

SOUTHERN
MIDLANDS
COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

Wednesday, 22nd May 2024
10.00 a.m.

Levendale Community Hall
1325 Woodsdale Road, Levendale

INDEX

1.	PRAYERS	4
2.	ACKNOWLEDGEMENT OF COUNTRY	4
3.	ATTENDANCE	4
4.	APOLOGIES	4
5.	MINUTES	4
5.1	ORDINARY COUNCIL MEETING	4
5.2	SPECIAL COMMITTEES OF COUNCIL MINUTES	5
5.2.1	<i>Special Committees of Council - Receipt of Minutes</i>	5
5.2.2	<i>Special Committees of Council - Endorsement of Recommendations</i>	6
5.3	JOINT AUTHORITIES (ESTABLISHED UNDER DIVISION 4 OF THE LOCAL GOVERNMENT ACT 1993)6	
5.3.1	<i>Joint Authorities - Receipt of Minutes</i>	6
5.3.2	<i>Joint Authorities - Receipt of Reports (Annual & Quarterly)</i>	6
6.	NOTIFICATION OF COUNCIL WORKSHOPS	7
7.	COUNCILLORS – QUESTION TIME	9
7.1	QUESTIONS (ON NOTICE)	9
7.2	QUESTIONS WITHOUT NOTICE	10
8.	DECLARATIONS OF PECUNIARY INTEREST	13
9.	CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA	14
10.	PUBLIC QUESTION TIME (SCHEDULED FOR 10.30 A.M.)	15
10.1	PERMISSION TO ADDRESS COUNCIL.....	16
11.	MOTIONS OF WHICH NOTICE HAS BEEN GIVEN UNDER REGULATION 16 (5) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2015	17
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	18
12.1	DEVELOPMENT APPLICATIONS	18
12.1.1	<i>Development Application (DA240009)</i>	18
12.1.2	<i>Petition to Amend Sealed Plan Number 35320 Remove Burdening Easement – 6 East Bagdad Road, Bagdad - A & P MacLeod Super Pty Ltd</i>	47
12.2	SUBDIVISIONS.....	48
12.3	MUNICIPAL SEAL (PLANNING AUTHORITY)	48
12.4	PLANNING (OTHER).....	48
13.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE) ..	50
13.1	ROADS	50
13.1.1	<i>Traffic and Pedestrian Matters – High Street, Oatlands</i>	50
13.2	BRIDGES	53
13.3	WALKWAYS, CYCLE WAYS AND TRAILS	53
13.4	LIGHTING	53
13.5	BUILDINGS.....	53
13.6	SEWERS / WATER	53
13.7	DRAINAGE	53
13.8	WASTE	54
13.9	INFORMATION, COMMUNICATION TECHNOLOGY	54
13.10	OFFICER REPORTS – INFRASTRUCTURE & WORKS.....	55
13.10.1	<i>Manager – Infrastructure & Works Report</i>	55
14.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)	57
14.1	RESIDENTIAL	57
14.2	TOURISM	57
14.3	BUSINESS.....	57
14.4	INDUSTRY	57
15.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME –LANDSCAPES).....	58

15.1	HERITAGE.....	58
15.1.1	<i>Heritage Project Program Report.....</i>	<i>58</i>
15.2	NATURAL.....	59
15.2.1	<i>NRM Unit – General Report.....</i>	<i>59</i>
15.3	CULTURAL.....	61
15.4	REGULATORY (DEVELOPMENT).....	61
15.5	REGULATORY (PUBLIC HEALTH).....	61
15.6	REGULATORY (ANIMALS).....	62
15.6.1	<i>Animal Management Report.....</i>	<i>62</i>
15.7	ENVIRONMENTAL SUSTAINABILITY.....	65
16.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY).....	66
16.1	COMMUNITY HEALTH AND WELLBEING.....	66
16.2	RECREATION.....	67
16.2.1	<i>Oatlands Aquatic Centre – Coordinators Report.....</i>	<i>67</i>
16.3	ACCESS.....	71
16.4	VOLUNTEERS.....	71
16.5	FAMILIES.....	71
16.6	EDUCATION.....	71
16.7	CAPACITY & SUSTAINABILITY.....	71
16.8	SAFETY.....	71
16.9	CONSULTATION & COMMUNICATION.....	71
17.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION).....	72
17.1	IMPROVEMENT.....	72
17.2	SUSTAINABILITY.....	72
17.2.1	<i>Tabling of Documents.....</i>	<i>72</i>
17.2.2	<i>Elected Member Statements.....</i>	<i>72</i>
17.2.3	<i>Local Government Shared Services – Quarterly Update – Information Only.....</i>	<i>73</i>
17.2.4	<i>Review of Southern Midlands Council’s Strategic Plan 2022 – 2032 and the Creation of the Strategic Plan 2024 – 2034.....</i>	<i>75</i>
17.3	FINANCES.....	79
17.3.1	<i>Monthly Financial Statement (Period ending 30 April 2024).....</i>	<i>79</i>
17.3.2	<i>R Coleman – Request for Donation.....</i>	<i>91</i>
18.	MUNICIPAL SEAL.....	94
18.1	SIGNING & SEALING GRANT DEED - ALL ACCESS ALL WEATHER BUS STOP UPGRADE PROGRAM ROUND TWO 2024.....	94
18.2	SIGNING & SEALING GRANT DEED – REGIONAL LIFEGUARD REGIONAL ACCREDITATION PROGRAM IN 2024 AND 2025.....	96
19.	CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA.....	100
19.1	NEW POLICY – REPORTING & INVESTIGATING REPORTABLE CONDUCT POLICY & PROCEDURE.....	100
20.	BUSINESS IN “CLOSED SESSION”.....	111
20.1	CLOSED COUNCIL MINUTES - CONFIRMATION.....	111
20.2	APPLICATIONS FOR LEAVE OF ABSENCE.....	111
20.3	PROPERTY MATTER – KEMPTON.....	111
21.	CLOSURE.....	112

OPEN COUNCIL MINUTES

MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD
ON WEDNESDAY 22ND MAY 2024 AT THE LEVENDALE COMMUNITY HALL,
1325 WOODSDALE ROAD, LEVENDALE COMMENCING AT 10.03 A.M

1. PRAYERS

Deputy Mayor K Dudgeon recited prayers.

2. ACKNOWLEDGEMENT OF COUNTRY

Mayor E Batt recited acknowledgement of Country.

3. ATTENDANCE

Mayor E Batt, Deputy Mayor K Dudgeon, Clr A 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), Mrs A Burbury (Finance Officer), Mrs 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 24th April 2024, as circulated, are submitted for confirmation.

RECOMMENDATION

THAT the Minutes (Open Council Minutes) of the Council Meeting held 24th April 2024 be confirmed.

DECISION

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

THAT the Minutes (Open Council Minutes) of the Council Meeting held 24th April 2024 be confirmed (subject to a minor spelling correction in Item 13.10.1 'Infrastructure and Works Report'.

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	✓	

Clr F Miller entered the meeting at 10.07 a.m.

5.2 Special Committees of Council Minutes

5.2.1 Special Committees of Council - Receipt of Minutes

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

- Woodsdale Community Memorial Hall General Meeting – 29th April 2024
- Colebrook Memorial Hall Management Committee – 9th May 2024
- Lake Dulverton & Callington Park Management Committee Minutes – 13th May 2024

RECOMMENDATION

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

DECISION

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

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

CARRIED

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

- Woodsdale Community Memorial Hall General Meeting – 29th April 2024
- Colebrook Memorial Hall Management Committee – 9th May 2024
- Lake Dulverton & Callington Park Management Committee Minutes – 13th May 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 Clr D Blackwell

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

CARRIED

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

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

5.3.1 Joint Authorities - Receipt of Minutes

Nil.

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

Nil.

6. NOTIFICATION OF COUNCIL WORKSHOPS

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

One workshop has been held since the last Ordinary Meeting.

A workshop was held on the 13th May 2024 at the Council Chambers, Oatlands commencing at 9.30 a.m.

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

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

Apologies: Nil.

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

1. 2024/25 Budget

Presentation of draft 2024/25 Operating Budget in conjunction with the review of the Long-Term Financial Management Plan.

The session also included a preliminary discussion of the proposed Rates and Charges and the draft Scheduled of Fees & Charges for 2024/25.

Issues noted:

- Operating Budget – include an allocation of \$20,000 in the ‘Information, Communications, Technology Program’ which provides the ability to progress initiatives contained within the Digital Connectivity Plan
- Rates & Charges – General Rate – application of penalty (removed in 2023/24) – further consideration
- Rates & Charges - Waste Management Levy – further consideration to review application for commercial premises
- 2024/25 Fees & Charges Schedule – presentation of fees and charges (with a focus on Development Services related fees) – draft schedule to be circulated for review and listed for further discussion and clarification (if required) next workshop

2. Review of Strategic Plan

Deputy General Manager, Andrew Benson, provided a further update on the review of the Strategic Plan. Draft Strategic Plan to be submitted to the Council Meeting scheduled for 22nd May 2024.

3. High Street, Oatlands – Traffic Issues

The issue of introducing a 40 klm/hr speed limit in High Street, Oatlands, together with the possible introduction of additional pedestrian crossings (i.e. centre refuges) was raised at the Council Meeting held 24th April 2024.

Extracts from the ‘Oatlands Structure Plan’ relating to ‘High Street Traffic Management and Parking’ was presented to the workshop which provided the basis for potential options to be considered by Council.

Further research and discussion to be undertaken to gain a better understanding of the issues and a report to be submitted to Council.

4. Other Matters:

4.1 Property Issue - Kempton

General discussion regarding a property matter in Kempton.

4.2 Woodsdale Recreation ground – Property transfer proposal (Meeting with Woodsdale Football Club)

The workshop was informed that the Woodsdale Football has nominated a number of representatives to participate in a meeting to progress the discussion relating to the possible transfer of ownership of the Woodsdale Recreation Ground property.

Clrs Miller and Campbell expressed an interest in representing Council at this meeting which will be convened as soon as practicable.

The workshop concluded at approximately 1.30 p.m.

RECOMMENDATION

THAT the information be received.

DECISION

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

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.*

Clr F Miller submitted the following question on notice on 10th May 2024.

Can an update be provided in response to the issues raised at the last Council Meeting relating to the status of the Tasmanian Irrigation 'Greater South East Irrigation Scheme', and in particular, the pricing policies that ?

General Manager

Greater South East Irrigation Scheme – For the public's information, the following extract is taken from the Tasmanian Irrigation (TI) Website to describe the irrigation scheme:

The Greater South East Irrigation Scheme is being designed to secure a reliable water source, integrate the existing South East Stages One, Two and Three schemes, and service existing and additional demand around Gretna, Jordan River Valley, Brighton, Richmond, Dulcote, Cambridge, Colebrook, Campania, Tea Tree, Orierton, Pawleena, Penna, Sorell, Forcett, Elderslie and Broadmarsh”.

As suggested at the Council Meeting, a representative(s) from Tasmanian Irrigation has been invited to attend a Council Workshop on either the 4th June (Budget workshop) or the 10th June (normal monthly workshop) to provide an update in respect of the Scheme.

Specific mention was made to the concern raised at the last Council meeting regarding the pricing policy(s) adopted for the Scheme. This issue has been raised with TI in anticipation that its representative will be able to provide further detail and comment.

Note: At the time of writing this comment it has been reported that the federal budget did not include funding support for this scheme.

7.2 Questions Without Notice

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

It states:

“29. Questions without notice

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

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

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

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

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

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

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

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

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

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

Clr A E Bisdee OAM – Callington Mill Distillery – sought update in relation to the ‘surface finish’ issue.

Manager Development and Environmental Services (Grant Finn) informed the meeting that a Development Application has been received however there is an ongoing discussion relating to some legal issues regarding the process. Council’s lawyer is liaising with the applicant’s lawyer and it is likely a valid application will be resolved in the coming weeks.

Clr A E Bisdee OAM – Tunbridge Bridge - update?

Manager Development and Environmental Services (Grant Finn) informed the meeting that Hazell Bros has been awarded the contract. The Construction Management Plan is being finalised and on-site works should commence within two weeks. DSG has also undertaken a letter drop to advise Tunbridge residents of projects status.

Clr A E Bisdee OAM – Heritage Plaques – Jericho Main Road, Jericho - update?

Deputy General Manager informed Council that the sandstone plinths have been purchased; the wording for the plaques has been finalised; the quote for casting accepted; and currently awaiting approval from the Australian Army to include the 'Rising Sun' logo on the plaques. Stephanie Burbury is following up the latter.

Clr A E Bisdee OAM – Melton Mowbray Park – update?

General Manager confirmed that the Development Application is being submitted with a further update to be provided in relation to the status of the application.

Clr A E Bisdee OAM – Wellington Street Property (water storage tanks) – some of the trees that were planted to screen the tanks need to be replaced.

Site assessment to be undertaken and appropriate action taken.

Clr A E Bisdee OAM – Communication link between the Council Offices – has Telstra provided any feedback regarding the communication link between the offices and the possibility of a cheaper solution?

General Manager confirmed that the issue is being investigated and options being assessed, noting the limitations associated with available infrastructure.

Clr A E Bisdee OAM – Woodsdale Road (from Runnymede to Levendale) – commented on the substantial improvement in the condition of the road good.

Noted.

Clr D Blackwell – Broadmarsh Community Hall – confirmed that the official opening is set for 7th June 2024 (4.00 p.m.), noting that some minor works will still be outstanding.

Noted.

Clr B Campbell – Kempton Recreation Ground (Play Equipment) – received feedback that one item of play equipment requires repair.

Inspection to be undertaken.

Clr B Campbell – Mount Seymour Hall – any success with identifying potential contacts for the community owned Hall?

General Manager advised that no relevant contacts have been identified.

Clr B Campbell – Oatlands Planning Scheme (Planning Scheme - Heritage overlay) – made comment in relation to the pitch of the roofs on the recently constructed garages built in conjunction with the Police dwellings (i.e. South Parade).

Manager Development and Environmental Services provided comment including confirmation that where the heritage precinct applies, 'outbuildings' were not exempt from the LPS provisions that prescribe a 30 degree roof pitch. In its current format, the existing approval does not accord with the Planning Scheme and is contrary to the provisions of s63A of the LUPAA which requires council to observe the enforcement of its planning scheme. The issue is currently being assessed.

Clr B Campbell – made comment regarding unsecured loads of waste being transported to the Waste Transfer Station.

Issue to be referred to Tasmania Police for monitoring.

Clr F Miller – made reference to ongoing acts of illegal dumping of waste (e.g. tyres) on Colebrook Main Road and the need to request the Department of State Growth to increase the resourcing for roadside clean-up(s).

Issue to be referred to the Department of State Growth.

Deputy Mayor K Dudgeon – 466 Brighton Road, Pontville (Youth Detention Centre) – any update?

General Manager informed the meeting that Department for Education, Children and Young People has advised (by Email dated 29th April 2024) that the site assessments at 466 Brighton Road Pontville are still underway, with a delay completing these due to the timeframes required by Aboriginal Heritage Tasmania. It is now expected that all site assessments will be completed mid-year. It is still the intention to establish the Community Reference Group once the outcome of the site assessments is known.

Deputy Mayor K Dudgeon – Midlands Multi-Purpose Health Centre (Macquarie Builders) – made comment that the good progress is being made in relation to the building upgrades happening at the Midlands Multi-Purpose Health Centre.

Noted.

Mayor E Batt – Pathway (Kempton to Mood Food) – requested that the property owners be provided with an update in relation to the project.

General Manager to make contact and provide update.

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. Policy - Reporting & Investigating Reportable Conduct Policy & Procedure
2. Closed Session – Property Matter, Kempton

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 Clr B Campbell

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 10.30 A.M.)

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

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

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

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

Julia Jabour – Southern Midlands Regional News

South Parade Development – made reference to her report in the last edition of the Southern Midlands Regional News which stated that outbuildings were exempt from the heritage overlay provisions within the Planning Scheme. This report was based on comment provided at the previous Council Meeting.

It was acknowledged that this advice has now been corrected by the Manager Development and Environmental Services (in response to an earlier question) and questioned what action would now be taken in relation to the garages built in South Parade to remedy this situation?

The Manager Development and Environmental Services advised that a site assessment will be undertaken in the first instance to determine an appropriate way forward and that there may be a number of site features which could mitigate its impact when viewed from the public realm. The Manager outlined that Council would not likely seek enforcement action as this was an internal error whose history has previously been outlined to elected members.

Julia Jabour – Southern Midlands Regional News

Noted that there was no mobile telephone reception at the Levendale Community Hal (i.e. where the Council is being held). Is Council taking any action to address this situation?

General Manager confirmed that this area has certainly been identified as a ‘blackspot’ area and has been referenced in discussions with Telstra through the ‘Digital Connectivity’ planning process.

Janice McConnon (on behalf of Levendale Hall Management Committee) – is there an update in relation to the proposed acquisition of land that forms part of the former Levendale Primary School? Does the Hall Management Committee need to take any action at this stage?

The General Manager advised that the Department of Natural Resources and Environment Tasmania (Tasmanian Parks and Wildlife Service) is proceeding with an assessment of the area and valuation and will seek approval from the Deputy Secretary of the Department as the delegated officer. Copy of plan (and dimensions) of the proposed area to be sent to the Hall Committee’s Secretary. The dimensions have been referred to the Surveyor General to prepare the required Plan. No action required from the Hall Committee at this stage.

10.1 Permission to Address Council

Nil.

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

Nil.

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

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

12.1 Development Applications

12.1.1 Development Application (DA240009) Storage (9 Shipping containers) at land described as 27 Williams Road, Tea Tree and submitted by e3planning Pty Ltd obo SR & WI Bush.

Author: SENIOR PLANNING OFFICER (LOUISA BROWN)

Approved: MANAGER OF DEVELOPMENT & ENVIRONMENTAL SERVICES
(GRANT FINN)

Date: 17 MAY 2024

Attachment(s):

*Development Application documents
Representation 1*

Discretions 21.3.1 P1 & P2
C2.6.2 P1

PROPOSAL

Council is in receipt of a Development Application for a change of use of 9 existing shipping containers used for Agricultural Use to Storage (Cold Storage) at the property described as 27 Williams Road, Tea Tree.

The property has recently undergone an upgrade to an existing vehicle access, improvements to the internal road, a concrete slab (loading bay) has been laid and the 9 x 40-foot shipping containers located opposite an existing outbuilding in preparation of the proposed cold storage use. The 9 containers and outbuilding are currently used to store agricultural equipment.

The property owners have recently purchased 27 Williams Road and wish to use the shipping containers to store ice from their business, *Mountain Dew Ice* which is located in Shearwater. The Cold Storage shipping containers will be used for freezing and cool storage for wholesale goods, ice and local agricultural products including grapes, apricots, cherries, tomatoes, fruits and berries. This facility would operate as a business, *Southern Midlands Cold Storage*.

Southern Midlands Cold Storage will include will include 9 insulated shipping containers each providing separate cold rooms, constructed from reused 40 foot shipping containers and modern refrigeration systems, which are low in noise and subsequently ~~which~~ use less energy.

It is proposed within the Traffic Assessment that the facility will operate between 6.30am and 4.30pm weekdays, all year round. The operation does not require staff to be onsite

between these hours. The following allocations between ice and agricultural/horticultural produce are proposed;

- 1/3 of the space (60 pallets) for Mountain Dew Ice;
- 2/3 of the space (120 spaces) for products from other local growers.

The application was advertised in accordance with Section 57 of the Act. Council gave notice of the application for public comment from 19/4/2024 – 6/5/2024. During the notification period one (1) representation was received.

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

It is recommended that Council grant a permit for the use of Cold Storage at the property 27 Williams Road, subject to conditions.

