

SOUTHERN
MIDLANDS
COUNCIL



AGENDA

ORDINARY COUNCIL MEETING

Wednesday, 24th January 2024
10.00 a.m.

Woodsdale Community Memorial Hall
2310 Woodsdale Road, Woodsdale

INDEX

1.	PRAYERS	6
2.	ACKNOWLEDGEMENT OF COUNTRY	6
3.	ATTENDANCE	6
4.	APOLOGIES	6
5.	MINUTES	6
5.1	ORDINARY COUNCIL MEETING	6
5.2	ANNUAL GENERAL MEETING	7
5.3	SPECIAL COMMITTEES OF COUNCIL MINUTES	8
5.3.1	<i>Special Committees of Council - Receipt of Minutes</i>	8
5.3.2	<i>Special Committees of Council - Endorsement of Recommendations</i>	8
5.4	JOINT AUTHORITIES (ESTABLISHED UNDER DIVISION 4 OF THE LOCAL GOVERNMENT ACT 1993)9	
5.4.1	<i>Joint Authorities - Receipt of Minutes</i>	9
5.4.2	<i>Joint Authorities - Receipt of Reports (Annual & Quarterly)</i>	9
6.	NOTIFICATION OF COUNCIL WORKSHOPS	10
7.	COUNCILLORS – QUESTION TIME	11
7.1	QUESTIONS (ON NOTICE)	11
7.2	QUESTIONS WITHOUT NOTICE	12
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.....	15
11.	MOTIONS OF WHICH NOTICE HAS BEEN GIVEN UNDER REGULATION 16 (5) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2015	16
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	17
12.1	DEVELOPMENT APPLICATIONS	17
12.1.1	<i>Development Application Update (Planning Authority)</i>	17
12.1.2	<i>Development Application Update (Planning Authority)</i>	19
12.2	SUBDIVISIONS	21
12.3	MUNICIPAL SEAL (PLANNING AUTHORITY)	21
12.4	PLANNING (OTHER).....	21
13.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE) ..	22
13.1	ROADS	22
13.2	BRIDGES	22
13.3	WALKWAYS, CYCLE WAYS AND TRAILS	22
13.4	LIGHTING	22
13.5	BUILDINGS	22
13.6	SEWERS / WATER	22
13.7	DRAINAGE	22
13.8	WASTE	23
13.9	INFORMATION, COMMUNICATION TECHNOLOGY	23
13.10	OFFICER REPORTS – INFRASTRUCTURE & WORKS	24
13.10.1	<i>Manager – Infrastructure & Works Report</i>	24
14.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)	30
14.1	RESIDENTIAL	30
14.2	TOURISM	30
14.3	BUSINESS.....	30
14.4	INDUSTRY	30
15.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME –LANDSCAPES).....	31
15.1	HERITAGE.....	31

15.1.1	<i>Heritage Project Program Report</i>	31
15.2	NATURAL	32
15.2.1	<i>NRM Unit – General Report</i>	32
15.3	CULTURAL	35
15.4	REGULATORY (DEVELOPMENT).....	35
15.5	REGULATORY (PUBLIC HEALTH).....	35
15.6	REGULATORY (ANIMALS)	36
15.6.1	<i>Animal Management Report</i>	36
15.7	ENVIRONMENTAL SUSTAINABILITY	38
16.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY).....	39
16.1	COMMUNITY HEALTH AND WELLBEING	39
16.1.1	<i>Woodsdale Cemetery (2003 Woodsdale Road, Woodsdale PID 5840316) – Agreement for Sale - Transfer of Ownership from Crown to Southern Midlands Council</i>	39
16.2	RECREATION	42
16.2.1	<i>Oatlands Aquatic Centre – Coordinators Report</i>	42
16.3	ACCESS.....	46
16.4	VOLUNTEERS.....	46
16.5	FAMILIES	46
16.6	EDUCATION	46
16.7	CAPACITY & SUSTAINABILITY	47
16.8	SAFETY	47
16.9	CONSULTATION & COMMUNICATION	47
17.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION).....	48
17.1	IMPROVEMENT	48
17.1.1	<i>Policy Development – Donations & Community Support Policy (Final Adoption) ...</i>	<i>48</i>
17.1.2	<i>Policy Development – Fees Refund & Remission</i>	<i>56</i>
17.1.3	<i>Car Wrecks Policy (2008) - Update</i>	<i>59</i>
17.1.4	<i>Policy Development – Cemeteries Management Policy (Draft).....</i>	<i>65</i>
17.1.5	<i>Local Government Board - Future of Local Government – Final Report.....</i>	<i>74</i>
17.1.6	<i>Code of Conduct – Workers Policy (Update).....</i>	<i>87</i>
17.2	SUSTAINABILITY	99
17.2.1	<i>Tabling of Documents</i>	<i>99</i>
17.2.2	<i>Elected Member Statements.....</i>	<i>99</i>
17.2.3	<i>Local Government Shared Services–Quarterly Update–Information Only</i>	<i>100</i>
17.2.4	<i>Review of Southern Midlands Council’s Strategic Plan 2022-2032.....</i>	<i>102</i>
17.2.5	<i>Council Appointments - Special Committees, Statutory Bodies and External Organisations.</i> <i>104</i>	
17.3	FINANCES.....	110
17.3.1	<i>Monthly Financial Statement (Period ending 31 December 2023)</i>	<i>110</i>
17.3.2	<i>SMC External Grant Projects - Quarterly Update</i>	<i>121</i>
18.	MUNICIPAL SEAL	126
19.	CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA	126
20.	BUSINESS IN “CLOSED SESSION”	127
20.1	CLOSED COUNCIL MINUTES - CONFIRMATION	127
20.2	APPLICATIONS FOR LEAVE OF ABSENCE	127
20.3	PROPERTY MATTER - BAGDAD.....	127
21.	CLOSURE	128



Dear Sir/Madam

NOTICE OF MEETING

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

Date: Wednesday, 24th January, 2024

Time: 10.00 a.m.

Venue: Woodsdale Hall, 2310 Woodsdale Road, Woodsdale.

The Local Government Act 1993 section 65 provides the following:

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

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

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'TF Kirkwood', written in a cursive style.

TF Kirkwood
GENERAL MANAGER

OPEN COUNCIL AGENDA

1. PRAYERS

Reverend Dennis Cousens to recite prayers.

2. ACKNOWLEDGEMENT OF COUNTRY

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

3. ATTENDANCE

4. APOLOGIES

5. MINUTES

5.1 Ordinary Council Meeting

The Minutes (Open Council Minutes) of the previous meeting of Council held on the 13th December 2023, as circulated, are submitted for confirmation.

RECOMMENDATION

THAT the Minutes (Open Council Minutes) of the Council Meeting held 13th December 2023 be confirmed.

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

5.2 Annual General Meeting

The Minutes of the Annual General Meeting held on the 13th December 2023, as circulated, are submitted for confirmation.

RECOMMENDATION

THAT the Minutes of the Annual General Meeting held 13th December 2023 be confirmed.

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

5.3 Special Committees of Council Minutes

5.3.1 Special Committees of Council - Receipt of Minutes

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

- Woodsdale Hall Management Committee – Minutes of the Meeting held 15th January 2024

RECOMMENDATION

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

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

5.3.2 Special Committees of Council - Endorsement of Recommendations

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

- Woodsdale Hall Management Committee – Minutes of the Meeting held 15th January 2024

RECOMMENDATION

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

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

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

5.4.1 Joint Authorities - Receipt of Minutes

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

- Southern Tasmanian Regional Waste Authority - Minutes of the Meeting held 25th October 2023

RECOMMENDATION

THAT the Minutes of the above Joint Authority be received.

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

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

Reports prepared by the following Joint Authorities, as circulated, are submitted for receipt:

- Southern Tasmanian Regional Waste Authority – Quarter Ending December 2023

RECOMMENDATION

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

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

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 8th January 2024 at the Council Chambers, Oatlands commencing at 9.30 a.m.

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

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

Apologies: Deputy Mayor K Dudgeon.

The purpose of the Workshop was to consider and discuss the following:

1. The future of local government review – Final Report

The workshop considered each of the 37 recommendations contained in the Board's final report.

Responses in relation to each recommendation are being drafted based on the outcome of the discussion and will be submitted separately to Council for endorsement.

The deadline for submissions is 29th February 2024.

2. Managing conflicts of interest of councillors – Framework proposal / discussion paper

The Office of Local Government has distributed the above Discussion Paper with a deadline for submissions of 12th January 2024.

The Discussion Paper details:

- a) The guiding principles;
- b) Classifies the type of interests; and
- c) The proposed disclosure and management arrangements.

At the conclusion of the discussion, it was determined that a submission is not required at this stage. Further consideration and comment can be provided during the legislative drafting stage.

The workshop concluded at approximately 11.40 a.m.

RECOMMENDATION

THAT the information be received.

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

7. COUNCILLORS – QUESTION TIME

7.1 Questions (On Notice)

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

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

Deputy Mayor K Dudgeon has submitted the following question on notice on 16th January 2024.

Following a number of representations received relating to the temporary fencing around the previous Midlands Hotel in Oatlands, can information be provided regarding the need for this fencing; the likely timeframe that it will be there and can Council require its removal?

General Manager' Response

It is acknowledged that temporary fencing has been erected around the perimeter of the property at 91 High Street, Oatlands being the previous Midlands Hotel.

Whilst there has been discussions with the property owner regarding its possible removal, the owner has advised that following an assessment of the property it had been determined that the fence must remain for public safety and security reasons. This has also been confirmed by the owner's insurance representative.

Temporary fencing is exempt under the Tasmanian Planning Scheme and Council does not have any formal authority to require its removal. There is no definite timeframe for removal at this stage.

7.2 Questions Without Notice

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

It states:

“29. Questions without notice

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

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

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

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

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

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

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

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

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

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

8. DECLARATIONS OF PECUNIARY INTEREST

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

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

9. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

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

RECOMMENDATION

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

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

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

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

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

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

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

Mayor E Batt to invite questions from members of the public in attendance.

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 Update (Planning Authority)

Councillor Information – DA 2300129; Aquatic Centre – Installation of new toilet block on land at Callington Mill Park, 22 The Esplanade, Oatlands.

File Ref: (PID 5842178)

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

Date: 15 JANUARY 2024

Enclosure:
Nil

DEVELOPMENT APPLICATION

As Council will recall, the proposed development was for the installation of a single accessible unisex toilet (with service duct area) as shown in the illustrations below:



Exemption clause 4.2.7 opens up an exempt pathway for this proposal. This clause refers to ‘minor infrastructure’ and outlines that the following developments are exempt:

Provision, maintenance and modification of footpaths, cycle paths, playground equipment, seating, shelters, bus stops and bus shelters, street lighting, telephone booths, public toilets, post boxes, cycle racks, fire hydrants, drinking fountains, rubbish bins, public art, and the like by, or on behalf of, the Crown, a council or a State authority.

The subject site (22 The Esplanade) is owned by Council (Local Government Authority is noted as being the owner) and the planning application for the public toilets are by Council. Ultimately it doesn’t matter who owns the land.

In addition and identical to the public art (sculpture) installation, there are no impediments for the exemption caused by the presence of the Heritage Code overlay.

On that basis, it is my view that the public toilets at 22 Esplanade are exempt from requiring a planning permit as per 4.2.7.

This too was similarly confirmed by independent planner – Danielle Gray who Council sought to engage for the determination of a number of applications within the Oatlands Local Heritage Precinct.

As a result of this exemption Council’s Senior Planner confirmed the proposals NPR (No Permit Required) status on the 2 January 2024. Plumbing and Building approvals will still be required.

RECOMMENDATION

THAT the Development Application update be received and noted.

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

12.1.2 Development Application Update (Planning Authority)

Councillor Information: DA2300149; Oatlands Aquatic Centre – Installation of Sculpture Artwork plus Awning signage on land at 70 High Street, Oatlands.

File Ref: (PID 9002130)

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

Date: 15 JANUARY 2024

Enclosure:
Nil

DEVELOPMENT APPLICATION

As Council will recall, the proposed development was for the installation of sculpture artwork in the forecourt plus awning signage.

The proposed development however is afforded with an exemption under *Part 4.2.7 Minor Infrastructure* of the Tasmanian Planning Scheme

4.2.7	minor infrastructure	Provision, maintenance and modification of footpaths, cycle paths, playground equipment, seating, shelters, bus stops and bus shelters, street lighting, telephone booths, public toilets, post boxes, cycle racks, fire hydrants, drinking fountains, waste or recycling bins, public art, and the like by, or on behalf of, the Crown, a council or a State authority.
-------	----------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

This too was confirmed by independent planner – Danielle Gray who Council sought to engage for the determination of a number of applications within the Oatlands Local Heritage Precinct.

There are no impediments for the exemption caused by the presence of the Heritage Code overlay as you will see in the attachment (below) - **4.0 Exemptions** for clause 4.2.10 that ‘container refund points’ are not exempt if the Local Historic Heritage Code applies and requires a permit for the use and development.

4.2.10	container refund point	By, or on behalf of the Crown, if for: a) an over-the-counter refund point with external storage
--------	------------------------	-----------------------------------------------------------------------------------------------------

	Use	Requirements
		located to the side or rear of the business premises if: <ul style="list-style-type: none"> i. it operates within the normal hours of operation of that business; ii. external storage of the returned approved containers is an area of not more than 15m² and a height of not more than 3m or is provided in a shipping container; and iii. the external storage is not visible from a road or public space adjoining the site; or b) a container refund machine or bag drop refund point if: <ul style="list-style-type: none"> i. co-located on a site with an existing business; ii. the structure has a base area of not more than 4m² and a height of not more than 2.2m; and iii. the returned approved containers are stored inside the structure or the bags are stored in a relocatable bin that is not visible from any road or public space adjoining the site, unless the Local Historic Heritage Code applies and requires a permit for the use or development.

PUBLIC EXHIBITION

On the basis of this exemption, Council utilised the 14 day advertised period that applies to s57 Discretionary Applications purely for the purposes of public consultation.

At the conclusion of the advertised period the application was subsequently withdrawn.

No representations were received during this period.

RECOMMENDATION

THAT the Development Application update be received and noted.

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

12.2 Subdivisions

Nil.

12.3 Municipal Seal (Planning Authority)

Nil.

12.4 Planning (Other)

Nil.

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

13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)

13.1 Roads

Strategic Plan Reference 1.1

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

Nil.

13.2 Bridges

Strategic Plan Reference 1.2

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

Nil.

13.3 Walkways, Cycle Ways and Trails

Strategic Plan Reference 1.3

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

Nil.

13.4 Lighting

Strategic Plan Reference 1.4

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

Nil.

13.5 Buildings

Strategic Plan Reference 1.5

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

Nil.

13.6 Sewers / Water

Strategic Plan Reference(s) 1.6

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

Nil.

13.7 Drainage

Strategic Plan Reference 1.7

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

Nil.

13.8 Waste

Strategic Plan Reference 1.8

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

Nil.

13.9 Information, Communication Technology

Strategic Plan Reference 1.9

Improve access to modern communications infrastructure.

Nil.

13.10 Officer Reports – Infrastructure & Works

13.10.1 Manager – Infrastructure & Works Report

Author: MANAGER INFRASTRUCTURE & WORKS (DAVID RICHARDSON)

Date: 17 JANUARY 2024

Roads Program

General road maintenance and repairs will continue, including works on pavement repairs and table drain clearing on a priority basis. The annual roadside slashing works are underway to mitigate the risk related to the proposed climatic conditions that are expected over the coming period. Road grading works are continuing on a priority basis.

Current Capital Work.

Bagdad-Mangalore hydraulic flood assessment works have almost been completed it is expected that the first draft will be finalised in December. Council officers are currently reviewing the document to provide feedback to the consultant.

Road Stabilization works for the annual road stabilization programme is underway. Programme planned to be completed by mid-February.

Footpath works have been completed in Stanley Street Oatlands.

Interlaken road upgrade works have commenced.

Annual road re-sealing works are expected to be completed by mid-February.

Parks and Reserves

General maintenance of parks and reserves will continue with a focus on ensuring growth is maintained at an acceptable level. The focus will now move to mowing during the spring period.

Bridge Works

A number of bridges will require some minor rectification works over the coming period as a result of weather conditions.

Building Services Unit

An extensive renovation job is almost completed for a private client in the Midlands area.

Construction of 2 accommodation units in Oatlands has commenced, slabs are completed framing works have begun.

Planned Works

The following capital works are planned for the coming period

- Drainage and pavement repairs various roads.
- Undertake various bridge maintenance repairs.

- Continue construction of accommodation units Oatlands.
- Complete annual road-reseal works on various roads.
- Complete annual road stabilization works.
- Continue Interlaken road upgrade works.
- Commence footpath works Oatlands.
- Install play equipment Runnymede recreation ground. (February programmed)

QUESTIONS WITHOUT NOTICE TO MANAGER, INFRASTRUCTURE & WORKS

RECOMMENDATION

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

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

ENCLOSURE
Agenda Item 13.10.1

Capital Works Program 2023-2024 Projected Timelines
as at 31 December 2023

Project	Total Project Cost (\$)	2023						2024						
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	
Road Resealing - Sealed Roads														
Various Projects	450,000													
Road Reconstruction & Seal														
Campania - Climie Street (200 metres from Reeve Street to Water Lane)	60,000													
Colebrook - Arthur Street (500 metres)	90,000													
Dysart - Church Lane & Ely Street (approx. 500 metres combined)	100,000													
Elderslie - Pelham Road (1.0 km)	180,000													
Mangalore - Blackbrush Road (1.0 km from Midland Hwy to M/Ford Dr)	180,000													
Oatlands - York Plains Road in two sections (1.00 km)	180,000													
Woodsdale - Woodsdale Road in two sections (2.0 kmls)	360,000													
Drainage (Reset Drains - various Roads)	250,000													
Construct & Seal (Unsealed Roads)														
Colebrook - Yarlington Road (1.0 km)	180,000													
Oatlands - Bentwick Street	37,777	Deferred pending development application												
Oatlands - Interlaken Road (Year 2 of 3 - Total contribution \$300K)	2,873,090							Construction Phase						
Junction / Road Realignment / Other														
Tin Pot Marsh Road Dust Suppressant	40,000													
Bagdad - Green Valley Road - Guard Rail / Line mark. & Sign.	110,000													
Campania - Estate Road (vicinity Mallow property)	49,000	Deferred												
Campania - Hall Street (Seal and stormwater upgrade)	70,000													
Campania - Reeve St Junction/footpath/kerb & channel	200,000													
Campania - Structure Plan - Town gateway and Streetscape	40,000													
Colebrook - Junction Craigbourne Road and Colebrook Road	24,000													
Elderslie - Elderslie Road Widening Investigation & Trial (Sth Blackbrush Rd)	40,000													
Elderslie - Bluff Road Intersection Upgrade	1,530													
Mt Seymour - Junction Blackgate Road and Tunnack Road	24,000													
Oatlands - Hasting Street Junction	15,000													
Tea Tree - Grices Road (Tree removal, set-back of embankment, drainage)	15,000													
Tunbridge - Main Street (Kerb & Gutter Renewal)	40,000													
Tunnack - Link Road Landslip	25,000													
Woodsdale Road - Guard Rail	100,000													

