

SOUTHERN  
MIDLANDS  
COUNCIL



# **AGENDA**

## **ORDINARY COUNCIL MEETING**

---

Wednesday, 25<sup>th</sup> September 2019  
10.00 a.m.

Municipal Offices  
71 High Street, Oatlands

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Dear Sir/Madam

## NOTICE OF MEETING

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

**Date: Wednesday, 25<sup>th</sup> September 2019**  
**Time: 10.00 a.m.**  
**Venue: Municipal Offices, 71 High Street, Oatlands**

*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.*

***Councillors please note:***

- Public Question Time has been scheduled for 10.30 a.m.

Yours faithfully

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

Tim Kirkwood  
**GENERAL MANAGER**

# OPEN COUNCIL AGENDA

## 1. PRAYERS

Rev Dennis Cousens to recite prayers.

## 2. ATTENDANCE

## 3. APOLOGIES

## 4. MINUTES

### 4.1 ORDINARY COUNCIL MINUTES

The Minutes (Open Council Minutes) of the previous meeting of Council held on the 28<sup>th</sup> August 2019, as circulated, are submitted for confirmation.

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

## **4.2 SPECIAL COMMITTEES OF COUNCIL MINUTES**

### **4.2.1 SPECIAL COMMITTEES OF COUNCIL - RECEIPT OF MINUTES**

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

- Minutes – Facilities & Recreation Committee Meeting – 12<sup>th</sup> September 2019.
- Minutes - Kempton Streetscape Committee Meeting – 2<sup>nd</sup> September 2019.
- Minutes – Lake Dulverton and Callington Park Management Committee – 2<sup>nd</sup> September 2019.
- Minutes – Campania Recreation Ground Management Committee – 31<sup>st</sup> July 2019.

### **RECOMMENDATION**

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

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

### **4.2.2 SPECIAL COMMITTEES OF COUNCIL - ENDORSEMENT OF RECOMMENDATIONS**

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

- Minutes – Facilities & Recreation Committee Meeting – 12<sup>th</sup> September 2019.
- Minutes - Kempton Streetscape Committee Meeting – 2<sup>nd</sup> September 2019.
- Minutes – Lake Dulverton and Callington Park Management Committee – 2<sup>nd</sup> September 2019.
- Minutes – Campania Recreation Ground Management Committee – 31<sup>st</sup> July 2019.

### **RECOMMENDATION**

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

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

### **4.3 JOINT AUTHORITIES (ESTABLISHED UNDER DIVISION 4 OF THE LOCAL GOVERNMENT ACT 1993)**

#### **4.3.1 JOINT AUTHORITIES - RECEIPT OF MINUTES**

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

- Southern Tasmanian Councils Authority – Minutes – 12<sup>th</sup> August 2019.
- Southern Tasmanian Councils Authority (Waste Strategy South) – Nil.

#### **RECOMMENDATION**

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

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

#### **4.3.2 JOINT AUTHORITIES - RECEIPT OF REPORTS (ANNUAL & QUARTERLY)**

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

- Southern Tasmanian Councils Authority – Nil.

#### **DECISION NOT REQUIRED**

## 5. 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.

No workshops have been held since the last Ordinary Meeting.

### RECOMMENDATION

**THAT the information be received.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

## **6. COUNCILLORS – QUESTION TIME**

### **6.1 QUESTIONS (ON NOTICE)**

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

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

Nil.

## 6.2 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.

## **7. 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*.

## 8. 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*.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

## **9. PUBLIC QUESTION TIME (SCHEDULED FOR 10.30 A.M.)**

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

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

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

Councillors are advised that, at the time of issuing the Agenda, no questions on notice had been received from members of the public.

Mayor A O Green to then invite questions from any members of the public in attendance.

### **9.1 Permission to Address Council**

Permission has been granted for the following person(s) to address Council:

- Nil.

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

### 10.1 CONTRIBUTION TO DUKE OF EDINBURGH AWARDS – MRS J COOPER

***Clr K Dudgeon has submitted the following Notice of Motion:***

"THAT the Southern Midlands Council formally recognise and congratulate Jenny Cooper who has recently been awarded a Certificate of Recognition, for outstanding contribution to the development of young Australians through the Duke of Edinburgh Awards".

#### **BACKGROUND (Comments provided by Clr K Dudgeon)**

Mrs Jenny Cooper was one of six recipients who received this award at Government House on 22<sup>nd</sup> August 2019.

Jenny has been coordinator for 13 years at the Oatlands District High School for the Duke of Edinburgh Awards. This has enabled many students to participate in this program with some going through to achieve their bronze award and others right through to the gold award.

Jenny along with her husband Brett has led many students through the Overland Track to qualify for their silver award.

This is Jenny's second award received at Government House for her contribution to the Duke of Edinburgh Awards.

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

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**11. 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.*

**11.1 DEVELOPMENT APPLICATIONS**

Nil.

**11.2 SUBDIVISIONS**

Nil.

**11.3 MUNICIPAL SEAL (Planning Authority)**

Nil.

## **11.4 PLANNING (OTHER)**

### **11.4.1 PETITION TO AMEND SEALED PLAN NUMBER 112295 – REMOVE RESTRICTIVE COVENANT – 111 REEVE STREET, CAMPANIA – TIERNAY LAW OBO K C & J A HARDING**

*File Ref:* T1545598

**Author:** SENIOR PLANNING OFFICER (JACQUI TYSON)

**Date:** 18 SEPTEMBER 2019

**Attachments:**

*Application to Amend Sealed Plan*

*Title Documents – Sealed Plan 112295*

## **INTRODUCTION**

This report seeks to amend the Sealed Plan of 111 Reeve Street, Campania.

The proposed amendment to the Sealed Plan seeks to remove a restrictive covenant that inhibits further development of the land.

## **DETAIL**

A petition to amend the Sealed Plan has been received from the owners of Lot 2 of the Sealed Plan.

The proposed amendment would remove a restrictive covenant that prohibits erection of any building or structure on land marked 'A B C D' on the plan.

## **STATUTORY PROCESS**

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

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

The other parties to the Sealed Plan (one other lot owner and the subdivider) have been notified of the petition and have not objected to the proposed change within the statutory time limit of 28 days.

## **ASSESSMENT**

Officers have reviewed the file for the subdivision that created the Sealed Plan, revealing that Council required the 'no build' area to be created in an attempt to avoid land use conflict from noise created by a metal fabrication workshop on the adjoining property.

The properties are in the Village Zone which allows for a mix of uses. While there is still a business operated on the adjoining property there is no need for a 'no build' area as any

unreasonable noise can be managed through other means, under the *Environmental Management and Pollution Control Act 1994*. It is also noted that it would not be possible to place a restriction of this nature on a title under the current planning scheme.

The proposed amendment to the Sealed Plan will allow the fully serviced land within the growing town of Campania to be used to the full capacity allowed under the Village Zone.

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

## RECOMMENDATION

**THAT in accordance with Section 103 of the *Local Government (Building & Miscellaneous Provisions) Act 1993* Council Sign and Seal an 'Instrument Form' to be lodged at the Land Titles Office with a Request to Amend Sealed Plan 112295 to remove the Restrictive Covenant as proposed and amend the relevant wording in the Schedule of Easements.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

**ENCLOSURE**  
Agenda Item 11.4.1



*Incorporating Bradfields, Menzie Legal, and Toomey Maning & Co*

The General Manager  
Southern Midlands Council  
PO Box 21  
Oatlands TAS 7120

1 August 2019  
Our ref: IW:IW:191441  
Email: isaac@tlaw.com.au

**BY REGISTERED POST**

Dear Sirs

**Petition to Amend Sealed Plan: 111 Reeve Street, Campania TAS**

Please find enclosed executed Petition To Amend Sealed Plan and draft Request To Amend Sealed Plan for sealing with copies of the related titles.

Once sealed, please send the signed Request To Amend Sealed Plan to me to arrange registration at the LTO.

Please find enclosed your fee on the request.

Yours faithfully  
Tierney Law, per Isaac Williams, Lawyer

A handwritten signature in blue ink, appearing to read 'Isaac Williams'.

**PETITION TO AMEND SEALED PLAN NO. 112295**

IN THE MATTER OF SECTION 103 OF THE LOCAL GOVERNMENT  
(BUILDING AND MISCELLANEOUS PROVISIONS) ACT 1993

IN THE MATTER OF FOLIO OF THE REGISTER Volume 112295 Folio 2

**TO Southern Midlands Council**, 71 High Street, Oatlands in Tasmania:

We, Kevin Charles Harding and Janet Anne Harding of 111 Reeve Street,  
Campania in Tasmania as registered proprietor of the land contained in Folio  
of the Register Volume 112295 Folio 2

Do petition Sealed Plan Number 112295 be amended to remove:

1. The restrictive covenant:

“The owners of Lot 2 covenant with the Vendors IAN CRAIG LOVELL  
and JANINE HELEN LOVELL and the owners for the time being of  
every other Lot shown on the said plan to the intent that the burden of  
this covenant may run with and bind the covenantor’s Lot and every  
part thereof and that the benefit thereof may be annexed to and  
devolve with each and every part of Lot 1 on the Plan to observe the  
following stipulations:

- not to erect any building or structure on any of the land  
included in the marked area A B C D on the said plan.”

A copy of the petition has been served on all persons appearing by the  
registers under the *Land Titles Act 1980* and the *Registration of Deeds Act*  
1935 to have an estate or interest at law affected by the proposed  
amendment.

Signed by the petitioners Kevin Charles Harding and Janet Anne Harding

signature J. A. Harding Janet Anne Harding  
in the presence of witness: signature J. Chadderton  
witness name Mrs. Jean CHADDERTON  
witness occupation Retired  
witness address 4/42 Japham St., Rose Bay, TAS

TASMANIAN LAND TITLES OFFICE

Blank Instrument Form  
 Land Titles Act 1980



DESCRIPTION OF LAND			
Folio of the Register			
Volume	Folio	Volume	Folio
112295	2		

Request To Amend Sealed Plan No 112295

In The Matter Of Section 103 Of The Local Government (*Building And Miscellaneous Provisions*) Act 1993

In The Matter Of Folio of the Register Volume 112295 Folio 2

To, The Recorder of Titles

Southern Midlands Council requests Sealed Plan Number 112295 be amended to:

- to remove the restrictive covenant:  
 "The owners of Lot 2 covenant with the Vendors IAN CRAIG LOVELL and JANINE HELEN LOVELL and the owners for the time being of every other Lot shown on the said plan to the intent that the burden of this covenant may run with and bind the covenantor's Lot and every part thereof and that the benefit thereof may be annexed to and devolve with each and every part of Lot 2 on the Plan to observe the following stipulations:

not to erect any building or structure on any of the land included in the marked area A B C D on the said plan."

The Common Seal of Southern Midlands Council is affixed this      day of  
 under delegated authority granted pursuant to a resolution of the council  
 passed on the  
 in the presence of

Full Name: .....

Office Held: .....

Land Titles Office Use Only

Version 1

THE BACK OF THIS FORM MUST NOT BE USED

Stamp Duty



**RESULT OF SEARCH**

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 112295	FOLIO 2
EDITION 4	DATE OF ISSUE 24-Jun-2004

SEARCH DATE : 23-Aug-2019  
SEARCH TIME : 04.10 PM

DESCRIPTION OF LAND

Town of CAMPANIA  
Lot 2 on Sealed Plan 112295  
Derivation : Part of Lot 12 Acres Gtd to 8 G. Zantuck  
Prior CT 83355/2

SCHEDULE 1

C541794 TRANSFER to KEVIN CHARLES HARDING and JANET ANNE  
HARDING Registered 24-Jun-2004 at noon

SCHEDULE 2

Reservations and conditions in the Crown Grant if any  
SP 112295 EASEMENTS in Schedule of Easements  
SP 112295 COVENANTS in Schedule of Easements  
SP 112295 FENCING PROVISION in Schedule of Easements

UNREGISTERED DEALINGS AND NOTATIONS

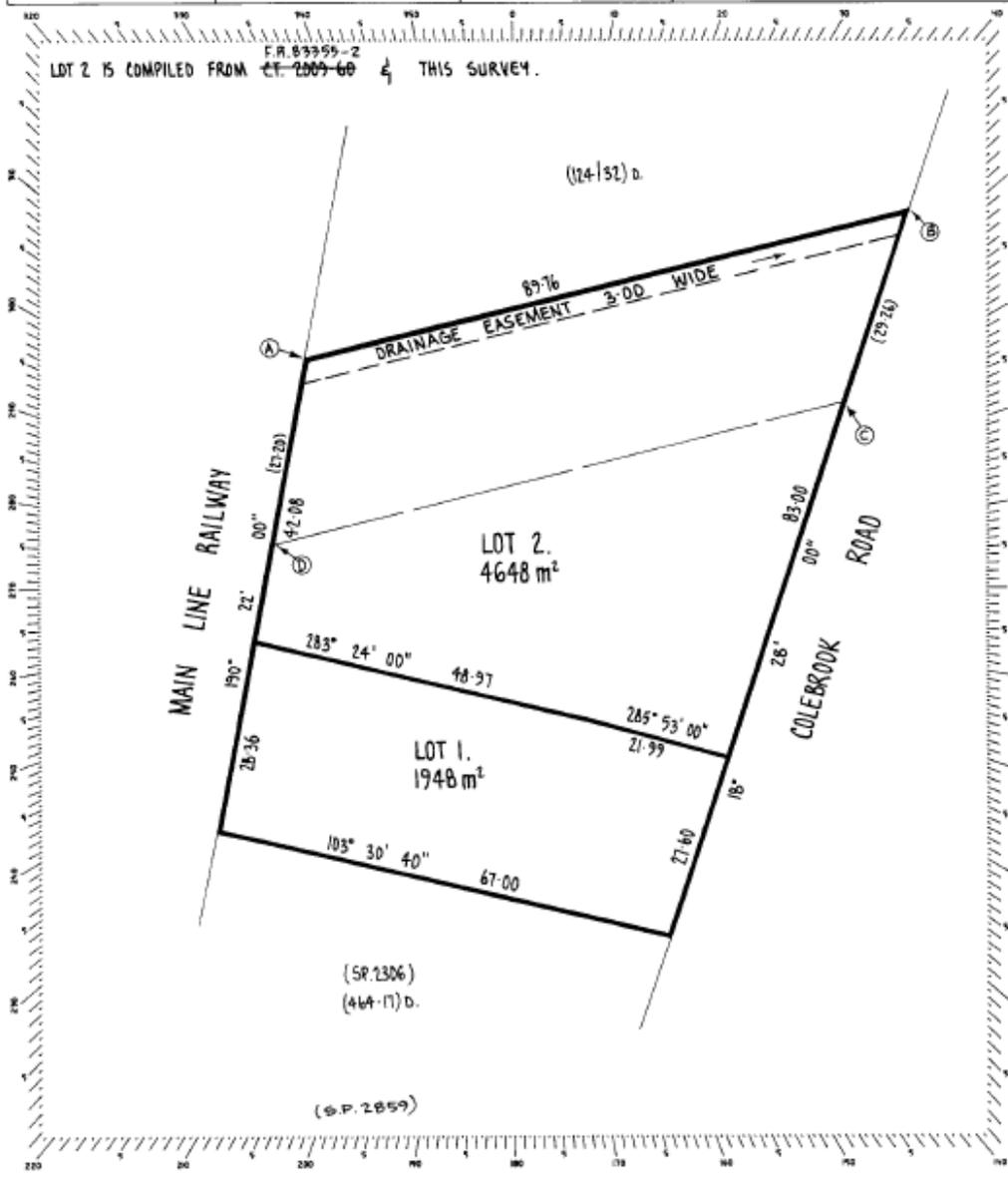
No unregistered dealings or other notations



**FOLIO PLAN**  
 DEPUTY RECORDER OF TITLES  
 Issued Pursuant to the Land Titles Act 1980



OWNER I.C. & J.H. LOVELL		<b>PLAN OF SURVEY</b>	REGISTERED NUMBER <b>SP112295</b>
FOLIO REFERENCE <del>C.T. 2009-60</del> F.R. 83355-2			BY SURVEYOR D. J. McAVOY
GRANTEE 12A PART OF LDT 224, 2A 3a 23a, 6TD TO BRIDGET GLADYS ZANTUCK		LOCATION <b>TOWN OF CAMPANIA</b>	APPROVED EFFECTIVE FROM <b>15 AUG 1994</b> <i>Handwritten Signature</i> Recorder of Titles
TASHAP/MUN. SHEET No. 26		LAST UPI No.	LAST SURVEY PLAN No. 464-170
ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN			





**SCHEDULE OF EASEMENTS**

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



REGISTERED NUMBER

**SCHEDULE OF EASEMENTS**

**SP112295**



NOTE:—The Town Clerk or Council Clerk must  
 the certificate on the back page for the purpose of  
 identification.