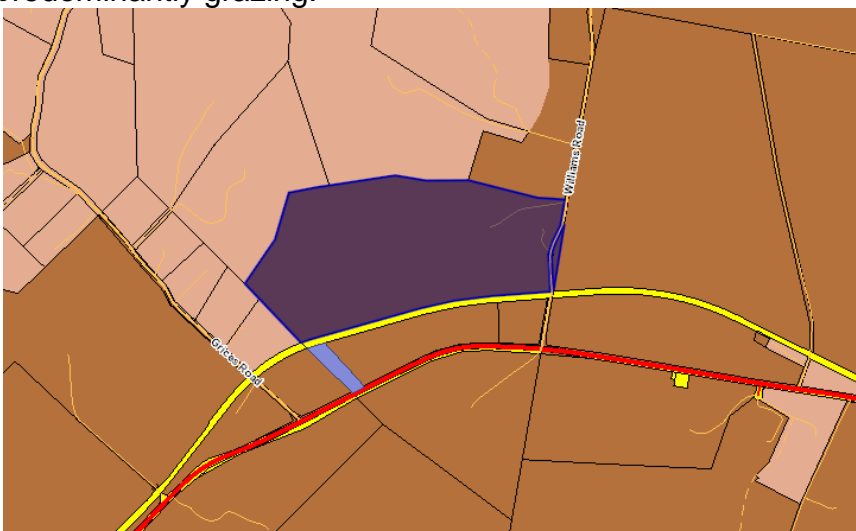
This report will assess the proposal against the relevant provisions of the Act and the Scheme.

THE SITE

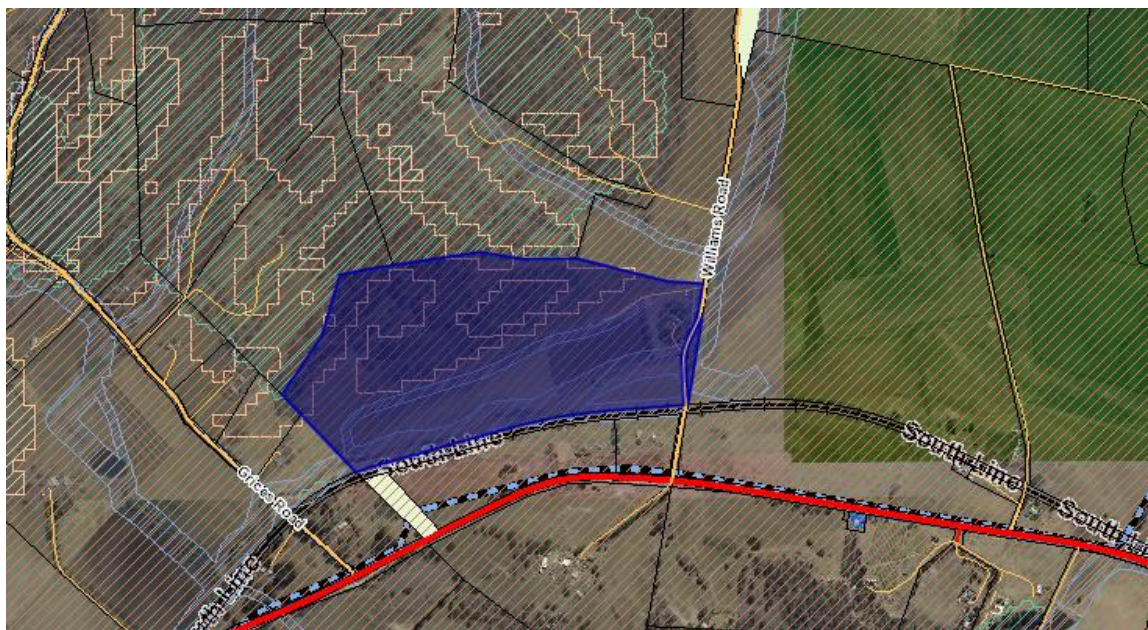
The property is located 160m north of the junction of Tea Tree Road and Williams Road. The Southern Railway Line forms the property boundary to the south and Williams Road forms the eastern site boundary. Adjacent properties are zoned Rural and include residential dwellings and agricultural land uses, such as grazing.

An existing dwelling is located 45m to the south of the proposed Cold Storage.

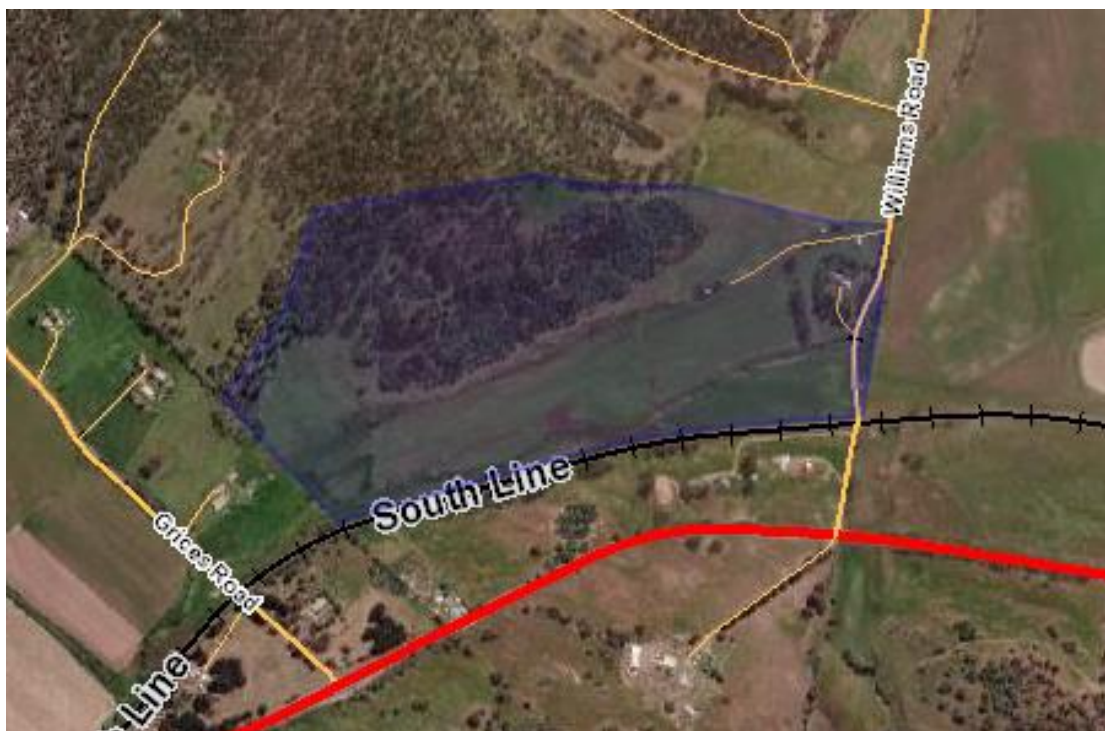
The proposed Cold Storage will be located within existing structures, which are to the north east corner of the property, the remainder of the land will remain for agricultural use, predominantly grazing.



Map 1_ The subject land is identified in blue. Surrounding properties are in the Agriculture Zone (Brown) and Rural Zone (Pink). Source: theLIST (15.05.24)



Map 2_ The subject land is identified in blue. Blue Lines indicate the Natural Assets Code, representing Waterway & Coastal Protection Areas. The orange lines represent the Landslip Hazard Code. The brown lines represent the Bushfire Prone Area Code overlay. Source: theLIST (15.05.24)



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

THE APPLICATION

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

- Planning Report prepared by e3planning
- Letter response to Council's Request for Further Information
- Correspondence from 3 local businesses in support of the Cold Storage proposal

- *Traffic Assessment prepared by Pitt & Sherry and dated 4 April 2024*
- *Agricultural Assessment Report prepared by Pinion Advisory and dated April 2024*
- *Certificate of Title documents*

In addition, the application was referred to both the Department of State Growth and Tasrail. DSG had no concerns with the proposal and Tasrail requested that their standard notes be incorporated into the advice section of any Planning Permit issued.

USE/DEVELOPMENT DEFINITION

Under the Tasmanian Planning Scheme – Southern Midlands (The Scheme), storage is defined as follows;

“Use of land for storage or wholesale of goods, and may incorporate distribution. Examples include boat and caravan storage, self-storage, contractor’s yard, freezing and cool storage, liquid fuel depot, solid fuel depot, vehicle storage, warehouse and woodyard”.

Taken from the Tasmanian Planning Scheme Amendment Number 01-2022

The property is located within the Agriculture Zone of the Scheme. The use of the land for Storage purposes, is a discretionary use in this zone with the qualification of:

“if for:

- (a) a contractors yard;*
- (b) freezing and cooling storage;*
- (c) grain storage;*
- (d) a liquid, solid or gas fuel depot; or*
- (e) a woodyard’.*

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

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised for public comment from 19/4/2024 – 6/5/2024.

During the notification period one (1) representation was received and is summarised in the table below. Please refer to enclosure to view the full copy of representation that was received.

Public Notice Period 19/4/2024 – 6/5/2024	
<i>Representation 1</i>	<i>Council Officer Comment</i>
<p>We object to the “partial change of use from Resource Development use to Storage”. We object to the proposal for the following reasons:</p> <p>— We dispute that “the shipping containers are currently used as agricultural sheds”. We dispute that they were put there for use as agricultural sheds and now there will only be a “change of use”. These shipping containers were specifically brought to the property for ice storage and have been set up that way from the start of the</p>	<p>Council takes note of the comments, however Council can only assess applications for Planning Permits based on the information provided in the application documents.</p> <p>The proposal states that the Cold Storage facility will be used to store ice and agricultural commodities such as berries,</p>

<p>development of the site by the new owners.....had bought the property to have a southern distribution centre for his ice business.....no mention of a cold storage facility for agricultural products. We believe this "agricultural" use has been engineered for the sole purpose of getting council approval for the cold storage facility and that once approval is given Mountain Dew Ice will be the primary user of the facility rather than the owner's proposed new business "Southern Midlands Cold Storage".</p> <p>- We dispute that this is "an important piece of infrastructure for the surrounding agricultural region". As mentioned above we believe the sole purpose of the refrigeration units is to store ice (for the owner's business Mountain Dew Ice) rather than horticultural products.</p> <p>- The report states that "A number of horticultural businesses have expressed an interest in gaining access to the proposed facility". The letters of support hardly ensure that this new development will be used for horticultural produce storage. There is no "commitment" to store their products at the facility as this is not really what the purpose of it is for. The council have asked the owners to establish the product quantities to be stored and where the products are coming from within the Municipality - they have not provided this. This is because the sole storage purpose is for ice, not for the storage of fruits and wine.</p> <p>- The 7 day a week operating hours of the proposed business use (7am-5pm weekdays, 9am-5pm Saturday and Sunday) are inappropriate for the local area - Tea Tree is a rural area, not a commercial area.</p> <p>- The approximate number of commercial vehicles servicing the site would disturb the rural appeal of properties on Williams Road. This is stated to be 4/day, however the e3Planning document suggests on page 11 that there would be "a maximum of 10 vehicle movements per day".</p> <p>— We dispute that "5 Williams Road is the only property which could potentially be</p>	<p>cut flowers, stone fruit and grapes.</p> <p>The Development Application includes 3 letters of support for the cold storage, which all reinforce the need and requirement for such a development. All 3 small businesses support the idea in concept of the cold storage. However, it is unclear if these 3 companies have produce in the area and are committing to using the facility.</p> <p>The use of the property for Cold Storage is a discretionary use in the Agriculture Zone. As a discretionary use, Council may at its discretion grant or refuse to grant a Planning Permit.</p> <p>The proposal has been assessed against the relevant standards of the scheme and is recommended for approval.</p> <p>As a rural area where agriculture activities are common place, often occurring outside of business hours, there are no operating hours in which Council can assess in this zone.</p> <p>The Traffic Impact Assessment has been prepared by a suitably qualified person and an increase of 20 vehicle movements a day is expected. This increase in vehicle movements is an acceptable increase when assessed against the standards of the Scheme.</p> <p>It is accepted that the increase in vehicular movements and the refrigeration containers will generate a degree of noise. However, it is anticipated that the noise generated will not cause a nuisance. In addition, as a rural area where agricultural activities occur outside of business hours, it is acceptable</p>
--	--

<p>impacted by the increased vehicle movements along Williams Road". If there are up to 10 trucks coming along Williams Road a day this would significantly increase the noise pollution to neighbouring properties. There is also many wildlife deaths along the start of Williams Road which would probably increase with an increase in vehicle movements along the road.</p> <p>- We disagree that "the proposed development will have no impact on neighbouring properties" -the refrigeration units are very close. We do not believe they have provided "sufficient separation to minimise any land use conflict" there are horses in this paddock and 24/7. Noise from the refrigeration units will disturb them. Also 24/7 noise pollution from the refrigeration units will travel up to residential dwellings. On clear days and nights we hear agricultural machinery from properties across Williams Road - this is acceptable as we are in a rural area and it is not 24/7 noise. 24/7 refrigeration noise is not acceptable. Nor is the noise pollution from increased trucks on Williams Road and on the Low Fold property as they are delivering and picking up ice from the facility. In the Pinion report the noise risk is "to be determined". When will this "noise risk" be determined and the information provided to us? We disagree that "all noise impacts arising from the operation would be contained within the site".- noise travels up the hill, especially on still nights. We do not believe "the surrounding residential amenity would be preserved" due to this noise pollution.</p> <p>We dispute their claim that the cool storage is for anything other than ice (as described above). The claim that it will be used for storage of agricultural products including grapes, apricots, cherries, tomatoes, fruits and berries has only been made to get the application through council. The legitimacy of this claim is further made questionable by the references not being from major players in the Coal Valley horticultural sector. As we believe the cold storage will be for the sole purpose of the owner's ice business the claim that "the proposal would fill a current</p>	<p>for some activity and noise to occur.</p> <p>Council agrees that the development is not screened however it is partially screened from the road or nearby properties and some landscape treatment is proposed to assist in screening views of the facility. These are within the conditions of the proposed planning permit.</p>
--	---

void and value add to the Southern Midlands agricultural industry" is false.

- The development started soon after settlement of the property with the aim for it to be a refrigeration facility. Was this built before council approval?

- We would like assessment of the impact to Williams Road in wet weather. It has been an extended dry period of late and as such there has been no mention of what increased numbers of trucks along Williams Road will do to the gravel section of the road especially at the entrance to the cold storage facility. We propose the gravel road and driveway at the entrance is not suitable for increased heavy traffic in wet weather conditions.

- The Pitt & Sherry team assessing traffic on Williams Road were only there for half an hour to observe traffic movements - no specification of time of day or weather - for this reason we would like assessment in wet weather as described above.

- Does the refrigeration units have suitable temperature control for chilling of fruit and wine as the letters of support suggest they need? The Pinion report states that the cool storage facility can hold produce at less than or equal to 4 degrees Celsius or frozen at -18 degrees Celsius" - is this the requirement for specific perishable products they propose to store e.g. Specific fruit and wine? Surely more information needs to be provided on this to ensure that the facility is used for horticultural products and not just for the owner's ice business?

- We propose that 100% of the vehicular movements would be related to the Mountain Dew Ice company rather than the Southern Midlands Cold Storage company. If rigid trucks need to reverse all the time at the facility this adds to the noise pollution produced by the facility.

- Their claim that the cold store "is screened from Williams Road by an existing agricultural shed" is not true. The shed is small and unless you take a specific angled

<p>photo the small shed does not “screen” Williams Road from the cold store. The cold store is definitely not screened.</p>	
---	--

ASSESSMENT - TASMANIAN PLANNING SCHEME - SOUTHERN MIDLANDS

Agriculture Zone

The subject site is located within the Agriculture Zone.

The purpose of the Agriculture Zone is:

- To provide for the use or development of land for agricultural use.
- To protect land for the use or development of agricultural use by minimising:
 - (a) conflict with or interference from non-agricultural uses;
 - (b) non-agricultural use or development that precludes the return of the land to agricultural use; and
 - (c) use of land for non-agricultural use in irrigation districts.
- To provide for use or development that supports the use of the land for agricultural use.

As previously advised the proposed Storage is a Discretionary Use in the Zone.

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

<p>21.3 Use Standards 21.3.1 Discretionary uses That uses listed as Discretionary: (a) support agricultural use; and (b) protect land for agricultural use by minimising the conversion of land to non-agricultural use.</p>		
Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1 No Acceptable Solution.</p>	<p>P1 A use listed as Discretionary, excluding Residential or Resource Development, must be required to locate on the site, for operational or security reasons or the need to contain or minimise impacts arising from the operation such as noise, dust, hours of operation or traffic movements, having regard to:</p>	<p><i>The proposed cold storage use is not required to be located on the property for operational reasons or security reasons. Nor is it required to be located on the property to minimise or contain impacts such as noise, hours of operation or dust.</i></p> <p><i>The proposed storage will not have access to naturally occurring resources on the site. It is</i></p>

	<p>(a) access to a specific naturally occurring resource on the site or on land in the vicinity of the site;</p> <p>(b) access to infrastructure only available on the site or on land in the vicinity of the site;</p> <p>(c) access to a product or material related to an agricultural use;</p> <p>(d) service or support for an agricultural use on the site or on land in the vicinity of the site;</p> <p>(e) the diversification or value adding of an agricultural use on the site or in the vicinity of the site; and</p> <p>(f) provision of essential Emergency Services or Utilities.</p>	<p><i>proposed to store bulk ice and to receive produce from the local area to store on site.</i></p> <p><i>The proposed use is not required to be located on the property due to the availability to infrastructure. It is noted that the location of the property is well connected to Tea Tree Road and the Midland Highway.</i></p> <p><i>By virtue of its location and connection to arterial road network, it can be assumed that produce in the local area includes grapes and stone fruit from the Coal River Valley area. The property is located within this area, therefore access to this produce could be a requirement for the location of the cold storage facility. The proposed use would also provide a service for local producers of the area.</i></p> <p><i>The Agricultural Assessment Report prepared by Pinion, states that the property includes Class 4, 5 and 6 land which is currently used for grazing at a non-commercial scale (10 cows and calves run on the property), best described as a 'lifestyle property'.</i></p> <p><i>The property is suited to grazing, at a small scale. The proposed Cold Storage Use requires an area of 180m², located to the north east corner of the property and will</i></p>
--	---	--

		<p><i>therefore have a negligible effect on the grazing productivity of the property. This small area of site area has long been retired from agricultural purposes.</i></p> <p><i>Non Agricultural uses within the Agriculture Zone should not preclude the return of the land to agricultural use, the proposal meets the objective of the zone purpose.</i></p> <p><i>The purpose of the Agriculture Zone is also to protect agricultural land for agricultural purposes by minimise non-agricultural uses. The proposal meets the purpose of the zone as a very small area of land will be used for non-agricultural uses.</i></p> <p><i>The proposal meets the Performance Criteria P1.</i></p>
<p>A2 No Acceptable Solution</p>	<p>P2 A use listed as Discretionary, excluding Residential, must minimise the conversion of agricultural land to non-agricultural use, having regard to:</p> <p>(a) the area of land being converted to non-agricultural use;</p> <p>(b) whether the use precludes the land from being returned to an agricultural use;</p> <p>(c) whether the use confines or restrains existing or potential</p>	<p><i>The Agricultural Assessment Report prepared by Pinion, states that the property is includes Class 4, 5 and 6 land which is currently used for grazing at a non-commercial scale.</i></p> <p><i>The Proposed Cool storage facility will require 180m² which equates to 0.06% of the total land available on the property.</i></p> <p><i>The existing pasture operation will continue, with the productivity of the existing livestock grazing</i></p>

	<p>agricultural use on the site or adjoining sites.</p>	<p><i>not negatively impacted or diminished.</i></p> <p><i>The shipping containers can be removed and the land returned to an agricultural use.</i></p> <p><i>The Tasmanian Planning Scheme – Southern Midlands defines “agricultural use” as means use of the land for propagating, cultivating or harvesting plants or for keeping and breeding of animals, excluding domestic animals and pets.</i></p> <p><i>The property to the north of the site currently keep horses, a domestic animal, in the paddock adjacent to the proposed Cold Storage. However, this property has the potential for agricultural use, and is zoned Agriculture.</i></p> <p><i>Properties to the east of Williams Road are classified as primary production, whereas properties to the north, west and south of the site are predominantly residential, with some non-commercial agricultural use. In addition, properties to the north and north west of the site are zoned Rural in the Scheme.</i></p> <p><i>It is anticipated that the proposed Cold Storage will generate some noise from vehicular movements and the refrigeration system, it is not anticipated that the</i></p>
--	---	--

