken, permits required, estimated quantities of materials to be used and a timeframe in which the work is to be carried out.
- All scopes of works for Major Private Works must include design drawings, specifications where appropriate and all permits required to be provided to Council prior to commencement of works.

### **Costings**

- Where a Major Private Works project has been approved, it is desirable that the project be undertaken on a 'do and charge' basis with an agreed schedule of rates provided prior to the commencement of works.
- Where a Major Private Works has been approved, and a quotation is to be provided, then the quotation must be in writing and must be accepted by the applicant in writing prior to the commencement of works. A quotation shall be valid for 30 days only, after which an updated quotation will be provided on request.
- Where a Minor Private Works project has been approved, an estimate of costs will be provided.
- All estimates and quotes provided are GST exclusive.
- Hire rates for Council plant must comply with Council's external plant hire rates.
- A minimum charge rate of one (1) hour plant hire for each machine engaged will apply to private works.
- Hourly rates for staff must include on-costs for wages.
- Where plant / equipment is hired outside of normal working hours, the applicant will be charged the operator time or penalty rates as prescribed in the relevant Award and Council's Enterprise Agreement.

- All private works fees are to be charged based on the following formula, unless a variation is approved by the General Manager due to special circumstances:
  - Actual wages, plus 45% on-costs
  - Plant & machinery – nominated charge rate which applies to all Council works
  - Actual cost of Materials (if applicable)
  - Actual cost of subcontractors (if applicable)
  - Actual cost of any sundry items
  - All of the above costs are then sub-totalled and a 20% administration charge is applied;
  - GST is then applied to the above amount which is inclusive of the administration charge.
- Quotations may include a contingency.
- Variations to scope may incur additional charges to the original quote and must be agreed to in writing by both parties before commencing the additional works.

#### **Council Employees, Elected Members, Volunteers, Consultants and Contractors**

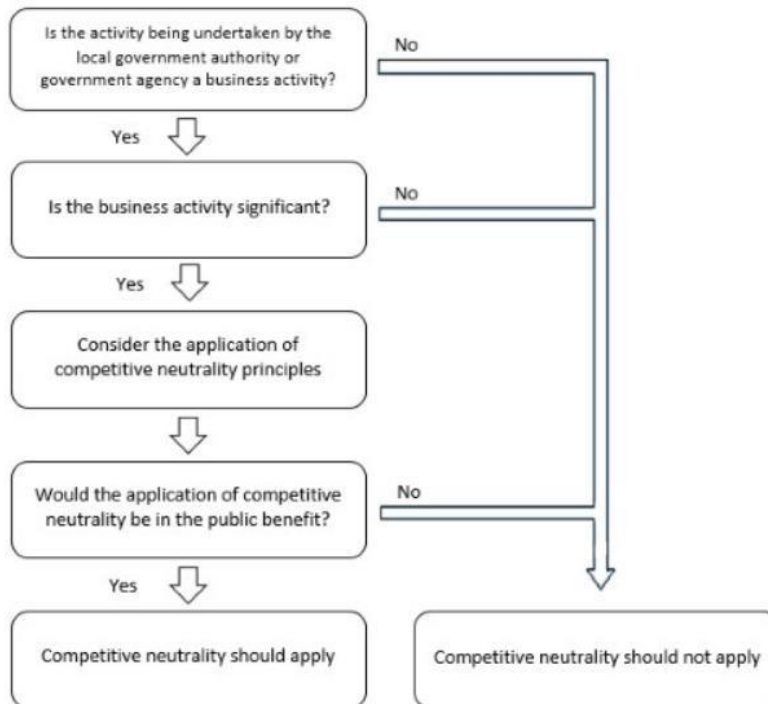
- Council employees, elected members, volunteers, consultants and contractors must pay the same rates and charges for private works that would apply to anyone else.
- All other rules contained within this policy also apply to any Council employees, elected members, volunteers, consultants and contractors requesting private works.
- Council employees, elected members, volunteers, consultants and contractors must not gain an advantage over the general public; for example, they cannot get an advantage in relation to GST, or purchase items on Council's accounts to gain a corporate discount.
- Council employees, elected members, volunteers, consultants and contractors will not receive favorable payment terms.
- Applications for private works for Council employees, elected members, volunteers, consultants and contractors must be approved by the General Manager or a Department Manager (*refer to Internal Private Works Request form*).
- Applications for private works for Department Managers or the General Manager require the approval of Council.

#### **Payment**

- Upon completion the relevant Department Manager will arrange for the private works to be invoiced.
- Payment terms are 30 days.
- The applicant is responsible for paying the invoiced amount in full by the due date.
- A deposit or milestone payment maybe required for Major Private Works.

### Competitive Neutrality

All private works undertaken by the council will be evaluated and assessed against the principles of competitive Neutrality as outlined by Treasury and the Office of the Tasmanian Economic Regulator (OTTER). These key principles will determine whether proposed private works are constituted as a significant business activity and therefore competitive neutrality should apply. Where competitive neutrality does apply the Council will document their reasoning behind taking on the proposed works.



### Dispute Resolution

Council recognises the importance of dispute management as part of its quality customer service and its core business of serving the community. Members of the public have various avenues to raise issues with Council and will be actively supported during this process.

Whilst most problems can be resolved through initial communication with Council Officers, there may be occasions where members of the public wish to make a formal complaint. Formal complaints lodged with Council will be assessed in accordance with our Complaints & Grievances Policy.

**5. REVIEW & APPROVAL PROCESS**

**Responsible Officers** – General Manager and Department Managers

**Document Controller** – General Manager

**Disclaimer**

That this policy be read in conjunction with any or all other Council Policies.

DRAFT





**INTERNAL- PRIVATE WORKS REQUEST FORM**

Southern Midlands Council, ABN: 68 653 459 589 of 71 High Street, Oatlands TAS 7120 being the owner of the item(s) of plant, machinery and/or goods listed below, agree to:

- Provide the item of Plant/Machinery and/or Goods in good mechanical and working order and in a safe condition.
- Cover any breakdown of hired plant due to normal wear and tear.

The hirer/purchaser of the plant/goods agrees to:

- Being responsible for any damage or breakage other than reasonable wear and tear.
- Paying for the hire of the plant unless otherwise agreed to by Council.
- Paying for the goods as agreed

<b>Staff Member Name:</b>		<b>Phone Number:</b>		
<b>Property Address:</b>				
<b>Address for invoice:</b> (if different to above)				
<b>Plant Details</b>	<b>Plant No:</b>	<b>Make / Model</b>		
<b>Condition prior to hire:</b>	<b>Hr/Km on Plant</b>	<b>Hourly Rate</b>	<b>Rate per km</b>	
<b>Attachments:</b>				
<b>Authority to hire Plant:</b>	Supervisor Signature: .....Date: .....			
<b>After Hire Inspection Report</b>	In good working order	YES/NO		
<b>Hr/Km on Return:</b>	<b>Comment:</b>			
<b>Supervisor Signature:</b>	<b>Date:</b>			
<b>Hirer Signature:</b>	<b>Date:</b>			

**OFFICE USE ONLY**

**COPY 2 TIMES WHEN COMPLETED**

<b>Date/s of Hire:</b>	<b>Supervisor Signature:</b>	<b>WP No: .....</b>
<b>Date Invoiced:</b>	<b>Invoice No:</b>	<b>Debtors Signature:</b>

\*If prices are indicated, this is only an estimation of works, NOT a quote.