Capital Works Program 2023-2024 Projected Timelines
 as at 31 December 2023

Project	Total Project Cost (\$)	2023						2024						
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	
Bridges														
Jones Road Broadmarsh (Jordan River - Bridge 5083) - Flood Damage	80,000	Deferred												
Footpaths														
Footpaths - General Streetscapes	40,000													
Bagdad - Midland Highway - Walking Path Upgrade	515,480													
Bagdad - Midland Highway - Walking Path Footbridge	130,000													
Campania - Reeve Street - Footpath through to Hall	30,000													
Kempton - Midlands Hwy - pending consultation with DSG re Mood Food access	147,565	Pending funding from grant application												
Kempton - Grange Road (Retaining Wall)	30,000													
Kempton - Streetscape Plan - Footpath Renewal	60,000													
Oatlands - Campbell Street (Footpath)	85,000													
Oatlands - Church Street (Sth Parade to William St - north. side - Footpath - 130 m)	30,000													
Oatlands - Stanley Street (High Street to Nelson - 280 metres - kerb & footpath)	75,000													
Oatlands - Stanley Street (Footpath -120 metre link)	25,000													
Public Toilets														
Colebrook - History Room Toilets (Tiling etc.)	10,000													
Oatlands - Callington Park	158,000	Pending DA approval												
Campania - Flour Mill Park - Concrete Pathways/drainage/remove pavers	15,000	To be deferred												
Stormwater Drainage														
Bagdad / Mangalore - Hydraulic Assessment (Flood Mapping)	161,660													
Kempton - Erskine Street - Stormwater Upgrade & Kerb	60,000													
Oatlands - Callington Park (Well - piped overflow system)	20,000													
Tourism														
Kempton - Heritage Interpretation Panel renewal	1,800													
Heritage														
Heritage Collections Store	10,000													
Jericho - Memorial Avenue - Plaques	20,000													
Kempton Council Chambers - Clock Restoration Works	10,672													
Kempton - Memorial Avenue Park - Interps	19,545													
Melton Mowbray - Streetscape Works (Trough / Shelter etc)	30,000													
Oatlands - Callington Mill - Structural Repair & External painting)	20,000													
Oatlands Council Chambers - Internal Toilets & Access Upgrade	100,000													
Oatlands Court House (Wall Stabilisation)	15,000													
Oatlands Gaolers Residence (Ceiling Reinstatement)	5,000													
Oatlands Gaolers Residence (Wingwall)	23,000													
Oatlands - Heritage Buildings (Security Upgrades)	10,000													
Oatlands - Roche Hall Forecourt (Interps - Planning Condition of Approval)	40,000	Pending PRISM funding and Oatlands Structure plan outcomes.												
Parattah - Railway Station -Shed for Gangers Trolley	2,000													

Capital Works Program 2023-2024 Projected Timelines
 as at 31 December 2023

Project	Total Project Cost (\$)	2023						2024					
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June
Natural													
Chauncy Vale - Day Dawn Cottage Improvements	12,000												
Chauncy Vale - Wombat Walk	39,250												
Campania - Bush Reserve / Cemetery (Council Subdivision)	300,000			Design					Design & TasRail			DA	
Cultural													
Oatlands - Aquatic Centre (Forecourt - Art Installation)	20,000												
Regulatory - Development													
Master / Structure Plans (Bagdad / Mangalore / Campania)	50,000												
Oatlands - Stanley Street Master Plan	20,000												
Regulatory - Public Health													
Oatlands - GP Accommodation Units	600,000												
Families													
Bagdad - Child Care Centre Building	237,314												
Recreation													
Bagdad - Iden Road Park Development	75,000												
Bagdad - Bagdad Community Club (Precinct Plan)	25,000												
Broadmarsh - Broadmarsh Hall "The Haven"	160,263												
Campania - Justitia Court POS - Shelter Hut	16,000												
Campania - Public Open Space dev (Justitia Park)	6,375												
Campania - Hall (LED Lighting)(alternate quote \$1582)	4,250												
Campania - Recreation Ground (Centre Pitch/Wicket & Nets)	12,004												
Kempton - Recreation Ground (Site Dev and Play Equipment)	24,250												
Kempton - Recreation /Skate Park/ Dog Park	31,000												
Kempton - Off-lead Dog Park	60,331												
Kempton - Recreation Ground (Irrigation)	60,000												
Mt Pleasant Rec Ground - Building Improvements	279,000												
Oatlands - Aquatic Centre (Construction)	482,114												
Oatlands - Aquatic Centre (CO2 Gas Monitoring)	7,649												
Oatlands - Aquatic Centre (Gymnasium (Mirror & Equipment)	4,400												
Oatlands - Community Hall (Maintenance Program)	51,300												
Oatlands - Gay Street, Hall (Air Lock)	10,000												
Oatlands - Midlands Community Centre (External Painting - Front of Building)	5,000												
Oatlands Swimming Pool (Staged demolition)	200,000												
Runnymede Recreation Ground - Play Equipment	20,000												
Water Bottle Refill Stations	7,980												

Capital Works Program 2023-2024 Projected Timelines
 as at 31 December 2023

Project	Total Project Cost (\$)	2023						2024						
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	
Access														
Tunbridge Comm. Club - Accessible Toilets	115,000	On hold pending advice from TCC Management Committee												
Capacity & Sustainability														
Kempton - Carriage Shed - Toilets	15,000			■										
Administration Buildings														
Oatlands Council Chambers - Fire Detection & Security System	18,000	P/O Issued awaiting Jacksons scheduling							■					
Oatlands Council Chambers - Damp Issues & Stonemasonry	15,000	■												
Oatlands Council Chambers - Works Office (floor coverings)	5,000			■										
Legend														
Scheduled	Infrastructure & Works	■								Heritage Projects	■			
Completed	Infrastructure & Works	■								Heritage Projects	■			

14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

14.1 Residential

Strategic Plan Reference 2.1
Increase the resident, rate-paying population in the municipality.

Nil.

14.2 Tourism

Strategic Plan Reference 2.2
Increase the number of tourists visiting and spending money in the municipality.

Nil.

14.3 Business

Strategic Plan Reference 2.3
Increase the number and diversity of businesses in the Southern Midlands / Increase employment within the municipality / Increase Council revenue to facilitate business and development activities (social enterprise).

Nil.

14.4 Industry

Strategic Plan Reference 2.4
Retain and enhance the development of the rural sector as a key economic driver in the Southern Midlands / Increase access to irrigation water within the municipality.

Nil.

15. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)

15.1 Heritage

Strategic Plan Reference – Page 22

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

15.1.1 Heritage Project Program Report

Author: MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)

Date: 24 JANUARY 2024

ISSUE

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

DETAIL

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

- Development application for old Oatlands Pool has been lodged.
- Final concept plan for Melton Mowbray Park has been received, with public consultation to occur in February.
- Finalising search and reporting capabilities in new collections catalogue. Deborah Baldwin will be providing a demonstration to a Council workshop in February.
- Relocation of collection material to new store continuing.
- Planning for a series of YouTube videos promoting Council heritage sites and collections.
- DA approved for Hobart City Mission to occupy the former police house at 9 Barrack Street. Currently assisting HCM with liaison with building surveyor for certificate of occupancy ahead of finalisation of lease.

Higher than usual number of development applications with heritage assessments required.

RECOMMENDATION

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

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

15.2 Natural

Strategic Plan Reference – page 23/24

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

15.2.1 NRM Unit – General Report

Author: NRM / PROJECTS OFFICER (MARIA WEEDING)

Date: 15 JANUARY 2024

ISSUE Southern Midlands NRM Unit Month Report

DETAIL

- Maria continues to work on the proposed toilet block at Callington Park. Development and Environmental Services were advised that the toilet block does not need a Permit, and Planning approval required that only Parks be informed of the proposal. This information was provided to the NRM unit in early January. The next step involves a technical assessment from TasWater to receive their Engineering Design Approval. This process had been commenced back in October 2023, but was put on hold while the Planning Approval was sought. The TasWater assessment is required, because the infrastructure that is to be placed beyond the Callington Park title boundary becomes the property of TasWater. There is also some existing Taswater infrastructure that runs through Callington Park. Secondly, Duo Design has been asked to now forward the information on for Engineering Assessment in relation to the actual toilet building. A cost estimate and timeline from the Engineer is to be sought as the first step in this process.
- Mary Helen and Maria went to Spring Hill in regard to some Serrated Tussock. See details in Weed report below.
- Helen continues working on a few matters in relation to the Telstra Connectivity Plan that is being developed between Southern Midlands Council and Telstra.
- Maria assisted the Works & Services Department in relation to a section of pipeline near Mahers Point – on the Lake Dulverton foreshore. A Reserve Activity Assessment for the proposal was compiled and has now been submitted to Parks and Wildlife. Still awaiting a response.
- Maria and Helen met the Regional Drought Co-ordinator South person to discuss Southern Midlands. A southern region Drought Resilience Plan is being developed. Helen will be one of the background people on the Southern Tasmanian Advisory Group in relation to this plan, as it is being developed. A key outcome will be to ensure that we have resilient communities should/when dry conditions occur.
- Maria will be taking a lot of Annual Leave as of January 15th due to an accumulation of leave hours. Maria plans to be at work for short times, mainly to progress some key projects. Helen will be acting on my behalf for many matters in the meantime.

Weeds Officer Report, Mary Smyth

5th December – 15th January 2023

Enquiries/feedback

2 (gorse and storksbill)

Site visits

Total = 21

Took the Quik Spray unit out to do some mop-up spraying of broom and gorse along the Lake Dulverton track. Saw and spoke to Ollie Strutt on Tunnack Road (he just happened to be doing the same thing but on State Growth land). Maria and Helen were on the reels, Mary doing cut & swab close in to any native vegetation.

Matzoo Lane, Tea Tree. Small roadside infestation of Chilean needlegrass seeds removed and sprayed. Spoke with adjoining landowner and he assured me that there were no CNG plants left on his property. There is a patch of CNG on another adjoining property but this property is not part of SMC.

Mapping and eradication of Chilean needlegrass continued with majority of sites on our data base visited, mapped and controlled. CNG was not seen in 2 sites, expanding in a couple of others and reduced in 4 other sites. Follow up later this year to get any plants missed or new seedlings.

Whilst searching for CNG on Brown Mountain Road, I spotted a small clump of Serrated tussock, right on the road edge near the large orchard farm dam on the northern side of the road. This is considerably outside the known infestation at Spring Hill and was duly mapped, seeds removed and sprayed on the spot.

Visited one of the two historical NVA Serrated tussock sites on Forico land on Mud Walls Road. To circumvent onerous permission protocols, I tagged along with a couple of Forico employees who were going to be nearby on Friday 8th December. We nearly got stuck in some deep old ruts (presumably from when the forest was planted) but didn't see any Serrated tussock. My Forico contact was most surprised that Serrated tussock had been recorded here as they have no record of this themselves. Spoke to contractor Ollie Strutt and he maintains that the only Serrated tussock he knew of along Mud Walls Road area was adjacent the Ellesmere dam.

Surveyed Spring Hill Serrated tussock on 12th December: many more plants than expected and majority seeding. Area had been controlled in October 2023 with fluprofenate but the dry spring meant that the spray did not work. A number of plants along the adjacent stock road were noted, and a single plant had popped up in a new paddock. All stock road plants were chipped out, 205 in total. This stock road infestation appears to be the advance guard of the larger infestation in adjacent paddocks. Due to stock movement, the road will be visited regularly and any plants found removed to prevent Serrated tussock spreading more widely.

A second survey of Spring Hill completed on 19th December. Landowner present for meeting with Adam and myself on 12th, and again with Adam, myself, Maria and Helen on the 19th. Quarry area free from Serrated tussock but more found over the back of the hill from the weather station. Adam Muyt has since produced a draft management plan for Spring Hill Serrated tussock control going forward. NRM unit has read and commented on the draft and we await the final document to facilitate this year's planning.

Whilst visiting a Melton Mowbray property to confirm no Serrated tussock from the old NVA records, I was invited to look at some tussock plants on another part of the property which

the farmer thought may be Serrated tussock. Thankfully they were not (all were native grasses). I was able to use a bagged specimen of Serrated Tussock from Spring Hill to show this landowner what the plant looks and feels like in real life.

St Johns wort: have viewed all known sites of this weed in the reporting period. All plants were controlled on the 3 sites of smaller infestations. Discovered another 2 sites and started control on one of the 2 larger infestations (one at Rhyndaston and the other at Kempton). The site at Kempton has expanded: both the larger infestations will need control works in December 2024 using the Quik Spray unit.

A clump of small Pampas grass plants (no flowers) was sprayed near Rhyndaston.

Communication

Liaising between Peter Jones (contractor) and Mark Woods (State Growth) regarding the status of African lovegrass (ALG) on a small section of road right on the SMC boundary at Pontville. Inspected the area and gave Peter the go-ahead to mow (with effective hygiene practices to prevent unintentional spread of any unseen ALG).

Was made aware of some nearly decade old recordings of Serrated tussock within Southern Midlands Council area (none of which were on our data base and I certainly wasn't aware of any of them). Contacted landowners and was all set to tour the sites on 12th December with Adam Muyt (Biosecurity Tasmania Invasive Grasses project officer).

After talking with a number of landowners and people involved with mapping Serrated tussock in the past, I came to the conclusion that the NVA records I had been given were incorrect. I cancelled the property visits for the 12th December, except Spring Hill (where I know Serrated Tussock is). I have since visited another one of the NVA properties and can confirm that no Serrated Tussock exists there either.

Dealt with a couple of "Report-a-weed" enquiries.

Informed by Adam Muyt that a localised infestation of Perennial veldt grass (considered invasive in Tasmania) has been spotted on roadside and within a property north of SMC boundary. I am familiar with this plant so will be keeping an eye out for it.

Related and extra-curricular activities

Whilst in the area, I called in to Vinnies at Rokeby to grab some gear for working with the Quik Spray unit (belts, bags etc.). Managed to find most of what we needed for the grand total of \$9.

Applied for and was accepted into a 3-day "Wild Grasses of Tasmania" course for January 23-25. This course will develop my skills for identifying weedy grasses when they are not seeding, and improve my native grass identification skills.

Roadside weeds

The new Quik Spray unit has arrived and we hooked it up and took it for a test run with just water. Ironed out a few issues before its first official use on the Dulverton walking track. Thanks to the depot staff for mounting the unit on a trailer and getting the electrics sorted so the old dog ute can tow the unit.

Weed of the Week

Whiteweed, Aaron's rod, Californian thistle and Cumbungi displayed at Oatlands front office this month.

RECOMMENDATION

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

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

15.3 Cultural

Strategic Plan Reference 3.3
Ensure that the cultural diversity of the Southern Midlands is maximised.

Nil.

15.4 Regulatory (Development)

Strategic Plan Reference 3.4
A regulatory environment that is supportive of and enables appropriate development.

Nil.

15.5 Regulatory (Public Health)

Strategic Plan Reference 3.5
Monitor and maintain a safe and healthy public environment.

Nil.

15.6 Regulatory (Animals)

Strategic Plan Reference 3.6

Create an environment where animals are treated with respect and do not create a nuisance for the community

15.6.1 Animal Management Report

Author: ANIMAL MANAGEMENT OFFICER (RACHEL COLLIS)

Date: 17 JANUARY 2024

Enclosure:

Animal Management Statement 2023

ISSUE

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

11/1/24 – Dog at large, Oatlands area

ATTACK DETAILS:

4/1/24 – 1 sheep mauled, Bagdad area, dog unknown.

ENCLOSURE
 Agenda Item 15.6.1

YTD ANIMAL MANAGEMENT STATEMENT
2024

DOG IMPOUNDS	RECLAIMED	ADOPTED/DOGS HOME	EUTHANISED	OTHER IMPOUNDS
2	1	1		

JOBS ATTENDED
January 2024

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

REGISTERED DOGS: 1739
KENNEL LICENCES: 62
INFRINGEMENTS ISSUED: 1

RECOMMENDATION:

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

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

15.7 Environmental Sustainability

Strategic Plan Reference 3.7

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

Nil.

16. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

16.1 Community Health and Wellbeing

Strategic Plan Reference 4.1

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

16.1.1 Woodsdale Cemetery (2003 Woodsdale Road, Woodsdale PID 5840316) – Agreement for Sale - Transfer of Ownership from Crown to Southern Midlands Council

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 17 JANUARY 2024

Attachment:

Agreement for Sale – Transfer from the Crown

ISSUE

Council to approve and execute (i.e. sign and seal) the Agreement for Sale to transfer ownership of the Woodsdale cemetery to the Southern Midlands Council.

BACKGROUND

The transfer of ownership of the Woodsdale Cemetery has been in progress for a number of years. It dates back to a formal Council decision to accept ownership made back in December 2012. In summary the decision involved:

- a) Council accepting ownership on the basis that Crown Land can only be transferred to Council (and not a separate entity);
- b) The Levensdale and Woodsdale History Rooms Inc. forfeiting the Lease arrangement (since actioned); and
- c) Council establishing a Management Committee consisting of local residents to manage the property.”

An initial Transfer Agreement was finalised in January 2021, however in September 2021, Council received an Email from the Office of the Crown Solicitor. The following is an extract from that communication:

“As you may be aware, this office acts on behalf of the Department of Primary Industries, Parks, Water and Environment in respect of the proposed transfer of the Woodsdale cemetery site to the Southern Midlands Council (“Council”). I am also informed you may have been dealing with Jerome McGee at PWS concerning this matter.

It is understood that previously an agreement has been proposed whereby the Woodsdale cemetery site will be transferred via section 12 of the Crown Lands Act 1976 to Council, and that such agreement had been signed by SMC (I note I am instructed such has yet to be signed by the Crown).

On further review of the proposed transaction, there is a concern that while the issue maybe arguable, the stronger view is that even a transfer via section 12 of the Crown Lands Act 1976 at no commercial cost falls would fall within the meaning of ‘sell’, as such term is defined in s 3 of the Burial and Cremation Act 2019 (“BCA”) (as it arguably constitutes ‘giving

away for any purpose’ (sub-paragraph (i) of definition)). This then means that as there is a “selling” of a cemetery site, such will need to occur in compliance with the requirements of Division 4 of Part 4 of the Burial and Cremation Act 2019, which legislation imposes, amongst other matters, various notice and auditing and regulatory approval requirements etc.

The agreement previously prepared does not provide specifically for all these Division 4 of Part 4 of the Burial and Cremation Act 2019 matters. It would therefore be proposed that the Crown prepare a new agreement for consideration that would acknowledge the old proposed agreement is to no longer be taken to be of any effect, and to provide for the relevant Burial and Cremation Act 2019 matters.”

End Extract

DETAIL

Councillors will note that the new Agreement includes the following conditions precedent:

- The Minister complies with the requirements of the *Burial and Cremation Act 2019* in regards to the sale of a cemetery; and
- Obtains a certificate of compliance in accordance with section 50 of that Act.

There is a condition precedent that Council, at its own cost, obtains approval pursuant to section 32 of the *Burial and Cremation Act 2019* to be the cemetery manager.

This application is currently being completed and will be submitted following the adoption of the ‘Cemeteries Management Policy’ – refer separate Agenda Item. The Policy, once adopted, will form part of the application for approval as cemetery manager.

Human Resources & Financial Implications – The purchase price is \$1.00 (excluding GST).

In terms of ongoing management, following the transfer of ownership the Cemetery will be managed by a local Management Committee (established under the provisions of section 24 of the *Local Government Act 1993*). The Committee will be responsible for maintenance and upkeep. The Terms of Reference for the Management Committee also includes a need to raise funds for this purpose although it is expected that Council will need to provide administrative and other ‘in-kind’ support.

Community Consultation & Public Relations Implications – N/A.

Policy Implications – N/A

Priority - Implementation Time Frame – N/A

RECOMMENDATION

THAT:

- a) the information be received; and**
- b) Council approve the ‘Agreement for Sale’ for signing and sealing.**

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

16.2 Recreation

Strategic Plan Reference 4.2

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

16.2.1 Oatlands Aquatic Centre – Coordinators Report

Author: OATLANDS AQUATIC CENTRE COORDINATOR (ADAM BRIGGS)

Date: 15 JANUARY 2024

Oatlands Aquatic Centre – Coordinator’s Report for the month December/January 2023-2024.