		<p><i>use could confine or restrain existing or potential agricultural uses on adjacent properties.</i></p> <p><i>The proposal is deemed to satisfy the Performance Criteria P2.</i></p>
<p>A3 No Acceptable Solution.</p>	<p>P3 A use listed as Discretionary, excluding Residential, located on prime agricultural land must:</p> <p>(a) be for Extractive Industry, Resource Development or Utilities, provided that:</p> <p>(i) the area of land converted to the use is minimised;</p> <p>(ii) adverse impacts on the surrounding agricultural use are minimised; and</p> <p>(iii) the site is reasonably required for operational efficiency; or</p> <p>(b) be for a use that demonstrates a significant benefit to the region, having regard to the social, environmental and economic costs and benefits of the proposed use.</p>	<p><i>The proposal is not for Extractive Industry, Resource Development or Utilities, therefore this clause does not apply.</i></p>
<p>A4 No Acceptable Solution.</p>	<p>P4 A Residential use listed as Discretionary must:</p> <p>(a) be required as part of an agricultural use, having regard to:</p> <p>(i) the scale of the agricultural use;</p>	<p><i>The proposal is not for a Residential Use, therefore this clause does not apply.</i></p>

	<p>(ii) the complexity of the agricultural use;</p> <p>(iii) the operational requirements of the agricultural use;</p> <p>(iv) the requirement for the occupier of the dwelling to attend to the agricultural use; and</p> <p>(v) proximity of the dwelling to the agricultural use; or</p> <p>(b) be located on a site that:</p> <p>(i) is not capable of supporting an agricultural use;</p> <p>(ii) is not capable of being included with other agricultural land (regardless of ownership) for agricultural use; and</p> <p>(iii) does not confine or restrain agricultural use on adjoining properties.</p>	
--	--	--

<p>21.4 Development Standards for Buildings and Works 21.4.1 Building height To provide for a building height that: (a) is necessary for the operation of the use; and (b) minimises adverse impacts on adjoining properties.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Building height must be not more than 12m.</p>	<p>P1 Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to:</p>	<p><i>The height of the proposed Cold Storage Unit (9 x Shipping Containers and refrigeration system) is less than 12m.</i></p>

	<p>(a) the proposed height of the building;</p> <p>(b) the topography of the site;</p> <p>(c) the bulk and form of the building;</p> <p>(d) separation from existing use on adjoining properties;</p> <p>(e) the nature of the existing uses on adjoining properties; and</p> <p>(f) any buffers created by natural or other features.</p>	<p><i>Therefore the proposal meets the Acceptable Solution A1.</i></p>
--	--	--

<p>21.4.2 Setbacks That the siting of buildings minimises potential conflict with use on adjoining properties.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Buildings must have a setback from all boundaries of:</p> <p>(a) not less than 5m; or</p> <p>(b) if the setback of an existing building is within 5m, not less than the existing building.</p>	<p>P1 Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to:</p> <p>(a) the bulk and form of the building;</p> <p>(b) the nature of existing use on the adjoining properties;</p> <p>(c) separation from existing use on the adjoining properties; and</p> <p>(d) any buffers created by natural or other features.</p>	<p><i>The proposed Cold Storage Units (9 x Shipping Containers and Refrigeration system) are 12m to the northern property boundary and over 20m to the eastern boundary of Williams Road.</i></p> <p><i>Therefore the proposal meets the Acceptable Solution A1.</i></p>
<p>A2 Buildings for a sensitive use must have a setback from all boundaries of:</p>	<p>P2 Buildings for a sensitive use must be sited so as not to conflict or interfere</p>	<p><i>Not applicable, the building is not for a sensitive use (dwelling).</i></p>

<p>(a) not less than 200m;</p> <p>or</p> <p>(b) if the setback of an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building.</p>	<p>with an agricultural use, having regard to:</p> <p>(a) the size, shape and topography of the site;</p> <p>(b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties;</p> <p>(c) the location of existing buildings on the site;</p> <p>(d) the existing and potential use of adjoining properties;</p> <p>(e) any proposed attenuation measures; and</p> <p>(f) any buffers created by natural or other features.</p>	
--	---	--

CODE ASSESSMENT – TASMANIAN PLANNING SCHEME – SOUTHERN MIDLANDS

C2.0 Parking & Sustainable Transport Code

The purpose of the Parking and Sustainable Transport Code is:

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

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

<p>C2.5 Use Standards C2.5.1 Car parking numbers Objective: That an appropriate level of car parking spaces are provided to meet the needs of the use</p>		
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>	<p>OFFICER COMMENT</p>
<p>A1 The number of on-site car parking spaces must be</p>	<p>P1.1 The number of on-site car parking spaces for uses,</p>	<p><i>The requirement for Storage is 1 space per</i></p>

<p>no less than the number specified in Table C2.1, less the number of car parking spaces that cannot be provided due to the site including container refund scheme space, excluding if:</p> <p>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</p> <p>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</p> <p>(c) the site is subject to Clause C2.5.5; or</p> <p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <p>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use</p>	<p>excluding dwellings, must meet the reasonable needs of the use, having regard to:</p> <p>(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;</p> <p>(b) the ability of multiple users to share spaces because of:</p> <p>(i) variations in car parking demand over time;</p> <p>or</p> <p>(ii) efficiencies gained by consolidation of car parking spaces;</p> <p>(c) the availability and frequency of public transport within reasonable walking distance of the site;</p> <p>(d) the availability and frequency of other transport alternatives;</p> <p>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</p> <p>(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</p> <p>(g) the effect on streetscape; and</p> <p>(h) any assessment by a suitably qualified person</p>	<p><i>200m² of the site area or 1 space per 2 employees, whichever is greater. This equates to 13 vehicular spaces, of which there is adequate space on the property.</i></p> <p><i>However, it is assumed that 13 spaces will not be required, due to the nature of the Storage Use being Cold Storage.</i></p> <p><i>The proposal meets the Acceptable Solution A1.</i></p>
---	--	--

<p>or development, in which case on-site car parking must be calculated as follows:</p> <p>$N = A + (C - B)$ N = Number of on-site car parking spaces required A = Number of existing on-site car parking spaces B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1 C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>	<p>of the actual car parking demand determined having regard to the scale and nature of the use and development.</p> <p>P1.2 The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</p> <p>(a) the nature and intensity of the use and car parking required;</p> <p>(b) the size of the dwelling and the number of bedrooms; and</p> <p>(c) the pattern of parking in the surrounding area.</p>	
--	--	--

<p>C2.5.4 Loading Bays Objective: That adequate access for goods delivery and collection is provided, and to avoid unreasonable loss of amenity and adverse impacts on traffic flows.</p>		
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>	<p>OFFICER COMMENT</p>
<p>A1 A loading bay must be provided for uses with a floor area of more than 1000m² in a single occupancy.</p>	<p>P1 Adequate space for loading and unloading of vehicles must be provided, having regard to:</p> <p>(a) the type of vehicles associated with the use;</p> <p>(b) the nature of the use;</p> <p>(c) the frequency of loading and unloading;</p> <p>(d) the location of the site;</p> <p>(e) the nature of traffic in the surrounding area;</p> <p>(f) the area and dimensions of the site; and</p>	<p><i>The proposal includes a concrete slab area for the handling of materials (ice + produce) whose dimensions are 10m x 25m (250m²).</i></p> <p><i>The proposal meets the Acceptable Solution A1.</i></p>

	<p>(g) the topography of the site;</p> <p>(h) the location of existing buildings on the site; and</p> <p>(i) any constraints imposed by existing development.</p>	
--	---	--

<p>C2.6 Development Standards for Buildings and Works C2.6.1 Construction of parking areas Objective: That parking areas are constructed to an appropriate standard.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 All parking, access ways, manoeuvring and circulation spaces must:</p> <p>(a) be constructed with a durable all weather pavement;</p> <p>(b) be drained to the public stormwater system, or contain stormwater on the site; and</p> <p>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</p>	<p>P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to:</p> <p>(a) the nature of the use;</p> <p>(b) the topography of the land;</p> <p>(c) the drainage system available;</p> <p>(d) the likelihood of transporting sediment or debris from the site onto a road or public place;</p> <p>(e) the likelihood of generating dust; and</p> <p>(f) the nature of the proposed surfacing.</p>	<p><i>The proposal includes gravel internal access roads and circulation space. A concrete slab is also provided for loading and unloading. These materials are considered to be all weather pavement materials.</i></p> <p><i>Stormwater collection will be limited (roof catchment will be addressed via a plumbing permit), however stormwater run-off from roads will be retained on site.</i></p> <p><i>The proposal meets the Acceptable Solution A1.</i></p>

<p>C2.6 Development Standards for Buildings and Works C2.6.2 Design and layout of parking areas Objective: That parking areas are designed and laid out to provide convenient, safe and efficient parking.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1.1 Parking, access ways, manoeuvring and</p>	<p>P1 All parking, access ways, manoeuvring and</p>	<p><i>The proposal includes no formal car parking spaces</i></p>

<p>circulation spaces must either:</p> <p>(a) comply with the following:</p> <p>(i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;</p> <p>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</p> <p>(iii) have an access width not less than the requirements in Table C2.2;</p> <p>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</p> <p>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with Australian Standard AS 2890- Parking facilities, Parts 1-6.</p> <p>A1.2 Parking spaces provided for use by persons with a</p>	<p>circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the proposed slope, dimensions and layout;</p> <p>(c) useability in all weather conditions;</p> <p>(d) vehicle and pedestrian traffic safety;</p> <p>(e) the nature and use of the development;</p> <p>(f) the expected number and type of vehicles;</p> <p>(g) the likely use of the parking areas by persons with a disability;</p> <p>(h) the nature of traffic in the surrounding area;</p> <p>(i) the proposed means of parking delineation; and</p> <p>(j) the provisions of Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking and AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities.</p>	<p><i>and must therefore be assessed against the Performance Criteria P1.</i></p> <p><i>The site area for parking, manoeuvring and circulation spaces are relatively level, constructed from all weather materials and useable in all weather conditions.</i></p> <p><i>The proposal is not in a high pedestrian traffic area.</i></p> <p><i>The types of vehicles using the site will be cars and trucks, with a maximum number of vehicular movements being 20 a day.</i></p> <p><i>The design of the manoeuvring, parking and circulation spaces are to accommodate the type of vehicles using the site, trucks.</i></p> <p><i>The proposal meets the Performance Criteria P1</i></p>
---	--	--

<p>disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities.</p>		
---	--	--

<p>C2.6 Development Standards for Buildings and Works C2.6.3 Number of accesses for vehicles Objective: That:</p> <p>(a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;</p> <p>(b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and</p> <p>(c) the number of accesses minimise impacts on the streetscape.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>	<p>P1 The number of accesses for each frontage must be minimised, having regard to:</p> <p>(a) any loss of on-street parking; and</p> <p>(b) pedestrian safety and amenity;</p> <p>(c) traffic safety;</p> <p>(d) residential amenity on adjoining land; and</p> <p>(e) the impact on the streetscape.</p>	<p><i>The proposal meets the Acceptable Solution A1, because the property has two points of vehicular access and no more are being proposed.</i></p>

C3.0 Road and Railway Assets Code

The purpose of the Road and Railway Assets Code is:

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

This code applies to a use or development that:

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

An existing level Railway Crossing is located on Williams Road to the south east of the property. The Code applies as the proposal will increase the number of vehicles longer than 5.5m crossing the level crossing-

C3.5 Use Standards		
C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction		
To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 For a Category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <ol style="list-style-type: none"> (a) a new junction; (b) a new vehicle crossing; or (c) a new level crossing. <p>A1.2 For a road, excluding a Category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p> <p>A1.3 For the rail network, written consent for a new private level crossing to serve the use and development has been</p>	<p>P1 Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <ol style="list-style-type: none"> (a) any increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road; (d) the speed limit and traffic flow of the road; (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact assessment; and 	<p><i>The proposal meets the Acceptable Solution A1, as a limited access road, the proposal requires no new junction, no new vehicle crossing or level crossing.</i></p> <p><i>The Acceptable Solution A1.2 is not applicable.</i></p> <p><i>The Acceptable Solution A1.3 is not applicable.</i></p> <p><i>The proposal meets the Acceptable Solution A1.4 As vehicle movements will be increased by 20 movements a day, which is estimated to be 1%, and is less than those specified in Table C3.1.</i></p> <p><i>The Acceptable Solution A1.5 is met as vehicles can enter and leave Williams Road and Tea Tree Road in a forward direction.</i></p>

<p>issued by the rail authority.</p> <p>A1.4 Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than: (a) the amounts in Table C3.1; or (b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road.</p> <p>A1.5 Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	<p>(h) any advice received from the rail or road authority.</p>	
--	---	--

Natural Assets Code

This Code applies as areas of Waterway & Coastal Protection Area that are located on the property. However, no development or works are proposed to be within this Code Overlay, therefore it is not applicable.

CONCLUSION

The report has assessed a Development Application for Storage (9 x shipping containers) at land described as 27 Williams Road, Tea Tree.

One (1) representation was received and the concerns raised have been addressed in this report.

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

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

RECOMMENDATION

THAT, in accordance with the provisions of the Tasmanian Planning Scheme - *Southern Midlands* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application (DA240009) for Storage (9x Shipping containers) at land described as 27 Williams Road, Tea Tree and submitted by e3planning Pty Ltd obo SR & WI Bush.

CONDITIONS

General

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

Amenity

- (3) All external metal building surfaces must be clad in non-reflective pre-coated metal sheeting or painted to the satisfaction of the Council's General Manager.

Landscaping

- (4) In an attempt to screen views of the facility, before the Cold Storage Use commences submit a landscape plan prepared by a suitably qualified person for approval by Council's General Manager. The landscape plan must include:
 - (a) Appropriate Soft Landscaping to screen views from the northern, eastern and southern property boundary; and
 - (b) A planting schedule of all proposed trees, shrubs and including botanical names, common names and quantities of each plant.
- (5) Planting must bear a suitable relationship to the proposed height of the structures and must not use species listed as noxious weeds within Tasmania, displaying invasive characteristics or unsuitable for fire prone areas. If considered satisfactory, the landscape plan will be endorsed and will form part of this permit.
- (6) Prior to commencement of use, all trees and landscaping must be planted and installed in accordance with the approved Landscaping Plan to the satisfaction of the Council's General Manager. Evidence showing compliance with this condition must be submitted to and approved by the Manager Development Services within 30 days of planting.
- (7) Replacement trees and landscaping in accordance with the approved Landscaping Plan must be planted if any is lost. All landscaping must continue to be maintained to the satisfaction of Council.

Services

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

Parking and Access

- (9) The internal driveway and areas set-aside for parking and associated access and turning must be provided in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney and to the satisfaction of Council's Municipal Engineer, and must include all of the following;
 - a) Constructed with a durable all weather pavement;
 - b) Minimum carriageway width of 4 metres; and
 - c) Drained to an approved stormwater system.

- (10) The internal driveway and areas set-aside for parking and associated access and turning must be designed, constructed and maintained to avoid dust or mud generation, erosion and sediment transfer off site or de-stabilisation of the soil on site or on adjacent properties to the standard required by Council's Municipal Engineer.

Stormwater

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

Construction amenity

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

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

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

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

- A. This Planning Permit is in addition to the requirements of the Building Act 2016. It is necessary to seek approval prior to any new building work, work being carried out in accordance with the Building Act 2016. A copy of the Directors Determination – categories of Building Work and Demolition Work is available via the CBOS website: [Director's Determination - Categories of Building and Demolition Work \(PDF, 504.4 KB\)](#)

If an owner undertakes any Low Risk Building Work as allowed by the Directors determination, they are responsible for ensuring that any proposed work complies with this Determination, in particular to ensure that they:

- Review and comply with any relevant Standard Limitations,
- That permitted size limits are not exceeded;
- That Boundary setbacks are complied with.

Types of Low Risk structure of sizes greater than permitted for this Category are to be considered against the next relevant Category being either Low Risk Work (Category 2), Notifiable Work (Category 3) or Permit Work (Category 4).

- B. The proposed works are located within a mapped bushfire prone area and as such a bushfire assessment and BAL by a suitably qualified person may be required as part of the certified documents for the building approval.
- C. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.
- D. This Planning Permit does not approve any proposed Signage. A separate Application for Signage maybe required.
- E. TasRail Standard Notes to Land owners
 - a) Where a building or other development is proposed to be located at a setback distance less than 50 metres from the boundary of the rail corridor, the occupants are likely to be exposed to train horn noise and vibration, noting that TasRail Freight Rail Services operate 24/7 and the configuration, frequency and time of these services is subject to change at any time.
 - b) Landowners, builders/developers and prospective residents should undertake appropriate due diligence to ensure they are aware of potential exposure to train horn noise and vibration, particularly in relation to building design, material specifications and lifestyle. The train horn is a safety device that is required to be sounded twice per level crossing being on approach and on entry. The minimum duration of each train horn blow is one second. The train driver also has the discretion to sound the horn at any time he/she perceives a risk.
 - c) Using or creating an unlicensed railway crossing or stock crossing is unsafe and strictly prohibited. Rail Safety National Law requires all private crossings to be subject to an interface agreement (licence). Where a privately owned property interfaces with a rail crossing and/or State Rail Network land please contact property@tasrail.com.au to discuss the necessary authorisations and licencing process.
 - d) Stormwater or effluent is not permitted to be discharged onto rail land or into the rail drainage system. Should there be a requirement for a service or asset to be installed on rail land in order to connect into an authorised stormwater or other outlet, a separate TasRail Permit is required and will only be approved subject to terms and conditions (costs apply). A Permit Application Form is available by contacting property@tasrail.com.au
 - e) Any excavation within 3 metres of the rail boundary line requires a separate TasRail Permit from property@tasrail.com.au in accordance with s44 of the *Rail Infrastructure Act 2009*. A minimum of seven (7) business day's notice is required, but earlier engagement is recommended

- f) Rail land is not for private use and should not be encroached for any purpose including for gardens, storage, keeping of animals etc. Dumping of rubbish including green waste into the rail corridor is not permitted.
- g) No obstruction, installation or works of any kind are permitted inside railway land for any purpose including for structures, unauthorised vehicles, drainage, water pipes, stormwater discharge, electrical or service infrastructure, storage of materials, vegetation clearing, inspections etc. Consideration should also be given to the orientation and siting of above ground structures on adjoining land as well as landscaping to ensure there is no potential to obscure or obstruct the line of sight with respect to a railway crossing.
- h) As per the *Rail Infrastructure Act 2007*, the Rail Infrastructure Manager (TasRail) may remove and dispose of unauthorised or unlawful service infrastructure and take such other action as it sees fit. Where this occurs, TasRail may recover its costs of doing so as a debt due to TasRail from that person and retain if applicable any proceeds of disposal. No action lies against TasRail for removing or disposing of the unauthorised or unlawful service infrastructure.
- i) No persons should enter rail land without formal authorisation from TasRail in the form of a TasRail Permit issued by property@tasrail.com.au
- j) Rail Corridors are exempt from the Boundary Fences Act meaning that TasRail is not required to contribute to the cost of boundary fencing.

DECISION

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

THAT THAT, in accordance with the provisions of the Tasmanian Planning Scheme - *Southern Midlands* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application (DA240009) for Storage (9x Shipping containers) at land described as 27 Williams Road, Tea Tree and submitted by e3planning Pty Ltd obo SR & WI Bush.

CONDITIONS

General

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

Amenity

- (3) Within three (3) months commencement of the activity all external metal building surfaces must be painted a subdued colour so as to integrate with the general landscape of the area and to the satisfaction of the Council's Manager of Development & Environmental Services.