\*\*Where the operator of the item of plant is not being paid by Council and is either volunteering his/her labour or being paid by the hirer, the operator is **not** deemed to be an **employee** of the Council.  
Any damage to, or lost Council property is at the expense of the hirer listed above.



## 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

#### 17.2.1.1 Code of Conduct Determination Report

##### **Southern Midlands Code of Conduct Rick Wilton against Councillor Fraser Miller**

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

**Date:** 6 DECEMBER 2024

**Attachment(s):**

*Code of Conduct Determination Report*

Pursuant to section 28ZK (2) of the *Local Government Act 1993* I have been provided with a copy of a determination report from the Code of Conduct Panel in respect to a complaint lodged by Mr Rick Wilton against Councillor Fraser Miller.

The Act requires that the General Manager to table this at the first meeting of the Council at which it is practicable to do so and which is open to the public. As such, a copy of the determination report is included as an attachment to this Agenda.

### RECOMMENDATION

**THAT Council note the Code of Conduct Determination Report in respect to a complaint lodged by Mr Rick Wilson against Councillor Fraser Miller.**

### DECISION

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

**THAT Council note the Code of Conduct Determination Report in respect to a complaint lodged by Mr Rick Wilson against Councillor Fraser Miller.**

### 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	Abstained	

### **17.2.2 Elected Member Statements**

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

**Mayor E Batt** – 2025 Australia Day Awards – Mayor Batt informed Council that the Selection Committee has met and determined the Award Winners for 2025. Mayor not in a position to publicly announce the winners pending the recipients being formally notified. The Awards Ceremony will be held at the Oatlands Aquatic Centre on 26<sup>th</sup> January 2025 and will involve a Community Barbecue – details to be confirmed.

**Cllr B Campbell** – Parattah Jubilee Hall – the Annual General Meeting for the Parattah Jubilee Hall, being a community owned Hall, has been deferred to mid-February 2025 – date to be advised.

## 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 November 2024)

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

**Date:** 4 December 2024

#### ISSUE

Provide the Financial Report for the period ending 30<sup>th</sup> November 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 2024 to 30 Nov 2024.
- Operating Expenditure Report – 1 July 2024 to 30 Nov 2024.
- Capital Expenditure Report – 1 July 2024 to 30 Nov 2024.
- Cash Flow Statement – 1 July 2024 to 30 Nov 2024.

#### OPERATING EXPENDITURE (OPERATING BUDGET)

Overall operating expenditure to end of November was \$4,051,873 which represents 91.5% 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 (\$53,395 – 117.17%). Additional expenditure relates to increased resources required to address non-compliance issues.

**Strategic Theme – Community**

**Sub-Program – Capacity & Sustainability** - expenditure to date (\$34,096 – 111.63%). Increased expenditure is due to costs relating to the Heritage and Bullock Festival.

**Strategic Theme – Organisation**

**Sub-Program – Sustainability** - expenditure to date (\$1,182,092 – 112.27%). The year to date variance is not related to over expenditure in any particular budget item within Sustainability, but due to the timing of payments. We will continue to monitor expenditure against this Sub-Program.

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

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

**CARRIED**

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

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

	Annual Budget \$	Year to Date Actual \$	%	Comments
<b>Income</b>				
Rates	7,375,148	7,413,087	100.5%	Includes Interest & Penalties on rates
User Fees (refer Note 1)	1,304,313	606,521	46.5%	Includes Private Works
Interest	486,000	234,999	48.4%	
Government Subsidies	11,700	0	0.0%	Heavy Vehicle Licence Fees
Other (refer Note 2)	232,400	330,973	142.4%	Includes TasWater Distributions
<b>Sub-Total</b>	<b>9,409,561</b>	<b>8,585,580</b>	<b>91.2%</b>	
Grants - Operating	4,426,800	392,019	8.9%	
<b>Total Income</b>	<b>13,836,361</b>	<b>8,977,599</b>	<b>64.9%</b>	
<b>Expenses</b>				
Employee benefits	-5,735,244	-1,892,158	33.0%	Less Roads - Resheeting (Capitalised)
Materials and contracts	-3,996,965	-1,879,671	47.0%	Less Roads - Resheeting (Capitalised), Includes Land Tax & Private Works
Depreciation and amortisation	-4,120,000	-1,727,014	41.9%	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	-83,517	48.0%	Audit Fees and Councillor Allowances
<b>Total expenses</b>	<b>-14,318,552</b>	<b>-5,656,778</b>	<b>39.5%</b>	
<b>Surplus (deficit) from operations</b>	<b>-482,191</b>	<b>3,320,821</b>	<b>-688.7%</b>	
Grants - Capital (refer Note 3)	3,905,575	389,680.00	10.0%	
Sale Proceeds (Plant & Machinery)	0	35,545		
Sale Proceeds (Land & Buildings)	0	300,000		
Sale Proceeds (Other Assets)	0	614		
Net gain / (loss on disposal of non-current assets)	0	0		
<b>Surplus / (Deficit)</b>	<b>3,423,384</b>	<b>4,046,660</b>	<b>118.2%</b>	

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

	Annual Budget \$	Year to Date Actual \$	%	Comments
<b>NOTES</b>				
1. Income - User Fees				
- All other Programs	919,613	494,241	53.7%	
- Private Works	384,700	112,280	29.2%	
	<u>1,304,313</u>	<u>606,521</u>	46.5%	
2. Income - Other				
- Tas Water Distributions	182,400	38,000	20.83%	
- Public Open Space Contributions	50,000	25,500	51.00%	
- 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		
- Broadmarsh Hall Loan - as approved by Council	0	70,000		Included in assets as a Sundry Debtor
- Transfer from HBS	0	379		
	<u>232,400</u>	<u>330,973</u>	142.4%	
3. Grants - Capital				
- Roads To Recovery	665,531	0	0.00%	
- Rural & Remote Roads Program	2,673,090	0	0.00%	Interlaken Road Project (\$1,069,236 in 2022-23 budget)
- LRCL - Phase 4	397,584	0	0.00%	
- Vulnerable Road User Program	130,124	0	0.00%	Included in 2022-23 budget
- Tas Govt (Bus Stop Program) - Oatlands & Campania	39,246	0	0.00%	1st Instalment - Total of grants \$39,246
- Tas Govt (Better Active Transport) - Kempton Pathway	0	278,000		
- Tas Govt (Better Active Transport) - Bagdad Shared Walkway	0	0		
- Aust Govt - BS Bushfire Recovery Grant - The Haven	0	0		Broadmarsh/Elderslie Progress Association Inc Grant
- Tas Govt (Dept Health) - Oatlands Medical Accommodation	0	50,000		
- 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>389,680</u>	9.98%	

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

	Annual Budget \$	Year to Date Actual \$	%	Comments
4. Grants - Operating				
- FAGS 2024/25	4,426,800	389,097	8.79%	
- Navigate Family Services (School Holiday Program)	0	2,559		
- Australia Day Grant	0	364		
	4,426,800	392,019	8.9%	