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:

Operating Budget

Income		Annual Budget 2023/24	December 2023	YTD Total	% of Budget
Pool – Admission Fees	Casual Fees	\$37,360	\$3,623	\$25,148	67.3%
	Memberships & Season Passes	\$157,426	\$2,304	\$22,078	14.0%
	Group Bookings & Learn to Swim	\$81,714	\$8,716	\$41,525	50.8%
	Sale of Goods	\$9,500	\$1,113	\$5,952	62.7%
Local Gov't Loan Subsidy (Year 3 of 3)		\$45,107	\$22,840	\$22,840	50.6%
Charging Station Energy Reimbursement		\$0	\$3,278	\$3,278	
Get Active Program	“Let's get moving”	\$0	\$0	\$800	
CBA Community Donation		\$0	\$0	\$500	
Sub-Total		\$331,107	\$38,596	\$122,121	36.9%

Expenditure		Annual Budget 2023/24	December 2023	YTD Total	% of Budget
Salaries (incl. On-Costs)		\$504,561	\$39,183	\$249,007	49.4%
Operating Costs - Other		\$245,072	\$13,992	\$147,467	60.2%
Loan Interest		\$45,107	\$22,840	\$22,840	50.6%
Total Expenditure		\$794,740	\$76,015	\$419,313	52.8%
Budgeted Deficit		(\$463,633)	(\$37,419)	(\$297,192)	64.1%

Note – includes expenses relating to operating grant income

Group Bookings & Programs – December (1/12/23 - 15/1/24):

Event / Booking	School / Group	Participation Numbers
Centre Hire / Student Visits	Oatlands District School	participants
Public Visits	Reclink Community Program	participants
Physio Rehab Sessions	Annabel Butler – Physiotherapist	individual bookings
Pool Hire	Masters Swimming Tasmania	50+ participants
Pool Hire	Herdmans Cove Primary School	150 students (Prep-Grade 6)
Pool Hire	Kempton Primary School	50 students (Prep-Grade 6)
Pool Hire	Bothwell District School	45 students (Prep-Grade 6)
Pool Hire	Bagdad Primary School	150 students (Kinder-Grade 6)
Public Visits	Uniting Vacation Care Program	15 participants
Public Visits	PCYC Bridgewater	68 participants

**USAGE FOR THE PERIOD 1/12/2023 – 15/1/2024
 PAID UPFRONT**

Type	Units
Gym & Fitness	
Gym & Fitness Class Passes/10 Sessions	2
Gym & Fitness Class Passes/5 Sessions	1
Gym & Fitness Class Session (17 years) PAYG	6
Gym & Fitness Class Session (Concession) PAYG	4
PAYG Class Pass (16 years)	0
Gym	
PAYG Gym (17 years)	18
PAYG Gym (Concession)	5
Personal Training	
Personal Training – 30 Mins	9
Personal Training – 1 Hr	0
Learn to Swim (Total Numbers)	
January, 2024 School Holiday Program Enrolments	73
Term 4, 2023 Program Enrolments	128
Adult Learn to Swim	0
Pool	
Pool Passes 10 Sessions (Child)	8
Pool Pass 10 Session (17 years)	1
Upfront 6 Months Pool Membership (17 +)	1
Upfront 6 Months Pool Membership (concession)	1
Upfront 6 Months Pool Membership (Family)	0
PAYG – Pool (4 years and under)	137
PAYG - Pool (5-16)	621
PAYG - Pool (17)	500
PAYG - Pool (Concession)	369
PAYG - (Family)	62
Pool/Gym Combo PAYG	16
GYM/Pool Pass 10 Session (17 years)	2

DIRECT DEBITS – Current Numbers

Type	Units
DD Pool/Gym	7
DD Class/Pool	27
DD Pool/Gym/Class	2
DD Gym	5
DD Class/Gym	5
DD 6 Months Pool – 17 years +	3
DD 6 Months Pool – Child/Concession	1
DD 6 Months Pool – Family	2

Grant Applications

See below an update on the current Grant Application:

- **Tasmanian Government - Premier’s Fund for Children & Young People:** We applied for \$50,000.00 to put towards programs at Oatlands Aquatic Centre, which we have been successful in receiving. This founding has already been used to purchase large Learn to Swim Equipment with the remainder of the money to be used in 2023 on Learn to Swim lessons and training courses.

Human Resources & Financial Implications – Refer above detail.

Community Consultation & Public Relations Implications – Not applicable.

Policy Implications – N/A

Priority - Implementation Time Frame – Not applicable.

RECOMMENDATION

THAT the information be received and noted.

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

16.3 Access

Strategic Plan Reference 4.3

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

Nil.

16.4 Volunteers

Strategic Plan Reference 4.4

Encourage community members to volunteer.

Nil.

16.5 Families

Strategic Plan Reference 4.5

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

Nil.

16.6 Education

Strategic Plan Reference 4.6

Increase the educational and employment opportunities available within the Southern Midlands

Nil.

16.7 Capacity & Sustainability

Strategic Plan Reference 4.7

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

Nil.

16.8 Safety

Strategic Plan Reference 4.8

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

Nil.

16.9 Consultation & Communication

Strategic Plan Reference 4.8

Improve the effectiveness of consultation & communication with the community.

Nil.

17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

17.1 Improvement

Strategic Plan Reference 5.1

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

17.1.1 Policy Development – Donations & Community Support Policy (Final Adoption)

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 22 JANUARY 2024

Enclosure(s):

Donations & Community Support Policy (as amended)

ISSUE

Council to adopt the revised 'Donations & Community Support Policy'.

BACKGROUND

Refer following decision made at the Audit Panel Meeting held 28th September 2023 which related to a discussion regarding the provision of cash advances to community organisations.

“RESOLVED THAT:

- a) *The General Manager prepare a draft Policy that incorporates all existing policies that provide financial (and other) support to community based organisations; other entities and individuals;*
- b) *The draft Policy incorporate the outcomes as discussed at the Panel Meeting (i.e. financial assistance limited to a notional maximum; indexation of advanced amount; and parameters relating to the imposition of interest); and*
- c) *the draft Policy be submitted to the next meeting of the Audit Panel for further consideration.*

DETAIL

The revised Policy reflects the following discussion from the previous Audit Panel Meeting:

- Transparency is a key issue which can be achieved through a structured process;
- In all cases where the cash advance extends for a period of greater than 1 year, then it should be automatically indexed to maintain 'real dollar' value;
- There should be a nominal maximum of \$5,000 for any cash advance, unless there are circumstances (or proposals) that warrant special consideration;
- Cash advances will only be made available to legal entities (i.e. not individuals);

- The imposition of interest on the cash advance is to be considered on merit, taking into account criteria (to be confirmed).

The revised Policy was tabled at the previous Council Meeting and is now submitted for final adoption.

Human Resources & Financial Implications – refer detail provided.

Community Consultation & Public Relations Implications – N/A.

Policy Implications – Policy document.

Priority - Implementation Time Frame – To be implemented following final adoption.

RECOMMENDATION

THAT Council adopt the revised ‘Donations & Community Support Policy’.

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 F Fish		
Clr F Miller		

ENCLOSURE(S)
Agenda Item 17.1.1



Council Policy
DONATIONS & COMMUNITY SUPPORT POLICY

Approved by: Council
Approved date: 22nd May 2019
Review date: May 2021

Note This Policy is a consolidation of the following policies:

- Donations Policy
- Supporting Community Owned Halls Policy

1. PURPOSE

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.

2. POLICY

2.1 Assistance for Annual Events

2.1.1 Requests for assistance from not-for-profit organisation, community, or service groups based within the Southern Midlands Municipality will be considered with the maximum donation being \$1,500.00.

Note: Assistance depends on value for money to the Community and will not be given for projects that would be eligible for consideration within Council's Community Small Grants Program.

2.2 Representation - Individuals (Residents) re Sporting or Recreational Activities

Intrastate representation	\$50.00
Interstate representation	\$100.00
Overseas representation	\$200.00

2.2.1 Assistance will be available upon request by residents of the Southern Midlands Municipality achieving State or National representation. The following criteria must be met:

- Evidence of selection will be required prior to the allocation of funds
- Grants will be provided to individuals only (not teams)



Council Policy
DONATIONS & COMMUNITY SUPPORT POLICY

Approved by: Council
Approved date: 22nd May 2019
Review date: May 2021

- Grants will not be provided to those over the age of 18 at the commencement of each calendar year.
- Grants will not be provided to officials (i.e. coaches, managers, judges)

2.3 Supporting Community Owned Halls

2.3.1 This part of the Policy is aimed at supporting the Management Committee(s) of the various community owned Halls through:

- a) The provision of funding to assist with major building upgrade and maintenance;
- b) The provision of funding to subsidise the cost of maintaining Public Liability Insurance Cover for these premises; and
- c) Granting exemptions from Council Rates and Charges.

2.3.2 This funding assistance recognises the importance of these community owned facilities in building social capital and providing a valuable service to the community.

Background

There are currently eight Community Owned Halls in the Southern Midlands local government area. They being:

1. Broadmarsh Community Hall
2. Jericho Hall
3. Levendale Community Hall
4. Mt Seymour Hall (future to be confirmed)
5. Parattah Jubilee Hall
6. Stonor Hall
7. Tunbridge Community Hall
8. Tunnack Community Hall

The Southern Midlands Council will allocate an amount of \$5,000 per annum for major upgrade/maintenance works to community owned Halls (to be known as the Building Fund). It is intended, unless determined otherwise by the Committee, that this will be allocated as a single amount, inferring that each community owned facility will be entitled to apply for this allocation once every eight years. If more than one application is received in any one-year, then the Facilities & Recreation Committee, will at its absolute discretion, determine the successful application based evidence provided by the Hall Committees, as well as the scope of previous Building Funds provided under this policy.



Council Policy
DONATIONS & COMMUNITY SUPPORT POLICY

Approved by: Council
Approved date: 22nd May 2019
Review date: May 2021

The Southern Midlands Council will also allocate an amount per financial year to enable Management Committee(s) to be reimbursed 50% of the cost of maintaining Public Liability Cover (i.e. cost of the premium) for the premises under its control. This reimbursement amount from Council is capped at \$500.00 per policy.

Whilst there is an indirect cost to Council through loss of potential income, these properties have always been exempted from rates and charges and therefore there is no budget implications.

Process (Building Fund)

2.3.3 Submissions received from Management Committees of Community Owned Halls will be referred to the Facilities & Recreation Committee for consideration, prioritisation (where necessary) and final decision in terms of allocating the funds.

The investment by Council of any funds shall be assessed as being value for money as well as being a valuable contribution to building the Community capacity of the area.

The requesting Hall Committee shall be financially viable prior to Council considering funding the project (evidence to be provided shall be the last financial year's annual statement/or a current bank statement).

Any such allocation by the Facilities & Recreation Committee to Community Owned Hall Committees would not preclude the relevant Hall Committee from applying for the annual Community Small Grants Program via the SMC Community Small Grants Program, to a maximum of \$3,000.

Process (Part Premium Reimbursement - Public Liability Cover)

2.3.4 Council will reimburse 50% of the cost of the insurance premium for Public Liability Cover for the Community owned Hall property. This amount will be reimbursed upon presentation of a copy of the receipt (as evidence of payment) and the Certificate of Currency. The reimbursement does not extend to other types of insurance that may be taken out (e.g. contents).



Council Policy
DONATIONS & COMMUNITY SUPPORT POLICY

Approved by: Council
Approved date: 22nd May 2019
Review date: May 2021

2.4 School Citizenship/Achievement Awards for end of year assembly

High Schools to receive \$100.00 per year.

Primary Schools to receive \$60.00 per year.

2.4.1 Donations will be made to each school in the municipal area annually for school citizenship/achievements awards for the end of year assembly.

2.4.2 The following schools are in the Southern Midlands Municipal area:

- Bagdad Primary School
- Campania District School
- Kempton Primary School
- Oatlands District High School

2.4.3 These guidelines should not be considered to be rigid, Council may vary donations at its discretion. Payments are to be processed in October of each year.

2.5 Community Small Grants

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

The Community Small Grants provide assistance to community groups to improve safety, undertake minor capital works or purchase equipment.

The total amount to be allocated through the Community Small Grants Program is determined on an annual basis through the Budget process.

The Community Small Grants Guidelines are included as an attachment to this Policy.

2.6 Repayable Advances to Community Based Organisations (Terms and Conditions)

In addition to the other support measures detailed in this Policy, Council will consider applications from not-for-profit; community based organisations to provide a cash advance subject to certain conditions and parameters.

Approved cash advances will be provided under the following terms:



Council Policy
DONATIONS & COMMUNITY SUPPORT POLICY

Approved by: Council
Approved date: 22nd May 2019
Review date: May 2021

1. Funding Advance (repayable within a one-year period and no interest applied. Indexation not applicable as the advance is to be repaid within a one-year period)

- A nominal maximum of \$5,000 for any cash advance will apply, unless there are circumstances (or proposals) that warrant special consideration;
- An application for a funding advance is to address the following criteria and will be considered on merit. The following criteria will also be used to determine whether the amount is to be advanced on an interest free basis.

Criteria:

- a) *Demonstrate considerable benefit to the Southern Midlands community;*
- b) *Raise the awareness of or access to a service, program, group or issue or maximize the participation or use of a facility;*
- c) *Address local issues by attempting to meet a community need or gap;*
- d) *Show evidence of community support for the project;*
- e) *Enhance the lifestyle options for residents and visitors in the community;*
- f) *Demonstrate an ability to manage the project through resource allocation including financial resources, effective planning, clear goals and evaluation processes;*
- g) *Is the project reliant on other funds, if so has other funding been approved (evidence of the other funding is required to accompany the application);*
- h) *includes the ability for broad Community access – Land Tenure [in the ownership of the applicant or in other ownership]*
- i) *Funds applied for as a % of the total amount to complete the project [Inc. in kind contribution] i.e. A financial contribution by the applicant/s would be favourably looked upon*
- j) *Demonstrate that a Risk Assessment of the project is deemed within acceptable limits*



Council Policy
DONATIONS & COMMUNITY SUPPORT POLICY

Approved by: Council
Approved date: 22nd May 2019
Review date: May 2021

2. Funding Advance (repayable over more than a one-year period with annual indexation but with no interest)

This will apply if the advance is repayable (or repaid) over a period of more than one year, and Council has determined that no interest will be applied on the outstanding amount based on meeting the required criteria (refer above)

- A nominal maximum of \$5,000 for any cash advance will apply, unless there are circumstances (or proposals) that warrant special consideration;
- The amount outstanding at the conclusion of each twelve months (i.e. from the date of the advance) will be indexed by a percentage equivalent to the rate that Council is receiving on its short-term investments (e.g. 30 day term deposits) at the time that the indexations is to be applied.

3. Funding Advance (repayable with interest) Note: Indexation does not apply under this option.

- This provision applies in a case where a funding advance is approved but does not satisfy a sufficient number of criteria to receive the amount interest free.
- Interest is to be calculated on the month-end balance. The rate of interest will be equivalent to the rate that Council is receiving on its short-term investments (e.g. 30 day term deposits) at the time that the interest is to be applied.

Applications will be received at any time but generally limited to 2 separate applications being considered each year (unless special consideration is warranted).

3. DOCUMENT ADMINISTRATION

This policy is a managed document and is to be reviewed every two years or as directed by the General Manager.

This document is Version 2.0 effective 22nd May 2019. This document is maintained by the General Managers Unit, for the Southern Midlands Council.

17.1.2 Policy Development – Fees Refund & Remission

Author: DEVELOPMENT & ENVIRONMENTAL SERVICES (GRANT FINN)

Date: 22 JANUARY 2024

Enclosure(s):

Fees Refund & Remission Policy

ISSUE

To provide guidance on the circumstances when Council will remit or refund fees.

BACKGROUND

The policy includes requests for application fee refunds and remission of fees where Section 77 of the *Local Government Act 1993* applies. The following is an extract from the Act:

77. Grants and benefits

(1) A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.

(1A) A benefit provided under [subsection \(1\)](#) may include –

(a) in-kind assistance; and

(b) fully or partially reduced fees, rates or charges; and

(c) remission of rates or charges under [Part 9](#) .

(2) The details of any grant made or benefit provided are to be included in the annual report of the council.

The current Schedule of Fees & Charges 2023/2024 provides for a 20% base fee refund and full advertising fee refund where the application is not notified.

RECOMMENDATION

THAT Council:

- 1. Receive and note the report; and**
- 2. Consider the ‘Fees Refund & Remission Policy’ and subject to any amendments, be submitted for formal adoption at the next meeting.**

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 F Fish		
Clr F Miller		

ENCLOSURE(S)
Agenda Item 17.1.2



Council Policy

FEES REFUND & REMISSION

Approved by: Council
Approved date: January 2024
Review date: March 2027

Application of Policy

This policy applies to fees charged for Council services including application fees for Planning, Plumbing, Building, Environmental Health, Engineering and Council By-Laws.

Introduction

This policy includes requests for application fee refunds and remission of fees where Section 77 of the *Local Government Act 1993* applies.

The current Schedule of Fees & Charges 2023/2024 provides for a 20% base fee refund and full advertising fee refund where the application is not notified.

OBJECTIVE

To provide guidance on the circumstances when Council will remit or refund fees.

POLICY

This includes criteria in Part A that Council will use to assess requests for fee refunds and fee remissions in Part B in exercising its powers pursuant to Section 207 of the Local Government Act 1993.

A. Refund of Council Fees

A person may apply in writing and outline reasons why fees should be refunded. The amount of refund will depend on how far the assessment of the application, licence or registration has progressed. In determining the appropriate refund the following factors will apply:

1. Annual registration fees will not be proportionately refunded unless the requirement for the licence or registration is no longer applicable;
2. Assessment fees will only be refunded if the assessment hasn't been undertaken (regardless of whether the permit was issued);
3. If assessments have commenced but not completed, a proportion of assessment fees may be refunded;
4. Inspections fees and fees associated with the completion of works will be refunded if the permit hasn't been issued; and
5. Applications fees for advertising are not refunded if the advertisement has been sent to the newspaper.

B. Remission of Council Fees

A person other than a Councillor may apply to Council for a grant or benefit requesting that Council remit a fee for a service of Council.

Not-for-profit community based organisations may request in writing that fees for applications for Planning, Building, Plumbing, Environmental Health or Engineering Services be remitted. The request must outline reasons and sufficient information to enable Council to determine eligibility.

Levies or other fees collected by Council on behalf of other agencies are not eligible for remission including the Building Administration and Industry Training Levies.

An eligible not-for-profit community organisation includes:

- Churches, sporting clubs, hall committees, Landcare groups or other community organisations that the General Manager considers demonstrate a community benefit.

ASSESSMENT AND DETERMINATION

The General Manager or his delegate (Manager Development Services) will consider any request for a refund or remission in accordance with this policy (consistent with financial delegations and statutory powers) and determine if the request will be granted or not.

17.1.3 Car Wrecks Policy (2008) - Update

Author: DEVELOPMENT & ENVIRONMENTAL SERVICES (GRANT FINN)

Date: 22 JANUARY 2024

Enclosure(s):

Car Wrecks Policy 2008

Introduction:

As Council is aware its current policy sets out the general approach and procedure in dealing with unsightly car wrecks on private land in the Southern Midlands.

The policy is outdated as it contains references to the *Southern Midlands Planning Scheme 1998*.

Part 2.4 of the policy states:

As a general rule, where there are three or more unsightly car wrecks within a single property then it will be determined that a Nuisance exists pursuant to the provisions of the Local Government Act 1993.

In addition, Part 3.3 states that in cases where a nuisance is considered to exist, the course of action is to issue an appropriate Abatement Notice pursuant to Section 200 of the *Local Government Act 1993*.

A copy has been attached for Council's information.

There has however been considerable discussion at Council's Development Assessment Committee (DAC) regarding the effectiveness of policies generally when compared with the provisions of the *Local Government Act 1993*.

In short, Council's DAC favour the provisions of the *Local Government Act 1993*.

Local Government Act 1993

The Act provides Council with a framework to meet its legislative requirements in relation to nuisance abatement and issuing of abatement notices.

Section 20 of *Local Government Act 1993* provide that Council has the function to provide for the health, safety and welfare of the community.

Council has a role to identify and address a number of nuisances which may affect the community.