Landscaping

- (4) Within six (6) months commencement of the activity, the appropriate Soft Landscaping must be installed to the property boundary adjacent to Williams Road and evidence showing compliance with these conditions must be submitted to and approved by the Manager Development Services within 30 days of planting.**
- (5) The landscaping must bear a suitable relationship to the proposed height of the structures and must not use species listed as noxious weeds within Tasmania, displaying invasive characteristics or unsuitable for fire prone areas.**

Services

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

Parking and Access

- (7) The internal driveway and areas set-aside for parking and associated access and turning must be provided in accordance with Standards Australia (2004): Australian Standard AS 2890.1 - 2004 – Parking Facilities Part 1: Off Street Car Parking; Standards Australia, Sydney and to the satisfaction of Council's Municipal Engineer, and must include all of the following;
 - a) Constructed with a durable all weather pavement;**
 - b) Minimum carriageway width of 4 metres; and**
 - c) Drained to an approved stormwater system.****
- (8) The internal driveway and areas set-aside for parking and associated access and turning must be designed, constructed and maintained to avoid dust or mud generation, erosion and sediment transfer off site or de-stabilisation of the soil on site or on adjacent properties to the standard required by Council's Municipal Engineer.**

Stormwater

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

Construction amenity

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

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

- (11) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
 - (a) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.**
 - (b) The transportation of materials, goods and commodities to and from the land.**
 - (c) Obstruction of any public footway or highway.****

- (d) Appearance of any building, works or materials.
- (12) Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager Development Services.
- (13) Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.
- (14) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's Municipal Engineer.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

- A. This Planning Permit is in addition to the requirements of the Building Act 2016. It is necessary to seek approval prior to any new building work, work being carried out in accordance with the Building Act 2016. A copy of the Directors Determination – categories of Building Work and Demolition Work is available via the CBOS website: [Director's Determination - Categories of Building and Demolition Work \(PDF, 504.4 KB\)](#)

If an owner undertakes any Low Risk Building Work as allowed by the Directors determination, they are responsible for ensuring that any proposed work complies with this Determination, in particular to ensure that they:

- Review and comply with any relevant Standard Limitations,
- That permitted size limits are not exceeded;
- That Boundary setbacks are complied with.

Types of Low Risk structure of sizes greater than permitted for this Category are to be considered against the next relevant Category being either Low Risk Work (Category 2), Notifiable Work (Category 3) or Permit Work (Category 4).

- B. The proposed works are located within a mapped bushfire prone area and as such a bushfire assessment and BAL by a suitably qualified person may be required as part of the certified documents for the building approval.
- C. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.
- D. This Planning Permit does not approve any proposed Signage. A separate Application for Signage maybe required.

E. TasRail Standard Notes to Land owners

- a) Where a building or other development is proposed to be located at a setback distance less than 50 metres from the boundary of the rail corridor, the occupants are likely to be exposed to train horn noise and vibration, noting that TasRail Freight Rail Services operate 24/7 and the configuration, frequency and time of these services is subject to change at any time.
- b) Landowners, builders/developers and prospective residents should undertake appropriate due diligence to ensure they are aware of potential exposure to train horn noise and vibration, particularly in relation to building design, material specifications and lifestyle. The train horn is a safety device that is required to be sounded twice per level crossing being on approach and on entry. The

minimum duration of each train horn blow is one second. The train driver also has the discretion to sound the horn at any time he/she perceives a risk.

- c) Using or creating an unlicensed railway crossing or stock crossing is unsafe and strictly prohibited. Rail Safety National Law requires all private crossings to be subject to an interface agreement (licence). Where a privately owned property interfaces with a rail crossing and/or State Rail Network land please contact property@tasrail.com.au to discuss the necessary authorisations and licencing process.
- d) Stormwater or effluent is not permitted to be discharged onto rail land or into the rail drainage system. Should there be a requirement for a service or asset to be installed on rail land in order to connect into an authorised stormwater or other outlet, a separate TasRail Permit is required and will only be approved subject to terms and conditions (costs apply). A Permit Application Form is available by contacting property@tasrail.com.au
- e) Any excavation within 3 metres of the rail boundary line requires a separate TasRail Permit from property@tasrail.com.au in accordance with s44 of the *Rail Infrastructure Act 2009*. A minimum of seven (7) business day's notice is required, but earlier engagement is recommended
- f) Rail land is not for private use and should not be encroached for any purpose including for gardens, storage, keeping of animals etc. Dumping of rubbish including green waste into the rail corridor is not permitted.
- g) No obstruction, installation or works of any kind are permitted inside railway land for any purpose including for structures, unauthorised vehicles, drainage, water pipes, stormwater discharge, electrical or service infrastructure, storage of materials, vegetation clearing, inspections etc. Consideration should also be given to the orientation and siting of above ground structures on adjoining land as well as landscaping to ensure there is no potential to obscure or obstruct the line of sight with respect to a railway crossing.
- h) As per the *Rail Infrastructure Act 2007*, the Rail Infrastructure Manager (TasRail) may remove and dispose of unauthorised or unlawful service infrastructure and take such other action as it sees fit. Where this occurs, TasRail may recover its costs of doing so as a debt due to TasRail from that person and retain if applicable any proceeds of disposal. No action lies against TasRail for removing or disposing of the unauthorised or unlawful service infrastructure.
- i) No persons should enter rail land without formal authorisation from TasRail in the form of a TasRail Permit issued by property@tasrail.com.au
- j) Rail Corridors are exempt from the Boundary Fences Act meaning that TasRail is not required to contribute to the cost of boundary fencing.

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	✓	

12.1.2 Petition to Amend Sealed Plan Number 35320 Remove Burdening Easement – 6 East Bagdad Road, Bagdad - A & P MacLeod Super Pty Ltd

File Ref: DA230002

Author: SENIOR PLANNING OFFICER (LOUISA BROWN)

Date: 17 MAY 2024

Attachment(s):

1. *Petition to Amend Sealed Plan*
2. *Title Documents*

INTRODUCTION

Council is in receipt of a petition to amend the Sealed Plan Number 35320 to remove an existing drainage easement 3.00m wide which burdens Lot 1.

DETAIL

A petition to amend the Sealed Plan described above has been received from a representative of the land owners to remove a drainage easement on the property 6 East Bagdad Road.

The land is currently being developed in accordance with council permit DA230002, subdivision for 6 Lots. As a part of this development the easement must be removed as the new works make it redundant.

All affected persons (owners of Lots 2-9 and their mortgagees) have been served notice via registered post.

No other party is impacted by the proposal.

STATUTORY PROCESS

Under Section 103 of the Local Government (Building & Miscellaneous Provisions) Act 1993 (the LGBMP Act) a person may apply 'by petition' to the Council to amend a Sealed Plan.

The person is to serve a copy of the petition on all persons appearing by the registers under the Land Titles Act 1980 and the Registration of Deeds Act 1935 to have an estate or interest at law affected by the proposed amendment.

No objections to the proposed change have been received within the statutory time limit of 28 days.

ASSESSMENT

The proposed amendment to the Sealed Plan will remove a redundant easement in the form of a 3.0m drainage easement.

No other party is impacted.

It is recommended Council sign and seal the Instrument Form in accordance with the Solicitor's advice for lodgement at the Lands Titles Office.

RECOMMENDATION

THAT in accordance with Section 103 of the *Local Government (Building & Miscellaneous Provisions) Act 1993* Council Sign and Seal an ‘Instrument Form’ to be lodged at the Land Titles Office with a Request to Amend Sealed Plan 35320 Remove Burdening easement as proposed.

DECISION

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

THAT in accordance with Section 103 of the *Local Government (Building & Miscellaneous Provisions) Act 1993* Council Sign and Seal an ‘Instrument Form’ to be lodged at the Land Titles Office with a Request to Amend Sealed Plan 35320 Remove Burdening easement as proposed.

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	✓	

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]**

DECISION

Moved by Deputy Mayor K Dudgeon, seconded by Clr F Miller

THAT the meeting be adjourned for morning tea at 11.11 a.m.

CARRIED

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

DECISION

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

THAT the meeting reconvene at 11.33 a.m.

CARRIED

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

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.

13.1.1 Traffic and Pedestrian Matters – High Street, Oatlands

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 15 MAY 2024

Attachment(s):

Extract Oatlands Structure Plan – Traffic Issues

ISSUE

Responding to a community request for modified traffic arrangement(s) in High Street Oatlands.

BACKGROUND

The Oatlands Structure Plan was adopted by Council in September 2021 and in that document traffic and related issues were explored by the Consultants (JMG) as part of their response to the Community Consultation process.

Traffic Engineer (Milan Prodanovic) provided a commentary within the final report, with a range of recommendations.

DETAIL

Council has not had the ability to implement all of the recommendations, but have completed some, namely:

1. Removal of the angle parking in the High Street and converting it to parallel parking, which has made a considerable difference to the level of minor incidents, and frustrations in the area;
2. Undertaken a boundary adjustment to free up a trafficked way along the rear of the shops near the IGA in preparation for a future parking arrangement;
3. Completed the Oatlands Aquatic Centre, which provides additional parking adjacent to the High Street, which includes:
 - a. 32 standard car parking spaces
 - b. 2 electric vehicle charging parks
 - c. 2 DDA compliant parking spaces
 - d. 1 coach parking space
4. Reconstruction of South Parade;
5. Reconfigured the bus stop (south bound) to comply with the DDA; and

6. The implementation of timed vehicle parking in front of key business locations, e.g. Bank, Chemist, Post Office.

Traffic Engineer, Milan Prodanovic observed:

In order to recommend beneficial and achievable traffic safety improvements, increased accessibility and an improved traffic environment within Oatlands, the following investigative measures have been taken:

- *Consideration has been given to the outputs from stakeholder and community consultation that was undertaken during this year;*
- *The vehicle crash record within the built-up area of Oatlands was reviewed; and*
- *Visits to Oatlands to observe the behaviour of drivers and pedestrians, parking activity and the road and traffic conditions along the streets.*

There have been only 13 reported on-road collisions and three off-road incidents within the built up area of Oatlands since January 2015. Seven of these collisions occurred along High Street.

Three have been collisions with pedestrians, and three were parking manoeuvres, with the three pedestrian collisions and two of the parking manoeuvres resulting in minor injury. Two of the pedestrian collisions occurred in the area of the IGA store and the other occurred between Barrack Street and Dulverton Street.

The collisions with the parking/unparking manoeuvres occurred at different locations along High Street. All other six on-road collisions away from High Street occurred at different locations; three at four leg intersections in the Dudley Street and Stanley Street area and three in midblock locations on different side streets.

All of these collisions, except for one loss of control crash, resulted in property damage only.

The width of High Street between kerb faces varies from 15.6m just south of Dulverton Street to 17.4m near the IGA store and 16.9m to the south of Wellington Street.

His recommendation was also to install pedestrian refuges at between 80m to 120 along the High Street and turning path line marking, for right turns into Church Street from High Street.

Given the width of the High Street and the existence of two pedestrian crossing points with possibly another two to be installed, there is still considerable concern over the traffic speed in the Village centre, given the senior years enjoyed by many members of the community and their ability to negotiate the very wide traffic pavement in safety.

Further consultation has arrived at a request from representatives of the community for Council to write to the Transport Commission seeking to have the speed limit from Recreation Ground to the Esplanade be reduced to 40km/hour.

For information, when considering this request, the Commissioner for Transport will consider the following:

- safety concerns
- crash history
- the condition of the road
- what the road is used for
- how many people use the road
- whether it is used by vulnerable road users, such as cyclists and pedestrians
- the number of accesses and intersections
- compliance with AustRoads and engineering guidelines

- pedestrian activity around the road
- property surrounding the road area.

Depending on Council' decision, this information will need to be compiled in order to make an application.

Finally, through related discussions, it is also worthy to note that such an extended restricted speed limit through the township may be a further deterrent for motorists to detour off the Midland Highway and travel through Oatlands. Therefore impacting adversely on local business reliant on the travelling public.

Human Resources & Financial Implications – If approved, a budget for two new pedestrian refuges in High Street will be required.

Community Consultation & Public Relations Implications – The Oatlands Structure Plan consultations and recent representations to Council.

Policy Implications – N/A

Priority - Implementation Time Frame – ASAP

RECOMMENDATION

THAT:

- Council, in the first instance, determine whether to request the Commissioner for Transport to undertake a review of the speed limit in High Street, Oatlands;**
- If confirmed, then Council determine the length of High Street to be subject to a 40 km/hr speed limit (noting that the community has indicated that it should extend along High Street from the Oatlands Recreation Ground (Victoria Street) to the Esplanade; and**
- If confirmed, Council obtain traffic counter readings along High Street Oatlands and compile other relevant information to support an application to the Commissioner for Transport; and**
- Subject to budget availability, Council install two pedestrian refuges - one near Mill Lane and the other near the Chemist shop.**

DECISION

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

THAT prior to making any decisions, Council obtain traffic counter readings along High Street Oatlands noting that this will provide the number of vehicle movements; type of vehicles; and speed.

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	✓	

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: ACTING /MANAGER INFRASTRUCTURE & WORKS (CRAIG WHATLEY)

Date: 16 APRIL 2024

Roads Program

Gravel re-sheeting to be completed on Brown Mountain Road in the next week.
Maintenance grading starting in Broadmarsh and Elderslie areas shortly.
Culvert cleaning and drainage works underway in the Bagdad and Broadmarsh areas.
Maintenance grading has started in the Rhyndaston and Stonor areas this week.
Culvert cleaning and drainage works are underway in the Rhyndaston and Colebrook areas.
Bitumen patching on all roads as time and resources permit.

Current Capital Works

Interlaken Road works are going well, Council has Fieldwicks crew back in Fishes Quarry crushing 20mm fcr and 40mm base for Interlaken Road. AWC are working on Rockton Corner and progressing well with drainage and verge widening.
AWC are still hoping to get the next section sealed before winter, weather permitting.

Reseal line marking has started weather permitting should be finished in the next fortnight.

Parks and Reserves

Maintenance of recreation grounds, parks and playgrounds ongoing as required.
Crews busy cleaning up leaves and mowing grass around our towns.
Stormwater and earth works 9 Barack Street Oatlands completed.
With school returning vandalism appears to have slowed down.

Bridge Works

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

Building Services Unit

Construction of 2 accommodation units in Oatlands progressing well with the plaster work underway.

Maintenance work underway on Colebrook Hall and Parattah Railway Station.

Midlands Community Centre entrance completed

Planned Works

Campbell Street kerb and footpath late May - early June depending on contractors

- Drainage and pavement repairs various roads;
- Undertake various bridge maintenance repairs;
- Continue construction of accommodation units Oatlands;
- Continue Interlaken Road upgrade works.

QUESTIONS WITHOUT NOTICE TO MANAGER, INFRASTRUCTURE & WORKS

Clr B Campbell – Woodsdale Road – vicinity of ‘Wiggins Hill’ – maintenance required (i.e. bitumen patching)

Clr B Campbell – Inglewood Road – vicinity of ‘Inglewood’ property – maintenance required (i.e. pot holes)

RECOMMENDATION

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

DECISION

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

THAT:

- a) **The Infrastructure & Works Report be received and the information noted; and**
- b) **Council acknowledge and commend the Acting Manager Infrastructure & Works (Craig Whatley), together with Works Coordinators (Cameron Burrill and Paul Lang) and the works and services team in general, for their work performance during recent months (i.e. following the resignation of the Manager Infrastructure & Works).**

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	✓	

14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

14.1 Residential

Strategic Plan Reference 2.1

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

Nil.

14.2 Tourism

Strategic Plan Reference 2.2

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

Nil.

14.3 Business

Strategic Plan Reference 2.3

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

Nil.

14.4 Industry

Strategic Plan Reference 2.4

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

Nil.

15. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)

15.1 Heritage

Strategic Plan Reference – Page 22

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

15.1.1 Heritage Project Program Report

Author: HERITAGE PROJECTS OFFICER (ALAN TOWNSEND)

Date: 17 MAY 2024

ISSUE

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

DETAIL

- Brad is currently on leave but checking in regularly with the team;
- A new exhibition is currently being planned for the Heritage & Bullock Festival (H&BF);
- Work is underway to transfer the artefact store to Roche Hall;
- Works are almost complete on the former Police House;
- Several events are in process of being organised for the H&BF including the speaker series at the Court House;
- Our current Artist in Residence is Heather Summers who is working on a major piece reflecting on the migration of people and animals into the midlands;
- Our outgoing Artist in Residence Kari Hawkes successfully carried out several days of kiln firing from local clay which was very well received by the community.

RECOMMENDATION

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

DECISION

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

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

CARRIED

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

15.2 Natural

Strategic Plan Reference – page 23/24

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

15.2.1 NRM Unit – General Report

Author: NRM PROGRAMS MANAGER (MARIA WEEDING)

Date: 14 MAY 2024

ISSUE: Southern Midlands NRM Unit Monthly Report.

DETAIL

- Proposed toilet block at Callington Park. Waiting to receive the report from the Building Engineer and the final drawings from Duo Design for building. These documents have been completed, and will be forwarded to Council very soon once Consultant payments have been processed. The issue of a Plumbing Permit and Building Permit by Council will then need to occur. TasWater have appointed a contractor to undertake works for the installation of the connection point at the sewer pit on the foreshore. These works will be scheduled to be undertaken in the near future.
- A Lake Dulverton & Callington Park Management Committee meeting was held Monday 13th May. See Minutes – Council Agenda. Maria and Helen have been working on issues as a result of the last meeting of the committee.
- Maria and the Acting Manager of the Works Dept (Craig Whatley), meet with TasWater in the next week in relation to proposed changes to the pump station on the Lake Dulverton foreshore, located at the existing toilet block. The proposed update to the pump station switchboard indicated a fairly modern structure will be placed on the foreshore. A request will be sent to TasWater to see if they will colour match the structure to the existing toilet block colour (Colorbond Paperbark).
- Helen has been busy with sorting signage in relation to dogs, and the submission to Aboriginal Heritage Tasmania in regard to the proposed Dog Park at the Freds Point. (ex Flax Mill site)
- Helen has been busy with attending Drought Resilience meetings.
- Maria continues to take annual leave to reduce hours of leave owing.

Weeds Officer Report, Mary Smyth

15th April – 13th May 2024

Note: once again, annual leave has affected the length of this report.

Enquiries/feedback

Biosecurity Tasmania called for submissions on the proposed declaration of Digitalis species (foxgloves) in Tasmania. There were three documents to read and I submitted a short response asking a few questions, but overall in support of declaration. Foxgloves are not a problem in SMC (yet!) but I have seen the spread of foxgloves in northern Tasmania and I fully support the (limited) declaration.

Site visits

Total = 4

Inspected the Pound (off William Street, Oatlands) and did an inventory of remaining blackwoods. With the majority of the weeds brush cut, it was gratifying to find that there were more blackwoods surviving than I thought. A follow-up visit accomplished an initial knock down weed spray around all surviving blackwoods in three of the four tree lines. The western line (adjacent the drain) was severely impacted by weeds last year and brush cutting was unable to clear all of them away. This (and the gravel between the big tanks) is a job for the new hose reels on the trailer (once this season's weeds have germinated). A total of 24 different types of weeds were counted at the site... A second spray around the blackwoods, and in the gaps, will precede replanting efforts later in the season.

Visited Campania Cemetery briefly to view a small infestation of Evening Primrose. Unfortunately, it is persisting here so follow-up is required this spring.

Visited the Stemless thistle main infestation area to check results of the late March spray. Results were mixed: all the tiny seedlings had died, but anything that was over about 7cm diameter at the time was still alive. They hadn't grown, but they hadn't died either. Follow-up is planned for June or July, and with a different chemical, to take care of these plants before they go to seed in spring.

Communication

Whilst checking out some thistles on a block in Kempton, the owner was interested in the identity of a couple of large eucalypts nearby. I was able to confirm that they were Swamp gums (*Eucalyptus ovata*), and I passed this information on to the landowner.

An article on the proposed declaration of foxgloves in Tasmania was published in the April edition of the Southern Midlands Regional Newsletter.

Weed of the Week

Briar rose and Horehound displayed at Oatlands front office this month.

RECOMMENDATION

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

DECISION

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

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

CARRIED

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor E Batt	✓	
Deputy Mayor K Dudgeon	✓	
Clr A E Bisdee OAM	✓	
Clr D Blackwell	✓	
Clr 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: 15 MAY 2024

Enclosure:

Animal Management Statement 2024

ISSUE

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

12/5/24 – Two dogs killed 6 chickens, Bagdad area. Still investigating the matter.

RECOMMENDATION:

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

DECISION

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

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

CARRIED

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

ENCLOSURE
Agenda Item 15.6.1

**YTD ANIMAL MANAGEMENT STATEMENT
2024**

DOG IMPOUNDS	RECLAIMED	ADOPTED/DOGS HOME	EUTHANISED	OTHER IMPOUNDS
13 (2 still in the pound)	9	2		1 – goat 1 – ram 1 – Weather

**JOBS ATTENDED
May 2024**

DOGS AT LARGE	DOG ATTACKS	DOG BARKING	DOG GENERAL
0	1	5	4
NEW KENNEL LICENCES	WELFARE	STOCK	Central Highlands
3 new licences in the process	0	3	1

REGISTERED DOGS: 1767
KENNEL LICENCES: 62
INFRINGEMENTS ISSUED: 1

15.7 Environmental Sustainability

Strategic Plan Reference 3.7

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

Nil.

16. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

16.1 Community Health and Wellbeing

Strategic Plan Reference 4.1

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

Nil.

16.2 Recreation

Strategic Plan Reference 4.2

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

16.2.1 Oatlands Aquatic Centre – Coordinators Report

Author: OATLANDS AQUATIC CENTRE COORDINATOR (ADAM BRIGGS)

Date: 14 MAY 2024

ISSUE

Oatlands Aquatic Centre – Coordinator's Report for the month April, 2024.

BACKGROUND

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

DETAIL

The purpose of the report is twofold:

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

Financial Reporting:

OATLANDS AQUATIC CENTRE - OPERATING BUDGET

INCOME		Annual Budget 2023/24	April 2024	April 2023	2023-24 YTD to 30.04.24	% of Budget 2023-24
Pool – Admission Fees	Casual Fees	\$37,360	\$6,142	\$4,558	\$55,584	148.8%
	Memberships & Season Passes	\$157,426	\$3,408	\$4,996	\$36,390	23.1%
	Group Bookings & Learn to Swim	\$81,714	\$4,107	\$6,667	\$63,309	77.5%
	Sale of Goods	\$9,500	\$808	\$654	\$11,133	117.2%
Local Gov't Loan Subsidy (3 of 3)		\$45,107	\$0	\$0	\$22,840	50.6%
Charging Station Energy Use Reimbursement			\$0	\$0	\$6,550	
Splash in Good Fun' Grant			\$0	\$0	\$0	
Get Active Program Grant	"Lets get moving"				\$800	
CBA Community Donation					\$500	
Sub-Total		\$331,107	\$14,464	\$16,875	\$197,106	59.5%

EXPENDITURE		Annual Budget 2023/24	April 2024	April 2023	2023-24 YTD to 30.04.24	% of Budget 2023-24
Salaries (incl. On-Costs)		\$504,561	\$35,815	\$39,742	\$418,657	83.0%
Operating Costs - Other		\$245,072	\$34,299	\$9,665	\$232,661	94.9%
Loan Interest		\$45,107	\$0	\$0	\$22,840	50.6%
Total Expenditure		\$794,740	\$70,114	\$49,407	\$674,158	84.8%

Note - includes expenses relating to operating grant income

Budgeted Deficit		-\$463,633	-\$55,650	-\$32,532	-\$477,051	102.9%
-------------------------	--	-------------------	------------------	------------------	-------------------	---------------

Group Bookings & Programs – April (11/4/24 - 13/5/24):

Event / Booking	School / Group	Participation Numbers
Lane Hire	Geneva Christian College	3 group bookings
Physio Rehab Sessions	Annabel Butler – Physiotherapist	2 individual bookings
Lane Hire	Midlands Swimming Club	3 individual bookings
Pool Entry	Home Care Program – Ouse	5 participants
Pool Entry	Parkside Foundation Hobart	9 participants
Centre Hire / Student Visits	Oatlands District School	5 group bookings
Pool Entry	Bridgewater PCYC	62 participants

USAGE FOR THE PERIOD 11/4/2024 – 13/5/2024

PAID UPFRONT

Type	Units
Gym & Fitness	
Gym & Fitness Class Passes/10 Sessions	2
Gym & Fitness Class Passes/5 Sessions	0
Gym & Fitness Class Session (17 years) PAYG	7
Gym & Fitness Class Session (Concession) PAYG	6
PAYG Class Pass (16 years)	0
Gym	
PAYG Gym (17 years)	16
PAYG Gym (Concession)	7
Personal Training	
Personal Training – 30 Mins	2
Personal Training – 1 Hr	0
Learn to Swim (Total Numbers)	
Term 2, 2024 Program Enrolments (Currently)	98
Adult Learn to Swim	0
Pool	
Pool Passes 10 Sessions (Child/Concession)	7
Pool Pass 10 Session (17 years)	2
Upfront 6 Months Pool Membership (17 +)	0
Upfront 6 Months Pool Membership (concession)	0
Upfront 6 Months Pool Membership (Family)	0
PAYG – Pool (4 years and under)	107
PAYG - Pool (5-16)	355
PAYG - Pool (17)	231
PAYG - Pool (Concession)	214
PAYG - (Family)	37
Pool/Gym Combo PAYG	1
GYM/Pool Pass 10 Session (17 years)	1
GYM/Pool Pass 10 Session (Concession)	1

DIRECT DEBITS – Current Numbers

Type	Units
DD Pool/Gym	7
DD Class/Pool	28
DD Pool/Gym/Class	3
DD Gym	4
DD Class/Gym	5
DD 6 Months Pool – 17 years +	2
DD 6 Months Pool – Child/Concession	3
DD 6 Months Pool – Family	1

Grant Applications & General Information

See below an update on the current Grant Application:

- **Australian Sports Commission – Play Well Participation Grant Program:**
Unfortunately we were unsuccessful in our grant application this time round.
- **Royal Life Saving Risk Assessment Audit:**
On Wednesday 8th May the Aquatic Centre undertook a Risk Assessment Audit to look at areas of improvements within the Centre and its operation as arranged by the Coordinator. A detailed report is currently being produced for Council, with initial feedback provided the Centre is operating at a high level. Once the report has been received I will share it with Council.

Human Resources & Financial Implications – Refer above detail.

Community Consultation & Public Relations Implications – Not applicable.

Policy Implications – N/A

Priority - Implementation Time Frame – Not applicable.

RECOMMENDATION

THAT the information be received and noted.

DECISION

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

THAT the information be received and noted.

CARRIED

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

16.3 Access

Strategic Plan Reference 4.3

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

Nil.

16.4 Volunteers

Strategic Plan Reference 4.4

Encourage community members to volunteer.

Nil.

16.5 Families

Strategic Plan Reference 4.5

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

Nil.

16.6 Education

Strategic Plan Reference 4.6

Increase the educational and employment opportunities available within the Southern Midlands

Nil.

16.7 Capacity & Sustainability

Strategic Plan Reference 4.7

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

Nil.

16.8 Safety

Strategic Plan Reference 4.8

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

Nil.

16.9 Consultation & Communication

Strategic Plan Reference 4.8

Improve the effectiveness of consultation & communication with the community.

Nil.

17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

17.1 Improvement

Strategic Plan Reference 5.1

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

Nil.

17.2 Sustainability

Strategic Plan Reference 5.2

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

17.2.1 Tabling of Documents

Nil.

17.2.2 Elected Member Statements

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

Mayor E Batt - Reported that the Heritage and Bullock Festival performance about the life of Jane Hadden was performed again at the National Conference of the Female Convicts Research Centre at the Stanley Burbury Theatre UTAS, and is available for viewing on their website. Martine Batt's performance as Jane Hadden was very well received.

17.2.3 Local Government Shared Services – Quarterly Update – Information Only

Author: FINANCE OFFICER (MANDY BURBURY)

Date: 19 MAY 2024

Enclosure(s):

Shared Services Report – Southern Midlands Council – January – March 2024

ISSUE

To inform Council of the Common Services Joint Venture activities for the period January to March 2024.

BACKGROUND

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

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

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

DETAIL

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

RECOMMENDATION

THAT the information be received.

DECISION

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

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	✓	

ENCLOSURE
Agenda Item 17.2.3

**2023/24 Shared Services Report
to 31 March 2024**

PROVIDED BY SOUTHERN MIDLANDS COUNCIL					Total Hours Mar 2024 Quarter	Total Hours Dec 2023 Quarter	Total Hours Sep 2023 Quarter	Total Hours to 31 Mar 2023/24	
Council	Fortnight End	Officer	Service Provided	Hours					
Brighton Council	14/01/2024	P Krause	Plumbing Surveying	4.25					
	28/01/2024	P Krause	Plumbing Surveying	12.25					
					16.50	18.00	57.50	92.00	
Central Highlands	14/01/2024	L Brown	Regulatory	22.50					
		D Mackey	Regulatory	10.00					
	28/01/2024	L Brown	Regulatory	13.00					
		D Mackey	Regulatory	6.00					
	11/02/2024	L Brown	Regulatory	3.00					
		D Mackey	Regulatory	1.00					
	25/02/2024	L Brown	Regulatory	17.50					
		D Mackey	Regulatory	19.00					
			R Collis	Animal Management	15.25				
			D Dwyer	Animal Management	7.25				
			L Brown	Regulatory	19.00				
	10/03/2024	D Mackey	Regulatory	8.00					
		R Collis	Animal Management	4.00					
	24/03/2024	L Brown	Regulatory	21.50					
D Mackey		Regulatory	21.00						
					188.00	217.25	237.50	642.75	
Derwent Valley	8/10/2023	D Mackey	Regulatory	6.00					
	28/01/2024	B Williams	Heritage	8.25					
	10/03/2024	B Williams	Heritage	1.00					
					15.25	31.50	11.00	57.75	
Tasman	14/01/2024	D Mackey	Regulatory	3.00					
		P Krause	Plumbing Surveying	6.25					
	28/01/2024	D Mackey	Regulatory	13.00					
		P Krause	Plumbing Surveying	15.00					
	11/02/2024	D Mackey	Regulatory	10.50					
21/02/2024	D Mackey	Regulatory	1.00						
					48.75	68.75	29.00	146.50	
Total Hours Provided by Southern Midlands					268.50	335.50	335.00	939.00	
PROVIDED TO SOUTHERN MIDLANDS COUNCIL									
Council	Period Ending	Officer	Service Provided	Hours					
Brighton	4/02/2024	L Wighton	Development Engineerii	0.75					
	18/02/2024	L Wighton	Development Engineerii	2.00					
	3/03/2024	L Wighton	Development Engineerii	4.25					
					7.00	6.75	44.75	58.50	
Total Hours Provided to Southern Midlands					7.00	6.75	44.75	58.50	

17.2.4 Review of Southern Midlands Council's Strategic Plan 2022 – 2032 and the Creation of the Strategic Plan 2024 – 2034

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 15 MAY 2024

Attachment(s):

Draft Strategic Plan 2024 - 2034

ISSUE

Review of the Southern Midlands Council Strategic Plan in accordance with the Local Government Act 1993.

BACKGROUND

[EXTRACT Council Meeting Minutes 24th January 2024]

17.2.4 Review of Southern Midlands Council's Strategic Plan 2022-2032

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 17 JANUARY 2024

Attachment(s):

Strategic Plan 2022 - 2032

Consultation Project Plan

Project Timeline

BACKGROUND

[Extract from Strategic Plan]

The Strategic Plan

The Local Government Act 1993 requires all Councils to have a Strategic Plan for the Municipal area. The Strategic Plan is to be in respect of at least a ten (10) year period and updated as required.

Public consultation

The Local Government Act states that in preparing a proposed Strategic Plan, or updating an existing Strategic Plan, a Council is to consult with the community in its municipal area and any authorities and bodies it considers appropriate.

The General Manager of the Council is to make a copy of the proposed Strategic Plan, or an updated Strategic Plan, available for public inspection at the public office of the Council during ordinary office hours.

Changes to the Strategic Plan

The Southern Midlands Council will formally review the Southern Midlands Strategic Plan every four years. Every two years Council will undertake a desktop review to ensure that any emerging issues are able to be included within the plan. Once the formal review has been undertaken the Council is required to invite submissions from the public in respect of the plan. It is also required to consider those submissions before adopting or updating the strategic plan.

As soon as a Council adopts a strategic plan, or updates it, the General Manager is required, under the Local Government Act 1993 to make a copy of the strategic plan available for public inspection at the public office of the Council during ordinary office hours. The Southern Midlands Strategic Plan will also be available on the Council's website at www.southernmidlands.tas.gov.au

Council’s Strategic Plan in its current general format was adopted prior to the commencement of the 2006/07 financial year. The Strategic Plan ‘informs’ the objectives & content of Council’s Annual Operational Plan. The Strategic Plan was last (desk top) reviewed in May / June 2022.

The following process/timetable is recommended for this 2024 review.

- *The Deputy General Manager (Andrew Benson) to undertake the consultation, facilitate the workshops and document the draft strategic plan for Council consideration*
- *Prepare a public notice advising of the process and inviting input to the review from the Community as well as any other appropriate authorities. (suggest Mercury advertisement on Sat 3rd February 2024)*
- *Seek the views and input of Council staff (suggest first week in Feb 2024)*
- *Undertake a workshop with Elected Members and senior Council staff (suggest day to be determined during the second week in Feb 2024, say at the Council Workshop)*
- *Establish a web page on the SMC web site that seeks input from the Community.*
- *Three regional workshops - Oatlands, Campania and Bagdad (suggest before 2nd April 2024)*
- *Report to elected members and senior Council staff raising all information gathered during the wider consultation/workshop process (suggest April 2024 Council Workshop) this process would inform the preparation of the draft of the revised Strategic Plan*
- *Review any subsequent public comment (prior to the May 2024 Council meeting)*
- *Council considers the revised Strategic Plan based on the consultation undertaken and submissions received. The draft Strategic Plan 2024 – 2034 then lays on the table for a month (suggest May 2024 Council meeting)*
- *Council considers final input and adopts the revised Strategic Plan 2024 – 2034 (suggest June 2024 Council meeting)*

RECOMMENDATION

THAT Council endorse the process of the review of the Strategic Plan.

DECISION

Moved by Clr D Fish, seconded by Clr B Campbell

THAT Council endorse the process of the review of the Strategic Plan.

CARRIED

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

[END OF EXTRACT Council Meeting Minutes 24th January 2024]

DETAIL

It is now two years, since the last review of the Plan. It was agreed by Council that the Strategic Plan, whilst it is a ten year Plan would be reviewed every two years to ensure that it remains relevant and appropriate as Council's / Community's strategic intent for the Southern Midlands local government area. That means every four years the Plan goes to the Community for a full review and in the ensuing two year blocks, an internal desktop review is undertaken with Councillors and Council Managers.

Consistent with the aforementioned report to the January 2024 Council meeting, these consultations have been undertaken with Councillors and Council Managers as well as three structured community workshops, ie in Campania, Oatlands and Kempton. In respect of the community consultations, a number of the matters raised by the community were operational matters, rather than strategic issues, and those operational matters will be referred to the Council Business Unit responsible that that particular area of Council's activities, for their consideration and action.

As a result of the workshops and the review a number of items within the draft Strategic Plan 2024 – 2034 have been highlighted, with some amendments and additions. The new line items, key actions have been included to reflect current and emerging issues. The draft Strategic Plan 2024 – 2034 attached is provided with those new or amended items highlighted in a red font colour, and showing the deletions in the document in a black font being 'struck through' for recognition/clarity and discussion.

It is also noted that the financial 'ratio and trend data' page will be updated to reflect the end of the financial year figures when they become available. The Australian Bureau of Statistics information is based on the 2021 Census, this will be updated when the next Census data has been released.

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

If there are any major points of difference that Councillors wish to spend time debating, then this can be accommodated in the next Council Workshop.

CONCLUSION

That the draft Strategic Plan 2024 – 2034 is recommended to Councillors for consideration and further input if required.

Community Consultation & Public Relations Implications – As discussed in the report. The draft will be on the Council's website for review and further community input.

Policy Implications – This is Council's major policy document and the ramifications of the directions in this Strategic Plan could alter some subservient policy documents.

Priority - Implementation Time Frame – July 2024.

For Discussion

RECOMMENDATION

THAT Council:

1. Receive and note the report;
2. Endorse the process of the workshops and the consultation in the formulation of the draft Strategic Plan 2024 - 2034 to date;
3. Make the draft Strategic Plan 2024 - 2034 available for public comment on Council's website following the Council meeting; and
4. Consider the adoption of the draft Strategic Plan 2024 - 2034, and any amendments agreed during the meeting with final consideration in the June 2024 Council meeting.

DECISION

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

THAT Council:

1. Receive and note the report;
2. Endorse the process of the workshops and the consultation in the formulation of the draft Strategic Plan 2024 - 2034 to date;
3. Make the draft Strategic Plan 2024 - 2034 available for public comment on Council's website following the Council meeting; and
4. Consider the adoption of the draft Strategic Plan 2024 - 2034, and any amendments agreed during the meeting with final consideration in the June 2024 Council meeting.

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	✓	

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 April 2024)

Author: FINANCE OFFICER (MANDY BURBURY)

Date: 15 MAY 2024

ISSUE

Provide the Financial Report for the period ending 30th April 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 Jul 2023 to 30 Apr 2024.
- Operating Expenditure Report – 1 Jul 2023 to 30 Apr 2024.
- Capital Expenditure Report – 1 Jul 2023 to 30 Apr 2024.
- Cash Flow Statement – 1 Jul 2023 to 30 Apr 2024.

OPERATING EXPENDITURE (OPERATING BUDGET)

Overall operating expenditure to end of April was \$7,962,864 representing 93.6% of the Year to Date Budget.

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

Strategic Theme - Infrastructure

Sub-Program – Walkways - expenditure to date (\$247,529 – 114.63%). Following an analysis of expenditure relating to internal plant hire it was found that the internal hire rate on some plant were excessively high and those rates have been reduced for future expenditure. Expenditure on wages and on-costs has also been higher than anticipated due to an increase in maintenance required on walkways.

Strategic Theme – Growth

Sub-Program – Business - expenditure to date (\$413,041 – 126.4%). Additional expenditure relates largely to a higher than anticipated value of private works (offset by an increase in private works income).

Strategic Theme – Landscapes

Sub-Program – Regulatory (Animals) - expenditure (\$110,973 – 114.06%). Additional expenditure is due to an increase in resources required to address non-compliance issues.

Strategic Theme – Community

Sub-Program – Capacity & Sustainability - expenditure (\$48,854 – 112.04%). Increased expenditure relates to costs incurred in running the Heritage and Bullock Festival.

Strategic Theme – Organisation

Nil.

CAPITAL EXPENDITURE PROGRAM

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

Legend – Source and completion deadlines for grant funded projects

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

RECOMMENDATION

THAT the Financial Report be received and the information noted.

DECISION

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

THAT the Financial Report be received and the information noted.