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

PROGRAM	ACTUAL (to 30 Nov 24)	BUDGET (to 30 Nov 24)	YTD VARIANCE	YTD %	FULL YEAR BUDGET - INC. GRANTS & OTHER
<b>INFRASTRUCTURE</b>					
Roads	562,902	554,747	-8,155	101.47%	3,695,184
Bridges	5,427	26,925	21,498	20.15%	459,620
Walkways	105,175	100,484	-4,692	104.67%	243,503
Lighting	23,064	39,140	16,076	58.93%	84,790
Public Toilets	42,406	38,857	-3,550	109.13%	96,102
Sewer/Water	-	-	-	-	-
Stormwater	7,364	12,386	5,022	59.46%	85,679
Waste	561,058	623,943	62,885	89.92%	1,373,747
Information, Communication	-	8,333	8,333	0.00%	20,000
<b>INFRASTRUCTURE TOTAL:</b>	<b>1,307,396</b>	<b>1,404,815</b>	<b>97,419</b>	<b>93.07%</b>	<b>6,058,625</b>
<b>GROWTH</b>					
Residential	-	-	-	-	-
Tourism	20,939	28,601	7,662	73.21%	47,718
Business	147,801	140,223	-7,578	105.40%	391,418
Industry	-	-	-	-	-
<b>GROWTH TOTAL:</b>	<b>168,739</b>	<b>168,823</b>	<b>84</b>	<b>99.95%</b>	<b>439,136</b>
<b>LANDSCAPES</b>					
Heritage	112,310	218,575	106,265	51.38%	471,709
Natural	77,805	104,729	26,924	74.29%	206,318
Cultural	350	8,333	7,983	4.20%	25,000
Regulatory - Development	331,139	425,925	94,786	77.75%	1,050,886
Regulatory - Public Health	4,944	8,425	3,481	58.68%	20,220
Regulatory - Animals	53,395	45,569	-7,826	117.17%	115,108
Environmental Sustainability	-	2,083	2,083	0.00%	5,000
<b>LANDSCAPES TOTAL:</b>	<b>579,943</b>	<b>813,640</b>	<b>233,697</b>	<b>71.28%</b>	<b>1,894,241</b>
<b>COMMUNITY</b>					
Community Health & Wellbeing	110,568	146,656	36,088	75.39%	313,472
Recreation	504,832	591,330	86,497	85.37%	1,212,694
Access	-	-	-	-	-
Volunteers	17,647	22,917	5,270	77.00%	51,000
Families	908	2,500	1,592	36.31%	10,000
Education	-	-	-	-	-
Capacity & Sustainability	34,096	30,544	-3,552	111.63%	49,605
Safety	1,913	14,146	12,233	13.52%	33,950
Consultation & Communication	4,557	15,542	10,985	29.32%	37,300
<b>LIFESTYLE TOTAL:</b>	<b>674,520</b>	<b>823,633</b>	<b>149,113</b>	<b>81.90%</b>	<b>1,708,021</b>
<b>ORGANISATION</b>					
Improvement	1,961	34,383	32,423	5.70%	80,289
Sustainability	1,182,092	1,052,880	-129,213	112.27%	2,928,058
Finances	137,222	130,901	-6,321	104.83%	355,238
<b>ORGANISATION TOTAL:</b>	<b>1,321,275</b>	<b>1,218,164</b>	<b>-103,111</b>	<b>108.46%</b>	<b>3,363,585</b>
<b>TOTALS</b>	<b>\$4,051,873</b>	<b>\$4,429,076</b>	<b>\$377,203</b>	<b>91.5%</b>	<b>\$13,463,607</b>



**CAPITAL EXPENDITURE PROGRAM 2024-25**  
**As at 30 November 2024**

		BUDGET \$	EXPENDITURE \$	BALANCE \$	COMMENTS	COMPLETION DEADLINE
<b>INFRASTRUCTURE</b>						
<b>ROAD ASSETS</b>						
Resheeting Program	Roads Resheeting	586,107	188,681	397,426		
	Dysart - Clifton Vale Road Resheeting	113,893	-		LRCI - \$113,893	30 June 2025
Reseal Program	Roads Reseal Program (as below)	456,787	-	408,531		
	Bagdad - Green Valley Road (towards Huntingdon Tier Rd Jnct) - 2200m2		6,975			
	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		413			
	Oatlands - Stanley Street (Midland Hwy to Marlborough Street) - 6000m2		28,886			
	Orielton - Aldridge Road (off Tasman Highway) - 3300m2	80,000	12,372	67,628	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		285,190		
	Woodsdale Road		34,810			
	York Plains Road		-			
Minor Seals (New)	Oatlands - Bentwick Street	20,000	-	20,000	Budget c/f	
Reconstruct & Seal	Elderslie - Pelham Road (1km)	160,000	20,356	139,644	Funded from Projects moved to Reseal / RTR	30 June 2025
	York Plains - Vicinity of 'Handroyd' - 800 metres	130,000	131,939	- 1,939	Roads to Recovery - \$130,000 (originally \$168K)	30 June 2025
	Woodsdale - Woodsdale Road (2.4 kms) Cricket Ground towards Quarry	370,000	387,548	- 17,548	Roads to Recovery - \$370,000 (originally \$288,750)	30 June 2025
	Colebrook - Station Street (includes drainage)	25,000	17,000	8,000	Seal component moved to Reseal Program	
Construct & Seal	Oatlands - Interlaken Road	5,746,180	4,566,226	1,179,954	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	171	67,429	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		
		<b>8,460,317</b>	<b>5,472,226</b>	<b>2,874,198</b>		
<b>BRIDGE ASSETS</b>	Nil	-	-	-		
		-	-	-		

**CAPITAL EXPENDITURE PROGRAM 2024-25**

As at 30 November 2024

	BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
	\$	\$	\$		
<b>WALKWAYS</b>					
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	447,200	198,640	Better Active Transport in Tas - \$370K, LRCI - \$145	31 December 2024
Campania - Climie Street (Across Railway)	41,250	7,107	34,143	VRUP Grant - \$35,250	30 June 2025
Campania - Reeve Street (West - adjacent to Flour Mill Park)	100,209	414	99,795	VRUP Grant - \$58,616	30 June 2025
Campania - Reeve Street (East - Rec Ground entrance to Villeneuve Street)	51,158	-	51,158	VRUP Grant - \$36,258	30 June 2025
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 Progr	40,696	120	40,576	Bus Stops Grant - \$26,246	30 June 2025
Kempton - Burnett Street to Mood Food	425,565	4,100	421,465	\$147,565 Budget c/f Better Active Transport \$278K	30 June 2025
Oatlands - High Street Bus Stop - All Access All Weather Bus Stop Upgrade Program	28,300	243	28,057	2024-25 budget project	30 June 2025
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 (Stn Parade to William St - north, side - Footpath - 130 m)	30,000	-	30,000		
	<b>1,833,018</b>	<b>659,634</b>	<b>1,173,384</b>		
<b>PUBLIC TOILETS</b>					
Oatlands - Callington Park	203,000	67,148	135,852	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		1,056	1,056		
	<b>223,000</b>	<b>68,204</b>	<b>154,796</b>		
<b>DRAINAGE</b>					
Stormwater System Management Plans ( <i>Urban Drainage Act 2013</i> )	50,000	456	49,544		
Bagdad / Mangalore - Hydraulic Assessment (Flood Mapping)	221,460	144,800	76,660	Grant Funding \$80,830 WIP \$127,285	31 December 2024
	<b>271,460</b>	<b>145,257</b>	<b>126,203</b>		
<b>WASTE</b>					
Wheelie Bins and Crates	5,000	10,270	5,270		
WTS Safety & Operational Improvements	25,000	-	25,000		
	<b>30,000</b>	<b>10,270</b>	<b>19,730</b>		
<b>GROWTH TOURISM</b>					
Oatlands - Heritage Interpretation Panel renewal	2,000	-	2,000		
Oatlands Accommodation Facility	-	42,283	42,283	WIP \$42,283 (Offset by Barrack Street Property)	
	<b>2,000</b>	<b>42,283</b>	<b>40,283</b>		