The Schedule must be signed by the owners and  
 mortgagees of the land affected. Signatures should be  
 attested.

**EASEMENTS AND PROFITS**

Each lot on the plan is together with:—

- (1) such rights of drainage over the drainage easements shewn on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits à prendre described hereunder.

Each lot on the plan is subject to:—

- (1) such rights of drainage over the drainage easements shewn on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits à prendre described hereunder.

The direction of the flow of water through the drainage easements shewn on the plan is indicated by arrows.

LOT 2 is subject to a right of drainage for the Southern Midlands Council over the Drainage Easement 3.00 wide on the Plan.

**COVENANTS**

The owners of Lot 2 covenant with the Vendors IAN CRAIG LOVELL and JANINE HELEN LOVELL and the owners for the time being of every other Lot shown on the said plan not to erect any building or structure on any of the land included in the marked area A B C D on the said plan.

**FENCING PROVISION**

In respect of each Lot shown on the said plan the Vendors IAN CRAIG LOVELL and JANINE HELEN LOVELL shall not be required to fence.

SIGNED by the said IAN CRAIG LOVELL and JANINE HELEN LOVELL as registered proprietors of Certificate of Title Volume 83355 Folio 2 in the presence of:

*[Signature]*  
 SHI RIBLE RANGE ROAD, SANDFORD  
 PUBLIC SERVANT

(Mortgagee as in Mortgage B727358)

*[Signature]*  
 PETER NIELL ELLIOTT BYRNE

ACTING

*[Signature]*

\* to the intent that the burden of this covenant may run with and bind the covenantor's Lot and every part thereof and that the benefit thereof may be annexed to and devolve with each and every part of Lot 1 on the Plan to observe the following stipulations:



SCHEDULE OF EASEMENTS

DEPUTY RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



This is the schedule of easements attached to the plan of .....

(Insert Subdivider's Full Name)

J.C. & J.A. LEVALL

affecting land in

C.T. 2009-60

(Insert Title Reference)

Scaled by .....

W. J. 2020 MIDLANDS COUNCIL on 20<sup>th</sup> July 19 48

Solicitor's Reference .....

Council Clerk/Town-Clerk

04/11/19

W. J. 2020



**COUNCIL CERTIFICATE**  
 DEPUTY RECORDER OF TITLES  
 Issued Pursuant to the Land Titles Act 1980



**APPROVAL BY LOCAL AUTHORITY**

(Insert here any qualification to the approval under section 468(12), section 472 or section 477B of the Local Government Act 1962)

The subdivision shown in this Plan is approved

Seal



In witness whereof the common seal of SOUTHERN MIDLANDS COUNCIL  
 has been hereunto affixed, pursuant to a resolution of the Council of the said municipality  
 passed the 25<sup>th</sup> day of July 1994, in the presence of us

Member [Signature]  
 Member [Signature]  
 Council Clerk [Signature]

Council Reference .....

**LOCAL GOVERNMENT ACT NOMINATIONS**

(To be completed and signed by Council Clerk or Owner)

For the purposes of section 464 of the Local Government Act 1962, the owner has nominated/I nominate

As his/my solicitor Piggott Wood ASD BAKER

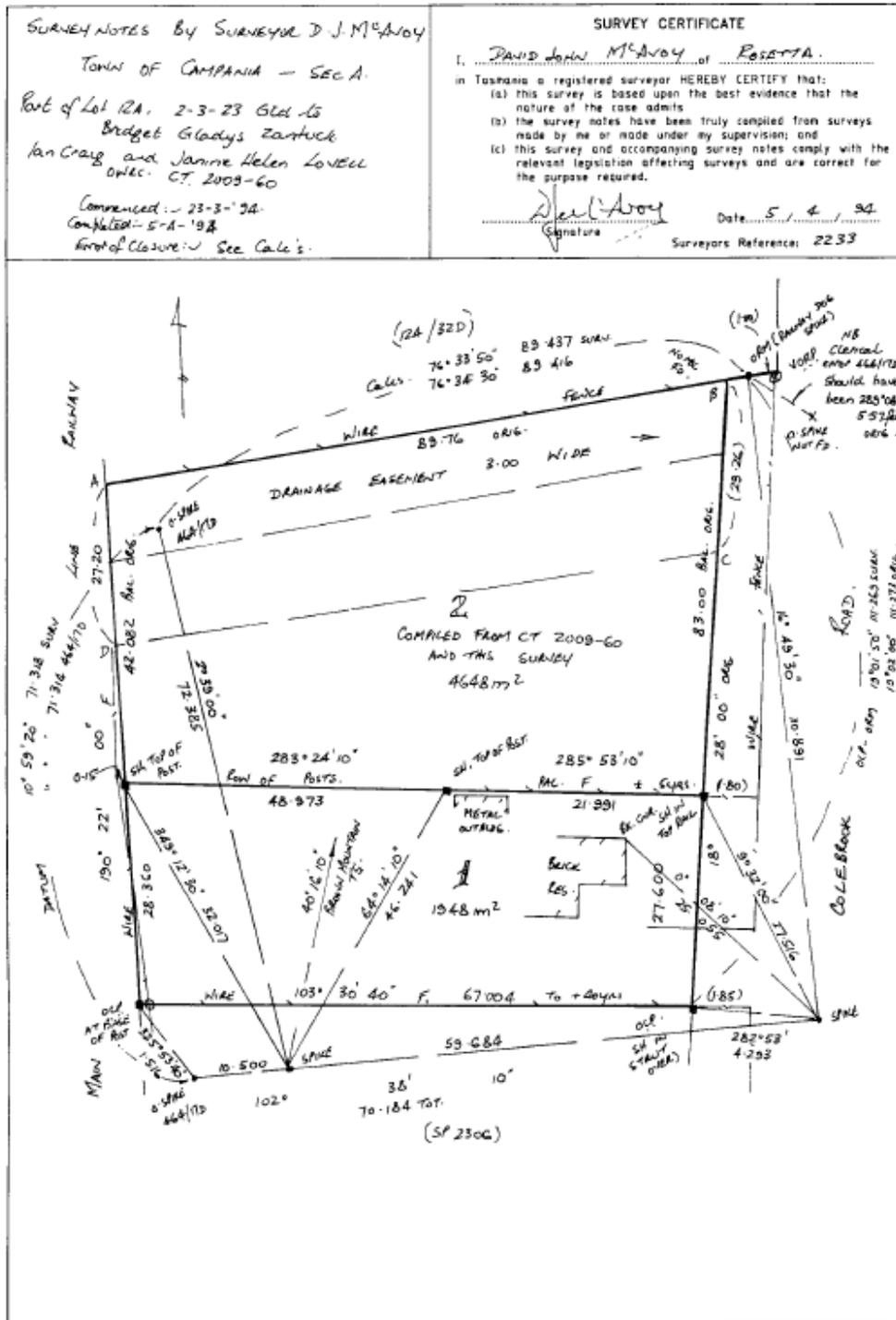
As his/my surveyor D. J. McAVOY

[Signature] Council Clerk/Owner

OFFICE EXAMINATION {  
 Indexed : .....  
 Computed : [Signature] 18.94  
 Examined : [Signature] 18.94



**SURVEY NOTES**  
 DEPUTY RECORDER OF TITLES  
 Issued Pursuant to the Land Titles Act 1980



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

## 12. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)

### 12.1 Roads

**Strategic Plan Reference 1.1.1**

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

Nil.

### 12.2 Bridges

**Strategic Plan Reference 1.2.1**

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

Nil.

### 12.3 Walkways, Cycle ways and Trails

**Strategic Plan Reference 1.3.1**

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

Nil.

### 12.4 Lighting

**Strategic Plan Reference 1.4.1a & 1.4.1b**

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

Nil.

### 12.5 Buildings

**Strategic Plan Reference 1.5.1**

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

Nil.

### 12.6 Sewers / Water

**Strategic Plan Reference(s) 1.6.1 & 1.6.2**

*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.

### 12.7 Drainage

**Strategic Plan Reference 1.7.1**

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

Nil.

## 12.8 Waste

### Strategic Plan Reference 1.8.1

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

### 12.8.1 TASMANIAN GOVERNMENT – DRAFT WASTE ACTION PLAN – COUNCIL SUBMISSION

**Author:** MANAGER, DEVELOPMENT & ENVIRONMENTAL SERVICES (DAVID CUNDALL)

**Date:** 18 SEPTEMBER 2019

**Enclosure(s):**

*Draft Waste Action Plan – Consultation Draft June 2019, Department of Primary Industries, Parks, Water and Environment.*

*LGAT Submission: Tasmanian Draft Waste Action Plan (18/9/2019)*

### PURPOSE

Provide Council with a copy of the attached *LGAT Submission: Tasmanian Draft Waste Action Plan (18/9/2019)* and for Council to provide:

- A. Submission to the Tasmanian Government on the *Draft Waste Action Plan*; and
- B. Provide feedback to LGAT on the *LGAT Submission*.

A report was provided to Council at the July 2019 Meeting on the *Draft Waste Action Plan*. The Minutes of the meeting Item 12.8.1 Tasmanian Government – Draft Waste Action Plan are:

### DECISION

*Moved by Deputy Mayor E Batt, seconded by Cllr R McDougall*

#### THAT:

- A. This report be received by Council;
- B. Council receive a copy of the 'Draft Waste Action Plan – Consultation Draft June 2019, Department of Primary Industries, Parks, Water and Environment';
- C. The initial comments and feedback provided by Councillors be noted and incorporated into the draft submission to be prepared by Council officers and referred to Council for endorsement before the end of September 2019;
- D. As part of the process of preparing a submission, Council conduct a workshop to consider the draft 'Waste Action Plan' in greater detail (date to be set); and
- E. Council confirm its intent to lodge a submission with LGAT and directly with the Tasmanian Government on the Waste Action Plan.

### CARRIED

Comments from the July meeting were captured by Council Officers and have been summarised in the Discussion section of this report. These comments can be used in a submission to LGAT or the Tasmanian Government. It is however recognised and minuted that Council was to hold a workshop on the *Waste Action Plan* to discuss and get a better understanding of waste management issues in Tasmania. However the LGAT draft Submission has captured many of the issues raised by Council and provides greater details on the *Waste Action Plan* (and waste management in Tasmania). The LGAT submission mostly aligns with the comments from the July Meeting. The draft submission is based on workshops with the waste management sector and some Councils.

In lieu of a workshop on the *Waste Action Plan* it is recommended that Council in considering our waste management responsibilities and duties that Council conduct a future workshop to review our *Waste Management Strategy (August 2016)*.

Council have until the 7<sup>th</sup> October 2019 to lodge a written submission directly with the Tasmanian Government. Council could opt to channel comments/submission through the Local Government Association Tasmanian (LGAT) by the 30<sup>th</sup> September 2019.

## DISCUSSION

At the July meeting, Elected Members discussed some of the issues faced by the Southern Midlands, Local Government, the local economy and issues identified in the *Waste Action Plan*. Council Officers captured the following comments from the meeting:

- The State Government should consider waste generated by the agricultural sector such as single use plastics used in wrapping, packaging and processing products.
- There needs to be further detail in the Waste Action Plan such as background data and supporting reports and further information to give a national context on waste processing in Australia i.e. What data or supporting material was used to inform the “waste reduction and resource recovery targets”?; and
- There is limited information on how State Government intends to achieve some of these targets and what head of power can be used, for example how can the Tasmanian Government “Ensure 100% of packaging is reusable, recyclable or compostable by 2025”:
  - Does this apply to all imports into the State?
  - How will this be regulated?
  - How does this align with the National import regulations and laws?
- It is critical that the waste levy is used for innovation in recycling and re-use of waste streams
- Council want to see further details and resources allocated to combatting littering and dumping of rubbish in remote rural areas.
- Council are concerned that Tasmania has a decentralised population and strongly urge the Tasmanian Government to take a strategic and considered approach to constructing or funding the construction of any waste processing facilities that may result in logistical issues in transporting materials.
- The cost of another ‘bureaucracy’ which would use up of the lot of the levy to be collected; and
- Does local government want to be directly involved in the setting of a waste management levy which effectively would be another form of taxation?
- Contingency planning and addressing vulnerabilities in the waste sector should be addressed at a State Level:

- The Southern Midlands Council, like most Councils in Australia, is highly vulnerable to international and national market changes to recyclables. This was experienced in May 2018 with the implementation of the “China Green Sword Policy” and the sudden increase in costs to recycle materials through SKM (an increase of \$32 per tonne to \$100 per tonne).
- Council remains highly vulnerable to local and largely uncontrollable external forces such as fee increases at landfill sites, environmental regulations, changes in policy or procedures at such sites, limited range of resource recovery options in the South and a limited range of waste service providers generally.
- Collection and transportation of waste or recyclable materials to resource recovery centres or landfill sites is significantly higher in cost to rural and regional Councils due to the significant travel times from collection points. There is potential for the Waste Action Plan to acknowledge the decentralised population of Tasmania and establish alternative drop-off points for waste or recoverable materials to be freighted by rail or further processed to reduce volumes and then transported at less cost. Such initiatives could lead to further employment in the rural areas or smaller townships.
- From Councils *Waste Management Strategy* - Support for alternative waste treatment options such as:
  - Thermal treatment of green waste streams to produce energy
  - Thermal treatment through pyrolysis to create a useable saleable products such as biochar, biodiesel, charcoal or gas for heating
  - Pelletisation of green waste for fuel
- From Councils *Waste Management Strategy* - Support accurate data collection on waste streams and volumes in Tasmania. This could be achieved through a dedicated audit by the Tasmanian Government and dedicated resources to quality checking data and a systematic approach moving forward.

**Human Resources & Financial Implications** - The finalisation of a submission will stem from discussion of this report (at this meeting). There is no requirement for external advice or consultants to prepare a submission.

Council are reminded that should the Tasmanian Government introduce a waste levy then the cost of disposing waste at landfill sites will increase. A brief assessment of these implications were provided at the July 2019 meeting:

A State wide waste levy should be considered at this early stage of the strategy given this could potentially lead to an increase in costs for delivering general waste streams to landfill from Council’s household collection service and from Council’s three (3) waste transfer stations.

Councils that currently administer a voluntary waste levy of only \$5 per tonne use funds towards initiatives such as Rethink Waste Tasmania which promotes efforts to reduce, re-use and recycle. Southern Midlands have used some of the marketing and educational materials in our own educational programs.

The Waste Action Plan does not yet include any figures on a possible waste levy amount.

Council should be aware that the legislated levy in other states is significantly higher than the current voluntary levies in Tasmania. The table below details this levy:

	TAS	WA	SA	VIC	NSW	QLD	NZ
<b>Generation (kg/cap yr) (2014-2015 figures)</b>	1,837	2,623	2,527	2,216	2,144	2,210	3,200
<b>Metro Landfill Levy rate (2018-2019)</b>	\$5 (voluntary)	\$70	\$100	\$64.30	\$141.20	\$75	\$NZ10
<b>Public Investment Level</b>	\$1.1m	\$5.5m	\$19.9m	\$6.4m	\$6.4m	\$21.4m	\$NZ4.5m

Source: National Waste Report (2018) and National Waste Report (2016), and New Zealand Waste Disposal Levy (2017)

In implementing a State wide waste levy then Council would be subject to the levy for the disposal of waste at landfill sites. That is the waste from household collection and the waste transfer stations. This would likely result in an adjustment to the waste rate and the charge at the waste transfer stations. Any changes would be subject to separate and detailed reporting to Council.