CARRIED

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

STATEMENT OF COMPREHENSIVE INCOME
for the period 1 July 2023 to 30 April 2024

	Annual Budget \$	Year to Date Actual \$	%	Comments
Income				
General rates	6,971,704	6,960,656	99.8%	Includes Interest & Penalties on rates
User Fees (refer Note 1)	1,332,917	1,134,212	85.1%	Includes Private Works
Interest	435,000	650,824	149.6%	
Government Subsidies	56,807	22,840	40.2%	Heavy Vehicle Licence Fees & Interest Subsidy
Other (refer Note 2)	232,400	425,567	183.1%	Includes TasWater Distributions
Sub-Total	9,028,828	9,194,099	101.8%	
Grants - Operating	3,990,758	319,831	8.0%	
Total Income	13,019,586	9,513,930	73.1%	
Expenses				
Employee benefits	-5,534,107	-3,947,080	71.3%	Less Roads - Resheeting (Capitalised)
Materials and contracts	-3,707,133	-3,790,388	102.2%	Less Roads - Resheeting (Capitalised), Includes Land Tax & Private Works
Depreciation and amortisation	-3,723,000	-3,100,800	83.3%	Percentage Calculation (based on year-to-date)
Finance costs	-52,997	-29,151	55.0%	Interest
Contributions	-272,238	-204,179	75.0%	Fire Service Levies
Other	-169,955	-134,719	79.3%	Audit Fees and Councillor Allowances
Total expenses	-13,459,430	-11,206,316	83.3%	
Surplus (deficit) from operations	-439,844	-1,692,386	384.8%	
Grants - Capital (refer Note 3)	3,200,746	5,023,864	157.0%	
Sale Proceeds (Plant & Machinery)	0	321,955		
Sale Proceeds (Land & Buildings)	0	0		
Sale Proceeds (Other Assets)	0	968		
Sale Proceeds (Blackman Water Scheme - 45 shares)	0	45,000		
Net gain / (loss on disposal of non-current assets)	0	0		
Surplus / (Deficit)	2,760,902	3,699,400	134.0%	

STATEMENT OF COMPREHENSIVE INCOME
for the period 1 July 2023 to 30 April 2024

NOTES	Annual Budget \$	Year to Date Actual \$	%	Comments
1. Income - User Fees				
- All other Programs	883,333	736,879	83.4%	
- Private Works	449,584	397,333	88.4%	
	<u>1,332,917</u>	<u>1,134,212</u>	85.1%	
2. Income - Other				
- Tas Water Distributions	182,400	114,000	62.50%	
- Public Open Space Contributions	50,000	114,500	229.00%	
- Blue Gum Rovers Donations	0	660		
- Kidbiz Contribution for Bagdad Child Care Centre Fencing	0	3,502		
- Womensport & Recreation Get Active Program	0	800		Oatlands Aquatic Centre 50's & Over Get Active Program
- Co-contribution for Campania Cricket Pitch Project	0	2,000		
- CBA Donation to Oatlands Aquatic Centre	0	500		
- AFL Donation to Mt Pleasant Change Room Upgrade	0	34,365		
- Contribution to Kempton Depot Boundary Fence	0	3,200		
- Transfer from HBS	0	30,000		
- Workers Comp - Premium adjustments/recoveries	0	14,625		
- MMPHC Auxiliary Contribution for GP Units	0	100,000		
- Green Ponds Progress Assoc. contribution	0	6,138		Kempton Skate Park Drinking Fountain and Seat
- Julie Cooke contribution for seat Kempton Dog Park	0	1,277		
	<u>232,400</u>	<u>425,567</u>	183.1%	
3. Grants - Capital				
- Roads To Recovery	665,531	665,531	100.00%	
- Rural & Remote Roads Program	1,603,854	2,673,090	166.67%	Interlaken Road Project (\$1,069,236 in 2022-23 budget)
- Safer Rural Roads	205,000	150,000	73.17%	
- LRCI - Phase 3	0	39,643		Included in 2022-23 budget
- LRCI - Phase 4	665,531	419,770	63.07%	
- Natural Disaster Risk Reduction Grant	60,830	40,830	67.12%	Bagdad/Mangalore Hydraulic Assessment
- Aust Govt - BS Bushfire Recovery Grant - The Haven	0	465,000		Broadmarsh/Elderslie Progress Association Inc Grant
- Vulnerable Road User Program - Reeve St Campania	0	200,000		Included in 2022-23 budget
- Better Active Transport - Bagdad Shared Walkway	0	370,000		
	<u>3,200,746</u>	<u>5,023,864</u>	156.96%	

STATEMENT OF COMPREHENSIVE INCOME
for the period 1 July 2023 to 30 April 2024

	Annual Budget \$	Year to Date Actual \$	%	Comments
NOTES cont.				
4. Grants - Operating				
- FAGS 2023/24	3,990,758	309,115	7.75%	
- Navigate Family Services (School Holiday Program)	0	6,308		
- NRM Grant - Eradication of Stemless Thistle	0	2,440		
- Tas Govt. (DPAC) - Australia Day Awards Grant	0	718		
- Tas Govt. (DHHS) - Neighbours Every Day Community Grant	0	1,250		Bagdad Community Barbeque Chauncy Vale
	<u>3,990,758</u>	<u>319,831</u>	8.0%	

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

PROGRAM	YTD ACTUAL (as at 30 April 24)	YTD BUDGET (as at 30 April 24)	YTD VARIANCE	YTD %	FULL YEAR BUDGET - REVISED INC. GRANTS & OTHER
INFRASTRUCTURE					
Roads	1,276,230	1,242,479	-33,751	102.72%	3,695,184
Bridges	17,985	89,029	71,044	20.20%	459,620
Walkways	247,529	215,937	-31,592	114.63%	243,503
Lighting	51,803	70,658	18,855	73.32%	84,790
Public Toilets	92,927	134,954	42,027	68.86%	96,102
Sewer/Water	-	-	-	-	-
Stormwater	10,679	29,066	18,387	36.74%	85,679
Waste	1,064,517	1,121,872	57,356	94.89%	1,373,747
Information, Communication	875	16,667	15,792	-	20,000
INFRASTRUCTURE TOTAL:	2,762,545	2,920,662	158,117	94.59%	6,058,625
GROWTH					
Residential	-	-	-	-	-
Tourism	44,918	42,985	-1,934	104.50%	47,718
Business	413,041	326,765	-86,276	126.40%	391,418
Industry	-	-	-	-	-
GROWTH TOTAL:	457,959	369,749	-88,209	123.86%	439,136
LANDSCAPES					
Heritage	311,363	394,774	83,411	78.87%	467,532
Natural	154,279	177,099	22,819	87.11%	206,318
Cultural	1,842	20,833	18,991	8.84%	25,000
Regulatory - Development	678,467	875,738	197,272	77.47%	1,050,886
Regulatory - Public Health	11,816	16,850	5,034	70.13%	20,220
Regulatory - Animals	110,973	97,290	-13,684	114.06%	115,108
Environmental Sustainability	609	4,167	3,558	14.60%	5,000
LANDSCAPES TOTAL:	1,269,349	1,586,751	317,402	80.00%	1,890,064
COMMUNITY					
Community Health & Wellbeing	229,306	262,893	33,588	87.22%	313,472
Recreation	1,001,506	996,204	-5,302	100.53%	1,212,694
Access	-	-	-	-	-
Volunteers	32,204	47,500	15,296	67.80%	51,000
Families	2,023	8,333	6,311	24.27%	10,000
Education	-	-	-	-	-
Capacity & Sustainability	48,854	43,604	-5,250	112.04%	49,605
Safety	9,211	28,292	19,081	32.56%	33,950
Consultation & Communication	8,002	30,683	22,682	26.08%	37,300
LIFESTYLE TOTAL:	1,331,105	1,417,510	86,405	93.90%	1,708,021
ORGANISATION					
Improvement	-	66,908	66,908	0.00%	80,289
Sustainability	1,837,297	1,867,506	30,209	98.38%	2,928,058
Finances	304,608	280,845	-23,763	108.46%	355,238
ORGANISATION TOTAL:	2,141,906	2,215,258	73,353	96.69%	3,363,585
TOTALS	\$7,962,864	\$8,509,930	\$547,067	93.6%	\$13,459,430

Southern Midlands Council
Minutes – 22nd May 2024

CAPITAL EXPENDITURE PROGRAM 2023-24

As at 30 April 2024

	BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
	\$	\$	\$		
INFRASTRUCTURE					
ROAD ASSETS					
Resheeting Program					
Roads Resheeting	500,000	474,524	25,476		
Elderslie - Bluff Road Resheeting (2.0 km)	30,000	22,152	7,848	WIP \$21,096	
Stonor - Stonor Road Resheeting	30,000	26,756	3,244	WIP \$22,452	
Rhyndaston - Rhyndaston Road Resheeting	42,272	42,272	0	WIP \$33,280	
Campania - Brown Mountain Road	83,000	1,324	81,676	Nominated with savings from original projects	30 June 2024
Reseal Program					
Roads Reseal Program (as below)	450,000	0	242,556		
Woodsdale Road Reseal Patches	0	16,788			
Campania - Hall Street (800m ²)	0	0			
Campania - Lee Street (120m)	0	11,253			
Campania - Union Street (300m)	0	18,794			
Dysart - Dysart Drive (1.1 km)	0	35,677			
Dysart - Ely Street (400m)	0	11,955			
Oatlands - Barrack Street (300m)	0	11,713			
Oatlands - High Street (700m)	0	44,721			
Oatlands - Inglewood Road (600m + 670m + additional 7700m ²)	0	46,032			
Oatlands - Marlborough Street/Esplanade (Stanley St to Wellington St)	0	10,510			
Reconstruct & Seal					
Campania - Climie Street (200 metres from Reeve Street to Water Lane)	60,000	39,187	20,813		
Campania - Climie Street Reconstruct & Seal (including crossover)	20,000	20,924	-924	LRCI P3 \$17,837 (previously Bentwick St)	
Colebrook - Arthur Street (500 metres)	90,000	80,371	9,629	LRCI P4	30 June 2025
Dysart - Church Lane & Ely Street (approx. 500 metres combined)	100,000	38,880	61,120		
Elderslie - Pelham Road (1.0 km)	127,500	125,726	1,774	RTR \$170K (now \$127,500)	30 June 2024
Mangalore - Blackbrush Road (1.0 km from Midland Hwy to M/Ford Dr)	95,800	95,844	-44	RTR \$170K (now \$95,800)	30 June 2024
Oatlands - York Plains Road in two sections (1.00 km)	180,000	133,792	46,208		
Woodsdale - Woodsdale Road in two sections (2.0 kms)	359,231	359,303	-72	RTR \$325,531 (now \$359,231)	30 June 2024
Drainage (Reset Drains - various Roads)	250,000	250,048	-48		
Construct & Seal (Unsealed Roads)					
Colebrook - Yarlington Road (1.0 km)	180,000	189,890	-9,890	LRCI P4	30 June 2025
Oatlands - Interlaken Road (full length) - 23/24 Allocation	2,873,090	1,362,090	1,511,000	Budget c/f \$1,169,236 WIP \$151,104	30 June 2026
Oatlands - Bentwick Street	20,000	0	20,000	Budget c/f \$20,000 (LRCI renominated)	30 June 2024
Minor Seals (New)					
Junction / Road Realignment					
Other					
Tin Pot Marsh Road Dust Suppressant	40,000	62,280	-22,280	Budget of 2022/23 Commitment	
Bagdad - Green Valley Road - Guard Rail / Line mark. & Sign.	120,000	107,014	12,986	Safer Rural Roads	
Campania - Estate Road (vicinity Mallow property)	49,000	14,974	34,026	Budget of WIP \$13,544	
Campania - Hall Street (Seal and storm water upgrade)	70,000	91,474	-21,474	C/f WIP \$80,501.71	
Campania - Reeve St Junction/footpath/kerb & channel	200,000	275,389	-75,389	WIP \$45,691 Vulnerable Road Users	
Campania - Structure Plan - Town gateway and Streetscape	40,000	0	40,000		
Colebrook - Junction Craigbourne Road and Colebrook Road	24,000	15,756	8,244	Budget of	
Elderslie - Elderslie Road Widening Investigation & Trial (Sth Blackbrush Rd)	40,000	14,570	25,430	Budget of WIP \$8,777	
Elderslie - Bluff Road Intersection Upgrade	1,530	1,530	0	Budget of Black Spot project expenses	
Kempton - Old Huntingground Road (Footpath / School Crossing etc.)	80,000	81,483	-1,483	Budget of WIP \$61,463	
Mt Seymour - Junction Blackgate Road and Tunnack Road	24,000	32,145	-8,145		
Oatlands - Hasling Street Junction	15,000	959	14,041	Budget of WIP \$959	
Oatlands - South Parade (including Kerb, Channel and Footpath)	170,000	246,675	-76,675	C/f WIP \$246,675.02	
Tea Tree - Grices Road (Tree removal, set-back of embankment, drainage)	15,000	0	15,000	Budget of	
Turnbridge - Main Street (Kerb & Gutter Renewal)	40,000	0	40,000		
Tunnack - Link Road Landslip	25,000	107	24,893	Budget of WIP \$107	
Woodsdale Road - Guard Rail	100,000	100,671	-671	Safer Rural Roads	
	6,544,423	4,515,549	2,028,873		

CAPITAL EXPENDITURE PROGRAM 2023-24
As at 30 April 2024

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
		\$	\$	\$		
BRIDGE ASSETS	Jones Road Broadmarsh (Jordan River - Bridge 5083) - Flood Damage	130,000	3,302	126,699	C/W WIP \$3,302	
		130,000	3,302	126,699		
WALKWAYS	Footpaths - General Streetscapes	40,000	0	40,000		
	Bagdad - Midland Highway Walking / Riding Path Upgrade	4,160	4,160	0	WIP \$4160 (project design)	
	Bagdad - Midland Highway Walking / Riding Path Upgrade	145,840	3,952	141,888	LRCIP4	30 June 2025
	Bagdad - Midland Highway Walking / Riding Path Upgrade	370,000	0	370,000	Better Active Transport in Tasmania - Round 1	15 June 2024
	Bagdad - Midland Highway Walking Path Footbridge Repairs	130,000	63	129,937	Budget off	
	Campania - Reeve Street - Footpath through to Hall	30,000	432	29,568	Budget off	
	Campania - Clmie Street - Footpath Railway Crossing	0	5,845	-5,845	Engineering prep for grant application	
	Kempton - Grange Road (Retaining Wall)	30,000	3,612	26,388		
	Kempton - Streetscape Plan - Footpath Renewal Southern End	60,000	50,345	9,655	LRCIP3 c/w WIP \$47,028	30 June 2024
	Kempton - Streetscape Plan - Footpath Renewal	60,000	38,439	21,561		
	Kempton - Midlands Highway/Mood Food	147,565	561	147,004	\$147,565 Budget off	
	Oatlands - Campbell Street (scope of works expanded to include kerb/gutter)	85,000	0	85,000	22/23 Budget \$45,000 c/w	30 June 2025
	Oatlands - Church Street (Stn Parade to William St - north. side - Footpath - 130 m)	30,000	0	30,000		
	Oatlands - Stanley Street (High Street to Nelson - 280 metres - kerb & footpath)	75,000	221	74,779	LRCIP4	30 June 2025
	Oatlands - Stanley Street (Footpath -120 metre link)	25,000	36,079	-11,079		
		1,232,565	143,710	1,088,855		
PUBLIC TOILETS	Campania - Flour Mill Park - Concrete Pathways/drainage/remove pavers	15,000	0	15,000	Budget off	
	Colebrook - History Room Toilets (Tiling etc.)	10,000	812	9,188		
	Oatlands - Callington Park	158,000	18,571	139,429	22/23 Budget \$140,000 c/w WIP \$5,070	
	General Public Toilets - Upgrade Program	20,000	0	20,000	Budget off	
		203,000	19,383	183,617		
DRAINAGE	Bagdad / Mangalore - Hydraulic Assessment (Flood Mapping)	161,660	120,230	41,430	Grant Funding \$80,830 WIP \$40,144	31 December 2023
	Kempton - Erskine Street - Stormwater Upgrade& Kerb	60,000	82,534	-22,534		
	Oatlands - Callington Park (Well - piped overflow system)	20,000	0	20,000		
	Oatlands - Glenelg Street (stormwater Upgrade)	0	86,121	-86,121	Partially offset by developer contributions	
	Oatlands -High Street - Repairs to section of convict stormwater system	0	8,140	-8,140		
		241,660	297,025	-55,365		
WASTE	Wheeie Bins and Crates	12,500	13,106	-606		
	WTS Safety & Operational Improvements	25,000	0	25,000		
		37,500	13,106	24,394		
GROWTH						
TOURISM	Kempton - Heritage Interpretation Panel renewal	1,800	1,768	32		
	Oatlands Accommodation Facility	0	42,283	-42,283	WIP \$42,283 (Offset by Barrack Street Property)	
		1,800	44,051	-42,251		

CAPITAL EXPENDITURE PROGRAM 2023-24
As at 30 April 2024

LANDSCAPES
HERITAGE

Heritage Collections Store
Heritage Collections - Furniture & Equipment
Jericho - Memorial Avenue - Plaques
Kempton Council Chambers - Clock Restoration Works
Kempton - Memorial Avenue Park - Interps
Mellon Mowbray - Streetscape Works (Trough / Shelter etc)
Oatlands - Callington Mill - Structural Repair & External painting)
Oatlands - Council Chambers - Internal Toilets & Access Upgrade
Oatlands Court House (Wall Stabilisation)
Oatlands Gaolers Residence (Ceiling Reinstatement)
Oatlands Gaolers Residence (Wingwall)
Oatlands - Heritage Buildings (Security Upgrades)
Oatlands - Roche Hall Forecourt (Interps - Planning Condition of Approval)
Parallah - Railway Station - Shed for Gangers Trolley

BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
\$	\$	\$		
10,000	3,700	6,300	Budget of WIP \$3,700	
4,177	4,177	0	Budget transferred from Operating	
20,000	4,300	15,700	Budget of WIP \$4,300	
10,672	15,341	-4,669	Budget of WIP \$1,384	
19,545	155	19,390	Budget of WIP \$155	
30,000	14,855	15,145	Budget of WIP \$5318	
20,000	26,887	-6,887		
100,000	9,357	90,643	Budget of WIP \$9,257	
15,000	1,187	13,813	WIP \$1,187	
5,000	8,149	-3,149		
23,000	0	23,000	Budget \$15K of	
10,000	0	10,000		
40,000	7,820	32,180	Budget of WIP \$7,820	
2,000	0	2,000	Budget of	
309,394	95,928	213,466		

NATURAL

Chauncy Vale - Day Dawn Cottage Improvements
Chauncy Vale - Wombat Walk
Campania - Bush Reserve / Cemetery

12,000	8,557	3,443	WIP \$7,700	
39,250	42,513	-3,263	Includes \$29,250 grant WIP \$31,358	31 Dec 2022
300,000	92,687	207,313	WIP \$72,489	
351,250	143,757	207,493		

CULTURAL

Oatlands - Aquatic Centre (Forecourt - Art Installation)
--

20,000	544	19,456		
20,000	544	19,456		

REGULATORY
- DEVELOPMENT

Master / Structure Plans (Bagdad / Mangalore / Campania)
Oatlands - Stanley Street Master Plan
Oatlands - Structure Plan
Oatlands - MMPC Church Street Sub-Division

50,000	0	50,000		
20,000	172	19,828	Budget of WIP \$172	
25,000	34,155	-9,155	\$25K Budget of WIP \$34,155	
0	5,219	-5,219	WIP \$4,988 Offset by sale of property	
95,000	39,546	55,454		

REGULATORY
- PUBLIC HEALTH

Oatlands - GP Accommodation Units

600,000	175,177	424,823	Council Commitment \$100K (grant funded)	
600,000	175,177	424,823		

Southern Midlands Council
Minutes – 22nd May 2024

CAPITAL EXPENDITURE PROGRAM 2023-24

As at 30 April 2024

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
		\$	\$	\$		
COMMUNITY FAMILIES	Bagdad - Child Care Centre Building	237,314	319,235	-81,921	Council Commitment (\$100K grant funded)	30 June 2025
		237,314	319,235	-81,921		
RECREATION	Facilities & Recreation Committee	52,000	0	52,000		
	Community Infrastructure Plan	44,600	55,172	-10,572		
	Bagdad - Iden Road Park Development	75,000	0	75,000		
	Bagdad - Bagdad Community Club (Precinct Plan)	25,000	23,817	1,183	Budget of WIP \$17,417	
	Broadmarsh - Broadmarsh Hall "The Haven"	1,082,097	1,082,097	0	Administration of Progress Assoc. Grant	
	Campania - Justitia Court POS - Shelter Hut	16,000	3,584	12,416		30 June 2025
	Campania - Public Open Space dev (Justitia Park)	6,375	0	6,375	Budget of	
	Campania - Hall (LED Lighting)(alternate quote \$1582)	4,250	4,250	0		
	Campania - Recreation Ground (Centre Pitch/Wicket & Nets)	12,004	12,734	-730		
	Kempton - Recreation Ground (Site Dev and Play Equipment)	24,250	5,837	18,413	Budget of	
	Kempton - Recreation /Skate Park/ Dog Park	31,000	28,359	2,641		
	Kempton - Off-lead Dog Park	60,331	72,093	-11,761.73	LRCI Phase 3 \$43,125 WIP \$72,093	30 June 2024
	Kempton - Recreation Ground (Irrigation)	60,000	1,637	58,363	WIP \$1,637 LRCI Phase 4	30 June 2025
	Mt Pleasant Rec Ground - Building Improvements	279,000	279,853	-853	Dept of Communities Grant WIP \$278,158	
	Oatlands - Aquatic Centre (Construction)	410,501	410,501	0	WIP 2022/23	
	Oatlands - Aquatic Centre (Construction)	482,114	32,869	449,245	Balance of construction phase budget of	
	Oatlands - Aquatic Centre (CO2 Gas Monitoring)	7,649	7,649	0		
	Oatlands - Aquatic Centre (Gymnasium (Mirror & Equipment)	4,400	6,232	-1,832		
	Oatlands - Community Hall (Maintenance Program)	51,300	38,477	12,823	Budget of WIP \$38,477	
	Oatlands - Gay Street, Hall (Air Lock)	10,000	38,727	-28,727		
	Oatlands - Midlands Community Centre (External Painting - Front of Building)	5,000	3,749	1,251		
	Oatlands Swimming Pool (Staged demolition)	200,000	19,124	180,876	WIP \$15,758	
	Runnymede Recreation Ground - Play Equipment	20,000	21,828	-1,828		
	Water Bottle Refill Stations	7,980	0	7,980	Budget of	
		2,970,851	2,148,588	822,264		
ACCESS	Tunbridge Community Club - Accessible Toilets	115,000	200	114,800	22/23 Budget \$20,000 of WIP \$200	
		115,000	200	114,800		
CAPACITY & SUSTAINABILITY	Property Purchase - 9 Barrack Street, Oatlands (Police Residence)	73,248	36,202	37,046	Budget \$519,490 less \$446K spent in 22/23	
	Kempton - Carriage Shed - Toilets	15,000	11,144	3,856	WIP \$10,419	
		88,248	47,346	40,902		