**CAPITAL EXPENDITURE PROGRAM 2024-25**  
**As at 30 November 2024**

	BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
	\$	\$	\$		
<b>LANDSCAPES</b>					
<b>HERITAGE</b>					
Jericho - Memorial Avenue - Plaques	20,000	4,300	15,700	Budget c/f WIP \$4,300	
Kempton - Memorial Avenue Park - Interps	19,545	374	19,171	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 April 2025
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
	<b>383,025</b>	<b>42,326</b>	<b>340,699</b>		
<b>NATURAL</b>					
Campania - Bush Reserve / Cemetery	300,000	95,501	204,499	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	
	<b>357,000</b>	<b>104,057</b>	<b>252,943</b>		
<b>CULTURAL</b>					
Oatlands - Aquatic Centre (Forecourt - Art Installation)	20,000	24,083	-	4,083	TasWater Contribution \$5,000
	<b>20,000</b>	<b>24,083</b>	<b>-</b>	<b>4,083</b>	
<b>LANDSCAPES</b>					
<b>REGULATORY</b>					
<b>- DEVELOPMENT</b>					
Master / Structure Plans (Bagdad / Mangalore / Campania)	50,000	20,545	29,455		
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	-	7,307	-	7,307	WIP \$4,988 Offset by sale of property
	<b>607,500</b>	<b>30,982</b>	<b>576,518</b>		
<b>REGULATORY</b>					
<b>- PUBLIC HEALTH</b>					
Oatlands - GP Accommodation Units	500,000	460,338	39,662	Council Commitment \$100K (grant funded)	
Woodsdale - Cemetery	-	2,345	-	2,345	
	<b>500,000</b>	<b>462,682</b>	<b>37,318</b>		
<b>ANIMAL CONTROL</b>					
Oatlands - Off-Lead Dog Park	35,000	-	35,000	LRCI - \$35,000	
	<b>35,000</b>	<b>-</b>	<b>35,000</b>		

**CAPITAL EXPENDITURE PROGRAM 2024-25**  
**As at 30 November 2024**

	BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
	\$	\$	\$		
<b>COMMUNITY</b>					
<b>RECREATION</b>					
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 - Bagdad Community Club (Redevelopment)	-	39,376	39,376		
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	30 June 2025
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	30 June 2025
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	\$7,200 reimb by Tas Electoral Commission	
Kempton - Memorial Avenue Park (Land Acquisition Fees)	-	3,552	3,552		
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	14,118	10,132	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		
Mellon Mowbray - Streetscape Works (Trough / Shelter etc)	60,000	19,523	40,477		
Oatlands - Aquatic Centre (Courtyard Development -Shelter / BBQ)	30,000	17,605	12,395		
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	27,743	172,257	WIP \$26,081.22	
Oatlands Recreation Ground (Redevelopment)	-	16,377	16,377	Subject to Grant Funding	
Woodsdale Recreation Ground	45,000	-	45,000		
Water Bottle Refill Stations	7,980	-	7,980	Budget c/f	
	<b>3,847,502</b>	<b>1,947,206</b>	<b>1,900,296</b>		
<b>CAPACITY &amp; SUSTAINABILITY</b>					
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	-	13,826	-		
	<b>73,248</b>	<b>63,508</b>	<b>23,565</b>		

**CAPITAL EXPENDITURE PROGRAM 2024-25**  
**As at 30 November 2024**

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION
		\$	\$	\$		DEADLINE
<b>ORGANISATION</b>						
<b>SUSTAINABILITY</b>						
	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		
	Asset Management Software	-	2,680	- 2,680		
	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 (Replacement Heat Pumps x2)	-	4,909	- 4,909		
	Oatlands - Town Hall (External Painting Doors & Window Frames)	-	7,605	- 7,605		
		<b>63,000</b>	<b>28,525</b>	<b>34,475</b>		
<b>WORKS</b>						
	Minor Plant Purchases	12,000	3,089	8,911		
	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		
	<b>Plant Replacement Program</b>					
	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		
		<b>1,447,057</b>	<b>78,627</b>	<b>1,368,430</b>		
	<b>GRAND TOTALS</b>	<b>18,153,127</b>	<b>9,179,870</b>	<b>8,873,189</b>		

**Southern Midlands Council**  
Minutes – 11<sup>th</sup> December 2024

CASH FLOW 2024/2025	INFLWS	INFLWS	INFLWS	INFLWS	INFLWS	INFLWS	INFLWS	INFLWS	INFLWS	INFLWS	INFLWS	INFLWS	INFLWS	INFLWS
	(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)	
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
<b>Cash flows from operating activities</b>														
<b>Payments</b>														
Employee costs	(407,267)	(381,825)	(373,541)	(379,639)	(366,412)								(1,908,684)	
Materials and contracts	(1,634,717)	(331,633)	(234,312)	(258,485)	(697,062)								(3,156,209)	
Interest	(2,577)	0	0	0	0								(2,577)	
Other	(23,300)	(43,531)	(152,853)	(79,383)	(29,523)								(328,590)	
	(2,067,861)	(756,988)	(760,706)	(717,507)	(1,092,996)	0	0	0	0	0	0	0	(5,396,059)	
<b>Receipts</b>														
Rates	387,766	855,775	2,038,182	705,240	766,534								4,753,498	
User charges	67,092	198,531	47,643	159,883	(14,486)								458,663	
Interest received	53,664	54,327	15,409	67,608	43,991								234,999	
Subsidies	0	0	0	0	0								0	
Other revenue grants	0	197,107	0	364	194,549								392,019	
Other	86,726	112,946	232,743	41,435	(178,485)								297,364	
	595,249	1,418,685	2,333,976	974,531	814,102	0	0	0	0	0	0	0	6,136,543	
<b>Net cash from operating activities</b>	<b>(1,472,612)</b>	<b>661,698</b>	<b>1,573,270</b>	<b>257,023</b>	<b>(278,895)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>740,483</b>	
<b>Cash flows from investing activities</b>														
Payments for property, plant & equipment	(211,844)	(830,072)	(956,248)	(463,891)	(1,071,099)								(3,533,155)	
Proceeds from sale of property, plant & equipment	0	0	0	0	0								336,159	
Proceeds from Capital grants	61,680	0	0	0	300,000								389,680	
Proceeds from Investments	0	0	0	0	328,000								0	
Payment for Investments	0	0	0	0	0								0	
<b>Net cash used in investing activities</b>	<b>(150,005)</b>	<b>(830,072)</b>	<b>(956,248)</b>	<b>(427,891)</b>	<b>(443,099)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(2,807,316)</b>	
<b>Cash flows from financing activities</b>														
Repayment of borrowings	(8,632)	0	0	0	0								(8,632)	
Proceeds from borrowings	0	0	0	0	0								0	
<b>Net cash from (used in) financing activities</b>	<b>(8,632)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(8,632)</b>	
Net increase(decrease) in cash held	(1,631,248)	(168,375)	617,021	(170,868)	(721,994)	0	0	0	0	0	0	0	(2,075,464)	
Cash at beginning of reporting month	14,547,299	12,916,051	12,747,676	13,364,697	13,193,829	12,471,835	12,471,835	12,471,835	12,471,835	12,471,835	12,471,835	12,471,835	14,547,299	
<b>Cash at end of reporting period</b>	<b>12,916,051</b>	<b>12,747,676</b>	<b>13,364,697</b>	<b>13,193,829</b>	<b>12,471,835</b>	<b>12,471,835</b>	<b>12,471,835</b>	<b>12,471,835</b>	<b>12,471,835</b>	<b>12,471,835</b>	<b>12,471,835</b>	<b>12,471,835</b>	<b>12,471,835</b>	