Nuisance includes anything that –

- a) causes, or is likely to cause, danger or harm to the health, safety or welfare of the public;
or
- b) causes, or is likely to cause, a risk to public health; or
- c) gives rise to unreasonable or excessive levels of noise or pollution; or
- d) is, or is likely to be, a fire risk; or
- e) constitutes an unsightly article or rubbish

Course of Action

In determining the validity of the nuisance the following factors will be taken into account:

- a) the number of car wrecks,
- b) the extent to which the car wrecks diminish amenity by being visible to the general public and/or neighbouring residents,
- c) the extent of dilapidation of the car wrecks.

Staff currently provide regular reports to Council on the status of known ‘problem’ sites throughout the Municipality.

Abatement Notice

If the investigating officer considers a situation warrants action, Council has the ability to provide a notice given under Section 200 of the Act.

If Council is satisfied that a nuisance exists, a notice will be served on the owner or occupier of the land stating –

- a) the nature of the nuisance; and
- b) any reasonably necessary action to be taken to abate the nuisance; and
- c) the period within which such action is to be taken; and
- d) the person or persons responsible for ensuring that such action is taken; and
- e) that the council may take action under section 201.

Section 201 states -:

201. General Manager may take necessary action

- (1) *The general manager may take the necessary action to abate a nuisance if–*
 - (a) *There is an immediate danger to any person or property; or*
 - (b) *The person causing the nuisance cannot be ascertained or found; or*
 - (c) *An abatement notice has not been complied with.*
- (2) *If the general manager takes action under [subsection \(1\)](#) , the general manager is to notify the owner and occupier of the land on, or from which, the nuisance arises accordingly.*
- (3) *For the purpose of abating a nuisance under [subsection \(1\)](#) , the general manager may authorise a person to–*
 - (a) *Enter and remain on any land; and*
 - (b) *Close off or fence any place; and*
 - (c) *Do anything reasonably necessary for that purpose.*
- (4) *The council may charge the owner or occupier of land for the cost of any action taken under [subsection \(1\)](#) .*
- (5) *A charge under [subsection \(4\)](#) is a charge on the land and is recoverable in the same manner as rates and charges*

Timeframes

Unfortunately the issue of an abatement notice does not provide a ‘quick fix.’

The property owner has a period of 14 days from the date of the Abatement Notice in which to comply with the conditions. A subsequent inspection will be undertaken by an Authorised Officer at the end of the specified timeframe to determine whether the actions in the Abatement Notice have been complied with.

Section 202 affords the owner or occupier of the land on or from which the nuisance arises may appeal within 14 days after service of a notice under section 200 a Magistrate on any one or more of the following grounds:

- (a) that a nuisance does not exist;
- (b) that an action required by the abatement notice is unreasonable;
- (c) that the period stated in the abatement notice is unreasonable

Under s. 200(6), a Magistrate may –

- (a) order that the person is to comply with the abatement notice; or
- (b) modify the abatement notice and order that the person and the council are to comply with the modified notice; or
- (c) order that the council withdraw the abatement notice.

Disposal by Council

As Council is aware there is both a time and cost implication associated with the issue of Abatement Notices.

In the event the person responsible for the car wrecks refuses to act on an Abatement Notice (or lodge an appeal) and Council is forced to act, Council may undertake the work of physically removing the car wrecks from the property itself or may contract this work to a third party.

In accordance with the provisions of the S.201 of the Local Government Act 1993, Council is to recover the cost of work required to remove the car wrecks from the person responsible.

Any funds derived from sale of the car wrecks by Council are to be used to off-set the cost of undertaking the work.

Tasmanian Planning Scheme requirements

In cases of potential illegal use of the property as a wrecker’s yard (or similar) under the Tasmanian Planning Scheme, the course of action is:

- a) Direct the owner to cease operating and address the unsightly appearance of the property.
- b) In some Zones it may be appropriate to advise the owner that they have the opportunity to seek to legitimise the operation of the business by applying for a Planning Permit.
- c) If the owner does not comply with the above directions, or if a planning application is unsuccessful, and the use has not ceased then the appropriate course of action is the initiation of action at the Tasmanian Civil & Administrative Appeals Tribunal under the enforcement provisions of the *Land Use Planning & Approvals Act 1993*.

RECOMMENDATION

THAT the ‘Car Wrecks Policy 2008’ be rescinded and that Council instead default to the provisions of the Local Government Act 1993 for the abatement of nuisance.

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 F Fish		
Clr F Miller		

ENCLOSURE(S)
Agenda Item 17.1.3

SOUTHERN MIDLANDS COUNCIL

CAR WRECKS POLICY 2008

A policy setting out the general approach and procedure in dealing with unsightly car wrecks on private land in the Southern Midlands.

1. Awareness of a Matter / Receipt of a Complaint:

- 1.1 Where Council is formally made aware of concerns relating to one or more allegedly unsightly car wrecks, an initial inspection of the property will be undertaken to determine the validity of the complaint, and to identify the extent of the problem.
- 1.2 Complaints from members of the public should be in writing, with the complainant's name, signature and contact details clearly provided.
- 1.3 Council is to keep the name and other personal details of complainants confidential, and will only release such details with the permission of the complainant.
- 1.4 Council is not bound to act on verbal and/or anonymous complaints.
- 1.5 Council may choose to act on a matter regardless of the fact that no complaint has been received from the public.

2. Determining the Validity of the Complaint / Extent of the Problem:

- 2.1 In determining the validity of the complaint and/or the extent of the problem, the following factors will be taken into account:
 - (a) whether the car wrecks constitute an accumulation of unsightly articles or rubbish.
 - (b) whether the car wrecks are considered to be creating a potential public health nuisance;
 - (c) whether the car wrecks are likely to cause danger or harm to the public;
 - (d) whether the use of the property constitutes a *Salvage Premises* pursuant to the Southern Midlands Planning Scheme 1998, being:

the use or development of any land for the dismantling, preparation or storage of salvaged goods or materials, including scrap metals, containers, paper, rags, bottles, building materials, whole or parts of motor vehicles and machinery, or the like

- 2.2 For the purpose of this policy, a 'car wreck' is defined as an unregistered vehicle which:
 - (a) is not capable of being immediately started and driven;
 - (b) has not been registered for over twelve months; and
 - (c) is un-roadworthy (meaning the owner is unable to produce a roadworthiness certificate for the vehicle).
- 2.3 In relation to 2.1(a), the inspecting officer will take into account:
 - (a) the number of car wrecks,

- (b) the extent to which the car wrecks diminish amenity by being visible to the general public and/or neighbouring residents,
- (c) the extent of dilapidation of the car wrecks.

2.4 As a general rule, where there are three or more unsightly car wrecks within a single property then it will be determined that a Nuisance exists pursuant to the provisions of the *Local Government Act 1993*. However two or even one very unsightly car wreck in a location highly visible to the public may be considered to constitute a Nuisance.

3. Action

3.1 If the investigating officer considers a situation warrants action correspondence is to be sent to the property owner advising that the car wrecks are considered to constitute unsightly articles / health hazard / danger to the public (as appropriate) and directing that they either be removed within fourteen days or a written response is provided to Council within fourteen days setting out the reasons why this cannot happen.

3.2 If the car wrecks are not removed within one month a report to Council is to be prepared detailing the situation, the owner's response (if any) to Council's correspondence and recommending that Council endorse a set course of action.

3.3 In cases where a Nuisance is considered to exist, the course of action is to issue an appropriate Abatement Notice pursuant to S.200 of the *Local Government Act 1993*.

3.4 In cases of potential illegal use of the property as a Salvage Premises under the Southern Midlands Planning Scheme 1998, the course of action is:

- (a) Direct the owner to cease operating and address the unsightly appearance of the property.
- (b) In some planning scheme Zones it may be appropriate to advise the owner that they have the opportunity to seek to legitimise the operation of the business by applying for a Planning Permit.
- (c) If the owner does not comply with the above directions, or if a planning application is unsuccessful, and the use has not ceased then the appropriate course of action is the initiation of action at the Resource Management & Planning Appeal Tribunal under the enforcement provisions of the *Land Use Planning & Approvals Act 1993*.

4. Disposal by Council

4.1 In the event the person responsible for the car wrecks refuses to act on an Abatement Notice and Council is forced to act, Council may undertake the work of physically removing the car wrecks from the property itself or may contract this work to a third party.

4.2 In accordance with the provisions of the S.201 of the Local Government Act 1993, Council is to recover the cost of work required to remove the car wrecks from the person responsible.

4.3 Any funds derived from sale of the car wrecks by Council are to be used to off-set the cost of undertaking the work.

17.1.4 Policy Development – Cemeteries Management Policy (Draft)

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 5 December 2023

Enclosure(s):

Cemeteries Management Policy (Draft)

ISSUE

Adoption of Policy relating to the management of Council Cemeteries.

BACKGROUND

The Campania Public Cemetery is already owned and managed by the Southern Midlands Council (transferred ex Richmond Council as part of the 1993 amalgamation process).

The transfer of ownership of the Woodsdale Cemetery is at the stage whereby Council must apply to be appointed as the Cemetery Manager under the *Burial and Cremation Act 2019*.

DETAIL

As part of this application process, Council must demonstrate how the Cemetery will be managed and operated to ensure compliance with the *Burial and Cremation Act 2019* and the *Burial and Cremation Regulations 2015*.

This is best achieved through the development of a Policy which also provides an opportunity to include the management of both Cemeteries in the one Policy document.

In addition to the Policy, the following Forms will be updated to capture all the required information that must be obtained as part of the approval process and included in the Register of Interments and the Register of Exclusive Rights of Burial.

- a revised 'Application for Reservation Form';
- a Certificate of Exclusive Right of Burial;
- Application for an Interment; and
- Application for Installation / Alteration of a Monument.

Human Resources & Financial Implications – In relation to finances, section 36 of the *Burial and Cremation Act 2019* provides the following:

“36. Cemetery managers to ensure application of revenue of cemeteries

(1) *A cemetery manager must make adequate provision, out of any revenue received in respect of each cemetery for which he or she is the cemetery manager, for the purposes of –*

(a) defraying the cost of its establishment or acquisition, including interest and such amount as the manager thinks proper for administrative expenses; and
(b) the maintenance, management and improvement of the cemetery.

(2) *A cemetery manager must ensure that any fees received by the cemetery manager in respect of future maintenance of vaults, graves and monuments are dealt with by the manager as capital money as if the manager were a trustee.”*

Campania Cemetery – 2023/24 Budget - allocated an amount of \$8,860 for maintenance, with budgeted income of \$6,000.

Woodsdale Cemetery – following the transfer of ownership from the Crown, this Cemetery will be managed by a local Management Committee which will be responsible for maintenance and upkeep. The Terms of Reference for the Management Committee include a need to raise funds for this purpose although it is expected that Council will need to provide administrative and other ‘in-kind’ support.

Community Consultation & Public Relations Implications – N/A.

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

THAT:

- a) The information be received; and**
- b) Subject to any amendments, the ‘Cemeteries Management Policy’ be submitted for final adoption at the February 2024 meeting.**

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 F Fish		
Clr F Miller		



Council Policy
CEMETERIES MANAGEMENT POLICY

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

1. PURPOSE

This Policy applies to the following cemeteries managed by the Southern Midlands Council: -

- Campania Public Cemetery – Water Lane, Campania
- Woodsdale Cemetery – 2003 Woodsdale Road, Woodsdale

The Policy makes provision for the day to day running of the Cemeteries.

The Policy acts in the public interest in ensuring Council managed cemeteries remain safe, tidy and peaceful places in which families and friends can pay respects to their departed loved ones.

2. OBJECTIVE

To manage the cemeteries in accordance with the *Burial and Cremation Act 2019* and the *Burial and Cremation Regulations 2015*.

3. DEFINITIONS

Authorised Officer	Includes the General Manager or an employee of the Council who has responsibilities associated with management of the Cemetery.
Cemetery	A place that has been – (i) Approved, under the <i>Land Use Planning and Approvals Act 1993</i> , for the interment of human remains; an (ii) Lawfully used for the interment or placement of human remains; or (a) A place that is, or was, lawfully used for the interment or placement of human remains; or (b) A place, land or structure, or a class of place, land or structures, prescribed as a cemetery but does not include any land on which there is an interment permitted under section 29 of the <i>Burial and Cremation Act 2019</i> .
Cemetery Manager	(a) Approved under this <i>Burial and Cremation Act 2019</i> to manage the cemetery; or (b) Deemed, under this <i>Burial and Cremation Act 2019</i> , to be the cemetery manager for the cemetery. In relation to this Policy, it means Council or an Authorised Officer employed by Council.
Council	Southern Midlands Council



Council Policy
CEMETERIES MANAGEMENT POLICY

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

Cremated Remains	Means the remains that are the result of the cremation of human remains;
Cremation	Means the reduction of human remains – (a) To ash by a process involving the application of heat or flames, or by any other means approved by the Minister having the administration of the <i>Public Health Act 1997</i> ; or (b) By a prescribed means.
Exclusive right of burial	Means an exclusive right of burial in accordance with section 41 of the <i>Burial and Cremation Act 2019</i> .
Funeral	Means the procession and service for burial or interment.
Grave Site	Means any burial place formed in the ground in the cemetery by excavation.
Human Remains	Means – (a) The body of a deceased person and includes a part of a body of a deceased person; or (b) A detached part of a person who is not deceased, but does not include cremated remains.
Interment	Includes – (a) The burial of human remains, or cremated remains, in a grave; and (b) The placement of human remains, or cremated remains, in a niche.
Monument	Includes a tombstone, plaque, and any other structure or object that is intended to commemorate a deceased person.
Niche	A cavity in a memorial wall where cremated human remains can be interred.
Plaque	Means a metal casting, etching, or engraving, approved by the Cemetery Manager and placed as a memorial to the deceased.
Plot	Includes a place that is set aside for the placement of human remains.

□



Council Policy
CEMETERIES MANAGEMENT POLICY

Approved by:
Approved date:
Review date:

Council
Insert date
Insert date

4. POLICY

4.1 Interment

A person must not inter human remains in a cemetery under the control of Council without the approval by the Cemetery Manager.

4.2 Register of Interments

The Cemetery Manager must keep a register of interments containing –

- (a) The following particulars in relation to each interment in the cemetery:
- the name of the deceased person;
 - the last place of residence of the deceased person if known;
 - the age of the deceased person at the date of his or her death, if known;
 - the date of birth of the deceased person, if known;
 - whether the deceased person was a veteran, if known;
 - the date of cremation, if any, of the deceased person;
 - the date on which the interment occurred; and
 - the number or other identifier of the grave.
- (b) The following particulars in relation to each exhumation of human remains conducted in the cemetery:
- the name of the deceased person;
 - the date on which the exhumation was conducted; and
 - the authority under which the exhumation was conducted.

Any person, at the person's request, can have reasonable access to the interment register for inspection.

4.3 Register of exclusive right of burial

The Cemetery Manager must maintain a register of all exclusive rights of burial granted for the cemetery.

For each exclusive right of burial granted for the cemetery, the Cemetery Manager must ensure that the following details are entered in the register:

- a) The name of the person holding the exclusive right of burial;
- b) The name of all persons entitled to be buried under the exclusive right of burial, where known;
- c) If appropriate, a description of all classes of persons entitled to be buried under the exclusive right of burial; and
- d) The number or other identifier of each plot in the cemetery, or portion of the cemetery, in respect of which the exclusive right of burial has been granted.

The register is available for inspection, by a member of the public, at all reasonable times.



Council Policy
CEMETERIES MANAGEMENT POLICY

Approved by:
Approved date:
Review date:

Council
Insert date
Insert date

4.4 Applications for exclusive right of burial

A person may apply to the cemetery manager for an exclusive right of burial to inter any human remains in a specified plot or specified portion of a cemetery. The application is to include payment of the relevant fee (set by Council on an annual basis) at the time of application.

A Cemetery Manager may grant an exclusive right of burial in accordance with section 41 of the *Burial and Cremation Act 2019*.

If the application is approved, a certificate of exclusive right of burial will be issued to the applicant. The certificate will include a unique identification reference included in the plan of cemetery.

4.5 Applications for Interment of Ashes in Wall(s) of Remembrance

A person may apply to the Cemetery Manager to reserve a niche for the interment of ashes. The application is to include payment of the relevant fee (set by Council on an annual basis) at the time of application.

If the application is approved, a certificate will be issued to the applicant. The certificate will include a unique identification reference included in the plan of cemetery.

4.6 Plan of Cemetery

A plan of the cemetery must show the location of each grave and each plot or portion of the cemetery set aside in respect of an exclusive right of burial.

Any person, at the person's request, have reasonable access to the plan of the cemetery for inspection.

4.7 Interment of human remains in the ground

All human remains interred in the cemetery, are interred –

- (a) So that the remains are completely covered by soil that is at least one metre deep at its shallowest point; or
- (b) If it is not possible to inter the remains as required by paragraph (a) – so that the remains are completely covered by –
 - i. At least a 50 millimetre thick layer of stone, concrete or similar durable material placed directly over the remains; and
 - ii. Soil that is at least 500 millimetres deep at its shallowest point.



Council Policy
CEMETERIES MANAGEMENT POLICY

Approved by:
Approved date:
Review date:

Council
Insert date
Insert date

4.8 Closing grave after interment

An open grave is closed as soon as practicable after the interment and secured against unauthorised access at all times

4.9 Re-Opening of Interments

An ordinary grave may be re-opened and used for a second burial at any time after the first burial under the following conditions:

- Prior notification and approval by the Cemetery Manager; and
- ~~no~~ removal of any human remains.

The Cemetery Manager may reopen a place of interment of human remains if it is not intended to remove any human remains from the interment.

4.10 Monuments & Other Structures

A person shall not construct or erect any monument or other structure in a cemetery except with the written approval of an authorised officer.

Council will not be liable for the future care, maintenance, preservation, conservation or restoration of the construction (headstone and surrounds) erected or placed over the grave.

Any maintenance done in the repair of a monument or other structure not conducted by Council must be reported to Council before the work is undertaken and after completion.

4.11 Floral Tributes

Floral tributes placed on a grave may be displayed for a maximum of seven (7) days from the time of the funeral, after which they may be removed and disposed of by an authorised officer.

A person must not plant a tree, shrub, or plant in any ground in a cemetery without the written consent of an authorised officer.

4.12 Approval required to affix permanent items

A person may not permanently affix an item to, or next to, a grave unless prior approval has been given.



Council Policy
CEMETERIES MANAGEMENT POLICY

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

4.13 Power of Cemetery Manager in relation to graves and plots

The Cemetery Manager, or an authorised officer, may:

- (a) Remove from a grave or plot any broken masonry, decayed or broken wreath or dead flower, or any other object, which, in opinion detracts from the overall appearance of the cemetery.
- (b) Prune or cut down any plants on, or remove any plant from, a grave or plot, which, in opinion that it is necessary to do so for the purpose of maintenance.
- (c) Remove from a grave or plot in the cemetery any object that may be prejudicial to public health or public safety.

4.14 Maintenance

Under the *Burials and Cremations Act 2019*, Council is responsible for ensuring that the cemetery is well maintained to prevent it from falling into disrepair or from being defaced or damaged. Council must rectify any disrepair, defacement or damage as soon as practical with the exception of graves (unless the defacement or damage was caused by or a result of an act approved by council or council staff).

Council is committed to:

- the undertaking regular maintenance of cemeteries, including mowing, clipping and the removal of weeds and refuse;
- ensuring that, in the process of undertaking the maintenance works described above, best efforts are made to minimise any landscaping refuse (for example, clipping and dirt) left on plaques and tributes;
- ensuring that Council staff working at the cemeteries are appropriately trained and understand the significance of the cemeteries and the need to work and act in a respectful manner at all times; and
- ensuring access for those with a disability or physical impairment wherever practicable.

4.15 Visitation

Pursuant to the *Burial and Cremation Act 2019*, Council permits any person to have access at any reasonable time to visit memorial walls and graves in any portion of the cemetery where it is safe to do so.