CAPITAL EXPENDITURE PROGRAM 2023-24

As at 30 April 2024

ORGANISATION

SUSTAINABILITY

Kempton Council Chambers - Office Furniture & Equipment
 Kempton Depot - Fencing/Kitchen
 Oatlands Depot - Wash Bay
 Oatlands - Town Hall (General - Incl. Office Equip/Furniture)
 Oatlands Council Chambers - Fire Detection & Security System
 Oatlands - Council Chambers - Damp Issues & Stonemasonry
 Oatlands - Council Chambers - Works Office (floor coverings/refurbishing)
 Municipal Revaluation - Final 10%

Computer Monitor(s)
 PC's: Keyboards & UPS's
 Council Website - Upgrade
 Ipads (2) (Animal & Building Control)

	BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
	\$	\$	\$		
	5,000	0	5,000		
	0	16,755	-16,755		
	0	8,909	-8,909		
	5,000	1,925	3,075		
	18,000	24,745	-6,745		
	15,000	0	15,000	Budget off	
	5,000	16,303	-11,303	Budget off	
	0	16,100	-16,100		
			0		
	8,000	7,453	547		
	14,000	0	14,000		
	20,000	0	20,000		
	4,000	0	4,000		
	94,000	92,189	1,811		
WORKS					
Minor Plant Purchases	9,500	12,413	-2,913		
Quickspray Unit (c/w Pump etc)	12,670	14,978	-2,308		
Radio System	50,000	39,889	10,111		
Plant Replacement Program					
Heavy Vehicles - Refer separate Schedule (Trade Allowance - S334)	678,867	481,369	197,498		
Light Vehicles (Net Changeover) (Trade Allowance - S132)	249,639	294,775	-45,136		
	1,000,676	843,424	157,252		
GRAND TOTALS	14,272,681	8,942,058	5,330,622		

Southern Midlands Council
Minutes – 22nd May 2024

CASH FLOW 2023/2024	INFLWS (OUTFLWS) July 2023 \$	INFLWS (OUTFLWS) Aug 2023 \$	INFLWS (OUTFLWS) Sep 2023 \$	INFLWS (OUTFLWS) Oct 2023 \$	INFLWS (OUTFLWS) Nov 2023 \$	INFLWS (OUTFLWS) Dec 2023 \$	INFLWS (OUTFLWS) Jan 2024 \$	INFLWS (OUTFLWS) Feb 2024 \$	INFLWS (OUTFLWS) Mar 2024 \$	INFLWS (OUTFLWS) Apr 2024 \$	INFLWS (OUTFLWS) (Year to Date) \$
<i>Cash flows from operating activities</i>											
Payments											
Employee costs	(369,019)	(578,131)	(416,390)	(420,834)	(373,508)	(406,392)	(471,180)	(386,363)	(388,921)	(332,409)	(4,143,147)
Materials and contracts	(865,696)	(514,063)	(383,016)	(348,088)	(389,169)	(378,240)	(501,013)	(370,884)	(372,645)	(234,019)	(4,356,833)
Interest	(2,917)	0	0	0	(645)	(22,840)	(2,749)	0	0	0	(29,151)
Other	(20,710)	(59,400)	(97,533)	(168,081)	(45,872)	(90,007)	(139,441)	(58,193)	(35,884)	(95,871)	(810,992)
	<u>(1,258,343)</u>	<u>(1,151,593)</u>	<u>(896,939)</u>	<u>(937,003)</u>	<u>(809,194)</u>	<u>(897,478)</u>	<u>(1,114,382)</u>	<u>(815,440)</u>	<u>(797,450)</u>	<u>(662,300)</u>	<u>(9,340,122)</u>
Receipts											
Rates	393,738	710,319	2,117,560	547,800	703,244	371,567	639,004	427,580	556,823	556,564	7,024,200
User charges	228,018	120,782	117,009	31,823	662,843	215,801	73,499	149,792	674,210	43,417	2,317,194
Interest received	44,460	51,157	63,218	76,056	62,791	73,370	73,917	64,550	88,116	53,188	650,824
Subsidies	0	0	0	0	0	22,840	0	0	0	0	22,840
Other revenue grants	0	103,038	2,983	2,440	105,232	718	0	104,288	1,131	0	319,831
Other	65,230	245,462	12,054	161,652	(228,807)	246,136	46,159	(131,557)	(185,203)	157,848	388,973
	<u>731,446</u>	<u>1,230,759</u>	<u>2,312,823</u>	<u>819,770</u>	<u>1,305,303</u>	<u>930,432</u>	<u>832,579</u>	<u>614,653</u>	<u>1,135,078</u>	<u>811,018</u>	<u>10,723,862</u>
Net cash from operating activities	<u>(526,897)</u>	<u>79,165</u>	<u>1,415,885</u>	<u>(117,233)</u>	<u>496,109</u>	<u>32,954</u>	<u>(281,803)</u>	<u>(200,787)</u>	<u>337,628</u>	<u>148,718</u>	<u>1,383,739</u>
<i>Cash flows from investing activities</i>											
Payments for property, plant & equipment	(111,762)	(321,353)	(470,999)	(283,748)	(631,756)	(685,513)	(287,523)	(901,335)	(1,574,782)	(894,425)	(6,163,197)
Proceeds from sale of property, plant & equipment	17,818	58,095	0	28,077	133,309	0	21,936	41	48,182	60,464	367,923
Proceeds from Capital grants	102,500	1,534,236	0	0	1,085,301	0	0	39,643	40,830	47,500	2,850,010
Proceeds from Investments	0	0	0	0	0	0	0	0	0	0	0
Payment for Investments	0	0	0	0	0	0	0	0	0	0	0
Net cash used in investing activities	<u>8,556</u>	<u>1,270,979</u>	<u>(470,999)</u>	<u>(255,671)</u>	<u>586,854</u>	<u>(685,513)</u>	<u>(265,587)</u>	<u>(861,651)</u>	<u>(1,485,770)</u>	<u>(786,462)</u>	<u>(2,945,264)</u>
<i>Cash flows from financing activities</i>											
Repayment of borrowings	(8,291)	0	0	0	(16,899)	(99,627)	(8,460)	0	0	0	(133,277)
Proceeds from borrowings											0
Net cash from (used in) financing activities	<u>(8,291)</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>(16,899)</u>	<u>(99,627)</u>	<u>(8,460)</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>(133,277)</u>
Net increase/(decrease) in cash held	(526,632)	1,350,144	944,886	(372,904)	1,066,064	(752,187)	(555,849)	(1,062,438)	(1,148,142)	(637,743)	(1,694,802)
Cash at beginning of reporting month	17,408,041	16,881,409	18,231,553	19,176,438	18,803,535	19,869,599	19,117,412	18,561,563	17,499,124	16,350,982	17,408,041
Cash at end of reporting period	<u>16,881,409</u>	<u>18,231,553</u>	<u>19,176,438</u>	<u>18,803,535</u>	<u>19,869,599</u>	<u>19,117,412</u>	<u>18,561,563</u>	<u>17,499,124</u>	<u>16,350,982</u>	<u>15,713,239</u>	<u>15,713,239</u>

17.3.2 R Coleman – Request for Donation

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 15 MAY 2024

Enclosure(s):

Letter received 15th May 2024

ISSUE

Council to consider request for donation – refer attached letter received from Rosemary Coleman.

DETAIL

Reference is made to Council's 'Donations and Community Support Policy'.

This Policy sets out Council's position in relation to:

1. Requests for financial assistance from not-for-profit registered welfare or community service groups working within the Southern Midlands Municipality;
2. Requests for financial assistance from persons chosen to represent Tasmania/Australia in sporting, social, economic, environmental development and/or related to the wellbeing of the community;
3. Supporting Community Owned Halls; and
4. School Citizenship / Achievement Awards for end of year Assemblies.

Whilst the Policy provides donation amounts for sporting or recreational representation, it does not necessarily cover this circumstance (i.e. coaching assistance). For information, intrastate representation is \$100; Interstate representation \$200; and overseas representation \$400.00

The request is therefore to be considered on merit.

Human Resources & Financial Implications – There is capacity within the allocated budget to provide for a donation.

Community Consultation & Public Relations Implications – N/A.

Priority - Implementation Time Frame – N/A

RECOMMENDATION

THAT Council provide a donation of \$200 to assist with the costs of attendance at the Oceania Games.

DECISION

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

THAT Council provide a donation of \$200 to assist with the costs of attendance at the Oceania Games.

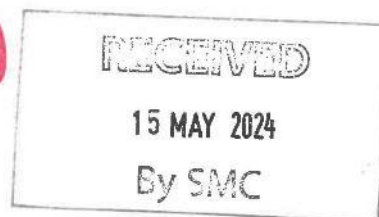
CARRIED

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	✓	

ENCLOSURE
Agenda Item 17.3.2

Doc
423933

SCANNED



Rosemary Coleman
18 Horfield Court
Bagdad, Tasmanian 7030

The General Manager
Tim Kirkwood
Southern Midlands Council
PO Box 21
Oatlands TAS 71203/5/2024

Dear Mr. Kirkwood,

My name is Rosemary Coleman, and I am a long-time resident of Bagdad, now retired but still coaching some 35 years later in Athletics. I am the State Para Athletics Coach and have several athletes with disabilities in my care, as well as able bodied athletes. One of my athletes Alexander Mckillop, has achieved a Paralympic Qualifier for the Paris Paralympics later this year.

My athlete is chasing a further qualifier to ensure selection in this auspicious team, and therefore will be attending the Oceania Games in Fiji in early June as a member of the Australian Open team.

I am writing to respectfully ask if there is anything that the Southern Midlands Council can assist me with in relation to assistance in funding, sponsorship, or donation to attend the Oceania Games in Fiji with him? Alexander has Cerebral Palsy, and I need to travel with him. All costs associated with this trip are self-funded, despite being in the Australian team and there is no funding at all for myself. I don't receive any funding from any other source despite his World Ranking of 2nd in the 100/200 sprints.

Any assistance, no matter how small would be gratefully received, including any other avenues that I may be able to access.

Thank you and in anticipation!

R Coleman

Kind Regards Rosemary Coleman

18. MUNICIPAL SEAL

18.1 Signing & Sealing Grant Deed - All Access All Weather Bus Stop Upgrade Program Round Two 2024

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 15 MAY 2024

Attachment(s)

Grant Deed – Bus Stops Upgrade Program

ISSUE

Signing and Sealing the Grant Deed for the upgrading of the bus stop in Reeve Street outside the War Memorial Hall Campania as well as the creation of a bus stop in High Street (north bound) Oatlands, along with associated footpath and public infrastructure through the All Access All Weather Bus Stop Upgrade Program Round Two 2024, with the Department of State Growth.

BACKGROUND

As part of the Reeve Street / Climie Street junction improvements in Campania, the two bus stops at the junction were required to be relocated because of safety reasons. The new location for the north bound and the south bound buses through Campania were required to be moved and through consultation with the Department of State Growth, the only place for the relocation was to outside the two Community Halls in Reeve Street.

DETAIL

The Approved Purpose of this Grant is to upgrade of the following bus stops to minimum Disability Discrimination Act (DDA) compliance by installing the associated components in accordance with the application:

Bus Stop ID	Bus Stop Location	Upgrades
7026002	Outside 34 Reeve Street, Campania	<input type="checkbox"/> Shelter installation <input type="checkbox"/> Tactile installation <input type="checkbox"/> New bus stop blade
7120002	Outside 62 High Street, Oatlands	<input type="checkbox"/> Footpath upgrade <input type="checkbox"/> New pole and bus stop blade <input type="checkbox"/> Tactile installation <input type="checkbox"/> Futureproof for shelter installation

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

Human Resources & Financial Implications – The value of the Grant is \$39,246.00 with a Council contribution of \$29,750.00, which has already been allocated in the draft 2024/25 budget.

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

Policy Implications – Nil

Priority - Implementation Time Frame – 30th June 2025.

RECOMMENDATION

That Council endorse the Signing and Sealing of the Grant Deed for the funding agreement between the Tasmanian Government through the Department of State Growth and the Southern Midlands Council for the amount of \$39,246.00 for the upgrading the bus stop (south bound) on Reeve Street and also the proposed bus stop in High Street Oatlands (north bound).

DECISION

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

THAT Council endorse the Signing and Sealing of the Grant Deed for the funding agreement between the Tasmanian Government through the Department of State Growth and the Southern Midlands Council for the amount of \$39,246.00 for the upgrading the bus stop (south bound) on Reeve Street and also the proposed bus stop in High Street Oatlands (north bound).

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	✓	

18.2 Signing & Sealing Grant Deed – Regional Lifeguard Regional Accreditation Program in 2024 and 2025

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 15 MAY 2024

Attachment(s):

Grant Deed – Regional Life Guard Accreditation Program in 2024 and 2025

ISSUE

Signing and Sealing the Grant Deed for the establishment of a life guard accreditation program in support Southern Midlands Council Aquatic Centre as well as rural Councils across our region, funded through the Department of State Growth – Active Tasmania (former Sport and Recreation Tasmania).

BACKGROUND

The following is a document that the then, Acting General Manager, Andrew Benson provided as background to the funding submission to Active Tasmania.

BACKGROUND INFORMATION – LIFE GUARD FUNDING APPLICATION TO ACTIVE TASMANIA

I have been the Council Manager responsible for the design consultations and the construction project management of the Oatlands Aquatic Centre. The Aquatic Centre had a soft opening in November 2022 and a formal opening in March 2023.

This new Centre is an amazing facility which the community across the region have embraced. This new, single storey indoor aquatic centre comprises:

- 25m x 12m main pool (6 lanes)
- 12m x 5m child pool
- Change amenities, including Male / Female / Parenting, Accessible / Carers
- Activities room / Gym
- Administration area and associated facilities
- Internal circulation and egress
- External recreational spaces and playgrounds
- Plant and services
- 37 car parking spaces, including 2 accessible spaces, emergency vehicles and road access
- Associated civil and services infrastructure
- Two Electric Vehicle (EV), high speed charging stations
- An innovative recycling of the backwash and pool water for firefighting use, which is building the resilience of the community.

This new facility is vastly different for the 'old' Oatlands Pool, which was built in 1954 and leaked 1,000ltrs of water per day. The pumps/filters were made up from locally manufactured adhoc parts, because of their age. We opened it in the last week of December each year and closed it in the middle of March depending on the weather. Even when we had that very limited summer opening, many times we struggled to get life guards for coverage of our obligations for the facility.

So, with that background in mind, with a new \$M10 Aquatic Centre, knowing that the community would not love us if we needed to close the Aquatic Centre for the lack of life guards, I turned my mind to addressing the issue of the lack of life guards across our Tasmanian rural towns and villages.

The need was strong as our colleague LGAs across rural Tasmania were often required to close their pools due to lack of life guards. This is not such an issue in the cities, as normally there is a plethora of younger people at say UTAS, or in other casual positions that would be willing to 'fill the breach' at their local pools.

So, in understanding that the issue is predominately a rural one, I turned my mind to who could be an organisation or group that is Tasmania wide, by enlarge rural based that may be interested in exploring the issue.

I know the Vice President of Rural Youth, Brady Robins, who lives in Oatlands, so I thought that I would give him a call, and zap him an email, namely;

Morning Brady

Further to my call on your message bank yesterday I would like to run something past you.

I know of and acknowledge the wonderful work that RY does in Tasmania. From my perspective there are four groups that are the core of rural communities in Tasmania, they are Schools, Sports Clubs, TFS and of course RY.

As you know we have just had a 'soft opening' of the Oatlands Aquatic Centre, a \$M10 development in Oatlands which will cost the Council over \$500,000 pa to operate. This is a very big commitment by Council. This is driven by the needs of the Community. I note that in the 2022 Royal Lifesaving Report on Drownings in Australia states, 'Rivers and creeks were the leading location for drowning (34%), followed by beaches (21%) and ocean/harbour locations (13%)' in fact '339 people lost their lives in Australian waterways'. If we are able to ensure that even one precious life is saved by having our OAC then that will have made an amazing difference to the family, with the ripple effect have more benefits. It is so important in rural communities.

Life guards are very hard to find in Tassie with most small towns having a swimming pool of some description, we have three full time life guards, with one being a gym instructor as well as five casuals that fill the breach when required. Even that is challenging to schedule a roster with people's commitments and leave. I know that Bothwell is struggling for lifeguards and so is Campbelltown. how can we, collectively meet that need, as if there are no life guards the swimming pools are not able to open.

What I am thinking, if RY in Tassie took a proactive step with a statement that 'We will save lives' and adopt a stance that in every individual club there would be a commitment of say five or six people who would be trained and offer themselves as casual lifeguards in their home patch. We could provide the training and I am sure get some funds from somewhere out there. I am unsure of how many clubs are in the RY operation but a commitment like that would make a power of difference in our rural communities. As an extension of that that we could have a get together with all RY lifeguards from around the State and run some competitions in the Oatlands Aquatic Centre. Maybe something like kayak training and other competitive actives, every six months.

If this is a matter that is of interest I would be very happy to attend a meeting with you and the Board to shake out the concept in a little more detail.

Kind regards

AB

Following that email, Brady arranged a meeting with me, himself, the State President of RY (Josh) and the CEO of RY (Karen). We met in Campbell Town and discussed the extension of my thinking. The comment was made by Karen, 'not sure if we can convince people to volunteer with a regular commitment'. With my response being, well they would not be volunteers, as the SM Council pay rate is approximately \$34.00/hr, do you think that they would commit for that? Clearly they were very excited about the prospect, knowing that many younger people working in the 'bush' in agricultural pursuits struggle to get a consistency of core hours, this would provide a long term commitment for them to stay in their community and also engage with the agricultural pursuits of their choice as well as their life guarding duties. With this opportunity, as I had outlined being an exciting prospect for Rural Youth Members and also for RY as an organisation, adding value to their local community and their 'branding'. Being so enthusiastically received, I suggested that we develop a Strategic Alliance Charter for both Council and RY to commit to – they were very happy with that.

RY have eleven clubs across Tasmania and therefore the right mix for a meaningful partnership in the delivery of a life guard program.

The following email is one that I sent to the RY Team also with a copy of the Charter (attached)

Hi Karen, Josh and Brady

Thanks for your time today talking about the opportunity of RY and SMC working together to play a role in turning around the statistics in the 2022 National Drowning Report by Royal Life.

I firmly believe that we can, together, make a significant difference.

I have attached a first draft of the Charter for your consideration, happy to tweak, change, etc. It is only brief and a starting point. We can build the projects around this, if you think that is OK.

Let me know your thoughts.

Carpe Diem

Regards

AB

Response from CEO Karen

Hi Andrew

It was great to meet you yesterday and hear your thoughts on this interesting and worthwhile project. Thank you for the document - I have included our logo and changed Carrick for Hadspen, otherwise I think it gives both of us sufficient cover and room to move. Will wait to hear Josh and Brady's thoughts in case they would like to include something else.

Kind regards,

Karen Robinson | CEO

With this all in hand, I talked to Anthony McConnon as the South-central Workforce Network, (SWN) our local Jobs Hub and we brain-stormed how we could access some funding. The first approach was to Skills Tas / Jobs Tas through their Partnership Program.