### 17.3.2 Request for Rate Remission – Oatlands District Historical Society – 107 High Street, Oatlands (PID 5842354)

**Author:** JEMMA THOMAS (EXECUTIVE ASSISTANT)

**Date:** 4 DECEMBER 2024

**Enclosure:**

*Letter from Oatlands District Historical Society dated 24<sup>th</sup> November 2024.*

#### ISSUE

Council to consider a request from the Oatlands District Historical Society for a remission of rates and charges for the 2024/2025 financial year.

#### BACKGROUND

Reference is made to section 129 of the *Local Government Act 1993*. It states:

**129. Remission of rates**

*“(1) A ratepayer may apply to the council for remission of all or part of any rates paid or payable by the ratepayer or any penalty imposed or interest charged under [section 128](#).*

*(2) An application is to be –  
(a) made in writing; and  
(b) lodged with the general manager.*

*(3) A council, by absolute majority, may grant a remission of all or part of any rates, penalty or interest paid or payable by the ratepayer.*

*(4) A council, by absolute majority, may grant a remission of any rates, penalty or interest paid or payable by a class of ratepayers.*

*(5) The general manager is to keep a record of the details of any remission granted under this section.”*

#### DETAIL

The Oatlands District Historical Society has been granted a remission of rates and charges over the last five years.

As part of that decision, it was determined that the Society would need to make application on an annual basis.

In reference to the attached letter dated 24<sup>th</sup> November 2024, the Historical Society has submitted a formal request for a rate remission.

## Human Resources & Financial Implications –

Rates and Charges:

Description	2024/25
General	\$513.11
Garbage	\$248.00
Waste Levy	\$300.00
Fire	\$49.00
<b>Total</b>	<b>\$1,110.11</b>
<i>Interest &amp; Penalties imposed</i>	<i>\$17.01</i>
<b>Total Outstanding</b>	<b>\$1,127.12</b>

Community Consultation & Public Relations Implications – Nil

Policy Implications – Policy position

Priority - Implementation Time Frame – Ongoing.

### RECOMMENDATION

THAT, in accordance with section 129 of the *Local Government Act 1993*:

- a) Council, by absolute majority, grant a remission of rates and charges to the Oatlands District Historical Society for its property at 107 High Street, Oatlands (PID 5842354); and
- b) The remission relates to the 2024/2025 financial year, inclusive of penalty and interest.

### DECISION

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

THAT, in accordance with section 129 of the *Local Government Act 1993*:

- a) Council, by absolute majority, grant a remission of rates and charges to the Oatlands District Historical Society for its property at 107 High Street, Oatlands (PID 5842354); and
- b) The remission relates to the 2024/2025 financial year, inclusive of penalty and interest.

### CARRIED

DECISION (MUST BE BY ABSOLUTE MAJORITY)		
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 17.3.2*



**OATLANDS DISTRICT HISTORICAL SOCIETY INC.**  
\*Preserving Our Heritage\*

107 High Street,  
Oatlands TAS 7120

24 November 2024

The General Manager  
Mr. T. Kirkwood  
Southern Midlands Council  
Oatlands

**RE: RATE REBATE 2025**

Dear Tim,

Following our meeting with you on Tuesday 18th February 2020, we are formally writing to you seeking a rate rebate for the Oatlands District Historical Society Inc.

We are a not-for-profit organisation providing a service to many historians, authors and researchers, both local and Australia wide. We have also developed a tourism information service to our business, thus hopefully offering tourists a better experience of our town and surrounds.

Our museum is one of the few attractions in Oatlands that is open seven days a week, and we have received many favourable comments from local, interstate as well as international visitors.

In light of the above, we would greatly appreciate the Southern Midlands Council's assistance in the above matter, keeping in mind their assistance in the past.

Kind regards

A handwritten signature in black ink, appearing to read 'Charles Burbruy'.

Charles Burbruy  
Treasurer



### **17.3.3 2024/25 Budget – Formal Amendment(s) to Budget (Operating & Capital)**

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

**Date:** 8 DECEMBER 2024

**Enclosure(s):**

*Updated '2024-25 Budgeted Statement of Profit or Loss and Other Comprehensive Income'*

*Updated '2024-25 Budgeted Statement of Cash Flows'*

#### **ISSUE**

Council to formally amend the 2024/25 Budget in accordance with section 82 of the *Local Government Act 1993*.

#### **BACKGROUND**

Council adopted the 2024/25 Budget (Operating and Capital) at its meeting held in June 2024. Since that time, there have been a number of developments and decisions which have required formal amendments to the Budget. One purpose of this report is to capture all those decisions in a single summary document.

For information, the following is an extract from section 82 'Estimates' of the Local Government Act 1993: In reference to section

#### *82. Estimates*

*(1) The general manager must prepare estimates of the council's revenue and expenditure for each financial year.*

*(2) Estimates are to contain details of the following:*

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

*(3) Estimates for a financial year must –*

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

*(4) A council may alter by absolute majority any estimate referred to in subsection (2) during the financial year.*

*(5) A council may make adjustments to individual items within any estimate referred to in subsection (2) by a simple majority so long as the total amount of the estimate is not altered.*

*(6) A council, by absolute majority, may authorise the general manager to make minor adjustments up to specified amounts to individual items within any estimate referred to in subsection (2) so long as the total amount of the estimate is not altered.*

*(7) The general manager is to report any adjustment and an explanation of the adjustment at the first ordinary meeting of the council following the adjustment."*

## DETAIL

Comments are provided in relation to each of the amendments:

### **Budgeted Statement of Profit or Loss and Other Comprehensive Income**

#### **Recurrent Income**

Grants – Recurrent (FAGS)	\$135,588
(Allocated \$4,562,388 less Budget \$4,426,800 – Additional \$135,588)	

#### **Net Capital Income**

<b>Grants – Capital</b>	
Roads to Recovery Program (additional allocation)	\$154,375
Kempton Recreation Ground – Capital Upgrade (Election Commitment funded)	\$ 80,000
Chauncy Vale Sanctuary – New Toilets & Interps (Election Commitment funded)	\$80,000
<b>Contributions</b>	
Campania Halls Management Committee – contribution to external painting	\$15,000