In any case the primary purpose of the waste levy is to reduce materials being sent to landfill and to find and fund alternative disposal and re-use or recycling schemes. So in effect should reduce the volumes of waste in any case.

Other financial implications, which will be subject to further reporting to Council, would be changes to the waste transfer stations to increase and re-use and recycling rates. This however aligns with Council's own Waste Management Strategy.

**Community Consultation & Public Relations Implications** - The comments from the July 2019 meeting are based on experience in waste management and based on issues, options and objectives of Council's *Waste Management Strategy*.

**Priority - Implementation Time Frame** - A submission will need to be prepared by either 7<sup>th</sup> October 2019 to the Tasmanian Government or by the 30<sup>th</sup> September to the LGAT.

A Council submission will need to be endorsed at this September meeting.

**Risk Assessment** - The content of any submission lodged is based on existing strategy and policy direction of Council. So there is minimal risk to Council or the community.

## RECOMMENDATION

### THAT

- A. This report be received by Council;
- B. Council receive a copy of the LGAT Submission: Tasmanian Draft Waste Action Plan (18/9/2019);
- C. Council to discuss the Waste Action Plan and LGAT Submission; and
- D. Council to finalise and endorse a submission based on the July 2019 meeting and any further comments from Council at this meeting (September 2019); and
- E. Lodge submission with both LGAT and the Tasmanian Government; and
- F. Council to hold a workshop on a date to be confirmed to formally review and update/amend the Southern Midlands Waste Management Strategy (August 2016).

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

**ENCLOSURE**  
*Agenda Item 12.8.1*

# Draft Waste Action Plan

Consultation Draft June 2019



Department of Primary Industries, Parks, Water and Environment



## Minister's Foreword

The Hodgman Liberal Government is committed to working with local government, the waste industry, local businesses and the broader community to improve waste management and resource recovery in Tasmania and believes that all of us have a role to play in managing the waste we produce.

It is encouraging to witness the changes that many businesses and consumers are now making to address unsustainable resource consumption and the environmental impacts of our waste. Our Government understands it has an important role to play to help people make informed choices and support innovative waste and recycling initiatives.

In response to some of Tasmania's most pressing waste issues, our Government has already acted through investing in controlled waste and tyre processing facilities, tightening regulation of waste tyres and assisting the roll-out of national product stewardship schemes for e-waste, paint, tyres, batteries and packaging.

New challenges and opportunities continue to develop, like dealing with increasing volumes of e-waste, finding ways to divert organic waste from landfills to reduce emissions, and helping councils and businesses adapt to recent restrictions on the importing of recyclable materials into China following the introduction of the China National Sword policy. These changes are having an impact on waste and recycling businesses and local governments across Australia.



Governments and industries both nationally and globally are seeking ways to create resilient reuse markets and increasingly this means moving towards a Circular Economy across a range of sectors. In December 2018, Australian governments through the Meeting of Environment Ministers endorsed the new *National Waste Policy*. The policy incorporates a range of commitments made by Ministers in early 2018 to help local government and industry respond to the changing international markets.

It includes a framework to stimulate the resource recovery industry, boost demand for recycled products, and deliver on targets for recyclable, compostable and reusable packaging. This changing policy environment and the challenging markets for recyclable materials have highlighted the need for a new strategic and integrated approach to waste management in Tasmania, in which responsibility is shared between all levels of government, the private sector, and the community.

The Tasmanian Government will work closely with local government, industry and other stakeholders to finalise and implement the *Tasmanian Draft Waste Action Plan*. The Plan sets out a broad framework for waste management in Tasmania and details proposed actions across a number of priority Focus Areas, which cover the major waste and resource recovery issues that we will all need to tackle in the coming years.

I look forward to working with local government, Tasmanian businesses and the community to improve waste management, reuse and recycling in Tasmania.



Hon Elise Archer MP

**Minister for Environment**

## Have your say

Public submissions are now invited on the Tasmanian *Draft Waste Action Plan*.

Questions are provided in each section of the Plan to help guide your comments, but feel free to provide any other feedback you believe is relevant.

Additional information is available at [www.dpipwe.tas.gov.au/environmental-management](http://www.dpipwe.tas.gov.au/environmental-management)

Consultation closes at 5.00pm on 7 October 2019.

Email: [WAP.Enquiries@dpipwe.tas.gov.au](mailto:WAP.Enquiries@dpipwe.tas.gov.au)

Mail: Policy and Business Branch  
Department of Primary Industries, Parks, Water and Environment  
GPO Box 1550  
HOBART TAS 7001



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## Executive Summary

In the past decade there have been significant developments in waste policy and the resource recovery sector in Australia. This includes issues such as the problems faced Australia-wide around end-of-life tyres, ongoing work by governments and industry to increase packaging recycling, the introduction of container refund schemes in most states and territories, bans on lightweight plastic shopping bags, and the roll-out of national stewardship schemes for TVs, computers, paint, batteries and other products.

In Tasmania, the Government has invested in facilities for controlled waste and the processing of end-of-life tyres and assigned to the EPA the regulation of large tyre stockpiles. The *Litter Act 2007* is also being amended to provide increased penalties for illegal dumping. Other measures, such as the development of an online application to improve litter reporting, are being introduced. The Government continues to be active at the national level, where waste and resource recovery issues have been priorities for Australian Environment Ministers for some time.

The recent decision by China to impose new restrictions on the import of recyclable materials has had a significant impact on local governments across Australia and parts of the resource recovery industry, bringing a closer focus on how we deal with our waste and recycling. This has led to strong recognition by governments of the economic basis of our waste and resource use challenges. In late 2018, Australian Environment Ministers endorsed the new *National Waste Policy*, which is based on Circular Economy principles. This recognises the need for maximising the use and value of resources at every stage of a product or material's lifecycle.

The Tasmanian Government is working closely with Local Government, industry and other stakeholders to develop a new strategic approach to waste management and resource recovery. Targeted consultation with these groups identified a number of waste management priorities that are shared by governments, industry and the community alike. These priorities – along with key strategies and principles from the *National Waste Policy 2018* – form the basis of the *Tasmanian Draft Waste Action Plan*. The Plan sets out a broad framework for waste management and resource recovery in Tasmania and includes the following key actions and targets:

- Introduce a waste levy by 2021 to fund waste management and resource recovery activities;
- Introduce a Container Refund Scheme in Tasmania by the end of 2022;
- Ensure 100% of packaging is reusable, recyclable or compostable by 2025;
- Reduce waste generated in Tasmania by 5% per person by 2025 and 10% by 2030;
- Achieve a 40% average recovery rate from all waste streams by 2025 and 80% by 2030;
- Have the lowest incidence of littering in the country by 2023;
- Work at the national level and with local government and businesses in Tasmania to phase out problematic and unnecessary plastics<sup>1</sup> by 2030; and
- Reduce the volume of organic waste sent to landfill by 25% by 2025 and 50% by 2030.

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<sup>1</sup> This includes materials such as packaging or single-use plastic items that are not easy to recycle or cannot be recycled.



# Growing Resource Recovery in Tasmania

## THE DRAFT WASTE ACTION PLAN AND THE CIRCULAR ECONOMY

The Tasmanian Government has taken into account the views of local government and industry over the past two years to develop a new waste strategy for Tasmania. Targeted consultation with these groups has identified the key waste management priorities, which form the basis of the *Draft Waste Action Plan*. The Plan sets out a broad framework for waste management and resource recovery in Tasmania that is underpinned by a set of tangible actions. During the time the Plan was being developed, China began to impose new restrictions on the level of contamination allowed in the recyclable materials they import. This has had a significant financial impact on local government and parts of the resource recovery industry, resulting in increased concern from governments, industry and the community on how we deal with our waste and recycling.

In 2018, Australian Environment Ministers recognised the need to respond to the changing and challenging global markets. In April 2018, the Meeting of Environment Ministers (MEM) committed to a number of actions to stimulate Australia's resource recovery capacity, to increase demand for recycled products through government procurement, to work with industry to have 100% of Australian packaging recyclable, compostable or reusable by 2025 and to revise the National Waste Policy. The new *National Waste Policy: Less Waste, More Resources*, which is based on Circular Economy principles, was endorsed by Ministers in late 2018.

A Circular Economy (CE) does not use a traditional linear model of “take” (resources), “make” (products), and “dispose” (waste). Instead it aims to maximise the value and the use of materials and resources at every stage of the life of a product or material. Waste management has traditionally dealt with the disposal step. The growing amount and diversity of waste has created challenges that can only be solved by considering the entire “lifecycle” of a product; from when its constituent parts are taken, to when it is made, to when it is disposed, and then reusing what remains to provide resources for the next economic cycle. The waste hierarchy uses principles similar to those underpinning a CE.<sup>2</sup> CE principles are increasingly being adopted by governments and industries around the world<sup>3</sup>, and there is a growing body of evidence that moving to a CE is likely to lead to increased innovation and a more creative, robust and productive economy. Some Australian jurisdictions are also moving to adopt CE principles, both in waste management and more broadly.<sup>4</sup>

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<sup>2</sup> The waste hierarchy prioritises waste management options in order from most preferable to least, being: avoiding the production of waste, minimising the production of waste, reuse of waste, recycling of waste, recovery of energy and other resources from waste, treatment of waste to ameliorate impacts, and environmentally safe disposal of waste.

<sup>3</sup> [http://ec.europa.eu/environment/circular-economy/index\\_en.htm](http://ec.europa.eu/environment/circular-economy/index_en.htm)

<sup>4</sup> <https://www.greenindustries.sa.gov.au/circular-economy>, <https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/response-to-china-national-sword/circular-economy-policy>; <https://www.environment.vic.gov.au/sustainability/transitioning-victoria-to-a-circular-economy>; <http://www.wasteauthority.wa.gov.au/about/waste-strategy/>

## STATEWIDE WASTE LEVY

Moving towards a Circular Economy (CE) will require all levels of government to work closely with industry and the community in an economy-wide effort that goes beyond just the waste and recycling sector. It will require a whole of government approach to develop new and existing waste markets, facilitate efficient transport options, plan for and invest in waste infrastructure, reduce emissions from organic waste, and seek renewable energy options from waste materials where applicable. Key principles are to avoid waste, improve resource recovery, increase use of and demand for recycled products and to improve data collection and support for innovation and market adoption of CE products. Addressing our priority waste management issues and moving towards a CE will require long-term efforts and an effective funding stream.

This has been achieved in Australian and international jurisdictions through the introduction of waste levies. A waste levy is a financial contribution typically paid to the State Government by a landfill or other licensed waste facility operator (usually a local council) for each tonne of waste received. Levies provide an important funding source to invest in waste and resource recovery initiatives and infrastructure and over time achieve an increase in the diversion of waste away from landfill.<sup>5</sup> The absence of a landfill levy, along with the transport challenges from being an island state, means that resource recovery businesses in Tasmania may struggle, particularly during times of market disruption, although there are already some Tasmanian industries focusing on reducing, recycling or repurposing waste material.

In collaboration with the local government and regional waste authorities, industry and the community, the Tasmanian Government will introduce a statewide legislated waste levy by 2021. It is proposed that the new legislated statewide waste levy would replace any existing council levies. The design (including cost) of the statewide waste levy will be developed in consultation with local government, industry, businesses and the wider community with the modelling and analysis, taking into account the potential impact of the proposed levy on households and businesses. The Tasmanian Government will also develop legislation that indicates how the revenue collected from the levy will be directed to waste management and resource recovery initiatives, while ensuring regional authorities continue to derive a revenue stream from the new levy.

Through time, this will provide a pricing signal to waste generators and create an income stream to reinvest in business growth and the planning and development of waste management and resource recovery infrastructure, and other waste management programs, such as initiatives or grants to promote alternatives to landfilling. It will also provide a revenue stream to assist councils with legacy issues associated with old refuse sites. Maximising the value of our products and materials – and what we may have formerly thought of as "waste" – is not only the key to achieving parts of a CE, but also brings employment opportunities.<sup>6</sup>

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<sup>5</sup> KMPG, 2012, Review of the NSW Waste and Environment Levy.

<sup>6</sup> For every 10,000 tonnes of waste recycled, 9.2 jobs are created compared with 2.8 jobs from landfilling. Hyder, 2010, Landfill Ban Investigation: Final Report. A five per cent improvement in efficient use of materials across could benefit Australia's gross domestic product by as much as \$24 billion. Centre for International Economics, 2017, Final report: Headline economic value for waste and materials efficiency in Australia.



## How are waste levies in Tasmania and other jurisdictions used?

A large number of Tasmanian councils already have a locally administered levy of \$5 per tonne, which some councils have proposed to increase to \$7.50 per tonne by 2019/20, for the disposal of solid waste. This small levy and broader local government contributions have funded a range of waste initiatives such as Rethink Waste Tasmania, which promotes efforts to reduce, reuse and recycle.<sup>7</sup>

In other Australian states with a waste levy, substantial funds are redirected to addressing waste management and resource recovery issues faced by local government, industry, and the community. In New South Wales, the levy is used for programs such as the Better Waste and Recycling Fund, which provides funding to local councils and regional council groups to support projects to reduce waste generation, improve reuse and recycling, and address littering and illegal dumping.<sup>8</sup> The levy also provides funding to improve public recycling. For example, the Community Recycling Centre Program has established over 80 recycling centres that make it easier for the community to recycle problem wastes such as paint, gas bottles, fire extinguishers, motor and cooking oils, car and household batteries, and fluorescent tubes and globes.<sup>9</sup>

Other programs funded by the NSW levy, include the Waste and Recycling Infrastructure Fund, which stimulates investment in the waste and resource recovery sector and assists industry with finding new markets.<sup>10</sup> This program has provided funding to businesses and councils for the: development of recycling facilities and installation of equipment for processing construction and demolition waste; sorting and processing mixed glass and plastics; and the production of rubber crumb and granules from waste tyres.<sup>11</sup> Other funded projects include upgrades to existing facilities to increase the production of locally made recycled plastic resin, the purchase of plant to process crushed glass into road base materials and the installation of paper processing equipment to reduce contamination in recycled paper.<sup>12</sup> South Australia uses its levy to fund programs such as the Recycling Infrastructure Grants, transport subsidies for local councils, an Infrastructure Investment Loan Scheme and Business Sustainability Funding.<sup>13</sup>

## CONTAINER REFUND SCHEME

To help bolster the recovery of some of the materials currently facing export and other economic barriers, the Tasmanian Government will introduce a Container Refund Scheme (CRS) in Tasmania by 2022.<sup>14</sup> The time required to implement a scheme is based on advice from other jurisdictions that have recently developed their own CRS. They strongly advise that anything less than two years would be rushed and not allow for the necessary infrastructure and adjustments to be made. The CRS will be a key part of meeting

<sup>7</sup> <http://rethinkwaste.com.au>

<sup>8</sup> <https://www.epa.nsw.gov.au/working-together/grants/councils/better-waste-and-recycling-fund>

<sup>9</sup> <https://www.epa.nsw.gov.au/working-together/grants/systems-household-problem-waste/community-recycling-centre-program>

<sup>10</sup> <https://www.epa.nsw.gov.au/working-together/grants/infrastructure-fund>

<sup>11</sup> <https://www.environment.nsw.gov.au/funding-and-support/nsw-environmental-trust/grants-available/major-resource-recovery-infrastructure/grants-awarded-and-project-summaries>

<sup>12</sup> <https://www.epa.nsw.gov.au/working-together/grants/infrastructure-fund/product-improvement-program/product-improvement-program-previous-recipients>

<sup>13</sup> <https://www.greenindustries.sa.gov.au/funding>

<sup>14</sup> Container Refund Schemes (also known as Container Deposit Schemes) involve beverage suppliers paying an upfront deposit to a scheme coordinator on all eligible containers at the time of sale. Under a Container Refund Scheme, suppliers pay a deposit to the scheme coordinator, but only on redeemed eligible containers. All current schemes in Australia are container refund-based schemes.

the Government's littering targets and will help to generate cleaner streams of recyclable material with greater value.

This is incredibly important at a time when some of our key international markets are demanding increased quality in imported paper, plastic and other materials. Along with the introduction of a legislated waste levy, the CRS will help to create new and improved markets for some of our most important recycled materials.