Council Policy
CEMETERIES MANAGEMENT POLICY

Approved by:
Approved date:
Review date:

Council
Insert date
Insert date

4.16 Conduct in Cemeteries

4.16.1 Dangerous Driving

A person must not drive a motor vehicle in a cemetery in a dangerous or careless manner or without reasonable consideration for others.

A person who is in charge of a motor vehicle in a cemetery must comply with any reasonable direction as to the driving or parking of a motor vehicle given by the Cemetery Manager or an authorised person.

4.16.2 Prohibited Activities

A person must not-

- (a) Remove, damage, deface or otherwise interfere with any building, monument, memorial, memorial or other fixture or structure in a cemetery; or
- (b) Damage, deface or otherwise interfere with any part of the grounds of a cemetery, including any plants, flowers or tokens; or
- (c) Remove any plants or flowers that are growing in a cemetery; or
- (d) In any manner, hinder or disturb the performance in a cemetery of any religious or cultural ceremony relating to the interment of human remains; or
- (e) Without the approval of the Cemetery Manager, sell anything in a cemetery; or
- (f) Without the approval of the Cemetery Manager, carry on, promote or advertise a trade, profession or business in a cemetery; or
- (g) Commit any breach of the peace or nuisance, or otherwise behave in an offensive manner, in a cemetery.

5. LEGISLATION

Burial and Cremation Act 2019
Burial and Cremation Regulations 2015

6. RELATED DOCUMENTS

7. DOCUMENT ADMINISTRATION

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

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

17.1.5 Local Government Board - Future of Local Government – Final Report

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 18 JANUARY 2024

Enclosure(s):

SMC Submission - Table of Responses

ISSUE

Council to confirm its position (and responses) relating to the recommendations contained with the Local Government Board's Final Report.

BACKGROUND

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

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

There have been three stages to the review process:

- Stage 1 – Engagement and Evidence (commenced January 2022) – Interim Report released July 2022
- Stage 2 – Analyse Options (commenced July 2022) – Options Paper released in December 2022 and Interim Report submitted to the Minister in March 2023. Stage 2 Interim report released late April 2023 followed by issue of 'Information Packs for Community Catchments' late May 2023.

December 2022 Options Paper: Presented 3 structural reform options (with minimal detail):

1. *Mandatory sharing of services across the 29 councils*
 2. *Changing boundaries to create fewer, larger Council (not detailed)*
 3. *A 'hybrid' model with some service sharing and some council consolidation, varying around the state based on local needs.*
- Stage 3 – Final Report (issued in October 2023)

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

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

DETAIL

Council, at its workshop held 8th January 2024, considered the Local Government Board's Final Report, and in particular, the 37 recommendations contained in the report.

The enclosed Table lists each of those recommendations and records the outcome of the Worksop discussions and Council’s response in relation to each.

The ‘Table of Responses’ will form the basis of Council’s submission to the Local Government Board. The final submission will also include the following:

- a) A statement highlighting Councils’ concerns regarding the costs associated with the implementation of some of these recommendations. Where applicable, this requires careful consideration by the Minister prior to making a final determination, and
- b) where the response indicates ‘in-principle’ support, this is subject to additional detail being made available. It is acknowledged that in some cases the recommendation indicates that further consultation and input from the local government sector is required. This is certainly a positive.

Human Resources & Financial Implications – Not applicable at this stage of the review.

Community Consultation & Public Relations Implications – Council’s position is consistent with the outcomes of the public consultation meetings held across the municipality in July 2023.

Priority - Implementation Time Frame – Deadline for submissions is 29th February 2024.

RECOMMENDATION

THAT:

- a) The information be received; and
- b) Council confirm that the comments recorded in the ‘Table of Responses’ reflects the outcomes of the council workshop held 8th January 2024; and
- c) This ‘Table of Responses’ form the basis of Council’s submission to the Local Government Board.

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 F Fish		
Clr F Miller		

Recommendation #	Recommendation Headline	SMC Comments
1	<p>Define in Tasmania’s new Local Government Act the role of local government consistent with the statement below: The role of local government is to support and improve the wellbeing of Tasmanian communities by:</p> <ol style="list-style-type: none"> 1. harnessing and building on the unique strengths and capabilities of local communities; 2. providing infrastructure and services that, to be effective, require local approaches; 3. representing and advocating for the specific needs and interests of local communities in regional, state-wide, and national decision-making; and 4. promoting the social, economic, and environmental sustainability of local communities, by mitigating and planning for climate change impacts. 	<p>Recommendation supported (noting that there is no specific recommendation to develop a new Local Government Act).</p>
	<p>SMC Related Comment: Council, in its initial submission, fully supported the need to define the role of local government providing it is not too prescriptive.</p> <p>Council did raise a point of caution when assessing infrastructure and service delivery. If a regional/sub-regional model (or other model) is considered for the provisions of services, the Board needs to be conscious that the local authority must retain sufficient resources (both human and physical) at the end of the process to satisfy its remaining obligations and be able to respond to local needs.</p> <p>The service provision model is best determined in consultation with the respective communities and this is generally identified through an individual Council’s Strategic Planning processes; consultation with the community; and ultimately the electoral process.</p> <p>It should be acknowledged that there are existing regional approaches which have proven to be totally ineffective and inefficient and have failed to meet a community’s needs or requirements.</p>	

Recommendation #	Recommendation Headline	SMC Comments
2	<p>The Tasmanian Government – through subordinate legislation – should implement a Local Government Charter to support the new legislated role for local government. The Charter should be developed in close consultation with the sector and clarify and consolidate in a single document councils’ core functions, principles, and responsibilities, as well as the obligations of the Tasmanian Government when dealing with the sector as a partner in delivering community services and support</p>	<p>Recommendation supported on the basis that the Charter will be developed in close consultation with the sector.</p>
	<p>SMC Related Comment: Similar to defining the role of local government, any Charter should not be too prescriptive.</p> <p>During the development of the 1993 Act, the focus was on reducing the level of prescription and providing Council with enterprise powers (Section 20) to enable it to carry out a range of functions in order to respond to community need.</p>	
3	<p>The Tasmanian Government should work with the sector to develop, resource, and implement a renewed Strategic Planning and Reporting Framework that is embedded in a new Local Government Act to support and underpin the role of local government. Under this Framework councils will be required to develop – within the first year of every council election – a four-year strategic plan. The plan would consist of component plans including, at minimum, a:</p> <ul style="list-style-type: none"> • community engagement plan; • workforce development plan; • elected member capability and professional development plan; and • financial and asset sustainability plan 	<p>Recommendation supported ‘in-principle’, but recognising that these obligations will place an additional burden on the sector that will require additional funding.</p>

Recommendation #	Recommendation Headline	SMC Comments
4	<p>Formal council amalgamation proposals should be developed for the following:</p> <ul style="list-style-type: none"> • West Coast, Waratah-Wynyard and Circular Head Councils (into 2 councils); • Kentish and Latrobe Councils; • Break O’Day, Glamorgan-Spring Bay and Sorell Councils (into 2 councils); • City of Hobart and Glenorchy City Councils; • Kingborough and Huon Valley Councils. <p>The Board acknowledges council interest in and discussions on boundary changes are less advanced in respect of City of Hobart and Glenorchy, and Kingborough and Huon Valley councils, but nonetheless believes that these councils have expressed clear interest in further exploring opportunities. The Board believes there is substantial merit in ensuring that those councils (and their communities) are afforded the opportunity to genuinely explore structural consolidation proposals in greater detail.</p>	No comment.
5	<p>A new Local Government Board should be established to undertake detailed assessment of formal council amalgamation proposals and make recommendations to the Tasmanian Government on specific new council structures.</p>	<p>The Board has identified ‘alternative future design’ options and has put forward proposed council boundaries for the majority of local government areas.</p> <p>Any further Local Government Board review(s) should be initiated and fully supported by the nominated Councils.</p>
	<p>SMC Related Comment:</p> <p>The Southern Midlands Council has previously submitted that the Local Government Board has not demonstrated (or substantiated) the need for structural reform. There has been no evidence the ratepayer will be better off, particularly in the absence of any robust Business Case.</p> <p>Maintaining the status quo was also a clear outcome of the public consultation meetings held following the issue of the Board’s Stage 2 Report which included the supporting ‘<i>Central and Midlands Community Catchment Information Pack</i>’.</p>	

Recommendation #	Recommendation Headline	SMC Comments
6	A Community Working Group (CWG) should be established in each area where formal amalgamation proposals are being prepared. The CWG would identify specific opportunities the Tasmanian Government could support to improve community outcomes.	Recommendation supported subject to the proviso mentioned in response to Recommendation 5.
7	In those areas where amalgamation proposals are being developed, a community vote should be held before any reform proceeds, to consider an integrated package of reform that involves both a formal council amalgamation proposal and a funded package of opportunities to improve community outcomes.	Recommendation supported subject to the proviso mentioned in response to Recommendation 5.
8	If a successful community-initiated elector poll requests councils to consider amalgamation, the Minister for Local Government should request the Local Government Board to develop a formal amalgamation proposal and put it to a community vote.	<p>This recommendation is very unclear. There are no parameters in terms of ‘numbers’ to initiate an elector poll; what percentage is required to achieve a successful community vote; what weighting is placed on the outcomes of each municipal area where there is substantial difference in population; and what consideration will be given to the different demographics of each area.</p> <p>Ultimately, will the community vote be binding?</p> <p>Who will fund each of these processes (i.e. the Poll; the Local Government Board process; and the community vote)?</p>
Recommendation #	Recommendation Headline	SMC Comments
9	The new Local Government Act should provide that the Minister for Local Government can require councils to participate in identified shared service or shared staffing arrangements.	Recommendation supported subject to the preparation of a full business case which would justify such a direction.

		The business case would need to include an assessment of the financial impact; the risk(s) associated with a mandatory resource sharing arrangement; and the impact on the balance of the councils' operations.
10	Give councils the opportunity to design identified shared service arrangements themselves, with a model only being imposed if councils cannot reach consensus	Recommendation supported, noting that the Southern Midlands Council already has a significant number of resource sharing arrangements.
11	Before endorsing a particular mandatory shared service arrangement, the Minister for Local Government should seek the advice of the Local Government Board.	Refer comment provided in response to Recommendation 9.
12	If councils are unable to reach consensus on a mandatory service sharing agreement, the Minister for Local Government should have the power to require councils to participate in a specific model or models the Tasmanian Government has developed.	If councils are unable to reach a consensus, it follows that there are issues and concerns that need to be considered. Recommendation 11 provides for an independent third party assessment (i.e. Local Government Board). It would therefore be appropriate that the Local Government Board should then develop the preferred model as opposed to a model prepared by the Tasmanian Government.

Recommendation #	Recommendation Headline	SMC Comments
13	<p>The first priorities for developing mandatory shared service arrangements should be:</p> <ul style="list-style-type: none"> • sharing of key technical staff; • sharing of common digital business systems and ICT infrastructure; and • sharing of asset management expertise through a centralised, council-owned authority 	<p>Support ‘in-principle’ with an additional comment that the sharing of common digital business systems and ICT infrastructure should not be limited to a regional entity (i.e. state wide opportunity).</p>
14	<p>Include a statutory requirement for councils to consult with local communities to identify wellbeing priorities, objectives, and outcomes in a new Local Government Act. Once identified, councils would be required to integrate the priorities into their strategic planning, service delivery and decision-making processes.</p>	<p>Recommendation supported.</p>
15	<p>To be eligible to stand for election to council, all candidates should first undertake – within six months prior to nominating – a prescribed, mandatory education session, to ensure all candidates understand the role of councillor and their responsibilities if elected</p>	<p>Additional detail is required prior to providing comment.</p> <p>Questions raised include:</p> <ul style="list-style-type: none"> - Length of training - Method of delivery - Who delivers and who pays? <p>Support on the basis that it is similar to the existing LGAT training that is free and can be completed on-line.</p>

Recommendation #	Recommendation Headline	SMC Comments
16	<p>The Tasmanian Government and the local government sector should jointly develop and implement a contemporary, best practice learning and ongoing professional development framework for elected members. As part of this framework, under a new Local Government Act:</p> <ul style="list-style-type: none"> • all elected members – including both new and returning councillors - should be required to complete a prescribed ‘core’ learning and development program within the first 12 months of being elected; and • councils should be required to prepare, at the beginning of each new term, an elected member learning and capability development plan to support the broader ongoing professional development needs of their elected members. 	<p>Recommendation supported. This additional investment should be reflected in increased remuneration for elected members (or other incentives).</p>
17	<p>The Tasmanian Government should further investigate and consider introducing an alternative framework for councils to raise revenue from major commercial operations in their local government areas, where rates based on the improved value of land are not an efficient, effective, or equitable form of taxation.</p>	<p>Recommendation supported. The alternative framework should also consider other options of providing a return to the council/community other than additional revenue.</p>
18	<p>The Tasmanian Government should work with the sector and the development industry to further investigate and consider introducing a marginal cost-based integrated developer charging regime.</p>	<p>Recommendation supported on the basis that the recommendation will be progressed in consultation with the sector and the development industry.</p>
19	<p>Introduce additional minimum information requirements for council rates notices to improve public transparency, accountability, and confidence in council rating and financial management decisions.</p>	<p>Recommendation supported ‘in-principle’.</p>

Recommendation #	Recommendation Headline	SMC Comments
20	<p>Within the context of the national framework, the Tasmanian Government should seek advice from the State Grants Commission on how it will ensure the Financial Assistance Grants methodology:</p> <ul style="list-style-type: none"> • is transparent and well understood by councils and the community, • that assistance is being targeted efficiently and effectively, and • is not acting as a disincentive for councils to pursue structural reform opportunities. 	<p>Recommendation supported 'in-principle', although the State Grants Commission must comply with the Australian Government's <i>Local Government (Financial Assistance) Act 1995</i>, and in particular the 'Objects' contained within that Act.</p> <p>The State Grants Commission may be able to assess the likely impacts of any structural reform opportunity which would need to be factored in accordingly.</p>
21	<p>The Tasmanian Government should review the total amount of Heavy Vehicle Motor Tax Revenue made available to councils and consider basing this total amount on service usage data.</p>	<p>Recommendation supported with the quantum of funds being the main issue as opposed to the distribution methodology.</p>
22	<p>Introduce a framework for council fees and charges in a new Local Government Act, to support the expanded, equitable and transparent utilisation of fees and charges to fund certain council services.</p>	<p>Recommendation supported.</p>
23	<p>The Tasmanian Government should review the current rating system under the Local Government Act to make it simpler, more equitable, and more predictable for landowners. The review should only be undertaken following implementation of the Board's other rating and revenue recommendations.</p>	<p>Recommendation supported.</p>

Recommendation #	Recommendation Headline	SMC Comments
24	The Tasmanian Government should work with the sector to develop, resource, and implement a best practice local government performance monitoring system.	Recommendation supported 'in-principle'. Any performance reporting system should be subject to a 'cost-benefit' analysis prior to implementation.
25	The Tasmanian Government should develop a clear and consistent set of guidelines for the collection, recording, and publication of datasets that underpin the new performance reporting system to improve overall data consistency and integrity, and prescribe data methodologies and protocols via a Ministerial Order or similar mechanism.	Refer comment in response to Recommendation 24.
26	The new Strategic Planning and Reporting Framework should actively inform and drive education, compliance, and regulatory enforcement activities for the sector, and entities with responsibility for compliance monitoring and management – including the Office of Local Government and council audit panels – should be properly empowered and resourced to effectively deliver their roles. As part of this the Tasmanian Government should consider introducing a requirement for councils to have an internal audit function given their responsibilities for managing significant public assets and resources, and whether this requirement needs to be legislated or otherwise mandated. Consideration should also be given to resourcing internal audit via service sharing or pooling arrangements, particularly for smaller councils.	<p>Recommendation supported 'in-principle', with the exception of mandating the requirement for councils to have an internal audit function.</p> <p>The need for internal audit should be a risk based assessment by each individual Council.</p> <p>Resourcing internal audit via service sharing or pooling arrangements will still require additional funding.</p>
27	The Tasmanian Government should collaborate with the local government sector to support a genuine, co-regulatory approach to councils' regulatory responsibilities, with state agencies providing ongoing professional support to council staff and involving councils in all stages of regulatory design and implementation.	Recommendation supported.

Southern Midlands CouncilAgenda – 24th January 2024

Recommendation #	Recommendation Headline	SMC Comments
28	The Tasmanian Government should work with the local government sector to pursue opportunities for strengthened partnerships between local government and Service Tasmania.	Recommendation supported, noting that Service Tasmania is co-located at the Oatlands Council Chambers.
29	Councils should migrate over time to common digital business systems and ICT infrastructure that meet their needs for digital business services, with support from the Department of Premier and Cabinet's Digital Strategy and Services (DSS).	Recommendation supported 'in-principle'.
30	The Tasmanian Government – in consultation with the sector – should review the current legislative requirements on councils for strategic financial and asset management planning documentation to simplify and streamline the requirements and support more consistent and transparent compliance.	Recommendation supported.
31	The Tasmanian Government – in consultation with the sector – should investigate the viability of, and seek to implement wherever possible, standardised useful asset life ranges for all major asset classes.	Recommendation supported on the basis that the detail will be developed in close consultation with the sector.
32	All Tasmanian councils should be required under a new Local Government Act to develop and adopt community engagement strategies – underpinned by clear deliberative engagement principles.	Recommendation supported 'in-principle'.
33	A new Local Government Act should require councils, when developing and adopting their Community Engagement Strategies, to clearly set out how they will consult on, assess, and communicate the community impact of all significant new services or infrastructure.	Recommendation supported 'in-principle'.
34	Following the phase 1 voluntary amalgamation program, the Tasmanian Government should commission an independent review into councillor numbers and allowances.	Recommendation supported.

Recommendation #	Recommendation Headline	SMC Comments
35	The Tasmanian Government should expedite reforms already agreed and/ or in train in respect of statutory sanctions available to deal with councillor misconduct or poor performance.	Recommendation supported.
36	<p>The Tasmanian Government should:</p> <ul style="list-style-type: none"> • support the Local Government Association of Tasmania (LGAT) to develop and implement – in consultation with councils and their staff – a workforce development toolkit tailored to the sector and aligned with the Tasmanian Government’s workforce development system; • support councils to update their workforce plans at the time of any consolidation; • support LGAT to lead the development and implementation of a state-wide approach to workforce development for key technical staff, beginning with environmental health officers, planners, engineers and building inspectors; • recognise in statute that workforce development is an ongoing responsibility of council general managers and is included as part of the new Strategic Planning and Reporting Framework; and • include simple indicators of each council’s workforce profile in the proposed council performance dashboard. 	Recommendation supported ‘in-principle’.
37	The Tasmanian Government should partner with, and better support, councils to build capacity and capability to plan for and respond to emergency events and climate change impacts.	Recommendation supported.

17.1.6 Code of Conduct – Workers Policy (Update)

Author: MANAGER COMMUNITY & CORPORATE DEVELOPMENT (WENDY YOUNG)

Date: 10th JANUARY 2024

Attachment(s):

Code of Conduct Workers

ISSUE

The *Child & Youth Safe Organisation 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.

BACKGROUND

The objective of the changes to the policy is to ensure that Council meets their obligations under the Act.

DETAIL

The substantive change to the policy were:

1. changing employee/other workers to workers and adding specific reference to the new Act.

Under the Act the definition of a worker is;-

A worker, of an entity, is a person who has attained the age of 18 years who –

- *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*
 - *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*
 - *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*
 - *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;*
2. including a paragraph on being a child and youth safe organisation and the responsibility of workers to comply with the standards (as follows):

Workers must prioritise, promote and protect the safety and wellbeing and prevent abuse and harm of children and young people. Provide an environment that ensures that the right to cultural safety of children who identify as Aboriginal or Torres Strait Islander is respected. It is the responsibility of all workers of the Southern Midlands Council to note and comply with the following standards:

- (a) *Care about children and young people’s safety and wellbeing.*
- (b) *Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.*
- (c) *Families and communities are informed and involved in promoting child safety and wellbeing.*
- (d) *Equality is upheld and diversity needs respected.*
- (e) *People working with children and young people are suitable and supported to reflect child safety and wellbeing.*
- (f) *Processes to respond to complaints and concerns are child-focused.*
- (g) *Workers are equipped with knowledge, skills and awareness to keep children and young people safe through ongoing education and training.*
- (h) *Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.*

The new Act will require amendments to other policies and these will be amended and presented to Council over the coming months.