#### **Capital Income – Net Gain / (loss) on Disposal of Assets**

Sale of Land - 27 Church Street, Oatlands – Net Gain (Sale price of \$300,000 less Book Value \$155,000)	\$145,000
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#### **Recurrent Expenditure – Employee Costs**

Salaries & Wages – approved increase of \$35,000 relating to the Enterprise Bargaining Agreement (approved June 2024 – post Budget adoption)	(\$35,000)
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**Budgeted Cash Flow Statement**

<b>Insert Opening Cash Flowing (as at 1/7/24)</b>	\$14,552,990
Not available at time of Budget Adoption	

**Cash Flows from Operating Activities**

Expenses - Employee Costs	(\$35,000)
Income – Grants – Recurrent	\$135,588
Income – Grants – Recurrent 2024/25 FAGS – received in advance	(\$3,867,611)

**Cash Flows from Investing Activities – Payments for Property, Plant & Equipment (i.e. Capital Works Program)**

<b><u>Roads Program:</u></b>	
Woodsdale Road – Reconstruct & Seal (additional allocation)	(\$81,250)
Pelham Road – Reconstruct & Seal (new allocation)	(\$160,000)
Sugarloaf Road, Kempton (Works to be undertaken within allocated reseal program)	\$28,875
Station Street, Colebrook (Works to be undertaken within allocated reseal program)	\$20,000
York Plains Road – Reconstruct and Seal (Reduction - revised estimate)	\$38,000
Eldon Road (Tunnack end) – approx. 1 klm – Reconstruct and Seal (Re-allocation of LRCI Phase 4 funding from Campania Recreation Ground - Changerooms Extension / Upgrade as this project will not be completed by June 2025.)	(\$100,000)
<b><u>Recreation Program:</u></b>	
Campania Recreation Ground - Changerooms Extension / Upgrade	Project retained but the \$100,000 (sourced from LRCI Phase 4) will be funded directly by Council
Kempton Recreation Ground – Upgrade Cricket Practice Net and construct a half-court basketball court / pickle ball court (State Government – Election Commitment)	(\$80,000)

<b><u>Recreation Program (continued):</u></b>	
<p>Kempton Recreation Ground – Underground Irrigation System (additional allocation based on actual Quotation received)</p> <p>(Re-allocation of LRCI Phase 4 funding from Oatlands Dog Park as it is unlikely that this project will not be undertaken by June 2025.)</p>	(\$20,000)
<p>Property Purchase – Main Street, Kempton. To be offset through sale of property (post 2024/25)</p>	(\$187,900)
<p>Campania Community Hall – External Repainting.</p> <p>Essential works not budgeted.</p> <p>Total Project budget of \$36,800 noting the Campania Halls Management Committee contributing \$15,000 – recognised as Income)</p> <p>(\$15,000 - r-allocation of LRCI Phase 4 funding from Oatlands Dog Park as it is unlikely that this project will not be undertaken by June 2025.)</p>	(\$36,800)
<p>Levendale Community Centre (ex Primary School). Purchase of Land (Basketball Court / Playground).</p> <p>Budget – not allocated. Purchase Price of \$30K plus costs.</p>	(\$45,000)
<b><u>Animal Control Program:</u></b>	
<p>Oatlands Dog Park</p>	<p>Project retained but the \$35,000 (sourced from LRCI Phase 4) will be funded directly by Council</p>
<b><u>Sustainability Program:</u></b>	
<p>Oatlands Council Chambers – External Repainting (Doors &amp; Window Frames).</p> <p>Essential works not budgeted.</p>	(\$7,600)
<b>Net Capital Expenditure</b>	<b>(\$631,675)</b>

**Cash Flows from Investing Activities – Proceeds from Sale of Property, Plant & Equipment**

27 Church Street, Oatlands – Sale of Land (additional \$210K)	\$210,000
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**Cash Flows from Investing Activities – Capital Grants**

Roads to Recovery Program (additional allocation)	\$154,375
Kempton Recreation Ground – Capital Upgrade (Election Commitment funded)	\$ 80,000
Chauncy Vale Sanctuary – New Toilets & Interps (Election Commitment funded)	\$80,000

Note:

**1. Growing Regions Program – Grant Applications**

Council is aware that applications have been submitted under the Growing Regions Program for major new developments and upgrade at both the Bagdad Community Club Precinct and the Oatlands Recreation Ground. The grant guidelines state that all projects must be ‘shovel-ready’ when the Grant Deed is entered into. Whilst there is no indication whether the applications may be successful, there is an immediate need to invest in investigation and preparation of detailed design specifications. This is deemed to be eligible expenditure under the Grant Program, however if the applications are unsuccessful, then all amounts will be reported as ‘Capital Works-in-Progress’ and carried until such time as external funding is secured or a Budget is allocated by Council.

**Human Resources & Financial Implications – refer enclosed:**

- Updated ‘2024-25 Budgeted Statement of Profit or Loss and Other Comprehensive Income’
- Updated ‘2024-25 Budgeted Statement of Cash Flows’

Comments:

1. Revised ‘Result from Continuing Operations (excluding Net Capital Income)’ of (\$381,603) – compared to initial budgeted deficit of (\$482,191)
2. Net decrease in Cash held of \$4,174,937 – the majority of that being the 2024/25 FAGS Grant of \$3,867,611 received in advance.

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

**Policy Implications – Nil.**

**Priority - Implementation Time Frame – 2024/25 Budget and reporting period.**

## RECOMMENDATION

**THAT Council resolve, by absolute majority, to formally amend the 2024/25 Budget (Operating & Capital) in accordance with section 82 of the *Local Government Act 1993*, and endorse the budget amendments as detailed in the report.**

## DECISION

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

**THAT Council resolve, by absolute majority, to formally amend the 2024/25 Budget (Operating & Capital) in accordance with section 82 of the *Local Government Act 1993*, and endorse the budget amendments as detailed in the report.**