Most states and territories in Australia have or are about to implement a CRS. It would seem that a large part of the national retail market has already adapted to having a CRS in place. This is evidenced by Coca-Cola Amatil's recent commitment to doubling its use of recycled plastic packaging to 53% by the end of the year and, by 2020, seven in 10 bottles will be made from recycled PET. Similarly, other major suppliers such as Carlton United Breweries and Lion Breweries are moving towards CE principles via commitments within environmental policies and statements to maximise the use of recycled materials.

The NSW CRS introduced in 2017, has already resulted in a 69% increase in eligible drink containers being collected and recycled, a 44% reduction in eligible drink container litter volume and a 48 per cent reduction in total litter volume across NSW.

## WASTE REDUCTION AND RESOURCE RECOVERY TARGETS

The Tasmanian recycling rate in 2016-17 was 49% compared to the national average of 58%<sup>15</sup>. It is also around half the diversion rate of NSW, Victoria, South Australia and the ACT. The levels of recovery of materials from some waste streams, such as construction and demolition (C&D) waste, are significantly lower than the overall average recovery rate for Tasmania. However, by focusing our attention on key waste streams (e.g. organics, C&D) and having an appropriate investment framework in place, it will be possible to make substantial gains in a relatively short period of time. Ambitious recovery targets for the state are set out below. These targets are in line with broader commitments on waste and resource recovery agreed to by Environment Ministers in 2018, strategies from the *National Waste Policy*, priority actions identified through consultation with local government and industry, and Tasmanian Government commitments on littering and illegal dumping. These targets will be regularly reviewed as our data on waste improves and new market opportunities arise:

- Reduce waste generated in Tasmania by 5% per person by 2025 and 10% by 2030;
- Ensure 100% of packaging is reusable, recyclable or compostable by 2025;
- Achieve a 40% average recovery rate from all waste streams by 2025 and 80% by 2030.
- Have the lowest incidence of littering in the country by 2023;
- Work at the national level and with local government and businesses in Tasmania to help phase out problematic and unnecessary plastics<sup>16</sup> by 2030; and
- Reduce the volume of organic waste sent to landfill by 25% by 2025 and 50% by 2030.

<sup>15</sup> Blue Environment and Randell Environmental Consulting, 2018, National Waste Report 2018, p.26. If energy recovery from waste is included, the total resource recovery rate for Tasmania in 2016-17 was 53%, compared to a national rate of 62%.

<sup>16</sup> See page 4.



## FOCUS AREAS AND ACTIONS

The *Draft Waste Action Plan* identifies seven priority themes or Focus Areas. The Focus Areas are also aligned with the MEM commitments from 2018 and the strategies detailed in the *National Waste Policy*, and are aimed at capturing the views of local government and industry as expressed in various forums in recent years. Specific and tangible actions have been identified for most of the Focus Areas, which aim to address priority waste issues and, where possible, begin to embed CE principles into waste management and the broader economy in Tasmania. The Focus Areas are presented below.

1. Moving to a Circular Economy
2. Governance
3. Data, targets, and innovation networks
4. Infrastructure planning
5. Support for the Resource Recovery Industry
6. Education and community engagement
7. State and National Policy and Regulatory settings

### 1. Moving to a Circular Economy: Government Priorities and Key Sectors

We are only just at the beginning of the discussion about a Circular Economy in Tasmania. Such a change is intended to be system-wide and economy-wide, and likely to require a range of policy interventions across sectors, industries and communities. Actions from the *Draft Waste Action Plan* alone will not be enough to achieve this transition, but they are a good place to start.

As the solutions to our waste and recycling challenges are strongly market-based, capacity should be developed to support the establishment of recycling and reuse businesses, which would include support for domestic businesses entering national and international markets. While governments can set the policy frameworks and provide supportive structures, it is also up to industry to promote its recycled products and for consumers to buy these products.

There are several Government priorities and industry sectors that could provide opportunities for reducing waste generation and boosting related business and employment opportunities, namely:

- tourism and the development of the Tasmanian brand (amenity, littering and dumping, sustainable tourism, resource-efficient tourism businesses);
- higher education, STEM, research and innovation (State-based expertise and innovation networks, investment in R&D and technology transfer);
- the Bioeconomy (agriculture, aquaculture, agrifood, agritech, biological-cycle based systems);
- renewables and reducing emissions;
- public health (regulation of the movement or storage of controlled waste); and
- regional investment and job creation (all sectors, but with focus on the reuse and recycling industry)

Making connections wherever possible between actions in this Plan and these sectoral priorities will enable us to leverage resources and efforts across the Tasmanian economy (Figure 1).



The “ReSOLVE” model for moving to a CE has six elements: Regenerate, Share, Optimise, Loop, Virtualise and Exchange.<sup>17</sup> Regenerate is partly about the shift to renewables. This is clearly an area where Tasmania is well-advanced, with some 90% of our power coming from renewables. Tasmania became the first Australian jurisdiction to achieve zero net emissions in 2015-16.

The Tasmanian Government has a vision to make Tasmania the Battery of the Nation, through additional interconnection with mainland Australia, releasing the latent capacity of the Tasmanian hydropower system and developing pumped hydro energy systems and facilitating investment in new wind farms and renewable generation. The Australian Government has committed \$56 million to the design and approvals phase of Project Marinus, which is investigating the development of more electricity interconnection between Tasmania and the mainland. Through Hydro Tasmania, the Tasmanian Government has committed up to \$30 million to advance the first phase of Battery of the Nation pumped hydro to a final investment decision. In the action areas of the Circular Economy related to waste management, there is more work to do in the areas of Sharing (reuse), Optimising (avoiding and removing waste in the supply chain), and Looping (recycling, extracting resources from organic or other wastes).

**What do you think?**

- What are the key opportunities for reducing waste, developing our resource recovery industry and shifting to a Circular Economy?

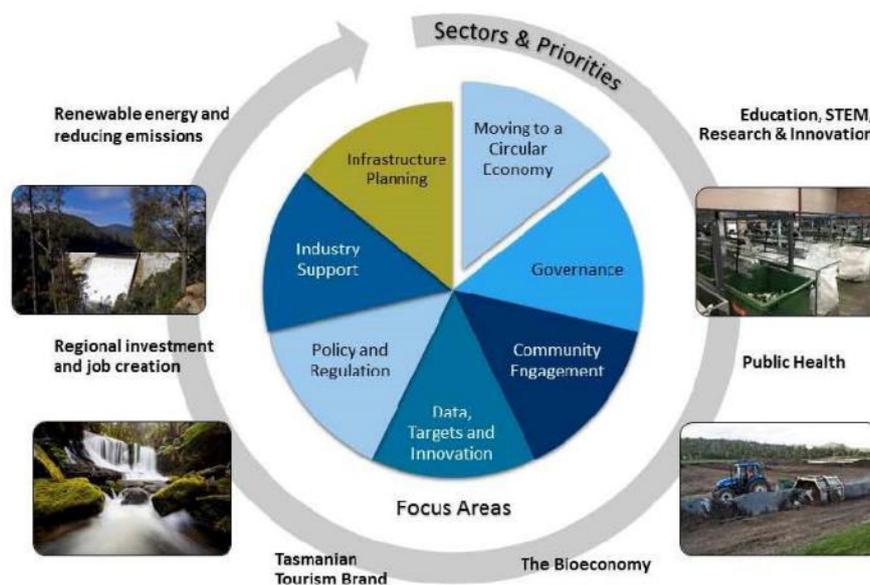


Figure 1. Focus Areas and Key Government Priorities/Sectors. Actions in the Focus Areas (inside) address the key waste challenges in Tasmania. The sectors / government priorities (outside) would benefit from the development of links and adoption of circular economy principles.

<sup>17</sup> Ellen Mac Arthur Foundation, 2015, Delivering the Circular Economy: A Toolkit for Policymakers v1.1, Ellen Mac Arthur Foundation, <https://www.ellenmacarthurfoundation.org/>

## 2. Governance

The introduction of a waste levy will require the establishment of an administrative structure. The Local Government Association of Tasmania (LGAT) with support from the Tasmanian Government is currently investigating the feasibility of establishing waste management arrangements to help coordinate and deliver statewide waste policies, strategies, programs and services. A range of models may be considered by State and local government, but the LGAT study will provide an important contribution to the Government's deliberations on governance requirements.

### ACTIONS

- Investigate and discuss models for waste management governance with local government.
- Establish a relevant administrative structure.

### What do you think?

- What are the primary waste management and resource recovery roles and responsibilities of governments, industry and the wider community?

## 3. Data, Innovation Networks and Resource Recovery Targets

Many of the actions in the WAP require accurate data on waste generation, landfilling, and the types and quantities of materials landfilled, recovered and reprocessed. There is some data capture that informs state and national reporting, but data is not collected in a standardised fashion across waste facilities. Information on specific parts of the waste stream (e.g. organics waste, C&D waste) is required for short- to medium-term planning. Improved knowledge and data on organics and C&D streams will help facilitate investment in businesses that produce and use these resources.

Tasmania is blessed with an abundance of innovators across the private and public spheres and they are keen to share their expertise for the benefit of the community. Tasmania's agricultural sector, for example, already has some of its waste being used productively and is seeing increased collaboration between research organisations, government and industry to improve resource recovery and maximise the value of materials and products.<sup>18</sup> The interconnectedness of the entire supply chain is now increasingly being considered, leading to formerly separate sectors such as food and agriculture combining into larger sectors like the agrifood industry – a “paddock to plate” or “farm to fork” approach, or simply the Bioeconomy.

Finding innovative approaches to preventing or reusing organic and food waste arise naturally out of the Bioeconomy, which seeks to maximise value chains for products and services. These innovation networks provide research and development and technology transfer opportunities, for example in fit-for-purpose technologies that address specific regional needs, but bring global investment to the State (e.g. agtech or technology to improve processing and separation of recyclable material). The use of these innovation networks will be an important component in Tasmanian waste management.

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<sup>18</sup> For example, investigations into the types of packaging that can reduce food waste. See <http://www.utas.edu.au/tia/news-events/news-items/delving-delicately-into-ripe-raspberries>.

The Government is also proposing the adoption of a number of targets for resource recovery. These targets are based partly on the commitments made by Australian Environment Ministers in 2018 and on national targets considered during the development of the National Waste Policy.

#### ACTIONS

- Help to support the establishment of standardised data management systems to capture waste data, to monitor progress against targets and facilitate businesses investment in resource recovery.
- Develop and support waste-related innovation and research networks in the bioeconomy, agritech, tourism, education (STEM), and renewable energy sectors.
- Adopt the following targets for waste and resource recovery:
  - reduce waste generated in Tasmania by 5% per person by 2025 and 10% by 2030;
  - ensure 100% of packaging is reusable, recyclable or compostable by 2025;
  - achieve a 50% average recovery rate from all waste streams by 2025 and 80% by 2030;
  - have the lowest incidence of littering in the country by 2023;
  - reduce the volume of organic waste sent to landfill by 25% by 2025 and 50% by 2030; and
  - work at the national level and with local government and businesses in Tasmania to help phase out problematic and unnecessary plastics<sup>19</sup> by 2030.

#### What do you think?

- What are your key data and information needs on waste and resource recovery?
- How can we best use existing research and innovation networks, or establish new networks, to help address our waste and resource recovery challenges?
- What are your views and suggestions on the targets presented above?
- Which waste streams would provide the best opportunities to make some early progress on the proposed targets?

## 4. Infrastructure Planning

To achieve our resource recovery targets will require planning for and investment in waste and resource recovery infrastructure. Tasmania is likely to have similar investment priorities to those identified through infrastructure planning processes in other Australian states. These include kerbside source separation bins (particularly for organic waste); processing facilities for organics; drop-off facilities for various recyclable materials; and facilities for Commercial and Industrial waste, C&D waste; and energy from waste infrastructure. Planning our waste and resource recovery infrastructure in Tasmania will require an understanding of existing capacity and rigorous data on waste trends and information on specific waste streams to help facilitate business investment.

The Infrastructure Plan will identify potential investment opportunities at council resource recovery centres or transfer stations that would improve the recovery of a wider range of materials (C&D waste, household hazardous waste, e-waste, batteries) and also improve data collection at facilities.

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<sup>19</sup> See page 4.



#### ACTIONS

- Develop a **Tasmanian Waste and Resource Recovery Infrastructure Plan** by 2021.
- Work with Local Government to address potential **planning issues** around waste management and resource recovery infrastructure.

#### What do you think?

- What do you consider are the **highest priority infrastructure requirements** for waste management and resource recovery in Tasmania?

### 5. Support Resource Recovery across Industry

A key lesson coming out of jurisdictions that are introducing CE frameworks is the need for a whole of government and whole of industry approach. Increasing recovery rates is not possible without supporting new and existing waste and recycling businesses. This needs to be at both a level of the individual business, but also by providing a broader strategic approach to developing these markets in Tasmania, and helping to facilitate access to mainland or international markets.

In the short-term this support will come primarily through existing Tasmanian Government business development and support programs. Over the life of this Plan the introduction of waste levy will help to stimulate resource recovery through appropriate price signals and the creation of an investment stream for waste management and resource recovery activities. In Tasmania, the organic waste stream offers some promising opportunities. For example, diversion of domestic garden and food organics would reduce household waste by 20-30%, and put Tasmania in a strong position to achieve its organic waste target.<sup>20</sup> The establishment of a Container Refund Scheme and introduction of a waste levy are also key parts of this Focus Area. The Australian Government's four-year, \$100 million *Environment Restoration Fund* includes the clean-up, recovery and recycling of waste as a priority.<sup>21</sup>

#### ACTIONS

- Develop capacity across Government to support business development in the waste and recycling industry.
- Establish a loan scheme for businesses and local government that helps grow locally based and innovative recycling and processing facilities which increase recycling rates while also delivering new jobs across Tasmania.
- Support industry to use materials effectively, reuse materials and to understand the business case to improve resource recovery.
- Develop an **Organic Waste and Resource Recovery Strategy** by the end of 2020.
- Develop a **Tasmanian Market Development Study** by the end of 2021.

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<sup>20</sup> Key actions from the Tasmanian Government's climate change strategy include reducing emissions from waste and increasing the resource efficiency of business and industry. See *Tasmanian Climate Change Office, Department of Premier and Cabinet, 2017, Climate Action 21: Tasmania's Climate Change Action Plan 2017–2021*, pp. 18-19.

<sup>21</sup> <https://www.environment.gov.au/environment-restoration-fund>

- Continue to investigate and provide appropriate support for Energy from Waste and Bioenergy options, which includes the management and utilisation of forest residues.<sup>22</sup>
- Support the investment in industrial waste sorting – in particular construction and demolition waste.
- Boost demand for recycled products through adoption of sustainable procurement practices across State and local government.

#### What do you think?

- How can governments, businesses and the community best support the development of the resource recovery industry in Tasmania?

## 6. Education and Community Engagement

Local government in Tasmania has indicated that the State's kerbside recycling system is not as effective as other states, despite similar collection arrangements being in place. Community engagement and education can achieve waste avoidance, improve landfill diversion and change community behaviour. Boosting the resources available for community education will also help to decrease contamination levels in our kerbside recycling. The private sector also has a large role to play by marketing products with recycled content and making them attractive and acceptable to consumers. The introduction of a waste levy will require a program of targeted engagement with waste facility operators, businesses and non-government organisations, such as charities and the community.

#### ACTIONS

- Provide support to local government and the regional waste groups to continue their targeted education and grant programs for schools, businesses, householders and other stakeholders such as charitable recycling organisations.

#### What do you think?

- Are you aware of any existing education materials that could be adapted for the Tasmanian context? (Please provide examples).