RECOMMENDATION

THAT Council:

- 1. Receive and note the report; and**
- 2. Consider the ‘Code of Conduct Worker Policy’ and subject to any amendments, be submitted for formal adoption at the next meeting.**

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 F Fish		
Clr F Miller		

Enclosure
Agenda Item 17.1.6



Council Policy
CODE OF CONDUCT FOR WORKERS

Approved by: Council
Approved date: January 2023
Review date: January 2026

1. PURPOSE

The Code of Conduct for Workers Policy specifies how Southern Midlands Council's Workers should conduct the business of Council

2. OBJECTIVE

The aims of this Policy are to:

- (a) Ensure that Workers understand their obligations and do not engage in Infringing Workplace Behaviour;
- (b) Provide a framework for Workers to make decisions and engage in behaviours that are ethical and appropriate for Council and the workplace;
- (c) To create and maintain a child and youth safe organisation where workers prioritise, promote and protect the safety and wellbeing and prevent abuse and harm of children and young people in the Southern Midlands. By ensuring that their rights are respected and workers identify and report unsafe behaviour.
- (d) Reflect Council's commitment to the highest standards of honesty and integrity in meeting the needs of Council and the community we serve;
- (e) Outline the standards of conduct or behaviour expected at all times relevant to work and responsibilities;
- (f) Operate with the Applicable Laws and Council's policies and procedures; and
- (g) Recognise that Workers are ultimately responsible for their own behaviour.

3. SCOPE

This Policy covers and applies to Workers in relation to:

- (i) Behaviour at the Workplace;
- (ii) The performance of work for or in connection with Council; and
- (iii) Conduct outside the Workplace or working hours if the acts or omissions:
 - (a) Are likely to cause serious damage to the relationship between Council, workers at the workplace; or
 - (b) Are incompatible with Workers duty to Council; or
 - (c) Damage or are likely to damage Council's interest or reputation.

This policy does not cover or apply to a Councillor.



Council Policy
CODE OF CONDUCT FOR WORKERS

Approved by: Council
Approved date: January 2023
Review date: January 2026

4. DEFINITIONS

Applicable Laws

All laws in connection with the carrying out of work or the Workplace including:

- Age Discrimination Act 2004 (Cth)
- Anti-Discrimination Act 1998 (TAS)
- Australian Human Rights Commission Act 1986 (Cth)
- Child and Youth Safe Organisations Act 2023 (TAS)
- Disability Discrimination Act 1992 (Cth)
- Fair Work Act 2009 (Cth)
- Local Government Act 1993 (TAS)
- Racial Discrimination Act 1975 (Cth)
- Sex Discrimination Act 1984 (Cth)
- Work Health & Safety Act 2012 (TAS)
- Workers Rehabilitation & Compensation Act 1988 (TAS)

Confidential Information

Any information, with the exception of information in the public domain other than as a result of a breach by the Worker disclosed, or communicated to the Worker by, or on behalf of Council that:-

- (a) Is marked or designated as 'Confidential'
- (b) Would at law be considered secret or 'confidential information of Council';
- (c) That the Worker might reasonably expect Council to regard as confidential; or
- (d) Which comes into the Worker's possession, or is learnt, accessed or generated by the Worker, in the course of the Worker's employment or engagement, whether or not the information was originally supplied by the Council; and
 - (i) relates to Council dealings, customer or client lists, financial position and arrangements, funding, transactions, general affairs, contracts entered into, program planning and consultant's advice, promotional information, planning information, equipment and techniques, used or any of the above matters for Council's business;
 - (ii) Without limiting the generality of the above relates to internal Council management, the structure of Council, information about Workers, Policies, marketing programs, strategies, plans, investments or aspects of its future operations; or
 - (iii) Relates to internal Council management, the structure of the business of Council, Council personnel, marketing programs, strategies, plans, investments or aspects of its future operations.



Council Policy
CODE OF CONDUCT FOR WORKERS

Approved by: Council
Approved date: January 2023
Review date: January 2026

Conflict of Interest

An actual, potential or perceived conflict between duties or work or services provided to Council and private interests of a Worker, in which the Worker has private 'interests' which could improperly influence the performance of work, duties or services provided to Council by that Worker.

Without limiting the generality of the above, includes any 'interests' identified in the Local Government Act 1993 (TAS).

Council Property

Any real or tangible property (e.g. cash, motor vehicles, plant and equipment); and any intangible property (e.g. intellectual property and goodwill) owned by Council or in Council's possession or control.

Councillor

An elected member of Council known as a Councillor or otherwise meeting the definition of a 'councillor' as defined under section 3 of the Local Government Act 1993 (TAS).

Worker

A person who carries out work for Council as a worker of Council and also includes:-

- (a) a contractor or subcontractor;
- (b) an employee of a contractor or subcontractor;
- (c) an employee of a labour hire company who has been assigned to work at Council;
- (d) an outworker;
- (e) an apprentice or trainee;
- (f) a student gaining work experience;
- (g) a volunteer; or
- (i) a person of a prescribed class;

But does not include a Councillor.

General Manager

The General Manager of Council as appointed under section 61 of the Local Government Act 1993 (TAS).

Infringing Workplace Behaviour

Any act or omission, which amounts to a breach of any Council policy, contractual obligation or misconduct at common law.

Manager/Supervisor

A person at the Workplace who is appointed to a position that has management/supervisory responsibilities for others or their appropriately nominated or authorised delegate

Nominated Council Delegate

Deputy General Manager



Council Policy
CODE OF CONDUCT FOR WORKERS

Approved by: Council
Approved date: January 2023
Review date: January 2026

Other Persons at the Workplace

Any persons at the Workplace who is not a Worker including visitor and ratepayers.

Privileged Information

Any information which is subject to legal professional privilege

Sensitive Information

Personal information or an opinion relating to personal information about individuals:

- (a) Racial or ethnic origin; or
- (b) Political opinions; or
- (c) Membership of a political association; or
- (d) Religious beliefs or affiliations; or
- (e) Philosophical beliefs; or
- (f) Membership of a professional or trade association; or
- (g) Membership of a trade union; or
- (h) Sexual preferences or practices; or
- (i) Criminal record; and
- (j) Health information about an individual

Workplace

A place where work is carried out for Council.

Training

Council will provide all persons covered by this Policy with appropriate training so they are made aware of their responsibilities and obligations under the Policy.

5. REQUIREMENTS

- (a) Workers must comply with this Policy;
- (b) If Workers are unsure as to compliance then consider:
 - (i) Discussions with other Workers or Managers/Supervisors at the workplace to get an objective viewpoint.
 - (ii) What you would do if it was your money, time or equipment;
 - (iii) Being on the receiving end of your decision or action;
 - (iv) Whether you could adequately defend your actions to your immediate Manager/Supervisor;
 - (v) The potential consequences of your behaviours or decisions for other Workers, your family, Council's ratepayers and wider community including whether you would feel comfortable with it reported in the media; and
 - (vi) Who will benefit? Will it be fair to Council, the parties involved and yourself. If Employees and/or other Workers still have doubts about the correct thing to do, refer the matter to the General Manager for advice.



Council Policy
CODE OF CONDUCT FOR WORKERS

Approved by: Council
Approved date: January 2023
Review date: January 2026

- (c) Managers/supervisors are required to reasonably promote this Policy within their area of responsibility and take reasonable steps to ensure that any potential breaches of this Policy are identified, taken seriously and acted upon appropriately.

6. POLICY

6.1 Acting with Honesty and Integrity

Acting with honesty and integrity will maintain the respect and confidence in Council. To demonstrate honesty and integrity Workers will:

- (a) Treat Workers and Other Persons at the Workplace with honesty, respect and courtesy;
- (b) Not take improper advantage of their position in order to obtain a benefit for others or themselves
- (c) Report dishonest, unethical, fraudulent or corrupt behaviour or maladministration by Workers or Other Persons at the Workplace;
- (d) Not seek or accept any type of unauthorised compensation, fee/payment (ie monetary or non-monetary), commission or gratuity from a third part in connection with the operations of Council;
- (e) Not offer or accept any gift, hospitality, or other financial/non-financial benefit without the prior written approval of the Nominated Council Delegate;
- (f) Not make or take any bribes, kickbacks, inducements or other illegal payments of any kind for the benefit of any person or party in connection with obtaining orders or favourable treatment or for any other purpose in connection with the operations of Council;
- (g) Report in writing to the Nominated Council Delegate with full details of any gifts, hospitality, or other financial/non-financial benefit received by Employees or other Worker; and
- (h) Encourage and support good faith reporting of breaches of this Policy without retribution.

6.2 Acting with Professionalism

Professionalism is conduct that fosters and preserves reputations as individuals and that of Council. To demonstrate professionalism Employees and other Workers will:

- (a) Not engage in or tolerate Infringing Workplace Behaviour;
- (b) Support and not publicly criticise, decisions of Council;
- (c) Not undermine or bring Council's integrity or reputation into disrepute;
- (d) Work co-operatively as a team and treat Employees, other Workers and other Persons at the Workplace with respect and dignity;



Council Policy
CODE OF CONDUCT FOR WORKERS

Approved by: Council
Approved date: January 2023
Review date: January 2026

- (e) Exercise diligence, best endeavours and sound judgment when carrying out their duties or providing services;
- (f) Maintain a professional relationship with third parties when engaged as a Worker;
- (g) Provide levels of service that they competent and authorised to provide;
- (h) Not make unauthorised statements or commitments on behalf of the Council.

6.3 Acting in Accordance with the Law and Policies and Procedures

Workers should act in the spirit and intent of the Applicable Laws governing Council's activities and strive to be familiar with and comply with all relevant laws, policies and procedures. To demonstrate this commitment Employees and other Workers will:

- (a) Respect and abide by all Applicable Laws, Policies and Procedures;
- (b) Comply with all lawful and reasonable directs from authorised persons;
- (c) Only act within their authority;
- (d) Protect Council property, in particular, take care to avoid or minimise the possibility of theft or misuse of Council Property;
- (e) Only use Council property for Council purposes and in accordance with appropriate authorisations;
- (f) Not use Council property for private purposes unless authorised by their Manager/Supervisor; and
- (g) Comply with delegations, and other authorisations as directed.

6.4 Declaring and Avoiding Conflicts of Interest

Conflict of Interests can jeopardise confidence in Council. To demonstrate declaration and avoidance Workers will:

- (a) Not take on Personal business or financial or private interests that compete or conflict with Council's interests;
- (b) Inform their Manager/Supervisor as soon as they become aware of possible Conflicts of Interest involving themselves or others and provide all reasonable information about the possible Conflict of Interest and comply with any directions;
- (c) Reasonably seek approval before taking up other employment or engagements outside of their position with Council;
- (d) Declare any Conflict of Interest that could occur through share-holdings, ownership of real estate or being the trustee of beneficiary of a trust;
- (e) Not use of take advantage of any Council Property or Information belonging to Council for personal benefit or for the benefit of any other person;
- (f) Not engage directly or indirectly in any outside business activity involving commercial contact with Council or work for the benefit of Council commercial customers,



Council Policy
CODE OF CONDUCT FOR WORKERS

Approved by: Council
Approved date: January 2023
Review date: January 2026

suppliers or competitors without the prior written consent of the Nominated Council Delegate; and

- (g) Disclose ownership of shares in a listed entity which deals with or competes with Council to the Nominated Council Delegate.

6.5 Respect Privacy and do not Misuse Information

To demonstrate respect for privacy and proper use of information Employees and other Workers will:

- (a) Not disclose Confidential Information to any person or entity without the prior written consent of the Nominated Council Delegate;
- (b) Not disclose to any person or entity without the prior written consent of the Nominated Council Delegate or improperly use specific information referred to in s338A and 339 of the Local Government Act 1993 (TAS).
- (c) Disclose if required by Applicable Laws, Confidential Information (but no more than is necessary to discharge their legal obligations), to the relevant authority in a manner that is accurate and truthful. Before such disclosures are made, and if permitted by Applicable Laws, Employees and other Workers acting as Council's representatives must advise, to the extent permitted by Applicable Law, the Nominated Council Delegate about the pending disclosure;
- (d) Not use Confidential Information for the purpose of directly or indirectly obtaining personal gain or another benefit.
- (e) Only access Confidential Information for authorised work-related tasks;
- (f) Disclose to their Manager/Supervisor situations that may create a Conflict of Interest before a conflict arises, or if one does occur, immediately on becoming aware;
- (g) Not encourage others to disclose Confidential Information or Sensitive Information or Privileged Information.
- (h) Ensure the secure collection, storage and disposal of Confidential Information and Sensitive Information regardless of its medium; and
- (i) Comply with Applicable Laws regarding declaration of any pecuniary interest they or a close associate of theirs may have regarding any matter in which they provide advice to Council, make a decision or determination or make a recommendation to Council about.

6.6 Strive to be Good Citizens and Achieve Community Respect

Council is committed to service excellence and aims to maintain public confidence and respect. Workers will:

- (a) Be aware that the choices they make in business activities may impact on Workers and Other Persons at the Workplace, the community and the environment and must take this into account when making decisions,



Council Policy
CODE OF CONDUCT FOR WORKERS

Approved by: Council
Approved date: January 2023
Review date: January 2026

- (b) Commit to taking reasonable care to avoid acts and omissions that may adversely affect themselves, Workers and Other Persons at the Workplace,
- (c) Aim to be socially, financially and environmentally responsible in the use of Council resources;
- (d) Work together to achieve Council's goals and visions;
- (e) Perform their duties to the best of their ability and ensure work is carried out efficiently and effectively;
- (f) Commit to equality and diversity;
- (g) Strive to make a positive contribution to Council, Workers and Other Persons at the Workplace, and the community;
- (h) Consider the broader impact of their decisions on stakeholders and the community; and
- (i) Report any corrupt or fraudulent conduct or any maladministration.

6.7 Obligations after leaving Council

- (a) Prior to ceasing work for Council, Workers must return all Council equipment, property and documentation provided or obtained as part of their work. This includes, but is not limited to, instruction manuals, identification cards, procurement cards, keys, vehicles, mobile phones, other communication devices, personal protective equipment, all tools, computer software and hardware;
- (b) If a Worker ceases working for Council they must not disclose any confidential information provided to them.
- (c) Workers must repay any outstanding debts owed to Council prior to ceasing work for Council. Council reserves the right to deduce any monies owed from the Employee's final pay.

6.8 Reporting of Breaches

Workers must reasonably report breaches of Infringing Workplace behaviour as follows:

For breaches by:

- (a) An Worker (other than the General Manager), the report must go to the reporting person's applicable Manager; and/or
- (b) The General Manager the report must go to the Mayor (of if unavailable to the next appropriately delegated Councillor) and
- (c) As otherwise required or permitted by Applicable Laws.



Council Policy
CODE OF CONDUCT FOR WORKERS

Approved by: Council
Approved date: January 2023
Review date: January 2026

6.9 Breaches of Policy

Workers who engage in Infringing Workplace Behaviour may be subject to appropriate disciplinary action in accordance with the Disciplinary Policy and Procedure. Infringing Workplace Behaviour may also amount to breaches of Applicable Laws:

Exposing individuals to legal proceedings; and

Making Council vicariously liable for the conduct of others.

6.10 Child and Youth Safe Organisation

Workers must prioritise, promote and protect the safety and wellbeing and prevent abuse and harm of children and young people. Provide an environment that ensures that the right to cultural safety of children who identify as Aboriginal or Torres Strait Islander is respected. **It is the responsibility of all workers of the Southern Midlands Council to note and comply with the following:**

- (a) Care about children and young people's safety and wellbeing.
- (b) Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
- (c) Families and communities are informed and involved in promoting child safety and wellbeing.
- (d) Equality is upheld and diversity needs respected.
- (e) People working with children and young people are suitable and supported to reflect child safety and wellbeing.
- (f) Processes to respond to complaints and concerns are child-focused.
- (g) Workers are equipped with knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
- (h) Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.

LEGISLATION

Work Health and Safety Act 2012 (TAS)
Work Health and Safety Regulations 2012 (TAS)
Fair Work Act 2009 (CTH)
Anti-Discrimination Act 1998 (TAS)
Sex Discrimination Act 1984 (CTH)
Child and Youth Safe Organisations Act 2023 (TAS)



Council Policy
CODE OF CONDUCT FOR WORKERS

Approved by:	Council
Approved date:	January 2023
Review date:	January 2026

RELATED DOCUMENTS

Disciplinary Policy and Procedure
Complaints & Grievances Policy and Procedure
Respect in the Workplace Policy
Fraud Control and Corrupt Conduct Prevention Policy and Procedure
Children Safety & Wellbeing Policy

DOCUMENT ADMINISTRATION

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

This document is Version 2 effective January 2023. The document is maintained by the General Manager's Unit of Southern Midlands Council.

17.2 Sustainability

Strategic Plan Reference 5.2

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

17.2.1 Tabling of Documents

17.2.2 Elected Member Statements

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

17.2.3 Local Government Shared Services–Quarterly Update–Information Only

Author: FINANCE OFFICER (MANDY BURBURY)

Date: 12 JANUARY 2024

Enclosure(s):

Shared Services Report – Southern Midlands Council – Oct - Dec 2023

ISSUE

To inform Council of the Common Services Joint Venture activities for the period October to December 2023.

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 Financial Report be received and the information noted.

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

ENCLOSURE(S)
Agenda Item 17.2.3

**2023/24 Shared Services Report
 to 31 December 2023**

PROVIDED BY SOUTHERN MIDLANDS COUNCIL					Total Hours Dec 2023 Quarter	Total Hours Sept 2023 Quarter	Total Hours to 31 Dec 2023/24
Council	Fortnight End	Officer	Service Provided	Hours			
Brighton Council	5/11/2023	G Green	Environmental	1.00			
	17/12/2023	P Krause	Plumbing	10.75			
	31/12/2023	P Krause	Plumbing	6.25			
					18.00	57.50	75.50
Central Highlands	8/10/2023	L Brown	Regulatory	22.00			
		D Mackey	Regulatory	23.00			
		R Collis	Animal Control	6.00			
	22/10/2023	L Brown	Regulatory	15.00			
		D Mackey	Regulatory	18.00			
	5/11/2023	L Brown	Regulatory	11.50			
		G Finn	Regulatory	13.75			
		D Mackey	Regulatory	12.00			
	19/11/2023	L Brown	Regulatory	15.00			
		D Mackey	Regulatory	2.00			
		R Collis	Animal Control	2.50			
	3/12/2023	L Brown	Regulatory	16.50			
		D Mackey	Regulatory	15.50			
		R Collis	Animal Control	3.50			
	17/12/2023	L Brown	Regulatory	16.00			
D Mackey		Regulatory	10.00				
31/12/2023	L Brown	Regulatory	8.00				
	D Mackey	Regulatory	7.00				
					217.25	237.50	454.75
Derwent Valley	8/10/2023	D Mackey	Regulatory	6.00			
	22/10/2023	B Williams	Heritage	2.00			
	3/12/2023	B Williams	Heritage	3.00			
		D Mackey	Regulatory	8.50			
	17/12/2023	B Williams	Heritage	3.00			
		D Mackey	Regulatory	9.00			
					31.50	11.00	42.50
Tasman	8/10/2023	D Mackey	Regulatory	6.00			
	22/10/2023	D Mackey	Regulatory	6.00			
	5/11/2023	D Mackey	Regulatory	5.00			
	19/11/2023	D Mackey	Regulatory	9.00			
	3/12/2023	D Mackey	Regulatory	11.00			
	17/12/2023	D Mackey	Regulatory	5.00			
		P Krause	Plumbing	12.75			
	31/12/2023	D Mackey	Regulatory	5.50			
P Krause		Plumbing	8.50				
					68.75	29.00	97.75
Total Hours Provided by Southern Midlands					335.50	335.00	670.50
PROVIDED TO SOUTHERN MIDLANDS COUNCIL							
Council	Period Ending	Officer	Service Provided	Hours			
Brighton	1/10/2023	L Wighton	Development Engineering	2.00			
	15/10/2023	L Wighton	Development Engineering	1.25			
	12/11/2023	L Wighton	Development Engineering	1.25			
	26/11/2023	L Wighton	Development Engineering	2.25			
					6.75	44.75	51.50
Total Hours Provided to Southern Midlands					6.75	44.75	51.50

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		
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 F Fish		
Clr F Miller		

17.2.5 Council Appointments - Special Committees, Statutory Bodies and External Organisations.

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 17 JANUARY 2024

Enclosure:

Table of Special Committees, Statutory Bodies and other External Organisations.