## CARRIED

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

**ENCLOSURE**  
*Agenda Item 17.3.3*

ANNUAL PLAN AND PROGRAM BUDGET 2024/25 - OPERATING



2024-2025 BUDGETED STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME

		LTFMP	VARIANCE
<b>RECURRENT INCOME</b>			
RATES AND CHARGES	\$ 7,375,148	\$ 7,077,000	\$ 298,148
USER FEES	\$ 1,304,313	\$ 1,366,000	\$ (61,687)
GRANTS - RECURRENT	\$ 4,562,388	\$ 4,321,000	\$ 241,388
INTEREST	\$ 486,000	\$ 486,000	\$ -
COMMERCIAL REVENUE	\$ -	\$ -	\$ -
GOVERNMENT SUBSIDIES	\$ 11,700	\$ -	\$ 11,700
OTHER INCOME	\$ 50,000	\$ 62,000	\$ (12,000)
INVESTMENT REVENUE FROM WATER CORPORATION	\$ 182,400	\$ 182,000	\$ 400
	<u>\$ 13,971,949</u>	<u>\$ 13,494,000</u>	<u>\$ 477,949</u>
<b>NET CAPITAL INCOME</b>			
GRANTS - CAPITAL	\$ 4,219,950	\$ 666,000	\$ 3,553,950
CONTRIBUTIONS	\$ 15,000	\$ -	\$ 15,000
NET GAIN/(LOSS) ON DISPOSAL OF ASSETS	\$ 145,000	\$ -	\$ 145,000
	<u>\$ 4,379,950</u>	<u>\$ 666,000</u>	<u>\$ 3,713,950</u>
<b>TOTAL INCOME</b>	<u><b>\$ 18,351,899</b></u>	<u><b>\$ 14,160,000</b></u>	<u><b>\$ 4,191,899</b></u>
<b>EXPENSES FROM CONTINUING OPERATIONS</b>			
EMPLOYEE COSTS	\$ 5,770,244	\$ 5,728,000	\$ 42,244
MATERIALS AND CONTRACTS	\$ 3,996,965	\$ 3,768,000	\$ 228,965
DEPRECIATION & AMORTISATION	\$ 4,120,000	\$ 4,141,000	\$ (21,000)
CONTRIBUTIONS	\$ 287,371	\$ 276,080	\$ 11,291
FINANCE COSTS	\$ 4,979	\$ 10,000	\$ (5,021)
COMMERCIAL EXPENSES	\$ -	\$ -	\$ -
OTHER EXPENSES	\$ 173,983	\$ 172,550	\$ 1,443
	<u>\$ 14,353,552</u>	<u>\$ 14,095,630</u>	<u>\$ 257,922</u>
<b>TOTAL EXPENSES FROM CONTINUING OPERATIONS</b>	<u><b>\$ 14,353,552</b></u>	<u><b>\$ 14,095,630</b></u>	<u><b>\$ 257,922</b></u>
<b>RESULT FROM CONTINUING OPERATIONS</b>	<u><b>\$ 3,998,347</b></u>	<u><b>\$ 64,370</b></u>	<u><b>\$ 3,933,977</b></u>
<i>Less Net Capital Income Section</i>	<u>\$ (4,379,950)</u>	<u>\$ (666,000)</u>	<u>\$ (3,713,950)</u>
	<u><b>\$ (381,603)</b></u>	<u><b>\$ (601,630)</b></u>	<u><b>\$ 220,027</b></u>



ANNUAL PLAN AND PROGRAM BUDGET 2024/25 - OPERATING



**2024-2025 BUDGETED STATEMENT OF CASH FLOWS**

<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>	
<b>Payments</b>	
Employee Costs	\$ (5,770,244)
Materials and Contracts	\$ (3,996,965)
Interest	\$ (4,979)
Other	<u>\$ (461,364)</u>
	\$ (10,233,552)
<b>Receipts</b>	
Rates	\$ 7,375,148
User Charges	\$ 1,304,313
Interest Received	\$ 486,000
Government Subsidies	\$ 11,700
Other	\$ 50,000
Grants - Recurrent	\$ 694,777
Investment Revenue from Water Corporation	<u>\$ 182,400</u>
	<u>\$ 10,104,338</u>
<b>Net Cash from operating activities</b>	<b>\$ (129,214)</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>	
Payments for Property, Plant and Equipment (subject to confirmation of Carry Forwards)	\$ (10,083,235)
Payments for Investments	\$ -
Proceeds from Sale of Property, Plant and Equipment	\$ 705,000
Capital grants (Less Grants received in Advance)	\$ 4,219,950
<b>Net Cash used in investing activities</b>	<b>\$ (5,158,285)</b>
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>	
Repayment of Borrowings	\$ (17,438)
Proceeds from Borrowings / Transfer from Reserves	\$ 1,130,000
<b>Net cash used in financing activities</b>	<b>\$ 1,112,562</b>
<b>Net increase / (decrease) in cash held</b>	<b>\$ (4,174,937)</b>
Cash at beginning of reporting year	<u>\$ 14,552,990</u>
<b>Cash at end of reporting year</b>	<b><u>\$ 10,378,053</u></b>

### 17.3.4 2024/25 Schedule of Fees & Charges (Partial Review) – Oatlands Aquatic Centre

**Author:** COORDINTOR – OATLANDS AQUATIC CENTRE (ADAM BRIGGS)

**Date:** 8 DECEMBER 2024

#### ISSUE

Review of the Schedule of Fes and Charges as they relate to the Oatlands Aquatic Centre.

#### BACKGROUND

The Schedule of Fees and Charges is maintained in accordance with section 205 of the *Local Government Act 1993*.

#### DETAIL

The Oatlands Aquatic Centre Coordinator, as part of an ongoing review process, has undertaken a review of the Aquatic Centre charges and has submitted the following detail for consideration and approval:

Casual Pool Visits		
Current Pricing	Product	Update Pricing
Free	Infant Casual – 4 Years & Under	Free
\$5.00	Child Casual – 5-16 Years	\$5.00
\$7.00	Adult Casual – 17 Years & Over	\$7.00
\$5.00	Concession Casual	\$5.00
\$20.00	Family Casual – 4 persons	\$20.00
Casual GYM Visits		
Current Pricing	Product	Update Pricing
\$5.00	Concession Casual	\$5.00
\$6.50	Adult Casual – 17 Years & Over	<b>\$7.00</b>
\$7.50	Concession Pool & GYM Casual	\$7.50
\$10.00	Adult Pool & GYM Casual	\$10.00
10 Visit Session Passes (Pool & GYM)		
Current Pricing	Product	Update Pricing
\$45.00	Concession – 10 Visit Pass Pool & GYM	\$45.00
\$65.00	Adult – 10 Visit Pass Pool & GYM	\$65.00
Pool Memberships		
Current Pricing	Product	Update Pricing
\$260.00 / \$20.00	Child or Concession – 6 Months	\$260.00 / \$20.00
\$330.00 / \$25.38	Adult – 17 Years & Over	\$330.00 / \$25.38
GYM Memberships		
Current Pricing	Product	Update Pricing
\$30.00 a fortnight	Pool & GYM	\$30.00 a fortnight
\$20.00 a fortnight	GYM	\$20.00 a fortnight
Centre Memberships (Pool & GYM)		
Current Pricing	Product	Update Pricing
\$550.00 / \$42.30	Family: 1 Adult & 1 Child	\$550.00 / \$42.30
\$600.00 / \$46.16	Family: 1 Adult & 2/3 Children	\$600.00 / \$46.16
\$650.00 / \$50.00	Family: 2 Adults & 1/2 Children	\$650.00 / \$50.00
\$700.00 / \$53.84	Family: 2 Adults & 3 Children	\$700.00 / \$53.84
\$750.00 / \$57.70	Family: 2 Adults & 4+ Children	\$750.00 / \$57.70

Pool Hire, Group Bookings & Birthday Parties		
Current Pricing	Product	Update Pricing
\$30.00 Per Lane / Per Hour	Lane Hire	\$30.00 Per Lane / Per Hour
\$160.00 Per Hour	Whole Pool Hire	\$160.00 Per Hour
\$50.00 Room Hire / Per Hour \$4.00 Adult & Child Fee	Birthday Parties	\$50.00 Room Hire / Per Hour \$4.00 Adult & Child Fee
Learn to Swim Programs		
Current Pricing	Product	Update Pricing
\$20.00 Per Lesson	Private Lessons – 5 Day Programs	<b>\$22.00 Per Lesson</b>
\$25.00 Per Lesson	Private Lessons – Individual Booking	<b>\$27.50 Per Lesson</b>
\$16.50 Per Lesson	Term Lesson Programs	\$16.50 Per Lesson

The recommended changes reflect the following comments:

- Delete the individual ‘Gym and Pool 10 Visit Passes’ and just have the Pool or Gym Combo 10 Visit Pass Option
- Increase the casual adult entry fee for the Gym so it is line with the Pool and makes the 10 Visit Pass worth purchasing
- Change Family Memberships from Pool Only to a Centre Membership so that parents can either access the Pool or the Gym
- Offer a recurring option in Pool Membership for direct debit payments
- Increase the Private Lesson fee to be consistent with the increased fee for normal lessons (as approved previously).