## 7. State and National Policy and Regulatory settings

The key legislative mechanism to achieve the targets in this Plan will be the introduction of a statewide waste levy. Through time the levy will provide a pricing signal that will make resource recovery preferable to landfilling and generate a funding stream for a range of waste management and resource recovery activities. This will lead to increased business and employment opportunities in the sector. The Container Refund Scheme will also help boost the market for clean streams of recyclable material and achieve a reduction in the volume of litter in Tasmania. A number of associated regulations will be revised within the

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<sup>22</sup> [https://www.stategrowth.tas.gov.au/energy\\_and\\_resources/energy/bioenergy](https://www.stategrowth.tas.gov.au/energy_and_resources/energy/bioenergy)  
[https://www.stategrowth.tas.gov.au/energy\\_and\\_resources/forestry/residues](https://www.stategrowth.tas.gov.au/energy_and_resources/forestry/residues)

life of this Plan, including the *Environmental Management and Pollution Control (Waste Management) Regulations 2010* and the *Environmental Management and Pollution Control (Controlled Waste Tracking) Regulations 2010*. The revision of these regulations, along with proposed minor amendments to the *Environmental Management and Pollution Control Act 1994* (EMPCA) will also provide an opportunity to consider the waste streams that may be more responsive to the proposed pricing signals, such as C&D waste, which generally has more alternatives available to landfilling.

The laws and policies of the Australian Government are critical for addressing waste management issues in Tasmania. Policy tools available under national legislation like the *Product Stewardship Act 2011* could potentially be used more effectively, and existing stewardship schemes reviewed and improved. Another role for national regulation or policy includes the setting of standards and specifications for recycled materials that promotes the reuse of waste rather than virgin resources. Along with changes to procurement across government and the private sector, this could help increase demand.

#### ACTIONS

- Work with local government to introduce a statewide waste levy by 2021 to fund waste management and resource recovery activities.
- Introduce a Container Refund Scheme into Tasmania by the end of 2022
- Work with the Australian Government to ensure that reviews of relevant legislation, such as the *Product Stewardship Act 2011*, result in effective programs that enhance resource recovery.

#### What do you think?

- Which policy or regulatory settings will help us achieve the targets in this Plan and help stimulate the resource recovery industry?
- Do you have other comments on the *Draft Waste Action Plan*?

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Our Ref:DJL:CA

18 September 2019

Policy and Business Branch  
Department of Primary Industries, Park, Water and the Environment

WAP.Enquiries@dipwe.tas.gov.au

Dear Sir or Madam

**Tasmanian Draft Waste Action Plan**

Thank you for the opportunity to provide a submission on the Draft Waste Action Plan. This submission has been prepared by the Local Government Association of Tasmania (LGAT) on behalf of the Local Government Sector in collaboration with our Member, all 29 Local Councils in Tasmania.

LGAT is incorporated under the *Local Government Act 1993* and is the representative body and advocate for Local Government in Tasmania. Where a Council has made a direct submission to this process, any omission of specific comments made by that Council in this submission should not be viewed as lack of support by the LGAT for that specific issue.

If you have any questions or would like further information, please do not hesitate to contact Dion Lester at [dion.lester@lgat.tas.gov.au](mailto:dion.lester@lgat.tas.gov.au) or via phone on (03) 6246 3740

Yours sincerely,

Katrena Stephenson  
CHIEF EXECUTIVE OFFICER



## LGAT Submission: Tasmanian Draft Waste Action Plan

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### Introduction

The Tasmanian Government is at a crossroads. Local Government and the community have been calling for leadership and action on waste for a number of years. Consequently we welcome the release of the draft Waste Action Plan (WAP) for consultation and particularly the commitment to a statewide waste levy and container refund scheme. However, the WAP does not deliver the clarity and leadership required in adopting a circular economy, particularly in the face of significant global, national and state pressures related to resource use and waste management.

There is a significant opportunity for our state in adopting a circular economy, however the WAP lacks a clear framework, principles, objectives and specific plans for how our state will unlock waste as a resource, so that we can create jobs in new industries and reduce landfill. Local Government, industry and the community are ready to commence this transition, evidenced by the highly successful Food and Waste System Forum recently held at Parliament House. The event brought together leaders and decision makers from government, business, industry, community and research to:

- Identify key priorities in our food and waste systems, including a preliminary set of measurable 2030 goals and targets;
- Identify solutions in Tasmania that are advancing more sustainable food and waste systems; and
- Co-create a roadmap to coordinate greater action to deliver the goals and targets.

Feedback from the participants was overwhelmingly positive, with a significant desire to continue to work together towards achieving a Circular Food Economy in Tasmania.

The opportunities to unlock the value of waste at an industry level are immense but require significant coordination and collaboration from our State Government, as well as real on-ground action.



### General Comments

The following section provides overarching commentary against the key Focus Areas and Actions within the WAP. **Attachment 1** provides additional specific comments against each Action.

### Statewide Waste Levy

Implementation of a statewide waste levy is strongly supported by the Local Government Sector but it will be critical to work closely together to deliver the right model for Tasmania. In particular, a statewide waste levy must be fully hypothecated to fund a range of waste management and resource recovery services and projects.

Pricing mechanisms are used internationally and in most Australian states to achieve targets for diverting waste from landfill and to help fund waste reduction activities. The application of a landfill levy is widely held to be the most effective financial lever to divert waste from

landfills into resource recovery activities, provided the quantum is sufficient to encourage behavioral change.

In the absence of a statewide levy, Tasmanian landfill prices are amongst the lowest in the country and low landfill prices equate to poor resource recovery. This lack of a statewide landfill levy has created a market environment in our state where resource recovery has a limited capacity to compete with landfill. The low landfill diversion rates result in a low economic benefit from the waste and recycling sector and the loss of the value of recoverable resource. Resource recovery operations employ more people and require greater investment in infrastructure per tonne of material processed compared to landfills.

The current regional and Local Government levies are not adequate to significantly encourage investment in resource recovery by private industry. Additionally, these are applied inconsistently across the state, and consequently waste is likely to be being transported greater distances than necessary in order to realise gate fee savings. In some instances, long-term contracts are a barrier to regional/Local Government landfill operators implementing and/or altering levies.

The implementation of a waste levy needs to be thoroughly considered, and lessons can be learned from other jurisdictions. For example, South Australia recently suffered extreme negativity following a decision to raise the levy considerably without appropriate consultation. Applying levies can impact existing contracts that have not catered for a levy or assumed a lower levy. Queensland has a curious history with their levy being implemented,



then withdrawn, then re-implemented. Long term modelling needs to be undertaken and all stakeholders informed throughout the process, and legislative frameworks need to be implemented to ensure future governments cannot repeal or dramatically alter the levy.

This can also be applied to a Container Refund Scheme, where planning needs to consider what has been undertaken elsewhere, and the lessons learned.

The principles of good levy design include:

- Introduce a landfill levy at an appropriate price, with gradual increases over time until the desired level is achieved;
- Provide sufficient lead time and phasing in of the levy to allow the market to respond and transition to the new regulatory environment;
- Levy pricing should provide clear and credible projections, providing industry with certainty and informing investment decision-making;
- Levies should be applied as broadly and consistently as possible to limit the risk of intentional reclassification of some waste, reducing the effectiveness of the levy;
- Exemptions should be kept to a minimum and only granted in accordance with clear, statutorily defined criteria; and
- There needs to be a mechanism for a differential levy structure, having regard to the relative capacity of regions to divert waste to recycling and other facilities. Taking account of socio-economic differences, lack of waste recovery infrastructure and distances (and associated higher transportation costs) in rural and regional areas. This will be particularly important for municipalities such as King Island, Flinders and West Coast Councils.

The Tasmanian Government must provide clear direction on the application of levy revenue. To promote stakeholder acceptance of the need for a levy, the proceeds should be used to fund initiatives in areas such as waste avoidance, market development, recovery and recycling infrastructure, education, increased compliance and enforcement and promoting regional collaboration.

Effective compliance and enforcement are fundamental to the success of any policy and regulatory regime. The intent of legislation and regulation is to shape behaviour and sanction breaches where necessary. In other states, the introduction of, or any significant increase in, a waste levy has generally been the precursor to an escalation in illegal dumping and stockpiling activities. In order for the State to mitigate this risk (or address the unintended



consequences), a range of targeted monitoring and enforcement programs will need to be implemented.

The first line of defence is the enforcement capability of the regulators (EPA and Local Government). Appropriate resourcing is required to be both responsive and proactive in engaging with industry and the community. In addition, there needs to be a suite of monitoring and compliance controls and instruments developed or applied to support the effectiveness of regulation and compliance. Data will play a crucial role and is discussed in more detail later in this submission. Without the right data, it will be difficult to understand the effectiveness of regulations and gaps that may allow non-compliance activities. To improve regulation and compliance awareness, the Government must also roll out a fit-for-purpose education program, with target audiences ranging from waste producers to waste and recycling facility operators.

#### Container Refund Scheme

Local Government welcomes the introduction of a Container Refund Scheme (CRS). It is well documented that the benefits of such a Scheme include increased resource recovery, a reduction in litter and an increase in community awareness and involvement in waste management.

Other jurisdictions have found that the design of their CRS can be captured by the beverage industry, who unsurprisingly seek to influence the Schemes to limit the return rate of containers. While the beverage industry should be a stakeholder in the design and development of a CRS for Tasmania, it must not be the dominant driver. The resource recovery, logistics, not-for-profit and Local Government sectors are critical stakeholders whose participation in Scheme design is paramount.

#### Moving to a Circular Economy

In Tasmania, there appears to have been limited discussion, outside of the waste management industry, on what a Circular Economy is, and if a move to a Circular Economy is an approach that would benefit the State. However, the Circular Economy is becoming a mainstream focus for industry development, waste and resource recovery policies in many jurisdictions. The European Union has taken a strong lead with *Closing the Loop—An EU action plan for a circular economy*, which is supported by national strategies in Denmark, Finland, France, Germany, the Netherlands and Scotland. Waste strategies in England, Wales and Canada explicitly target circular practices and China and Japan are implementing a circular approach to reduce their reliance on raw materials. Cities, such as San Francisco and Amsterdam, are also playing an important role in leading the shift at a subnational level. In



Australia, most mainland states are investigating what a circular economy would look like for their communities.

Research and analysis from Australia and overseas have shown that transitioning to a circular economy can create jobs and contribute to economic growth<sup>1</sup>. Modelling undertaken in NSW<sup>2</sup> and South Australia<sup>3</sup> indicates that material efficiency gains could deliver significant long-term job growth compared to a ‘business as usual’ scenario. South Australia, which already has a current recovery rate of over 80 per cent, has estimated that moving to a circular economy could create an additional 25,700 jobs within the state by 2030<sup>4</sup>. Recognising and responding to this shift is important for Tasmania’s national and international competitiveness.

The Circular Economy approach has potential to change the way waste is viewed and lead to a shift in how products are developed and services provided. However, such a move will require a considerable change to Tasmania’s current economic system, which will require a whole of Government approach. Local Government believes the Circular Economy could bring significant benefits to not only the waste management industry in Tasmania, but also the economy more broadly. However, detailed analysis of the Circular Economy in a Tasmanian context is required to understand and quantify the costs and benefits of moving to this approach.

The Government needs to clearly identify its position and commitment regarding the Circular Economy and outline its roadmap for transitioning to this different economic system. The roadmap should consider how the economy is currently structured and what policy tools could be used to address priority issues over and above the high-level targets provided in the WAP. The changes to the structure of the economy would initially require incentives to encourage businesses to change their operating model and to create markets for waste materials that would eventually need to become self-sustaining.

When considering what a Circular Economy would mean for Tasmania, it is important to clearly define:

- The scale of the Circular Economy to be adopted - local, regional, state or national;
- The type of benefits that could be realised in Tasmania and the associated adjustment costs (e.g. implications for jobs and economic growth); and

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<sup>1</sup> McCarthy, Dellink, and Bibas, *The Macroeconomics of the Circular Economy Transition: A Critical Review of Modelling Approaches*. OECD Environment Working Papers, 2018(130).

<sup>2</sup> NSW EPA, *Too good to waste - Discussion paper on a circular economy approach for NSW 2018*, NSW Government Sydney.

<sup>3</sup> Green Industries SA, *Benefits of a circular economy in South Australia 2017*, Government of South Australia Adelaide.

<sup>4</sup> Ibid



- How other jurisdictions with similar structures and challenges to Tasmania have approached the Circular Economy.

To achieve a shift towards a Circular Economy there is a need to foster cross-government collaboration on resource recovery and waste management issues in the first instance. While the final WAP should incorporate principles that set a path to the Circular Economy, a standalone policy statement on the Circular Economy should be developed as a priority to signal to industry where Tasmania is heading and to guide infrastructure and investment planning during the transitional period and over the longer-term.

As a starting point the Final WAP needs to demonstrate how it will link to other existing Government strategies and policies.

#### Governance

The waste and resource recovery industry has a myriad of touchpoints with different agencies and levels of government and operates within a complex and evolving legislative and policy environment. Tasmania does not have a dedicated body with capacity to provide advice on statewide waste issues to the Tasmanian Government and which has the resources to deliver statewide programs. For example, Sustainability Victoria, Green Industries South Australia and the Western Australian Waste Authority all have a strategic planning and program delivery roles with guaranteed core funding hypothecated from a landfill levy.

In the absence of a single statewide body responsible for implementing the WAP, there is a significant risk of different understandings of who has ownership of the WAP's implementation and which party is responsible for implementing individual actions. Local Government considers that a coordinated and effective agency must drive the implementation of the WAP. This is particularly relevant for the delivery of waste related policy, strategy, planning, statewide data collection and analysis, coordination of education, Government procurement support and market development. The current Departmental structure does not appear to facilitate easy collaboration across Departments and as a result there could be limited coordination in the approaches of multiple agencies delivering on the WAP. This will make it difficult to effectively influence the decisions of business, the waste management industry and other Government agencies.

The development of the WAP presents an opportunity to review Tasmania's existing governance framework.



The final WAP requires an organisation to lead and provide oversight of its implementation and funding to deliver programs and or strategic actions. Understanding what this might look like has been an area of investigation by LGAT on behalf of Local Government over the past 12 months.

#### **Statewide Waste Arrangements Feasibility Study**

At the July 2018 General Meeting, councils endorsed LGAT undertaking a feasibility study into Statewide Waste Arrangements (the Feasibility Study). The final report is now complete and is available on the LGAT website under [Media and Publications > Reports and Submissions](#).

The Local Government sector considered the recommendations in the Feasibility Study at its General Meeting on 13 September 2019 and overwhelmingly provided in principle endorsement of the recommendations, and in particular numbers two and four included below. LGAT has been instructed to commence discussions with the State Government on the proposed model to gain an understanding of the level of support for the arrangements, as well as the proposed implementation network (co-investment funding model).

#### **Recommendation 2**

*That LGAT accept a formal shared collaboration structure, co-owned by and accountable to State and Local Government, as the preferred option to deliver the statewide waste management arrangement.*

#### **Recommendation 4**

*That LGAT pursue a co-investment funding model (involving State and Local Government) to enable the implementation arrangement from 1 July 2020 for a period of two years.*

*This option sets out a model that formally partners Local Government and State Government in leading a statewide arrangement (see Figure 6<sup>5</sup>). The aim is to pair the historic progress made and competencies held by local governments and their regional bodies with the Tasmanian Government's ability to formally represent the state, enforce regulations, and enact legislation.*

Tasmanian councils have indicated they believe there is significant merit in our sector and the State Government collaborating via a formal partnership to lead the delivery of the final WAP and ongoing strategic management of waste management and resource recovery in this

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<sup>5</sup> In the Part B Report available on the LGAT website



State. The immediate co-investment proposed will enable, via an agreed work plan, progress towards formation of the preferred ongoing arrangement and establishment of statewide functions and activities to complement regional and local actions.

The proposed arrangements (Option 3 in the Feasibility Study) brings together the comparative strengths in local and regional functions and service delivery experience, with the state's formal representation, regulation and lawmaking capacity. The collaboration model allows for the statewide waste management arrangement to directly use local and regional networks to identify issues. It can also ensure strategies and action plans take account of issues raised regionally and also the decision processes required of Local Government. For example, it will offer a suitable delivery vehicle to implement the final WAP and arguably help to fill many of the gaps in the draft WAP highlighted throughout this submission.

A statewide body can deliver a critical role in brokering and coordinating partnerships between sectors at local, regional and state scales; and applying its functions to drive more resource efficient practices in line with Circular Economy principles. Over time, its influence could extend from a focus on waste and resource recovery market interventions to impact activities 'upstream' of waste management (such as influencing purchasing decisions, supply chains, production systems, and product specifications) as well as those that are 'downstream' (such as developing new markets and unblocking impediments to market access).