ISSUE

Council to appoint a Councillor(s) to replace retired Councillor Rowena McDougall on Committees, Statutory Bodies and other external organisations where required.

BACKGROUND

The *Local Government Act 1993*, provides for two different types of Committees, they being Council Committees, and Special Committees.

“Section 23 - Council committees

(1) A council may establish, on such terms as it thinks fit, council committees to assist it in carrying out its functions under this or any other Act.

(2) A council committee consists of councillors appointed by the council and any councillor who fills a vacancy for a meeting at the request of the council committee.

(3) A meeting of a council committee is to be conducted in accordance with prescribed procedures.”

“Section 24 - Special committees

(1) A council may establish, on such terms and for such purposes as it thinks fit, special committees.

(2) A special committee consists of such persons appointed by the council as the council thinks appropriate.

(3) The council is to determine the procedures relating to meetings of a special committee.”

DETAIL

Each of the above mentioned Committees, excluding the external committees, have documented roles and responsibilities.

All appointments were reviewed following the last election held in October 2022, however following the resignation of Rowena McDougall, it is necessary to appoint a replacement representative.

It is suggested that Council focus on Ms McDougall's appointments as opposed to reviewing the entire list. They include the following:

- Southern Midlands Facilities & Recreation Committee – Proxy
- Southern Midlands Emergency Management Planning Committee – Chair (noting that Mayor E Batt chaired the previous meeting) (Clr D Fish – proxy)
- Lake Dulverton & Callington Park Management Committee – Proxy
- Chauncy Vale Management Committee – Member (Clr D Blackwell – Proxy)
- Oatlands Community Hall Management Committee – Proxy
- Parattah Railway Restoration Management Committee – Member (Clr D Fish – proxy)
- Tunnack Recreation Ground Management Committee – Member (Mayor E Batt – proxy)
- Arts Advisory Committee – Proxy
- Heritage Highway Tourism Region Association (HHTRA) – Member (Deputy Mayor K Dudgeon – Proxy)

Council may take the opportunity to review other Committee appointments.

RECOMMENDATION

THAT Council confirm appointments to the above-listed committees and the Heritage Highway Tourism Region Association.

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 F Fish		
Clr F Miller		

Southern Midlands Council

Agenda – 24th January 2024

COUNCIL COMMITTEE(S)	CURRENT MEMBERS	PROXY	2024 APPOINTMENT	PROXY
Southern Midlands Facilities & Recreation Committee (incl. Disability Access)	Mayor E Batt Deputy Mayor K Dudgeon Clr D Fish	Clr R McDougall		
STATUTORY REQUIREMENTS	CURRENT MEMBERS	PROXY	2024 APPOINTMENT	PROXY
Audit Panel	Clr A E Bisdee OAM Clr F Miller	Clr D Blackwell		
Southern Midlands Emergency Management Planning Committee	Clr R McDougall	Clr D Fish		
COUNCIL SPECIAL COMMITTEE(S)	CURRENT MEMBERS	PROXY	2024 APPOINTMENT	PROXY
Australia Day Awards Committee	Mayor E Batt	Deputy Mayor K Dudgeon		
Enterprise Bargaining / Award Consultative Committee	Mayor E Batt	Deputy Mayor K Dudgeon		
Lake Dulverton & Callington Park Management Committee	Clr D Fish	Clr R McDougall		
Oatlands Community Shed Committee	Clr D Fish	Deputy Mayor K Dudgeon		
Chauncy Vale Management Committee	Clr R McDougall	Clr D Blackwell		

COUNCIL SPECIAL COMMITTEE(S)	CURRENT MEMBERS	PROXY	2024 APPOINTMENT	PROXY
Campania Halls Management Committee	Clr F Miller	Clr D Blackwell		
Colebrook Memorial Hall Management Committee	Clr F Miller	Clr D Fish		
Oatlands Community Hall Management Committee	Clr D Fish	Clr R McDougall		
Parattah Railway Restoration Management Committee	Clr R McDougall	Clr D Fish		
Woodsdale Hall Management Committee	Deputy Mayor K Dudgeon	Clr F Miller		
Campania Recreation Ground Management Committee	Mayor E Batt	Clr A E Bisdee OAM		
Mangalore Recreation Ground Management Committee	Clr D Blackwell	Clr A E Bisdee OAM		
Parattah Progress Association (formerly Parattah Recreation Ground Management Committee)	Clr D Fish	Deputy Mayor K Dudgeon		
Tunnack Recreation Ground Management Committee	Clr R McDougall	Mayor E Batt		
Mt Pleasant Recreation Ground Management Committee	Deputy Mayor K Dudgeon	Clr D Fish		

COUNCIL ADVISORY GROUPS	CURRENT MEMBERS	PROXY	2024 APPOINTMENT	PROXY
Arts Advisory Committee	Mayor E Batt	Clr R McDougall		
Southern Midlands Memorial Trees Committee	Mayor E Batt	Clr A E Bisdee OAM		
Kempton Streetscape Committee	Mayor E Batt	Clr A E Bisdee OAM	Advisory Group wound-up	
Heritage and Bullock Festival Committee	Mayor E Batt	Clr D Fish		
Heritage Hub Management Committee	Mayor E Batt	Clr R McDougall		
Melton Mowbray Park Advisory Group	Mayor E Batt	Clr A E Bisdee OAM		

Southern Midlands CouncilAgenda – 24th January 2024

EXTERNAL BODIES	CURRENT MEMBERS	PROXY	2024 APPOINTMENT	PROXY
Local Government Association General Meetings	Mayor E Batt	Deputy Mayor K Dudgeon		
Southern Tasmanian Councils Authority (STCA)	Mayor E Batt	Deputy Mayor K Dudgeon		
Southern Tasmanian Regional Waste Authority – Local Government Forum	David Richardson	Tim Kirkwood		
South Central Sub Region	Mayor E Batt			
TasWater Corporation Owners/Representatives Committee	Clr A E Bisdee OAM	Mayor E Batt		
MMPHC Community Advisory Committee (CAC)	Clr A E Bisdee OAM	Deputy Mayor K Dudgeon		
Midlands Fire Area Management Committee	Tim Kirkwood	Paul Lang		
Heritage Highway Tourism Region Association	Clr R McDougall	Deputy Mayor K Dudgeon		

17.3 Finances

Strategic Plan Reference 5.3

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

17.3.1 Monthly Financial Statement (Period ending 31 December 2023)

Author: FINANCE OFFICER (MANDY BURBURY)

Date: 12 JANUARY 2024

ISSUE

Provide the Financial Report for the period ending 31 December 2023.

BACKGROUND

The Operating Expenditure Report includes a Year to Date (YTD) Budget Column, with variations (and percentage) based on YTD Budgets.

Note: Depreciation is calculated on an annual basis at the end of the financial year. The budget and expense for depreciation are included in the June period.

DETAIL

The enclosed Report incorporates the following: -

- Statement of Comprehensive Income – 1 Jul 2023 to 31 Dec 2023.
- Operating Expenditure Report – 1 Jul 2023 to 31 Dec 2023.
- Capital Expenditure Report – 1 Jul 2023 to 31 Dec 2023.
- Cash Flow Statement – 1 Jul 2023 to 31 Dec 2023.

OPERATING EXPENDITURE (OPERATING BUDGET)

Overall operating expenditure to end of December was \$4,863,798, representing 94.5% of the Year to Date Budget.

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

Strategic Theme - Infrastructure

Sub-Program – Walkways - expenditure to date (\$156,251 – 114.26%). An analysis of expenditure indicates that the rate set for internal plant hire for some plant relevant to this program are excessive and require adjustment. A review of internal plant hire rates will be carried out this month.

Strategic Theme – Growth

Sub-Program – Business - expenditure to date (\$318,029 – 161.06%). Additional expenditure relates largely to a higher than anticipated value of private works (offset by an increase in private works income). Current year expenditure also includes expenses totalling \$15,808 relating to the Southern Tasmanian Councils Authority Climate Change Project, facilitated by Graham Green, invoiced and paid in advance in 2021/22 (Total Project - \$30,000).

Strategic Theme – Landscapes

Sub-Program – Regulatory (Animals) - expenditure (\$73,387 – 127.51%). Additional expenditure is due to an increase in resources required to address non-compliance issues.

Strategic Theme – Community

Sub-Program – Capacity & Sustainability - expenditure (\$36,280 – 116.27%). 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		
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 31 December 2023

	Annual Budget \$	Year to Date (31 December) \$	%	Comments
Income				
General rates	6,971,704	6,931,370	99.4%	Includes Interest & Penalties on rates
User Fees (refer Note 1)	1,332,917	734,858	55.1%	Includes Private Works
Interest	435,000	371,052	85.3%	
Government Subsidies	56,807	22,840	40.2%	Heavy Vehicle Licence Fees & Interest Subsidy
Other (refer Note 2)	232,400	371,812	160.0%	Includes TasWater Distributions
Sub-Total	9,028,828	8,431,932	93.4%	
Grants - Operating	3,990,758	214,411	5.4%	
Total Income	13,019,586	8,646,343	66.4%	
Expenses				
Employee benefits	-5,534,107	-2,410,704	43.6%	Less Roads - Resheeting (Capitalised)
Materials and contracts	-3,707,133	-2,344,989	63.3%	Less Roads - Resheeting (Capitalised), Includes Land Tax & Private Works
Depreciation and amortisation	-3,723,000	-1,876,800	50.4%	Percentage Calculation (based on year-to-date)
Finance costs	-52,997	-26,402	49.8%	Interest
Contributions	-272,238	-68,060	25.0%	Fire Service Levies
Other	-169,955	-85,948	50.6%	Audit Fees and Councillor Allowances
Total expenses	-13,459,430	-6,812,903	50.6%	
Surplus (deficit) from operations	-439,844	1,833,440	-416.8%	
Grants - Capital (refer Note 3)	3,200,746	2,722,037	85.0%	
Sale Proceeds (Plant & Machinery)	0	191,455		
Sale Proceeds (Land & Buildings)	0	0		
Sale Proceeds (Other Assets)	0	845		
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	4,792,777	173.6%	

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

	Annual Budget \$	Year to Date (31 December) \$	%	Comments
NOTES				
1. Income - User Fees				
- All other Programs	883,333	482,321	54.6%	
- Private Works	449,584	252,537	56.2%	
	<u>1,332,917</u>	<u>734,858</u>	55.1%	
2. Income - Other				
- Tas Water Distributions	182,400	76,000	41.67%	
- Public Open Space Contributions	50,000	106,500	213.00%	
- Blue Gum Rovers Donations	0	320		
- Kidbiz Contribution to 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 to 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 Auxilliary Contribution to GP Units	0	100,000		
	<u>232,400</u>	<u>371,812</u>	160.0%	
3. Grants - Capital				
- Roads To Recovery	665,531	665,531	100.00%	
- Rural & Remote Roads Program	1,603,854	1,069,236	66.67%	Interlaken Road Project
- Safer Rural Roads	205,000	102,500	50.00%	
- LRCI - Phase 4	665,531	419,770	63.07%	
- Natural Disaster Risk Reduction Grant	60,830	0	0.00%	
- Aust Govt - BS Bushfire Recovery Grant - The Haven	0	465,000		Broadmarsh/Elderslie Progress Association Inc Grant
	<u>3,200,746</u>	<u>2,722,037</u>	85.04%	
4. Grants - Operating				
- FAGS 2023/24	3,990,758	206,076	5.16%	
- Navigate Family Services (School Holiday Program)	0	5,177		
- NRM Grant - Eradication of Stemless Thistle	0	2,440		
- Tas Govt. (DPAC) - Australia Day Awards Grant	0	718		
	<u>3,990,758</u>	<u>214,411</u>	5.4%	

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

PROGRAM	YTD ACTUAL (as at 31 Dec 23)	YTD BUDGET (as at 31 Dec 23)	YTD VARIANCE	YTD %	FULL YEAR BUDGET - REVISED INC. GRANTS & OTHER
INFRASTRUCTURE					
Roads	723,470	710,925	-12,545	101.76%	3,695,184
Bridges	7,254	51,160	43,906	14.18%	459,620
Walkways	156,251	136,752	-19,499	114.26%	243,503
Lighting	29,376	42,395	13,018	69.29%	84,790
Public Toilets	49,180	49,051	-129	100.26%	96,102
Sewer/Water		-	-	-	
Stormwater	5,169	16,840	11,670	30.70%	85,679
Waste	580,985	673,123	92,138	86.31%	1,373,747
Information, Communication	259	10,000	9,741	-	20,000
INFRASTRUCTURE TOTAL:	1,551,946	1,690,246	138,300	91.82%	6,058,625
GROWTH					
Residential	-	-	-	-	-
Tourism	29,195	33,518	4,323	87.10%	47,718
Business	318,029	197,459	-120,570	161.06%	391,418
Industry	-	-	-	-	-
GROWTH TOTAL:	347,224	230,977	-116,247	150.33%	439,136
LANDSCAPES					
Heritage	197,465	239,838	42,372	82.33%	467,532
Natural	99,581	118,659	19,078	83.92%	206,318
Cultural	700	12,500	11,800	5.60%	25,000
Regulatory - Development	423,877	525,443	101,566	80.67%	1,050,886
Regulatory - Public Health	8,530	10,110	1,580	84.37%	20,220
Regulatory - Animals	73,387	57,554	-15,833	127.51%	115,108
Environmental Sustainability	-	2,500	2,500	0.00%	5,000
LANDSCAPES TOTAL:	803,540	966,604	163,064	83.13%	1,890,064
COMMUNITY					
Community Health & Wellbeing	132,330	156,736	24,406	84.43%	313,472
Recreation	611,492	613,464	1,972	99.68%	1,212,694
Access	-	-	-	-	-
Volunteers	19,055	40,500	21,445	47.05%	51,000
Families	320	5,000	4,680	6.40%	10,000
Education	-	-	-	-	-
Capacity & Sustainability	36,280	31,203	-5,078	116.27%	49,605
Safety	6,022	16,975	10,953	35.48%	33,950
Consultation & Communication	3,975	18,650	14,675	21.31%	37,300
LIFESTYLE TOTAL:	809,475	882,527	73,052	91.72%	1,708,021
ORGANISATION					
Improvement	-	40,145	40,145	0.00%	80,289
Sustainability	1,225,269	1,213,401	-11,867	100.98%	2,928,058
Finances	126,345	125,393	-952	100.76%	355,238
ORGANISATION TOTAL:	1,351,613	1,378,939	27,325	98.02%	3,363,585
TOTALS	\$4,863,798	\$5,149,292	\$285,494	94.5%	\$13,459,430

CAPITAL EXPENDITURE PROGRAM 2023-24
As at 31 December 2023

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION
		\$	\$	\$		DEADLINE
INFRASTRUCTURE						
ROAD ASSETS						
Resheeting Program	Roads Resheeting	500,000	325,522	174,478		
	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	
Reseal Program	Roads Reseal Program (as below)	450,000	0	429,900		
	Woodsdale Road Reseal Patches	0	16,500			
	Campania - Lee Street (120m)	0	0			
	Campania - Union Street (300m)	0	0			
	Dysart - Dysart Drive (1.1 km)	0	3,600			
	Dysart - Ely Street (400m)	0	0			
	Oatlands - Barrack Street (300m)	0	0			
	Oatlands - Inglewood Road (600m)	0	0			
	Oatlands - Marlborough Street/Esplanade (Stanley St to Wellington St)	0	0			
Reconstruct & Seal	Campania - Climie Street (200 metres from Reeve Street to Water Lane)	60,000	0	60,000		
	Campania - Climie Street Reconstruct & Seal (including crossover)	20,000			LRCI P3 \$17,837(previously Bertwick St)	
	Colebrook - Arthur Street (500 metres)	90,000	28,745	61,255	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 klm)	180,000	119,890	60,110	RTR \$170K	30 June 2024
	Mangalore - Blackbrush Road (1.0 km from Midland Hwy to M/Ford Dr)	180,000	0	180,000	RTR \$170K	30 June 2024
	Oatlands - York Plains Road in two sections (1.00 klm)	180,000	126,953	53,047		
	Woodsdale - Woodsdale Road in two sections (2.0 klm)	360,000	61,051	298,949	RTR \$325,531	30 June 2024
	Drainage (Reset Drains - various Roads)	250,000	224,359	25,641		
Construct & Seal (Unsealed Roads)	Colebrook - Yarlington Road (1.0 klm)	180,000	8,929	171,071	LRCI P4	30 June 2025
Minor Seals (New)	Oatlands - Interlaken Road (full length) - 23/24 Allocation	2,873,090	189,998	2,683,092	Budget c/f \$1,169,236 WIP \$151,104	30 June 2026
Junction / Road Realignment	Oatlands - Bertwick Street	20,000	0	20,000	Budget c/f \$20,000 (LRCI renominated)	30 June 2024
Other	Tin Pot Marsh Road Dust Suppressant	40,000	4,550	35,450	Budget c/f 2022/23 Commitment	
	Bagdad - Green Valley Road - Guard Rail / Line mark. & Sign.	110,000	97,654	12,346	Safer Rural Roads	
	Campania - Estate Road (vicinity Mallow property)	49,000	14,974	34,026	Budget c/f WIP \$13,544	
	Campania - Hall Street (Seal and stormwater upgrade)	70,000	70,438	-438	C/f WIP \$60501.71	
	Campania - Reeve St Junction/footpath/kerb & channel	200,000	274,989	-74,989	WIP \$45,691 Vulnerable Road Users	
	Campania - Structure Plan - Town gateway and Streetscape	40,000	0	40,000		
	Colebrook - Junction Craighourne Road and Colebrook Road	24,000	15,756	8,244	Budget c/f	
	Elderslie - Elderslie Road Widening Investigation & Trial (Sth Blackbrush Rd)	40,000	14,570	25,430	Budget c/f WIP \$6,777	
	Elderslie - Bluff Road Intersection Upgrade	1,530	1,530	0	Budget c/f Black Spot project expenses	
	Kempton - Old Huntingground Road (Footpath / School Crossing etc.)	80,000	81,483	-1,483	Budget c/f WIP \$81,483	
	Mt Seymour - Junction Blackgate Road and Tunnack Road	24,000	32,145	-8,145		
	Oatlands - Hasting Street Junction	15,000	959	14,041	Budget c/f 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 c/f	
	Tunbridge - Main Street (Kerb & Gutter Renewal)	40,000	0	40,000		
	Tunnack - Link Road Landslip	25,000	107	24,893	Budget c/f WIP \$107	
	Woodsdale Road - Guard Rail	100,000	0	100,000	Safer Rural Roads	
		6,588,892	2,091,437	4,477,455		