Whilst discussions proceeded in that space, I talked to Helen Langenberg at Active Tas to share my thoughts and the progress to date in respect of this 'project'. Helen was also clearly excited and said to keep her informed.

Eventually the approach to Skills Tas/Jobs Tas became unworkable as they are focused on permanent full time positions if at all possible, with the appropriate training to support the skill set for the position. Our life guard program didn't quite fit.

From my perspective our proposed program is a skills based and very solidly focused Community Development program. A program that assists in building the resilience of the community and with a tremendous opportunity to reduce the loss of life through drowning accidents across Tasmania. With that in mind, I asked Anthony McConnon to put together the proposal for submission to Active Tas for consideration. Please visit the SWN website if you get an opportunity. SWN is an impressive organisation which is delivery amazing results for our community, across Southern Midlands, Derwent Valley, Brighton and the Central Highlands LGAs.

If you require clarification or further discussion please do not hesitate to contact me on 0429 852 730 by email at abenson@southernmidlands.tas.gov.au.

Andrew Benson

Acting General Manager, Southern Midlands Council

Chair, SWN Jobs Hub Advisory Board

[Jobs Hub | Southcentral Workforce Network | Pontville \(swntas.org\)](#)

9th February 2024

DETAIL

The Approved Purpose of this Grant is to provide a minimum of two Regional Lifeguard Accreditation Programs delivered to the community over two years, being one program in 2024 and one in 2025 to a minimum of 40 participants in total.

The SWN Jobs Hub will facilitate this program on the ground.

The Units making up the SISSS00133 - Pool Lifeguard Skillset are;

- HLTAID011 – Provide First Aid
- SISCAQU019 – Supervise patron safety in aquatic locations
- SISCAQU020 – Perform water rescues

- SISCAQU021 – Perform complex water rescues
- SISCAQU022 – Provide oxygen resuscitation and therapy in an aquatic environment
- HLTAID009 – Provide Cardiopulmonary Resuscitation

In addition, it is proposed that participants will take part in a non-accredited Communication and Conflict Resolution Course delivered by TasTAFE, which will assist them in their interactions with members of the community.

Human Resources & Financial Implications – The value of the Grant is \$30,000 with no Council contribution. Given the project will be implemented on the ground through the SWN Jobs Hub Team there will be no requirement for Council resources to be expended on this project, only holding the funds and the acquittal. All training will be undertaken at the Oatlands Aquatic Centre on a normal rate.

Community Consultation & Public Relations Implications – Currently nil

Policy Implications – Nil

Priority - Implementation Time Frame – December 2025.

RECOMMENDATION

That Council endorse the Signing and Sealing of the Grant Deed for the funding agreement between the Tasmanian Government through the Department of State Growth / Active Tasmania and the Southern Midlands Council for the amount of \$30,000.00 for the Regional Life Guard Accreditation Program in 2024 and 2025.

DECISION

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

THAT Council endorse the Signing and Sealing of the Grant Deed for the funding agreement between the Tasmanian Government through the Department of State Growth / Active Tasmania and the Southern Midlands Council for the amount of \$30,000.00 for the Regional Life Guard Accreditation Program in 2024 and 2025.

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	✓	

19. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

19.1 New Policy – Reporting & Investigating Reportable Conduct Policy & Procedure

Author: MANAGER COMMUNITY & CORPORATE DEVELOPMENT (WENDY YOUNG)

Date: 15 MAY 2024

Enclosure(s):

ISSUE

The Child & Youth Safe Organisations Act 2023 was enacted in June 2023. This Act establishes standards for the safety and wellbeing of children and youth and provides responsibilities of certain entities in relation to those standards and establishes a reportable conduct scheme. Under Schedule 2 of the Act – Councils are an entity that are specifically covered and must comply from the 1 January 2024.

DETAIL

The objective of this policy is to meet the Child and Youth Safe Framework, which includes the child and youth safe standards, reportable conduct scheme, the independent regulator and information sharing provisions.

Elected members have been defined as a worker under this Act:-

Worker	a worker, of an entity, is a person who has attained the age of 18 years who – (a) is employed by the entity, whether or not the person is employed in connection with any work or activity of the entity that relates to children; or (b) is engaged by the entity to provide services, including as a volunteer, contractor, subcontractor, consultant, director, member of a management committee, office holder or officer, whether or not the person is engaged in connection with any work or activity of the entity that relates to children; or (c) is elected to a role in respect of an entity, such as as an alderman, councillor or member of Parliament, whether or not the person provides services to children in that elected role; or (d) is engaged in training or work experience with the entity, whether or not the person is engaged in connection with any work or activity of the entity that relates to children; or
---------------	---

The Child and Youth Safe Organisations Framework (the Framework) was established through the *Child and Youth Safe Organisations Act 2023* (the Act). The Framework includes the Reportable Conduct Scheme (the Scheme) that requires the General Manager or delegate to report, and investigate, concerns and conduct related to a child or young person involving a worker (referred to as reportable conduct) to the Independent Regulator.

The Reportable conduct scheme places obligations on the General Manager or delegate to notify the Regulator in writing within 3 business days after becoming aware of a reportable conduct, reportable allegation or reportable conviction of a worker.

What is Reportable Conduct:-

- A sexual offence;
- Physical violence;
- Grooming;
- Emotional/psychological harm;
- Neglect

A reportable allegation is:-

Information that leads a person to form a reasonable suspicion that a worker of an entity has committed reportable conduct, whether or not the alleged reportable conduct occurred within the course of the worker's duties, and regardless of when the alleged reportable conduct occurred.

A reportable conviction is:-

A conviction for an offence that involves reportable conduct, regardless of when the conduct or conviction occurred.

It also requires that General Manager or delegate must investigate the reportable allegation or reportable conviction and provide within 30 days all known detailed information about the reportable allegation or reportable conviction and whether or not any action is to be taken. The obligation to investigate continues to apply even if the worker ceases to be employed or otherwise engaged by the organisation.

RECOMMENDATION

THAT Council:

- 1. Receive and note the report; and**
- 2. Consider the 'Reporting & Investigating Reportable Conduct Policy and Procedure' and subject to any amendments, be submitted for formal adoption at the next meeting.**

DECISION

Moved by Clr B Campbell, seconded by Clr D Blackwell

THAT Council:

- 1. Receive and note the report; and**
- 2. Submit the 'Reporting & Investigating Reportable Conduct Policy and Procedure' for formal adoption at the next meeting.**

CARRIED

ENCLOSURE
Agenda Item 19.1



Council Policy
**REPORTING AND INVESTIGATING REPORTABLE
CONDUCT POLICY AND PROCEDURE**

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

1. PURPOSE

The purpose of this policy is to create and maintain a child and youth safe organisation to prioritise, promote and protect the safety and wellbeing and prevent abuse and harm of children and young people in Southern Midlands.

The purpose of this policy is to:

- Ensure workers are aware of and comply with their responsibilities to respond to and report concerns about conduct related to a child or young person involving another worker.
- Outline the process for children, young people, families, and member of the public to report concerns about conduct related to a child or young person involving a worker.
- Explain the steps the Council is required to take following a report.

2. OBJECTIVE

The Child and Youth Safe Organisations Framework (the Framework) was established through the *Child and Youth Safe Organisations Act 2023* (the Act). The Framework includes the Reportable Conduct Scheme (the Scheme) that requires the General Manager or delegate to report, and investigate, concerns and conduct related to a child or young person involving a worker (referred to as reportable conduct) to the Independent Regulator.

3. SCOPE

This policy applies to all workers – see definition

4. DEFINITIONS

Worker	<p>a worker, of an entity, is a person who has attained the age of 18 years who – (a) is employed by the entity, whether or not the person is employed in connection with any work or activity of the entity that relates to children; or</p> <p>(b) is engaged by the entity to provide services, including as a volunteer, contractor, subcontractor, consultant, director, member of a management committee, office holder or officer, whether or not the person is engaged in connection with any work or activity of the entity that relates to children; or</p> <p>(c) is elected to a role in respect of an entity, such as as an alderman, councillor or member of Parliament, whether or not the person provides services to children in that elected role; or</p> <p>(d) is engaged in training or work experience with the entity, whether or not the person is engaged in connection with any work or activity of the entity that relates to children; or</p>
---------------	---



Council Policy
**REPORTING AND INVESTIGATING REPORTABLE
CONDUCT POLICY AND PROCEDURE**

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

Child	means a person who has not attained the age of 18 years;
Youth	Means a person who has attained the age of 16 years but has not attained the age of 18 years.
Reportable Allegation	means information that leads a person to form a reasonable suspicion that a worker of an entity has committed reportable conduct, whether or not the alleged reportable conduct occurred within the course of the worker's duties in respect of the entity, and regardless of whether the alleged reportable conduct occurred before the commencement of this Act;
Reportable Conviction	means a conviction for an offence that involves reportable conduct, regardless of whether the conduct or conviction occurred before the commencement of this Act;
Standards	means the child and youth safe standards;
Grooming	grooming, in relation to a child, means conduct of a person that – (a) is intended to establish trust with the aim of normalising sexually harmful behaviour towards, or allowing the person to engage in an unlawful act, sexual offence, or sexual misconduct, against, the child; and (b) forms part of a pattern of manipulative or controlling behaviour in relation to – (i) the child; or (ii) the child's guardian, family or friends; or (iii) a worker of a relevant entity that provides services to, or has dealings with, the child
Emotional or psychological harm	means harm to a child's wellbeing or development, or both
Neglect, of a child	means the deliberate or reckless failure to meet the basic needs of the child
Physical violence	means – (a) the intentional or reckless application of physical force to a person without lawful justification or excuse; or (b) any act which intentionally or recklessly causes a person to apprehend immediate and unlawful violence to the person
Relevant offence	means – (a) a sexual offence; or (b) an offence under section 105A of the Criminal Code; or (c) an offence under section 178A of the Criminal Code; or (d) an offence under section 298, 299 or 300 of the Criminal Code in respect of an offence specified in paragraphs (b) and (c)
Sexual misconduct	includes, but is not limited to, the following conduct when performed in a sexual manner or with a sexual intention: (a) inappropriate behaviour; (b) physical contact; (c) voyeurism; (d) speech or other communication including electronic communication;



Council Policy
**REPORTING AND INVESTIGATING REPORTABLE
CONDUCT POLICY AND PROCEDURE**

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

Significant	in relation to emotional or psychological harm or neglect, means that the harm or neglect is more than trivial or insignificant, but is not required to be deemed serious or deemed to have a lasting permanent effect.
--------------------	---

5. POLICY

Southern Midlands Council is committed to creating a culture where children, young people, families, workers and members of the public are encouraged and supported to disclose or report concerns about conducted related to a child or young person involving a work and investigating those concerns in a thorough, transparent, safe and child centred way.

The General Manager or delegate is responsible for notifying the Independent Regulator of reportable conduct involving a worker, and the conduct of investigation (s).

Reportable conduct includes criminal and non-criminal behaviour including (but not limited to):

- Significant neglect
- Physical violence
- A sexual offence
- Sexual misconduct
- Grooming
- Causing significant emotional or psychological harm
- Failing to report child abuse.

The Scheme covers conduct alleged to have occurred:

- At work
- Outside of work
- Before the worker was employed at Council
- Before the Scheme commenced.

If a child or young person is at immediate risk, call 000 or contact the Strong Families, Safe Kids, Advice and Referral Line on 1800 000 123.

5.1 Shared Responsibilities

This policy provides the following to protect children and young people from harm and provide an environment where children and young people are safe and feel safe.

- All workers are expected to treat children and young people with respect and provide a working environment that is safe and free from harm and fulfil their responsibilities as outline in Council's *Children Safety & Wellbeing Policy*.
- Council seeks to create an environment of trust, where accountability is encouraged, and reports are acted on in a timely manner using the trauma-informed principles of safety.



Council Policy
**REPORTING AND INVESTIGATING REPORTABLE
CONDUCT POLICY AND PROCEDURE**

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

- Council will be active in informing children, young people, families, workers and members of the public that we interact with, so they know what needs to be reported and easily find out how to report and who to report concerns to.
- Workers must report any concerns about conduct related to a child and young person involving another worker whether observed reasonably suspected or disclosed. All workers are required to make a genuine report and will be supported to do so.
- Children and young people must be taken seriously and listened to when they disclose to a worker that they have concerns about the conduct or another worker or adult.
- Children, young people, families and members of the public must report concerns about conduct related to a child or young person involving a worker as soon as practicable.

5.2 Reporting and Investigating Reportable Conduct

5.2.1 Reporting Concerns

- Workers must report concerns about conduct related to a child or young person involving another worker by:
 - Completing the online *Reporting concerns or complaints about child or youth safety wellbeing form* available on Council's website
 - Completing the paper-based *Reporting concerns or complaints about child or youth safety wellbeing form* and sending it to the General Manager
- Workers have a responsibility to ensure that children and young people are safe. If the child or young person is in any immediate risk, then appropriate steps should be taken to ensure their safety. This may be as simple as removing the child from the situation and immediately contacting the General Manager (or if more serious matter, call the Police on 000)
- Information for children, young people, families and members of the public on how to report is outlined on Council's website.
 - Completing the online *Reporting concerns or complaints about child or youth safety wellbeing form* available on Council's website
 - Completing the paper-based *Reporting concerns or complaints about child or youth safety wellbeing form* and sending it to the General Manager
- If a department business area receives a report of concern about conduct related to a child or young person involving a worker, it must be sent to the General Manager.
- Workers and people who make a report have a legal right to confidentiality. This means that information will not disclose the identity of the person making a report without their consent unless required under the information sharing rights or other legislation. Workers making a report must ensure that confidentiality is maintained as far as is practicable and information is shared only with people that need to know.

5.2.2 Strong Families, Safe Kids Advice and Referral Line

Reporting any concern about conduct related to a child or young person involving a worker is mandatory for workers. If a worker is uncomfortable about reporting this through Council's



Council Policy
**REPORTING AND INVESTIGATING REPORTABLE
CONDUCT POLICY AND PROCEDURE**

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

process, they can report directly to the Independent Regulator or the Strong Families Safe Kids Advice and Referral Line on 1800 000 123.

The Advice and Referral Line can also be used to report any concerns involving a child or young person, such as those that are observed, reasonably suspected or disclosed in a public or private setting.

5.3 Notifying the Independent Regulator

The General Manager or delegate is required by law to notify the Independent Regulator of concerns about conduct related to a child or young person involving a worker within three (3) business days after becoming aware of the concern.

Where there is doubt about whether the conduct is reportable conduct, the Independent Regulator will still be notified.

The report will include:-

- That a reportable allegation has been made, or that reportable conviction recorded against a worker
- The worker's name (including any other names the person goes by, if known) and, date of birth, if known.
- If the notification relates to a reportable allegation (rather than a reportable conviction), whether Tasmania Police has been informed.
- The name, address and telephone number of the Council
- The General Manager's name.

After a report has been made referrals to support services will be offered to the child (ren) involved in the matter, the worker who is the subject of the allegation and any other relevant parties. This will be done by the General Manager or delegate.

Notification by the General Manager or delegate may also need to be made to the following external authorities:-

- Tasmania Police – if suspect allegation is a criminal offence
- Registrar of the *Registration to work with vulnerable People Act 2013* - if the worker of the alleged reportable conduct holds registration to work with vulnerable people.
- Strong Families, Safe Kids Advice and Referral Line – if an allegation relates to the child's living arrangements.

5.4 Investigating Concerns

The Council seeks to adopt a trauma-informed approach which actively recognises the widespread impact of trauma on individuals and aims to minimise re-traumatisation. In the context of this policy and procedure, a trauma-informed approach is outlined as follows:-



Council Policy
**REPORTING AND INVESTIGATING REPORTABLE
CONDUCT POLICY AND PROCEDURE**

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

- Providing interpersonal/environmental settings that promote a sense of physical, emotional and cultural safety.
- Ensuring there is a choice in how individuals participate in the investigation process that is appropriate and possible.
- Promoting trust by listening, being attentive and acknowledging what the individual is saying or displaying.

The General Manager or delegate must start an investigation as soon as possible. The investigation will either be conducted internally or the Council may engage an independent investigator to investigate the concern on its behalf.

Within 30 days of becoming aware of the reportable conduct, the General Manager or delegate must provide updated information to the Independent Regulator, including:

- Information obtained about the allegation or conviction
- Whether any actions have been taken (for example placing a limit on a workers contact with children)
- Any written submissions the worker involved has asked to be taken into consideration.

At the completion of an investigation, the General Manager or delegate must provide the following information to the Independent Regulator:

- A copy of the findings of the investigation and the reasons for those findings;
- Details of any disciplinary or other action that the Council has taken, or proposes to take, in relation to the worker, and the reasons for that action; and
- If the Council does not propose to take any disciplinary or other actions in relation to the worker, the reasons any no action is to be taken.

5.5 Powers of the Independent Regulator

Under the Reportable Conduct Scheme, the Independent Regulator has the power to:-

- Monitor the Council's investigation into reportable conduct
- Request information or documents to enable it to monitor the Council's investigation into reportable conduct or for the purpose of conducting its own investigation
- In exceptional circumstances, conduct its own investigation in relation to reportable conduct or the handling of an investigation by the Council.
- Enter premises without consent for the purpose of conducting its own investigation
- Interview a person, worker or a child or young person for the purpose of conducting its own investigation.
- Issue a notice to produce information or documents within certain timeframes to monitor a Council's investigation into reportable conduct or for the purpose of conducting its own investigation.
- Share reportable conduct information with organisations, Tasmanian and interstate Police bodies, the Registrar of the *Registration to Work with Vulnerable People Act 2013* and other regulators.



Council Policy
**REPORTING AND INVESTIGATING REPORTABLE
CONDUCT POLICY AND PROCEDURE**

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

5.6 Information Sharing

The General Manager has specific information sharing rights under the Framework which overrides other laws such as the *Personal Information Protection Act 2004* and these information sharing rights can be delegated to another worker in the Council. The General Manager or delegate can share reportable conduct information with:

- The Independent Regulator
- Police (Tasmania, interstate police and federal police)
- An independent investigator that they have appointed to conduct a reportable conduct investigation
- Leaders of other organisations that are required to comply with the Framework
- An entity regulator
- The Integrity Commissioner
- Government Minister.

The General Manager or delegate can share reportable conduct information when:

- They need to comply with the Act, for example to report information to the Independent Regulator, or to conduct a reportable conduct investigation
- They are complying with another law, for example reporting suspected child abuse to Police
- They are promoting the safety and wellbeing of children and young people, for example to tell the leader of another organisation that one of their workers is alleged to have abused a child or young person.

There are specific situations where information can be shared with others such as the child or young person concerned, their guardian, other workers, the person who disclosed the reportable conduct, contracted organisations and workers who are subject to reportable conduct investigations.

5.7 Record Keeping

All information received will be kept and managed in accordance with Council's record keeping practices and the *Personal Information Protection Act 2004*. The Council will ensure that any personal information will not be used or disclosed, other than as required under the *Personal Information Protection Act 2004*, the information sharing rights under the Framework or as permitted to do so under another law.

6. LEGISLATION

- *Child and Youth Safe Organisations Act 2003*
- *Registration to Work with Vulnerable People Act 2013*
- *Personal Information Protection Act 2004*
- *Public Interest Disclosure Act 2002*
- *Right to Information Act 2009*



Council Policy
**REPORTING AND INVESTIGATING REPORTABLE
CONDUCT POLICY AND PROCEDURE**

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

7. RELATED DOCUMENTS

- Council's Children Safety & Wellbeing Policy
- Code of Conduct – Worker

8. 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.

RECOMMENDATION

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

DECISION

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

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

Matter	Local Government (<i>Meeting Procedures</i>) Regulations 2015 Reference
<i>Closed Council Minutes - Confirmation</i>	15(2)
<i>Applications for Leave of Absence</i>	15(2)(h)
<i>Property Matter - Kempton</i>	15(2)(f)

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	✓	

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 by 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 A E Bisdee OAM	✓	
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 Property Matter – Kempton

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

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

RECOMMENDATION

THAT Council move out of “Closed Session”.

DECISION

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

THAT Council move out of “Closed Session”.

CARRIED

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

OPEN COUNCIL MINUTES

21. CLOSURE

The meeting closed at 12.46 p.m.