There must be agreement regarding shared responsibility to implement the WAP, between Governments and the waste management industry to deliver improved waste avoidance, resource recovery and consequent diversion of material from landfill. Roles and responsibilities must be clearly negotiated, understood and agreed to by all stakeholders.

#### **Data, Innovation Networks and Resource Recovery Targets**

Unlike most jurisdictions, Tasmanian has not established clear performance targets for resource recovery. Statewide waste resource recovery data collection management systems are required to monitor and evaluate effectiveness of programs and provide public transparency on the progress toward Tasmanian waste and resource recovery goals.

#### **Data**

Effective decision-making by governments, business, industry and the community, must be supported by reliable, timely and relevant information, including data on material composition, volumes, consumption streams, locations, movements and ultimate fate.



The current absence of data and targets inhibits the comparison of the performance of regions and municipalities against state objectives and/or to identify a need for support or targeted programs. As a minimum data management systems and resources to collect, quality check and disseminate data are required to establish statewide waste baseline data (e.g. waste generation and recovery rate) and to monitor against performance targets.

To support the better use of resources and resource recovery, Government needs to collect and communicate enough information to support investment, inspire public confidence, prevent levy avoidance and facilitate continuous improvement. However, measuring progress towards the Circular Economy also requires a rethink of the traditional indicators and the evidence base required. Whilst it will be essential to ascertain how materials are kept in circulation through reuse and recycling, and other efforts to divert materials from landfill, it is also important to recognise and measure the economic benefits such as the greater jobs, investment in resource recovery and productivity improvements.

#### **Targets**

Targets should be based on modelling of realistic configurations of infrastructure, engagement and service delivery, with due regard to the differences between metropolitan and regional areas. The methodology used to develop the WAP targets has not been provided. The Waste Strategies adopted by other jurisdictions clearly explain what rationale and data have been used to set targets. For example, targets for municipal solid waste (MSW), commercial and industrial (C&I) and construction and demolition (C&D) waste streams in the South Australian Waste Strategy 2015-2020 are based on a detailed analysis that was undertaken as part of the Review of South Australia's Waste Strategy 2011–2015, annual recycling activity surveys and Zero Waste SA's own internal analysis. Similarly, targets for the MSW, C&I and C&D waste streams of the NSW Waste Avoidance and Resource Recovery Strategy 2014-21 are based on an independent modelling study conducted on behalf of the EPA.

What analysis and modelling has been undertaken to inform the development of the targets in the WAP?

The WAP fails to detail how targets will drive improvements in the recovery of specific materials. To change behaviours and focus activity, there needs to be a combination of strategies grouped around knowledge, enabling infrastructure and incentives. Knowledge plays an important role in getting individuals and organisations started on behavioural change, but it is only a start. Knowledge needs to be complemented with the incentives and



the practical support individuals and organisations need to act on their decision to change behaviours. Access to appropriate enabling infrastructure is critical in allowing individuals and organisations to engage with waste management options to improve their effectiveness and efficiency. Enabling infrastructure includes the physical facilities necessary to manage waste, as well as the organisational structures of government and legislation applying to individuals and organisations.

Appropriate knowledge and enabling infrastructure can assist in removing barriers to behaviour change, and incentives can provide a driving force for change. Incentives can be positive, such as funding, or negative, such as penalties and compliance actions.

The final WAP needs to detail how the targets will drive improvements in the recovery of specific materials through a combination of strategies grouped around knowledge, enabling infrastructure and incentives.

#### **Priority Materials**

Have the highest priority wastes for Tasmania been identified? Will they be?

In order for the resource recovery targets to be achieved there is a need for implementation/action plans to be included in the final WAP on priority issues and materials. It is difficult to identify the methodology that will be used to determine priorities from the information provided in the WAP. Local Government suggests that the focus of the final WAP, as communicated through targets, should also determine priority materials. For example, if the aim of the WAP is to divert tonnes from landfill, materials such as organics and C&D waste will become high priority materials. However, if the WAP is designed to pursue the adoption of a Circular Economy, an assessment of available materials and where they can be used will determine priority.

By way of illustration, and to inform consideration of the priority areas the WAP needs to address, the LGAT Statewide Waste Feasibility Study previously discussed, captured stakeholder interests across Local Government, regional authorities, the Tasmanian Government and the resource recovery sector. As part of this engagement, four problem areas were identified by stakeholders as priorities:

1. Poor cohesion in the demand for organics recovery services;
2. Insecure market for investing in recovery infrastructure;
3. Risks and harms incurred by tyre stockpiles and illegal dumping; and
4. Resource inefficient use of single use plastics and packaging.



**Attachment 2** presents Investment Logic Map (ILM) outputs for the four agreed problem areas that a statewide arrangement (and the WAP) could prioritise. Four diagrams were then prepared; drawing on stakeholder views on the nature of problems, benefits and potential functions relating to those problem areas. These functions define the scope of roles and informs the procedural objectives that need to be delivered. Each diagram is accompanied by a set of bullet points that explains why a problem is perceived in that area and why action is justified.

This work illustrates the type of plan that needs to be developed for the final WAP on priority materials.

#### **Infrastructure Planning**

The capacity of Tasmania's statewide waste and resource recovery system to manage the current and likely future need has been untested. Infrastructure planning is required to:

- Identify the existing critical waste infrastructure required to guarantee delivery of essential waste and resource recovery services;
- Address future infrastructure gaps likely to arise from population and economic growth (including landfill airspace);
- Identify appropriately zoned precincts for future developments and ensure adequate buffers;
- Identify contingency arrangements for emergency events and/or natural disasters; and
- Provide a roadmap to achieve a mix of infrastructure that will maximise the recovery of valuable resources and minimise the environmental and public health impact on Tasmania's communities.

#### **Support Resource Recovery across Industry**

A range of issues in the current resource recovery system have been identified that prevent greater resource recovery; including infrastructure, services and the recovery of priority materials. Significant opportunities exist for improving resource recovery rates which target priority materials such as organics, materials from the C&D sector, optimising kerbside systems, upgrade of Local Government infrastructure to best practice and addressing more efficient collection of problematic wastes such as hazardous household wastes. For each of these, local solutions are particularly important, as access to markets is limited in Tasmania,



and transport costs and impacts are high. Tasmania also has a significant opportunity to benefit from greater local recovery and recycling activity.

The final WAP must focus on identifying and prioritising local market solutions for those recyclable materials traditionally exported from the state. Attracting investment into local reuse options requires a degree of certainty which has not been present under standard market conditions in Tasmania. This will rely on procurement decisions recognising the benefits that local reprocessing, and the use of products made locally from recycled materials, can offer compared to national or international export options. The WAP is silent on Government procurement targets.

Councils and regional waste authorities are the primary waste managers that provide household waste collection and recycling services, manage and operate landfill sites, and deliver education and awareness programs. They also provide information, infrastructure and incentives that encourage behaviour change and plan for the management of waste within their local areas. With increased support it is councils and regional waste authorities that will identify local, fit-for-purpose solutions working with their local industries that align with the final WAP and support a move towards becoming a Circular Economy.

The recent disruptions to the global trade in recyclables have created major challenges in the short-term for some parts of Tasmania. However, with appropriate market development there is an opportunity for a number of existing and new Tasmanian businesses to scale up or find new, productive uses for much of the recycled materials that we traditionally exported. To support this transition, the Tasmanian Government must consider its role (and that of Local Government) in driving better material outcomes, particularly by:

- Purchasing more products made from recycled materials; and
- Using more recycled materials in the construction of roads, buildings and other civil infrastructure, for example.

#### **Education and Community Engagement**

In recent decades, there has been increasing awareness of the impact of waste on the environment, and the need to adopt more sustainable habits and practices of production, consumption and disposal. However, there are still multiple barriers to change in Tasmania. For example, awareness still remains low (particularly in a practical, day-to-day sense) and for those who are aware, there is uncertainty about what action to take and the reliability of the end to end processes, a situation made more acute by the recent challenges with kerbside recycling.



To overcome these barriers, a cohesive, high-impact education strategy is required at a whole-of-state level. This will require collaboration across all levels of government, informed by community and industry input. Roles and responsibilities for education should be clearly articulated in a Government education strategy, with funding and incentives linked to education outcomes and objectives.

#### State and National Policy and Regulatory Settings

A clear policy commitment is required to evaluate and implement national product stewardship schemes which provide a cost/benefit to the state. State leadership, support and co-ordination is required to ensure the success of extended producer responsibility programs.

To date, a lack of State Government advocacy and support for implementation of national product schemes has resulted in additional costs to Local Government and poor outcomes for the state.

#### Conclusion

All Australian states and territories, except Northern Territory and Queensland, divert a significantly greater percentage of material from landfill. The Tasmanian landfill diversion rate is significantly lower than the national average and almost half that of the ACT, NSW, Victoria and South Australia.

In order to unlock waste as a resource, so that we can create jobs in new industries and reduce landfill, we need a tangible commitment and action from the State Government. The opportunities to realise the value of waste at an industry level are immense. While the draft WAP provides a useful starting point, as outlined in this submission there is significant further work required in producing the final WAP to drive the significant coordination and collaboration necessary from the State Government, as well as real on-ground action. Without this Tasmania risks missing out on the significant opportunities that improved resource recovery offers.

ATTACHMENT 1 – Draft Waste Action Plan Actions Assessment

AREA & ACTIONS	COMMENTS
<p><b>1. Circular Economy</b></p> <p>No Actions</p>	<p>Local Government is supportive of moving towards a circular economy, and promoting and adopting circular economy principals.</p> <p>However no actions are listed in regard to this focus area.</p>
<p><b>2. Governance</b></p> <p>Investigate and discuss models for waste management governance with Local Government.</p> <p>Establish a relevant administrative structure.</p>	<p>Local Government is supportive of development of a state-wide governance model. Councils and regional waste authorities have been actively involved in providing input into the feasibility study into a state-wide waste arrangement (as discussed earlier in this submission) coordinated by LGAT, with support from the EPA. The Study has gained support from Local Government and feedback from the resource recovery industry is also positive.</p>
<p><b>3. Data, Innovation Networks and Resource Recovery Targets</b></p> <p>Help to support the establishment of standardised data management systems to capture waste data, to monitor progress against targets and facilitate businesses investment in resource recovery.</p> <p>Develop and support waste-related innovation and research networks in the bioeconomy, agritech, tourism, education (STEM), and renewable energy sectors.</p> <p>Adopt the following targets for waste and resource recovery:</p> <ul style="list-style-type: none"> <li>• reduce waste generated in Tasmania by 5% per person by 2025 and 10% by 2030;</li> <li>• ensure 100% of packaging is reusable, recyclable or compostable by 2025;</li> <li>• achieve a 40% average recovery rate from all waste streams by 2025 and 80% by 2030;</li> <li>• have the lowest incidence of littering in the country by 2023;</li> <li>• reduce the volume of organic waste sent to landfill by 25% by 2025 and 50% by 2030; and</li> </ul>	<p>Standardising data has been common theme amongst Local Government and industry for a long time. This is applicable not only to Tasmania but also in regard to national waste data reporting. Any action led by the state in this regard is welcomed.</p> <p>Consideration needs to be given to how to obtain data from no-regulated or informal waste and recycling treatment options. There is also development needed on how it is proposed to appropriately capture data on litter (as there is a target for Tasmanian having the lowest litter rates by 2023)</p> <p>The targets within the plan mirror the targets agreed to by the Environment Ministers under the National Waste Policy. It is positive that targets are being adopted, as the government has been lobbied to do for some time.</p> <p>While targets are listed and supported, the State Government is not responsible for provision of waste services, operating landfills or recycling facilities, and other than through legislative frameworks, cannot enforce operators or Local Governments to meet targets.</p>

ATTACHMENT 1 – Draft Waste Action Plan Actions Assessment

<ul style="list-style-type: none"> <li>work at the national level and with Local Government and businesses in Tasmania to help phase out problematic and unnecessary plastics by 2030.</li> </ul>	
<p><b>4. Infrastructure Planning</b></p> <p>Develop a Tasmanian Waste and Resource Recovery Infrastructure Plan by 2021.</p> <p>Work with Local Government to address potential planning issues around waste management and resource recovery infrastructure.</p>	<p>Local Government is supportive of the development of a Waste and Resource Recovery Infrastructure Plan. This will assist with delivering state and/or regional facilities and generate benefits from economies of scale.</p> <p>There are significant opportunities for rationalisation of infrastructure and long term planning that isn't defined by municipal boundaries.</p> <p>Any infrastructure plan needs to include detailed mapping of infrastructure across government, private business, and community groups. There is an opportunity to widen the scope to include services in addition to infrastructure.</p> <p>Infrastructure to support re-manufacture, re-purpose, design for re-use, and recycling are preferable to any infrastructure that focusses on end of pipe treatment of waste (such as incineration).</p> <p>Regional facilities are required right now to recover and treat waste items such as organics, construction and demolition waste, and commercial and industrial waste. Investment by the State in this field is welcomed.</p>
<p><b>5. Support Resource Recovery Across Industry</b></p> <p>Develop capacity across Government to support business development in the waste and recycling industry.</p> <p>Establish a loan scheme for businesses and local government that helps grow locally based and innovative recycling and processing facilities which increase recycling rates while also delivering new jobs across Tasmania.</p>	<p>Local Government has received feedback from industry regarding a need for access to capital to realise projects and to enable business creation. As such Local Government is supportive of actions, such as loan schemes, and business development.</p> <p>While the actions contained in this section are supported, it remains unclear how they will be resourced, both in terms of finance required, and staffing.</p>

ATTACHMENT 1 – Draft Waste Action Plan Actions Assessment

<p>Support industry to use materials effectively, reuse materials and to understand the business case to improve resource recovery.</p> <p>Develop an Organic Waste and Resource Recovery Strategy by the end of 2020.</p> <p>Develop a Tasmanian Market Development Study by the end of 2021.</p> <p>Continue to investigate and provide appropriate support for Energy from Waste and Bioenergy options, which includes the management and utilisation of forest residues.</p> <p>Support the investment in industrial waste sorting – in particular construction and demolition waste.</p> <p>Boost demand for recycled products through adoption of sustainable procurement practices across State and local government.</p>	
<p><b>6. Education and Community Engagement</b></p> <p>Provide support to Local Government and the regional waste groups to continue their targeted education and grant programs for schools, businesses, householders and other stakeholders such as charitable recycling organisations.</p>	<p>There is no indication of the level or type of ‘support’ to be provided, and for a plan that is tackling waste, the focus on education and engagement here is extremely small.</p> <p>Education and engagement is vital to the success of programs in this field, and by presenting one paragraph it appears to be significantly undersold, and the one action within the plan is quite vague.</p> <p>Local Government is supportive of broad community engagement to educate about waste minimisation, particularly with a focus on consumption and avoidance of waste, however more details are required on what is envisaged with this action.</p>
<p><b>7. State and National Policy and Regulatory Settings</b></p> <p>Work with Local Government to introduce a statewide waste levy by 2021 to fund waste management and resource recovery activities.</p>	<p>Local Government has been advocating for a waste levy for a number of years, and is supportive of this action. In the course of advocating for a levy, Local Government has detailed certain criteria including that any levy be returned to waste management, and not absorbed into State Government general revenue.</p>



ATTACHMENT 1 – Draft Waste Action Plan Actions Assessment

**Determination of resourcing levels to implement this plan**

To achieve the outcomes contained within the plan, a significant level of resourcing, both in terms of finance, and staffing, needs to be secured. There is no indication of the level of resources required to implement this action plan, or where the funds or staff will come from.

*Local Government resource recovery facilities and kerbside collection*

For Local Government, key responsibilities include the collection of waste and recycling from rate payers, whether through kerbside collection or by providing transfer stations and landfills).

All regions have identified a need for the assessment of the operation of transfer stations to best practice. The upgrade of facilities and the transfer station network, in particular smaller sites, is required in order to improve usability and site safety, recover more materials of differing types and improve site management including data collection.