CAPITAL EXPENDITURE PROGRAM 2023-24
As at 31 December 2023

		BUDGET \$	EXPENDITURE \$	BALANCE \$	COMMENTS	COMPLETION DEADLINE
BRIDGE ASSETS	Jones Road Broadmarsh (Jordan River - Bridge 5083) - Flood Damage	130,000	3,302	126,699	C/f 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	515,480	4,160	511,320	22/23 Budget \$95,840 c/f WIP \$4,160	30 June 2025
	Bagdad - Midland Highway Walking Path Footbridge Repairs	130,000	0	130,000		
	Campania - Reeve Street - Footpath through to Hall	30,000	432	29,568	Budget c/f	
	Kempton - Grange Road (Retaining Wall)	30,000	0	30,000		
	Kempton - Streetscape Plan - Footpath Renewal Southern End	60,000	50,345	9,655	LRCI P3 c/f 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 c/f	
	Oatlands - Campbell Street (scope of works expanded to include kerb/gutter)	85,000	0	85,000	22/23 Budget \$45,000 c/f	30 June 2025
	Oatlands - Church Street (Sth 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	LRCI P4	30 June 2025
	Oatlands - Stanley Street (Footpath -120 metre link)	25,000	14,117	10,883		
		1,228,045	108,275	1,119,770		
PUBLIC TOILETS	Campania - Flour Mill Park - Concrete Pathways/drainage/remove pavers	15,000	0	15,000	Budget c/f	
	Colebrook - History Room Toilets (Tiling etc.)	10,000	0	10,000		
	Oatlands - Callington Park	158,000	12,338	145,662	22/23 Budget \$140,000 c/f WIP \$5,070	
	General Public Toilets - Upgrade Program	20,000	0	20,000	Budget c/f	
		203,000	12,338	190,662		
DRAINAGE	Bagdad / Mangalore - Hydraulic Assessment (Flood Mapping)	161,660	108,604	53,056	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	969	-969	Partially offset by developer contributions	
		241,660	192,107	49,553		
WASTE	Wheelie Bins and Crates	12,500	6,553	5,947		
	WTS Safety & Operational Improvements	25,000	0	25,000		
		37,500	6,553	30,947		
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 31 December 2023

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION
		\$	\$	\$		DEADLINE
LANDSCAPES						
HERITAGE						
	Heritage Collections Store	10,000	3,700	6,300	Budget c/f WIP \$3,700	
	Heritage Collections - Furniture & Equipment	4,177	4,177	0	Budget transferred from Operating	
	Jericho - Memorial Avenue - Plaques	20,000	4,300	15,700	Budget c/f WIP \$4,300	
	Kempton Council Chambers - Clock Restoration Works	10,672	3,546	7,126	Budget c/f WIP \$1,384	
	Kempton - Memorial Avenue Park - Interps	19,545	155	19,390	Budget c/f WIP \$155	
	Melton Mowbray - Streetscape Works (Trough / Shelter etc)	30,000	8,227	21,773	Budget c/f WIP \$5318	
	Oatlands - Callington Mill - Structural Repair & External painting)	20,000	18,045	1,955		
	Oatlands - Council Chambers - Internal Toilets & Access Upgrade	100,000	9,357	90,643	Budget c/f WIP \$9,357	
	Oatlands Court House (Wall Stabilisation)	15,000	1,187	13,813	WIP \$1,187	
	Oatlands Gaolers Residence (Ceiling Reinstatement)	5,000	8,149	-3,149		
	Oatlands Gaolers Residence (Wingwall)	23,000	0	23,000	Budget \$15K c/f	
	Oatlands - Heritage Buildings (Security Upgrades)	10,000	0	10,000		
	Oatlands - Roche Hall Forecourt (Interps - Planning Condition of Approval)	40,000	7,820	32,180	Budget c/f WIP \$7,820	
	Parattah - Railway Station -Shed for Gangers Trolley	2,000	0	2,000	Budget c/f	
		309,394	68,664	240,730		
NATURAL						
	Chauncy Vale - Day Dawn Cottage Improvements	12,000	8,557	3,443	WIP \$7,700	
	Chauncy Vale - Wombat Walk	39,250	42,513	-3,263	Includes \$29,250 grant WIP \$31,358	31 Dec 2022
	Campania - Bush Reserve / Cemetery	300,000	91,324	208,676	WIP \$72,489	
		351,250	142,395	208,855		
CULTURAL						
	Oatlands - Aquatic Centre (Forecourt - Art Installation)	20,000	1,133	18,867		
		20,000	1,133	18,867		
REGULATORY - DEVELOPMENT						
	Master / Structure Plans (Bagdad / Mangalore / Campania)	50,000	0	50,000		
	Oatlands - Stanley Street Master Plan	20,000	172	19,828	Budget c/f WIP \$172	
	Oatlands - Structure Plan	25,000	34,155	-9,155	\$25K Budget c/f WIP \$34,155	
	Oatlands - MMPC Church Street Sub-Division	0	4,988	-4,988	WIP \$4,988 Offset by sale of property	
		95,000	39,315	55,685		
REGULATORY - PUBLIC HEALTH						
	Unit(s) - GP Accommodation	500,000	0	500,000		
	Oatlands - GP Accommodation Units	100,000	86,246	13,754	Council Commitment (grant funded)	
		600,000	86,246	513,754		

**CAPITAL EXPENDITURE PROGRAM 2023-24
As at 31 December 2023**

	BUDGET \$	EXPENDITURE \$	BALANCE \$	COMMENTS	COMPLETION DEADLINE
COMMUNITY FAMILIES					
Bagdad - Child Care Centre Building	237,314	313,617	-76,303	Council Commitment (\$100K grant funded)	30 June 2025
	237,314	313,617	-76,303		
RECREATION					
Facilities & Recreation Committee	52,000	-	52,000		
Community Infrastructure Plan	44,600	16,784	27,816		
Bagdad - Iden Road Park Development	75,000	-	75,000		
Bagdad - Bagdad Community Club (Precinct Plan)	25,000	17,417	7,583	Budget c/f WIP \$17,417	
Broadmarsh - Broadmarsh Hall "The Haven"	377,550	377,550	0	Administration of Progress Assoc. Grant	
Campania - Justitia Court POS - Shelter Hut	16,000	-	16,000		30 June 2025
Campania - Public Open Space dev (Justitia Park)	6,375	0	6,375	Budget c/f	
Campania - Hall (LED Lighting)(alternate quote \$1582)	4,250	-	4,250		
Campania - Recreation Ground (Centre Pitch/Wicket & Nets)	12,004	12,734	-730		
Kempton - Recreation Ground (Site Dev and Play Equipment)	24,250	0	24,250	Budget c/f	
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	
Mt Pleasant Rec Ground - Building Improvements	279,000	279,625	-625	Dept of Communities Grant WIP \$278,156	
Oatlands - Aquatic Centre (Construction)	410,501	410,501	0	WIP 2022/23	
Oatlands - Aquatic Centre (Construction)	482,114	18,309	463,805	Balance of construction phase budget c/f	
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 c/f 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	0	5,000		
Oatlands Swimming Pool (Staged demolition)	200,000	18,306	181,694	WIP \$15,756	
Runnymede Recreation Ground - Play Equipment	20,000	10,295	9,705	LRCI P4	30 June 2025
Water Bottle Refill Stations	7,980	0	7,980	Budget c/f	
	2,266,305	1,354,693	911,612		
ACCESS					
Tunbridge Community Club - Accessible Toilets	115,000	200	114,800	22/23 Budget \$20,000 c/f WIP \$200	
	115,000	200	114,800		
CAPACITY & SUSTAINABILITY					
Property Purchase - 9 Barrack Street, Oatlands (Police Residence)	73,248	377	72,871	Budget \$519,490 less \$446K spent in 22/23	
Kempton - Carriage Shed - Toilets	15,000	11,144	3,856	WIP \$10,419	
	88,248	11,521	76,726		

CAPITAL EXPENDITURE PROGRAM 2023-24
As at 31 December 2023

	BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION
	\$	\$	\$		DEADLINE
ORGANISATION					
SUSTAINABILITY					
Kempton Council Chambers - Office Furniture & Equipment	5,000	0	5,000		
Kempton Depot - Fencing/Kitchen	0	16,755	-16,755		
Oatlands Depot - Wash Bay	0	8,909	-8,909		
Oatlands - Town Hall (General - Incl. Office Equip/Furniture)	5,000	1,925	3,075		
Oatlands Council Chambers - Fire Detection & Security System	18,000	0	18,000		
Oatlands - Council Chambers - Internal Toilets Upgrade	100,000	0	100,000		
Oatlands - Council Chambers - Damp Issues & Stonemasonry	15,000	0	15,000	Budget c/f	
Oatlands - Council Chambers - Works Office (floor coverings/refurbishing)	5,000	16,303	-11,303	Budget c/f	
Municipal Revaluation - Final 10%	0	16,100	-16,100		
			0		
Computer Monitor(s)	8,000	7,453	547		
PC's; Keyboards & UPS's	14,000	0	14,000		
Council Website - Upgrade	20,000	0	20,000		
Ipads (2) (Animal & Building Control)	4,000	0	4,000		
	194,000	67,444	126,556		
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	1,220	48,780		
Plant Replacement Program					
Heavy Vehicles - Refer separate Schedule (Trade Allowance - \$334)	678,867	444,960	233,907		
Light Vehicles (Net Changeover) (Trade Allowance - \$132)	249,639	91,568	158,071		
	1,000,676	565,139	435,537		
GRAND TOTALS	13,708,083	5,108,430	8,579,653		

CASH FLOW 2023/2024	INFLOWS (OUTFLOWS) July 2023 \$	INFLOWS (OUTFLOWS) Aug 2023 \$	INFLOWS (OUTFLOWS) Sep 2023 \$	INFLOWS (OUTFLOWS) Oct 2023 \$	INFLOWS (OUTFLOWS) Nov 2023 \$	INFLOWS (OUTFLOWS) Dec 2023 \$	INFLOWS (OUTFLOWS) (Year to Date) \$
Cash flows from operating activities							
Payments							
Employee costs	(369,019)	(578,131)	(416,390)	(420,834)	(373,508)	(406,392)	(2,564,274)
Materials and contracts	(865,696)	(514,063)	(383,016)	(348,088)	(389,169)	(378,240)	(2,878,271)
Interest	(2,917)	0	0	0	(645)	(22,840)	(26,402)
Other	(20,710)	(59,400)	(97,533)	(168,081)	(45,872)	(90,007)	(481,603)
	(1,258,343)	(1,151,593)	(896,939)	(937,003)	(809,194)	(897,478)	(5,950,551)
Receipts							
Rates	393,738	710,319	2,117,560	547,800	703,244	371,567	4,844,229
User charges	228,018	120,782	117,009	31,823	662,843	215,801	1,376,276
Interest received	44,460	51,157	63,218	76,056	62,791	73,370	371,052
Subsidies	0	0	0	0	0	22,840	22,840
Other revenue grants	0	103,038	2,983	2,440	105,232	718	214,411
GST Refunds from ATO	0	0	0	0	0	0	0
Other	65,230	245,462	12,054	161,652	(228,807)	246,136	501,726
	731,446	1,230,759	2,312,823	819,770	1,305,303	930,432	7,330,534
Net cash from operating activities	(526,897)	79,165	1,415,885	(117,233)	496,109	32,954	1,379,983
Cash flows from investing activities							
Payments for property, plant & equipment	(111,762)	(321,353)	(470,999)	(283,748)	(631,756)	(685,513)	(2,505,131)
Proceeds from sale of property, plant & equipment	17,818	58,095	0	28,077	133,309	0	237,300
Proceeds from Capital grants	102,500	1,534,236	0	0	1,085,301	0	2,722,037
Proceeds from Investments	0	0	0	0	0	0	0
Payment for Investments	0	0	0	0	0	0	0
Net cash used in investing activities	8,556	1,270,979	(470,999)	(255,671)	586,854	(685,513)	454,206
Cash flows from financing activities							
Repayment of borrowings	(8,291)	0	0	0	(16,899)	(99,627)	(124,818)
Proceeds from borrowings							0
Net cash from (used in) financing activities	(8,291)	0	0	0	(16,899)	(99,627)	(124,818)
Net increase/(decrease) in cash held	(526,632)	1,350,144	944,886	(372,904)	1,066,064	(752,187)	1,709,372
Cash at beginning of reporting month	17,408,041	16,881,409	18,231,553	19,176,438	18,803,535	19,869,599	17,408,041
Cash at end of reporting period	16,881,409	18,231,553	19,176,438	18,803,535	19,869,599	19,117,412	19,117,412

17.3.2 SMC External Grant Projects - Quarterly Update

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 17 JANUARY 2024

Enclosure:

Report to Council on Various SMC Grant Projects as at 17th January 2024

ISSUE

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

BACKGROUND

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

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

DETAIL

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

RECOMMENDATION

THAT the Report be received and the information noted.

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

Report to Council on Grant Funded Projects as at 31st December 2023

Project Title	Brief Description	Grant Body	Project Value Grant Funds	Project Value SMC Funds	Project Manager	Current Project Status (% complete)	Anticipated Completion Date	Remarks
Oatlands Aquatic Centre	Development of the proposed Aquatic Centre in Oatlands	1. Australian Government 2. Tasmanian Government 3. Station Child Care Centre 4. Loan Funds by SMC	\$2,000,000 \$2,000,000 \$80,350	\$5,920,000	Tim Kirkwood <i>(Project Financials)</i> Andrew Benson <i>(Project Delivery)</i>	98% Vos Constructions are yet to complete the sandstone	Changed	Undertaking refinements to the Heating and Ventilation system. Negotiating with Vos on costs from Extension of Time
South Central Sub-region – Workforce Development Coordinator Project	The submission of grant for a workforce coordinator for the Southern Midlands, Central Highlands, Brighton and Derwent Valley to (three year contract). The State Government through Jobs Tas to operate a Jobs Hub for the Sub Region. This is a partnership with the three other Councils.	Tasmanian Community Fund Jobs Tasmania	\$400,000 over three years \$M1.625	\$15,000 \$0	Andrew Benson	100% Triannual funding depending on Annual reviews	July 2023 Nov 2024 +	Contract targets of people to be employed were significantly exceeded, plus working with schools and employers on a range of activities Lobbying for the Government Budget 2024. The project is currently exceeding expectations
Southern Midlands Drought Weeds Grant 2020 – Support for Farmers	\$30,000 for on ground works, \$25,000 for wages.	State Government of Tasmania	\$55,000	\$0	Mary Smyth Weeds Officer and Maria Weeding	80%	2023	.
Reeve St / Native Crns Rd Junction plus carpark at Campania	Reeve Street Junction with Climie St plus carpark	Department of State Growth, under the Vulnerable Road User Program	\$200,000.00	\$50,000.00	Andrew Benson	100%	Completed October 2023	

Report to Council on Grant Funded Projects as at 31st December 2023

Project Title	Brief Description	Grant Body	Project Value Grant Funds	Project Value SMC Funds	Project Manager	Current Project Status (% complete)	Anticipated Completion Date	Remarks
Wombat Woodland Walk	Nature interpretation and adventure trail for children at Chauncy Vale	Healthy Tasmania Fund	\$29,250	\$10,000	Graham Green	80%	April 2023	All work complete except for rope bridge.
2019-20 Black Summer Bushfire Recovery Grants Program	Support impacted Communities – Refurbishment of the Broadmarsh Hall as a Emergency Management Recovery Centre	National Recovery and Resilience Agency	\$M1.55	Nil (<i>In-kind</i>)	Andrew Benson/ Donna Blackwell Broadmarsh Elderslie Progress Assn (BEPA) Wendy Young (Project Finances)	45%	April 2024	SMC working in partnership with the Broadmarsh / Elderslie Progress Assn Inc on this grant program to maximize the benefits to the Community. Planning Approval and Building Approval all in place. Construction commenced
Premier's Fund for Children and Young People	Equipment for the Oatlands Aquatic Centre (OAC)	Department of Premier & Cabinet	\$50,000	Nil	Adam Briggs	90% Equipment side of the funding has been delivered, with the program side to be completed in 2023.	June 2024	Providing tremendous value to the Community using the OAC
Healthy Lift - Expression of Interest	Lift Local grants are for local government to support activities that strengthen planning for health and wellbeing.	Healthy Tas (Dept. of Health Tas)	\$20,000	Nil	Andrew Benson / Wendy Young	0% EoI submitted in December 2022 Final submission March 2023		These funds are being used to part fund the SM Community Infrastructure Plan development project by Inspiring Place
Road Infrastructure Upgrade	Reconstruction of Interlaken Road from Oatlands to Central Highlands Council boundary	Department of Infrastructure, Transport, Regional Development, communities and the Arts	\$5,346,180	\$300,000	David Richardson	15% Tenderer appointed and construction under way	June 2024	

Report to Council on Grant Funded Projects as at 31st December 2023

Project Title	Brief Description	Grant Body	Project Value Grant Funds	Project Value SMC Funds	Project Manager	Current Project Status (% complete)	Anticipated Completion Date	Remarks
Natural Disaster Risk Reduction Grant Program	Bagdad/Mangalore hydraulic assessment	Australian Government Attorney General's Department	\$80,830	\$80,830	David Richardson	98% Consultants/Engineers Report received ready for review	December 2023	
Safer Rural Roads Program	Woodsdale Road – Guard Rail	Department of State Growth	\$95,000	\$5,000	David Richardson	10% Included in 23/24 Works Program	29 February 2024	
Safer Rural Roads Program	Green Valley Road – Guard Rail & Line Marking	Department of State Growth	\$110,000	\$10,000	David Richardson	100% Included in 23/24 Works Program	8 January 2024	
Commonwealth Bank Community Grant Program	Small grant to help communities around Australia to purchase equipment or group activity.	Commonwealth Bank	\$500		Adam Briggs	100% Nothing has been started at this stage as the grant was awarded Friday 15/9/23.	December 2023	The grant will be used towards further Learn to Swim equipment such as flippers.
Bus Stops Program	Upgrade Campania Bust Stop outside the War Memorial Hall	Department of State Growth	\$14,250	\$14,450	Andrew Benson	Submitted and under consideration by DSG	December 2024	
Bus Stops Program	New Bust Stop at Campania outside the Community Hall	Department of State Growth	\$26,246,	\$39,653	Andrew Benson	Submitted and under consideration by DSG	December 2024	
Bus Stops Program	New Bus Stop High Street Oatlands (north bound)	Department of State Growth	\$13,000	\$15,300	Andrew Benson	Submitted and under consideration by DSG	December 2024	
Vulnerable Road User Program	Pedestrian Crossing of railway line at Climie St Campania	Department of State Growth, under the	\$30,000	\$10,000	Andrew Benson	About to be submitted	June 2024	
UNSUCCESSFUL GRANTS APPLICATIONS								
ReGeneration Project	Convert 9 Barrack St to Community House style for service delivery by	Tas Community Fund	\$52,000	\$25,400 Maintenance on the building	Andrew Benson with Mary-Ann Orchard (HCM)	Grant applied for	June 2024	This grant Eol was unsuccessful

Report to Council on Grant Funded Projects as at 31st December 2023

Project Title	Brief Description	Grant Body	Project Value Grant Funds	Project Value SMC Funds	Project Manager	Current Project Status (% complete)	Anticipated Completion Date	Remarks
	ReGeneration and Hobart City Mission							
Mood Food Walkway	Footpath connection between Mood Food and Kempton	Local Government Assn Tas	\$336,500	\$146,000	Tim Kirkwood	Application submitted		This grant application was unsuccessful
RECENTLY COMPLETED PROJECT(S)								
Encouraging Active Ageing	Ageing members of our community activity program	Foundation for Rural & Regional Renewal	\$10,000	Nil	Wendy Young	100%	Completed	Acquittal completed

18. MUNICIPAL SEAL

Nil.

19. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

RECOMMENDATION

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

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

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

CLOSED COUNCIL AGENDA

20. BUSINESS IN “CLOSED SESSION”

20.1 Closed Council Minutes - Confirmation

20.2 Applications for Leave of Absence

20.3 Property Matter - Bagdad

RECOMMENDATION

THAT Council move out of “Closed Session”.

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

OPEN COUNCIL AGENDA

21. CLOSURE