**Human Resources & Financial Implications** – the recommended charges are aimed at ‘streamlining’ the entry options. The recurring membership option will avoid the need to write to all members at the end of each 6 month period to confirm renewal.

**Community Consultation & Public Relations Implications** – The revised fee structure is based on community feedback. In particular the change to the Family Pass.

**Policy Implications** – Nil.

**Priority - Implementation Time Frame** – Effective form 1<sup>st</sup> January 2025.

## RECOMMENDATION

**THAT the revised fees be approved and the Schedule of Fees and Charges updated accordingly.**

## DECISION

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

**THAT the revised fees be approved and the Schedule of Fees and Charges updated accordingly.**

## 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	✓	

## **18. MUNICIPAL SEAL**

### **18.1 Sign and Sealing of a Vesting Order – Springhill Bottom Road**

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

**Date:** 11 December 2024

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

1. *Location Plan*
2. *Plan of Survey*
3. *Application for Vesting Order*
4. *Lands Title Office - Lodgement Form*

#### **ISSUE**

Council are required to sign and seal an application for a Vesting Order (title by possession) for lodgement with the Lands Title Office, under s138W(4) of the *Lands Titles Act 1980*.

#### **BACKGROUND**

Under delegation in 2010, Council's Development Assessment Committee approved a boundary adjustment and subdivision for Simon Thomas, off Springhill Bottom Road, Colebrook. This land was part of the parcel which was subdivided in 1993/94 by Rodney Brock when he subdivided his property known as 'Kelvin Park'. The conditioning included in Simon Thomas' Planning Permit contained, *intra alia*, a condition requiring the reserved road to be constructed to Council standards, as well as the parcels of land annotated 'Road' being transferred to Council.

#### **DETAIL**

The 'Road' transfers were not undertaken at the time of that sealing of the subdivision, it was a Council responsibility which was over looked at the time.

This Vesting Order Application now closes that loop and the lots detailed on Mr Brocks title identified as 'Road' will be transferred to Council via the Vesting Order.

#### **RECOMMENDATION**

##### **THAT Council:**

- 1. Receive and note the report; and**
- 2. Sign & Seal the Vesting Order Application to enable its lodgement with the Lands Titles Office.**

**DECISION**

*Moved by Cllr B Campbell, seconded Cllr D Blackwell*

**THAT Council:**

- 1. Receive and note the report; and**
- 2. Sign & Seal the Vesting Order Application to enable its lodgement with the Lands Titles Office.**

**CARRIED**

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

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

### **19.1 Improving Dog Welfare Outcomes in Tasmania – Discussion Paper (Department of Natural Resources and Environment Tasmania)**

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

**Date:** 11 DECEMBER 2024

**Attachment(s):**

*Improving Dog Welfare Outcomes in Tasmania – Discussion Paper*

#### **ISSUE**

Council to consider providing feedback on the Discussion Paper prepared by the Department of Natural Resources and Environment Tasmania relating to the improvement of dog welfare outcomes in Tasmania.

#### **BACKGROUND**

Reference is made to the ‘Minister’s Foreword’ – Page 3 of the Discussion Paper.

This statement provides the background and confirms that the Department of Natural Resources and Environment Tasmania has worked with the RSPCA and TasRacing to develop the Paper. It has undertaken targeted consultation with key stakeholders, including TasFarmers and Dogs Tasmania, to understand how any proposed changes would affect people and industries.

#### **DETAIL**

The next stage will be the development of new regulation based on the feedback received on the discussion paper.

Feedback is being sought by the close of business on 20<sup>th</sup> December 2024.

Council may elect to make a submission direct to NRE or provide comment via the Local Government Association of Tasmania (LGAT) which is seeking to prepare a response on behalf of the local government sector.

The Discussion Paper identifies a number of issues that have been grouped into five Themes:

1. Breeders and Breeding
2. Identification, Tracing & Licensing
3. Handling, Management and Containment
4. Facilities, Housing and Sleeping
5. Transport

Within the Discussion Paper, and at the end of each Theme, a number of questions are raised.

Council’s Animal Control Officer (ACO) participated in an online meeting of ACO’s convened by the LGAT. Feedback suggests that there are varying opinions between officers within local government which is no doubt influenced by individual experiences working in the animal control industry.

It follows that it may not be possible for local government (as a sector) to reach any agreed position on some of the issues.

Likewise, individual Councillors will have their own views in response to each of the questions.

The aim is to briefly discuss each question (as raised in the Discussion Paper), and where there is general agreement, this can be provided to LGAT and/or form part of an SMC submission.

**Human Resources & Financial Implications** – Future resourcing is a major factor that Council needs to consider. In most cases, the Discussion Paper does not specify or highlight where the responsibility will rest in terms of inspection; monitoring and enforcement.

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

**Policy Implications** – Policy position.

**Priority - Implementation Time Frame** – Feedback on the Discussion Paper is being sought by 5.00 p.m. on 20<sup>th</sup> December 2024. The ‘Indicative Timeframe’ (refer Page 15 of the Discussion Paper) suggests that the review of public submissions and legislative drafting will occur in the first six months of the 2025 calendar year.

## RECOMMENDATION

**THAT Council consider the Questions raised in the Discussion Paper with the aim identifying any agreed responses that can be included in feedback to be provided to the Local Government Association of Tasmania.**

## DECISION

*Moved by Clr B Campbell, seconded Clr D Blackwell*

**THAT Council note the comments made at the meeting and this information be provided to the Local Government Association of Tasmania.**

## 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 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 Deputy Mayor K Dudgeon*

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

Matter	<i>Local Government (Meeting Procedures) Regulations 2015</i> Reference
<i>Closed Council Minutes - Confirmation</i>	15(2)(g)
<i>Applications for Leave of Absence</i>	15(2)(h)
<i>Audit Panel Minutes</i>	15(2)(b)
<i>Use and Control of Herbicides</i>	15(2)(a)

### 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 Clr B Campbell, seconded Clr 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	✓	
Clr D Blackwell	✓	
Clr B Campbell	✓	
Clr D Fish	✓	
Clr F Miller	✓	



## **CLOSED COUNCIL MINUTES**

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

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

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

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

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

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

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

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

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

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

##### **20.3.1 Audit Panel Receipt of Minutes**

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

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

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

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

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

#### **20.4 Cllr B Campbell – Use and Control of Herbicides**

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

## RECOMMENDATION

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

## DECISION

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

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

## 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	✓	

## OPEN COUNCIL MINUTES

### 21. CLOSURE

The meeting closed at 4.43 p.m.