The recent recycling market disruptions and resultant challenges with kerbside recycling are unlikely to abate in the near future. The final WAP needs to recognise and respond to the recent COAG commitment that “Australia should establish a timetable to ban the export of waste plastic, paper, glass and tyres, while building Australia’s capacity to generate high value recycled commodities and associated demand”.

**Household hazardous waste**

The issues with household hazardous waste have been constantly raised for a number of years by Local Government as a priority action. Household hazardous wastes include items such as old medications, chemicals, paints, and batteries. Several years ago, the State Government funded a 3-year program providing an avenue for the community to dispose of household hazardous wastes in a controlled environment through a series of free drop off days shared amongst regions. This program was very successful but ceased when government funds allocated to the program were exhausted.

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## 12.9 Information, Communication Technology

**Strategic Plan Reference 1.9.1**

*Improve access to modern communications infrastructure.*

Nil.

## 12.10 Officer Reports – Infrastructure & Works

### 12.10.1 MANAGER – INFRASTRUCTURE & WORKS REPORT

**Author:** MANAGER INFRASTRUCTURE & WORKS (JACK LYALL)

**Date:** 19 SEPTEMBER 2019

#### Roads Program

Maintenance grading is currently being undertaken in the Rhyndaston area. The other grader is working in the Stonehouse area.

Major patches are being dug and repaired on Woodsdale Road, with seals to be applied in the coming week.

Guard rail on Stonor Road is being installed in the coming week.

Some trees have been trimmed on Eldon Road to improve sight distance.

Culvert and drainage maintenance is being undertaken on Rabbit Hill Road.

#### Town and General Maintenance

Town and general maintenance is continuing in all other areas.

#### Waste Management Program

Operating arrangements at the Waste Transfer Stations are working well.

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

### RECOMMENDATION

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

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

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

### **13.1 Residential**

**Strategic Plan Reference 2.1.1**

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

Nil.

### **13.2 Tourism**

**Strategic Plan Reference 2.2.1**

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

Nil.

### **13.3 Business**

**Strategic Plan Reference 2.3.1a, 2.3.1b & 2.3.1c**

*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.

### **13.4 Industry**

**Strategic Plan Reference 2.4.1 & 2.4.2**

*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.

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

### **14.1 Heritage**

**Strategic Plan Reference 3.1.1, 3.1.2 & 3.1.3**

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

#### **14.1.1 HERITAGE PROJECT PROGRAM REPORT**

Nil – due to Manager, Heritage Projects being on leave.

#### 14.1.2 TASMANIAN GOVERNMENT – STATUTORY REVIEW OF THE ABORIGINAL HERITAGE ACT 1975 – COUNCIL SUBMISSION

**Author:** MANAGER, DEVELOPMENT & ENVIRONMENTAL SERVICES (DAVID CUNDALL)

**Date:** 16 SEPTEMBER 2019

**Enclosure(s):**

*Discussion Paper – Statutory Review of the Aboriginal Heritage Act 1975 May 2019, Department of Primary Industries, Parks, Water and Environment*

*Draft Southern Midlands Council Submission - Statutory Review of the Aboriginal Heritage Act 1975 May 2019, Department of Primary Industries, Parks, Water and Environment.*

#### PURPOSE

To provide Council with a copy of the *Discussion Paper – Statutory Review of the Aboriginal Heritage Act 1975, May 2019, Department of Primary Industries, Parks, Water and Environment* (“Discussion Paper”) and opportunity for Council to discuss and endorse a submission to Aboriginal Heritage Tasmania (“AHT”).

A draft submission has been prepared by Council Officers and can be used as the submission to AHT with or without amendment. Council may also opt to withhold the submission or not participate in the Public Consultation.

The Discussion Paper and a draft Submission is attached with this report.

#### BACKGROUND

The Tasmanian Government has released the Discussion Paper for consultation with stakeholders and the wider public. The purpose of the review is to understand issues with the operation of the *Aboriginal Heritage Act 1975* (“the Act”).

Submissions are to be lodged with AHT by the 21<sup>st</sup> September 2019. AHT have allowed additional time for Council to get the draft endorsed and finalised at the September meeting (this meeting).

The Act is administered by the Department of Primary Industries, Parks, Water and Environment. It is the primary legislation for the protection of Aboriginal cultural heritage in Tasmania.

The Act is the amended version of the *Aboriginal Relics Act 1975*. The Act amendments commenced on 16 August 2017.

The purpose of the Act is to primarily regulate the interference, removal or damage otherwise to Aboriginal Heritage. Aboriginal Heritage is still defined as being a “relic” under the Act. For the purpose of the Act a “relic” is defined as:

*(a) any artefact, painting, carving, engraving, arrangement of stones, midden, or other object, made or created by any of the original inhabitants of Australia or the descendants of any such inhabitants, which is of significance to the Aboriginal people of Tasmania; or*

(b) any object, site, or place that bears signs of the activities of any such original inhabitants or their descendants, which is of significance to the Aboriginal people of Tasmania; or

(c) the remains of the body of such an original inhabitant or of a descendant of such an inhabitant that are not interred in–

(i) any land that is or has been held, set aside, reserved, or used for the purposes of a burial-ground or cemetery pursuant to any Act, deed, or other instrument; or

(ii) a marked grave in any other land.

### **[Exert Section 2 (3) of the Act]**

Unlike heritage places listed under other legislation such as the *Historic Cultural Heritage Act 1995* the “relics” in Tasmania is regulated by the Act regardless of whether or not the “relic” is registered on the database held by AHT.

## **DISCUSSION**

Council engagement with the Act and AHT to date has been primarily associated with:

- Land use and development as Planning Authority
- Works and Development in sensitive areas or areas containing Aboriginal Heritage (aka “relics” under the Act) i.e. road and bridge works, drainage works etc
- Input into the regional planning project
- Input and leadership in local and sub-regional strategic planning exercises such as the Joint Land Use Planning Initiative and partnership with the Brighton Council in commencing a project on the cultural landscape values of the Pontville area.
- Input into previous reviews of the Act

There have been numerous other attempts to reform the Aboriginal Heritage Act since the commencement of the Act in 1975. Council Officers have previously been involved in providing technical input into policy and operational aspects of regulated Aboriginal Heritage in Tasmania.

The last submission made by Council on the Aboriginal Heritage Act was endorsed by Council December 2012 - per the exert below:

### **DECISION OF THE MEETING HELD 12<sup>TH</sup> DECEMBER 2012:**

**THAT: Southern Midlands Council provide a submission to the Department of Primary Industry, Parks, Water and Environment in regard to the Aboriginal Heritage Protection Bill 2012 detailing the following points:**

**The move towards replacing the Aboriginal Relics Act 1975 is supported. The creation of contemporary legislation coordinated with other components of the planning system is long over due. However, Council wishes to express a number of concerns:**

- 1. The Bill, as it stands, is insufficiently ‘defined’ as it leaves much to the future Ministerial guidelines. Until these are known, Southern Midlands Council is unable to fully determine its support or otherwise:**

- a. There are no bounds on what is Aboriginal heritage, what is an aboriginal heritage place, what and what constitutes a level of significance whereby non-disturbance of a site would be mandatory.
2. The Historic Cultural Heritage Act sets specific criteria that effectively define what is cultural heritage. Furthermore it implicitly acknowledges that there is a spectrum of significance, and that only those places or items that pass a certain level of significance are worth formally registering and protecting.
3. It is understood that 'Aboriginal significance' is less easily definable than European cultural significance. However, the Bill fails to put any bounds in place whatsoever. This ought to be addressed within the Bill and not left to Ministerial guidelines.
  - a. The lack of definition as to what constitutes 'contemporary', 'intangible' or 'modern' Aboriginal heritage.
4. Whilst we expect that these matters will be more clearly defined and articulated by way of guidelines/regulations, it is impossible at this stage to make specific comment on the Bill in the absence of this critical detail – detail which could have very significant consequences on property owners and local government.
5. The Bill will result in a significant rise in the number of discretionary planning applications. The limits of exempt development should not refer to a certain number of dwellings on a lot or a certain number of lots in a subdivision. Exemptions should refer to all development within urban zones (i.e. where prior disturbance has been substantial in most cases). It should be recognised that once land is zoned as a high development zone, the question of Aboriginal heritage should no longer be raised - except on sites listed in the Aboriginal Heritage Register.
6. It is at the rezoning stage where all strategic assessment and decisions should be made, including that of Aboriginal heritage. This is when important values and significant risks should be identified and strategic arrangements put in place for their management as the land is developed into the future. If land is too encumbered with values and/or risks, then it should not be rezoned to an urban zone.
7. The Bill's exemptions could either refer directly to the standard zones in the new State Planning Scheme Template that are deemed to be 'urban zones', or it could refer to 'urban zones' as defined by a regulation. (The latter would enable regulation to specify zones in current planning schemes in the event the Bill becomes law before all of Tasmania's assorted planning schemes have been replaced with standard Template planning schemes).
8. The Bill will result in a significant rise in uncertainty. The current draft provides that certain kinds of development are exempt. However it then provides that such development becomes un-exempt if Aboriginal heritage is discovered after works commence.
9. This runs counter to a major objective of the current planning reform agenda in Tasmania, which is to rid the Tasmanian planning system of its pockets of high levels of uncertainty. The Regional Land Use Strategies have been written with this in mind. The new State Template has been specifically written with this in mind. The Southern Regional Model Planning Scheme has been specifically written with this in mind. This Bill would potentially, in a single stroke, wipe away the certainty that the State's planning reform agenda is trying to achieve.
10. It will mean that any development that was nominally exempt will need to stop work for some months if Aboriginal Heritage is discovered during works. A discretionary planning application will need to be created and lodged with the local Council, and a formal referral subsequently made to the Minister. As well as totally disrupting the work program for the development, the developer will not know whether the project will ultimately be allowed to proceed.
11. Instead, the Bill should adopt the principle that: if a development is exempt, then it is exempt absolutely.
12. If Aboriginal heritage is discovered during works for an exempt development, there should be a non-threatening light-handed process. This could be similar to that set

out in Section 22-24 of the Act dealing with the discovery of Aboriginal heritage. If discovered during works, the developer would be required to report the find to the appropriate authority, the authority would have the option of visiting the site to record details (within a defined limited timeframe) and would have the option of accepting ownership of the found artefacts for proper storage and study.

13. The current Bill is no better than the existing Aboriginal Relics Act in this regard. If the same flaw carries over into the new Act, a high incentive will continue to exist for developers to ‘not notice’ Aboriginal artefacts, and the vast majority will continue to be destroyed, lost and go un-recorded.
14. The timeframes and coordination of planning application processes between the Bill and the Land Use Planning & Approvals Act 1993 (LUPAA) should align with those currently being arranged between the Historic Cultural Heritage Act and LUPAA. Dates for referral, comment, determination and stop-clock provisions should be aligned with those of the HCHA for the sake of simplicity. There does not appear to be any reason why there should be differences.

Many of the issues raised by Council in 2012 are still valid today. This has been reflected in the attached submission (September 2019). There have however been notable advancement since 2012 such as:

- The creation of the Aboriginal Heritage Council
- Issuing of the legislated “Guidelines” under Section 21A (1) of the Act.
- Mechanism to undertake a Dial Before You Dig to identify any known sites or objects in the vicinity of proposed works.

There is still clearly merit to:

- Improved mapping of Aboriginal Heritage site, places and objects etc (and associated databases)
- Incorporation of Aboriginal Heritage into the Resource Management and Planning System in Tasmania – to better understand and identify places of significance and to provide mechanisms to assess Aboriginal Heritage impacts before works or design (or land acquisition) commences.
- To improve and create a set of criteria for identifying Aboriginal Heritage and giving weight to its significance.
- Further education in identifying Aboriginal Heritage of significance and clear procedure in how respond with respect and in compliance with state legislation.

**Human Resources & Financial Implications** - The finalisation of a submission will stem from discussion of this report (at this meeting). There is no requirement for external advice or consultants to prepare a submission. AHT may seek further comment or clarification from Council Officers.

**Community Consultation & Public Relations Implications** - The consultation is being undertaken by the Tasmanian Government. Council is providing a submission that reflects Council’s experience with Aboriginal Heritage to date.

The Tasmanian Government will be continuing the review process into 2020. Any further formal submission to AHT or Tasmanian Government otherwise will be first endorsed by Council.

**Communications** - The final submission will be made available to the public through AHT. The submission will be that as endorsed by Council at this meeting.

**Priority - Implementation Time Frame** - The submission will need to be provided to AHT as soon as possible.

**Risk Assessment** - Nil risk to Council. The draft submission (attached) reflects previous experience with Aboriginal Heritage and is written with all respect to the Aboriginal people of the Southern Midlands and in best interest of the community otherwise.

## RECOMMENDATION

### THAT

- A. The information be received; and
- B. Southern Midlands Council finalise and provide the attached submission to the Department of Primary Industry, Parks, Water and Environment in regard to:
  - i. The Statutory Review of the Aboriginal Heritage Act 1975; and
  - ii. Discussion Paper – Statutory Review of the Aboriginal Heritage Act 1975, May 2019, Department of Primary Industries, Parks, Water and Environment

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

**ENCLOSURE**  
*Agenda Item 14.1.2*



## **Discussion Paper:**

# **Statutory Review of the *Aboriginal Heritage Act 1975***

May 2019

Department of Primary Industries, Parks, Water and Environment



Department of Primary Industries, Parks, Water and Environment

GPO Box 44 Hobart TASMANIA 7001

[www.dpipwe.tas.gov.au](http://www.dpipwe.tas.gov.au)

27 May 2019

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Cover photo: Petroglyphs at Sundown Point. Photograph by Nick Monk

## Overview

Tasmania has been home to Aboriginal people for more than 40,000 years and spanning two ice ages. Throughout that time, Tasmania's Aboriginal people have led rich cultural lives with deep connections to the land and sea-scapes around them. Today, Tasmania's Aboriginal people continue to live rich cultural lives and their cultural heritage and traditional cultural practices continue as one of the oldest continuing living cultures in the world. Tasmania's Aboriginal cultural heritage is ancient and unique and is immensely important to Tasmanian Aboriginal people – past, present and future. Not only that, our Aboriginal heritage has great significance for the broader Tasmanian community, as well as having significant value at national and international levels.

Tasmania's Aboriginal cultural heritage is the legacy of Tasmania's First people – those places, objects and traditions that have been passed down through thousands of generations. It also includes intangible values where there may be no physical evidence of past cultural activities, for example, places of spiritual or ceremonial significance or travel routes where trade relations took place.

From shell middens, rock markings, hut depressions and stone artefacts that are some of the finest examples in Australia, through to whole landscapes and ecosystems that have been carefully and sustainably managed and sculpted by many thousands of years of Aboriginal activity including hunting, trading and cultural burning – Tasmania's landscape today carries the evidence of its First people. The importance of understanding, respecting and protecting this ancient and living culture cannot be overstated.

The *Aboriginal Heritage Act 1975* (the Act) is a stand-alone piece of Tasmanian legislation which defines what Aboriginal heritage is and sets out how that heritage must be managed.

The Act was amended in 2017 for the first time since it was created in 1975. The amendments served to address some of the most outdated and problematic parts of the Act, and were seen as a positive step. However, aside from the amended provisions, the Act as a whole remains largely outdated and continues to reflect the thinking and attitude of a predominantly white bureaucracy from a period close to half a century ago.

The 2017 amendments were also an interim step with a requirement added to the Act requiring a full review of the legislation within three years.

The review will consider the design and operation of the current legislation through broad consideration of:

- the views and aspirations of Tasmanian Aboriginal people.
- the views of non-Aboriginal stakeholders.
- approaches to Aboriginal heritage legislation in other Australian jurisdictions; and
- the interface between Aboriginal heritage management legislation and other legislative processes (primarily relating to resource management and planning processes).

## Purpose of the Discussion Paper

The Government of Tasmania is seeking the input of all Tasmanians, and from Tasmanian Aboriginal people in particular, to understand issues with the operation of the *Aboriginal Heritage Act 1975*.

Multiple opportunities will be provided throughout 2019 and 2020 for people to contribute to the review.

The first opportunity to contribute to the review is a 16 week comment period on the information and questions presented in this Discussion Paper.

Your response to this first stage of consultation is an important step in the review process. It is where you get your first opportunity to have your say and let us know your thoughts, ideas and concerns. Your comments will be considered and further explored through consultation in a second stage of the review.

The Discussion Paper is structured around the following key topics relating to the management of Aboriginal heritage in Tasmania:

1. What is the *Aboriginal Heritage Act 1975* trying to achieve?
2. What is Aboriginal heritage?
3. Ownership of Aboriginal heritage.
4. Making decisions about what happens to Aboriginal heritage.
5. The Aboriginal Heritage Council – what it is and what it does.
6. Offences under the *Aboriginal Heritage Act* and penalties for doing the wrong thing.
7. When can Aboriginal heritage be interfered with?
8. Enforcement of the legislation.
9. Other ways the legislation protects Aboriginal heritage; and
10. Other matters covered by the legislation.

The Discussion Paper presents information on how the Act works in relation to each of the key topics and then asks some questions in relation to each topic to help prompt discussion.

Not every section of the Act is discussed in detail, however you are invited to provide comment on the structure and operation of any part of the Act.

The Discussion Paper also provides an opportunity to comment on any other matters relating to the management of Aboriginal heritage in Tasmania.

## How you can contribute

Each section of the Discussion Paper concludes with a series of questions. These questions are designed as prompts only. Written submissions need not address these questions specifically.

All written submissions must be received by the end of Saturday 21 September 2019.

Written submissions can be forwarded to:

Email: [aboriginalheritageact@dpiwwe.tas.gov.au](mailto:aboriginalheritageact@dpiwwe.tas.gov.au)

Mail: Aboriginal Heritage Act Review

GPO Box 44

Hobart TAS 7001

A number of face-to-face meetings with Aboriginal groups and key non-Aboriginal stakeholders will also be held around Tasmania.

If you would like to request a special information session for yourself or your organisation, please contact the DPIWWE Review Team at Email: [aboriginalheritageact@dpiwwe.tas.gov.au](mailto:aboriginalheritageact@dpiwwe.tas.gov.au)

Submissions will be treated as public information and will be published on the Department of Primary Industries, Parks, Water and Environment website at [www.dpiwwe.tas.gov.au/aboriginalheritageact](http://www.dpiwwe.tas.gov.au/aboriginalheritageact) following the closing of the consultation period, unless you request otherwise.

Further information on how your submission will be handled can be found at the end of this Discussion Paper.

## Next steps

- ⇒ A Consultation Report summarising all the feedback received through the first stage of consultation will be prepared and made available to the public. It is envisaged that the Consultation Report will be released before the end of 2019.
- ⇒ Feedback received through the first stage of consultation will be used to inform a second Stage of the Review, where further discussions with Tasmanian Aboriginal people and non-Aboriginal stakeholders will be held to explore views on specific issues in more detail, and identify pathways to resolve stakeholder concerns/suggestions. The second stage of consultation will take place in 2020.
- ⇒ Following the second Stage of consultation, a Review Report will be prepared presenting the findings of the Review and recommendations relating to options for change. The Review Report will be provided to the Minister for Aboriginal Affairs in August 2020 and is expected to be tabled in each House of Parliament before the end of the Parliamentary year in 2020.

## 1. What is the *Aboriginal Heritage Act 1975* trying to achieve?

The *Aboriginal Heritage Act 1975* provides the current legislative framework for managing and protecting Tasmania's Aboriginal heritage.

In summary, the Act:

- defines what Aboriginal heritage is.
- establishes, as a principle, that Aboriginal heritage must not be damaged, destroyed, defaced, concealed or otherwise interfered with, unless otherwise authorised under the Act.
- sets out actions that may be taken to protect Aboriginal heritage that is at risk of being harmed;
- specifies what a person must do if they discover Aboriginal heritage.
- prescribes penalties that may be applied if the 'rules' of the Act are broken.
- identifies circumstances where Aboriginal heritage may be destroyed, damaged, defaced, concealed or otherwise interfered with; and
- establishes a Council of Aboriginal people to provide advice and make recommendations to the Minister for Aboriginal Affairs and to the Director of National Parks and Wildlife (the Director), on matters relating to Aboriginal heritage.

Some legislation incorporates clearly stated objectives which provide additional guidance and clarity around what the Act has been established to deliver, and must be taken into account by anyone making decisions in relation to the Act. The *Aboriginal Heritage Act 1975* does not contain any specific information or overarching principles clarifying the objectives of the Act.

### Questions:

- |  |
|--|
| <p>⇒ How clear is the Act regarding what it is trying to achieve?</p> <p>⇒ Could this be improved, and if so, how?</p> |
|--|

## 2. What is Aboriginal heritage?

Under the Act, anything that is considered to be Aboriginal heritage is described as a 'relic'. The definition of a relic is provided in Section 3 of the Act and includes:

- any artefact, painting, carving, engraving, arrangement of stones, midden, or other object, made or created by any of the original inhabitants of Australia or the descendants of any such inhabitants.
- any object, site, or place that bears signs of the activities of any such original inhabitants or their descendants; and
- the remains of the body of such an original inhabitant or of a descendant of such an inhabitant that are not interred in a cemetery or marked grave.

An important amendment to the Act in 2017 was the removal of references to 1876 as the cut-off date for creation of Aboriginal heritage (or a 'relic'). This change recognises that Tasmania's Aboriginal culture is a living culture which continues to create Aboriginal heritage to this day, and which will continue to create Aboriginal heritage into the future.

Tasmania's Aboriginal people consider the term 'relic' to be outdated and not relevant to the way they view their heritage. The term suggests something that is ancient and a thing of the past, and does not acknowledge or capture the part of their heritage that is contemporary and living. While the title of the Act was changed in 2017 from the *Aboriginal Relics Act 1975* to the *Aboriginal Heritage Act 1975* in recognition of this view, the use of the term relic to define Aboriginal heritage has remained in the Act.

A further important amendment in 2017 was the introduction of additional criteria for a relic as having to be of significance to Tasmanian Aboriginal people, with the significance 'test' being further qualified as being in accordance with Tasmanian Aboriginal history and tradition.

An issue that has been raised by Aboriginal people and other indigenous experts in recent years is how to define and protect that part of Aboriginal heritage, culture and tradition that may not have a physical form or evidence – that is intangible.

Under Victorian legislation, intangible heritage is recognised and includes ceremony, stories, traditional skills and practices, language and dance. In the Tasmanian Aboriginal cultural context, use of the term intangible has tended to extend to including the spiritual essence of a place or broader landscape where Aboriginal people once lived, hunted and practiced culture.

The current definition of Aboriginal heritage in the Act does not attempt to recognise or manage intangible Aboriginal heritage. It is noted, however, that intangible values, and the potential for those values to be impacted, can be difficult to define and manage.

**Questions:**

- ⇒ How well does the Act define Aboriginal heritage?
- ⇒ Could this be improved, and how?
- ⇒ Does the definition of a 'relic', adequately capture all elements of Aboriginal heritage that should be protected and managed?
- ⇒ Should use of the term 'relic', and the way Aboriginal heritage is recognised and defined, be changed?

### 3. Ownership of Aboriginal heritage

The Act has several provisions relating to ownership of relics:

- Section 10 of the Act required persons owning or holding relics at the time the Act commenced to report that fact to the authorities.
- Section 11 of the Act provides that relics on Crown lands are owned by the Crown; and
- Section 12 of the Act contains provisions for the compulsory acquisition of relics by the Minister, if the Minister determines that the relic is required by the Crown.

The Act is silent on ownership of relics on lands other than Crown lands (e.g. privately owned land).

Although the Act is largely silent on ownership of relics by people other than the Crown, it is clear from Sections 10 and 12 that the Act recognises that circumstances exist where a person, other than the Crown, can own a relic.

It is noted that the concept of ownership does not fit with how Aboriginal people view Aboriginal heritage. While it is without doubt that Aboriginal people consider it their heritage, they view themselves as custodians rather than owners of their heritage.

Irrespective of who may be considered under the Act to be the owner of a relic, it is clear that all the provisions in the Act, including those relating to the protection and management of relics, apply to everyone – including the 'owner'. As such, it has been argued that the matter of ownership, while somewhat undefined in the Act, does not alter the level of protection that is provided to a relic.

The more complicated question around ownership is not just who should own or be the custodian of Aboriginal heritage, but also what decisions about how that heritage is managed, the owner or custodian of the Aboriginal heritage should be able to make.

**Questions:**

- ⇒ How clearly does the Act describe ownership of Aboriginal heritage?
- ⇒ Are provisions in the Act providing for ownership reasonable?
- ⇒ Who should own Aboriginal heritage?
- ⇒ Is the concept of 'ownership' the right way to think about who is responsible for Aboriginal heritage?
- ⇒ Should the 'rules' in the Act apply to everyone in every situation?
- ⇒ Should land tenure on which Aboriginal heritage exists make any difference to who owns/how the heritage is to be managed?

## **4. Making decisions about what happens to Aboriginal heritage**

The Minister for Aboriginal Affairs is the primary decision maker under the Act and makes decisions in relation to:

- Issuing permits to interfere<sup>1</sup> with Aboriginal heritage.
- Declaring 'protected sites'.
- Compulsory acquisition of relics; and
- Issuing Guidelines.

Issuing Guidelines and declaring 'protected sites' are discussed further, at protected Section 7 and 9 respectively.

The Director of National Parks and Wildlife has a limited decision making role in relation to managing 'protected sites' and issuing permits to interfere with relics and infrastructure on those sites.

In making decisions, the Minister and the Director are largely not bound to seek advice or recommendation from any person, other than the Director of National Parks and Wildlife in the case of the Minister. However, in practice, the Minister and the Director routinely seek advice from the Aboriginal Heritage Council. While this intention was clearly outlined as the expectation when the 2017 amendments establishing the statutory Council were developed, it is not a requirement of the Act.

Under very limited circumstances relating to disposal of relics owned by the Crown, the Minister must seek and consider a recommendation from the Aboriginal Heritage Council.

Under the Act, only the Aboriginal Heritage Council is recognised as being in a position to provide advice or recommendations. No person or entity other than the Minister or the Director has any statutory decision making powers in relation to managing Tasmania's Aboriginal heritage.

The approach the Act takes to decision making has been highlighted as a longstanding issue for Aboriginal people and a number of other people with an interest in Aboriginal heritage. Aboriginal people consider themselves the rights-holders and custodians of their heritage and have a strong desire to continue to be responsible for managing their heritage. It is important to also note that private land owners want to be able to continue to make their own decisions to practice certain use rights associated with their land.

Tasmania's Aboriginal people have advocated that an Aboriginal body, such as the Aboriginal Heritage Council, should have decision making powers. If this were to be the case, it may be necessary to include provisions providing rights to review or appeal of decisions, consistent with other legislation that provides for independent decision making powers.

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<sup>1</sup> Use of the term 'interfere' in this Discussion Paper refers to a full description in the Act of what a person must not do to a relic (see Section 14(1) of the Act), and includes destroy, damage, deface, conceal, remove, sell, search for or otherwise interfere with a relic.

**Questions:**

- ⇒ Is the way the Act describes who makes decisions, and how decisions must be made, adequate and reasonable?
- ⇒ How can decision making be improved?
- ⇒ Who should make decisions under the Act?
- ⇒ Are there circumstances where different people, or parties, should make decisions about how to manage Aboriginal heritage? How should decisions be made?

## **5. The Aboriginal Heritage Council – what it is and what it does**

The Act establishes the Aboriginal Heritage Council as an independent statutory body which provides advice and makes recommendations to the Minister and the Director. The inclusion of provisions to establish the Aboriginal Heritage Council, comprising Aboriginal people, was an important component of the amendments made to the Act in 2017.

The scope of the matters that the Council can provide advice on is confined to matters that are covered by the Act. This is set out in detail in Section 3 of the Act, and includes matters on which the Minister and the Director make decisions under the Act.

As discussed in Section 4 of this Paper, the Minister and the Director are not bound under the Act to seek advice from the Council, however the Council can provide advice regardless of whether it has been sought. The Minister and the Director are not bound under the Act to adopt advice and recommendations received from the Council.

In preparing advice and recommendations, the Act specifies that the Council itself is to seek advice from any person or body the Council believes, on reasonable grounds, to have expertise in relation to the matters concerned. The Act also provides for the Council, in performing its role, to consult with Tasmanian Aboriginal people where it is appropriate and practicable to do so.

The Act specifies that the Council can have up to 10 members, who must be Aboriginal persons. Members of the Council are appointed by the Governor, on the recommendation of the Minister. Other than being Aboriginal persons, the Act does not specify any additional criteria for Council membership (e.g. skills or representation) or how members are selected. However Government policy requires gender balance and regional representation as far as is practicable.

**Questions:**

- ⇒ How should members for the Aboriginal Heritage Council be chosen?
- ⇒ Should the Act specify criteria for Council membership, and what criteria should apply?
- ⇒ How clearly does the Act describe the role and function of the Aboriginal Heritage Council?
- ⇒ Is the role of the Aboriginal Heritage Council adequate and appropriate?
- ⇒ Could this be improved, and if so, how?

## 6. Offences under the Act and penalties for doing the wrong thing

The Act specifies a range of actions affecting Aboriginal heritage that are against the law. These offences include:

- Interfering with a relic.
- Interfering with a 'protected object' or a 'protected site'.
- Failing to advise the appropriate authority of a relic being discovered; and
- Failing to comply with requests from authorised officers (discussed further in Section 8)

By far the most important, and in practice the part of the Act under which most of the administrative work is undertaken is Section 14(1) which says that relics must not be interfered with unless in accordance with the terms of a permit granted by the Minister. It is under this section that the Minister grants permits to interfere with relics and under which most compliance action occurs.

In each case where an offence is specified in the Act, a corresponding maximum penalty is also specified.

The penalties in the Act were significantly increased when the Act was amended in 2017. The maximum penalties in the Act are now among the highest of any other Aboriginal heritage legislation in the country, and in line with similar offences for damaging European heritage.

Penalties are described in terms of the maximum number of 'penalty units' that can be applied.

Each penalty unit has a monetary value that is set each year. The current value of a penalty unit in Tasmania is \$163.

Penalties in the Act are scaled to differentiate between individual persons (or small business entities) and body corporates – with penalties being significantly greater for body corporates.

Penalties in the Act are also scaled to differentiate between offences that a person has knowingly committed and offences that a person has committed unwittingly through negligence or recklessness on their part – with persons knowingly or deliberately doing the wrong thing attracting significantly higher penalties.

The highest maximum penalty prescribed in the Act applies to circumstances where a body corporate knowingly interferes with a relic. This equates to a maximum of \$1.63 million.

By way of example:

- 1,000 penalty units = \$163,000 (maximum penalty for an individual recklessly or negligently interfering with Aboriginal heritage).
- 2,000 penalty units = \$326,000 (maximum penalty for a body corporate, other than a small business entity recklessly or negligently interfering with Aboriginal heritage).
- 5,000 penalty units = \$815,000 (maximum penalty for an individual knowingly interfering with Aboriginal heritage).
- 10,000 penalty units = \$1,630,000 (maximum penalty for a body corporate knowingly interfering with Aboriginal heritage).

Only a magistrate can determine whether an offence has been committed and decide what level of penalty to apply.

There is concern among Aboriginal people that broader society has not yet placed an equal value on Aboriginal heritage relative to European heritage. A criticism of the current offence provisions has been a lack of understanding of the value of Aboriginal heritage and therefore failure to impose appropriate (large enough) penalties.

While the maximum penalties in Tasmania may now be in line with those for damaging European heritage, there have been no prosecutions under the amended Act to date, therefore the new, harsher penalties have not been tested. There are signs that the importance, and therefore the value, of Aboriginal heritage is becoming better understood, however ongoing efforts to educate and create awareness and understanding across the broader community will be a critical part of the ongoing protection and management of Aboriginal heritage in Tasmania.

As previously discussed in this Paper, the offence provisions in the Act apply to everyone. However, it could be argued that under the Act, Tasmanian Aboriginal people practicing culture at their cultural sites may in fact be interfering with Aboriginal heritage and, if doing so without a permit, they would be breaking the law. While a person's circumstances would be taken into account when determining a penalty, these circumstances would generally not be able to be considered in determining if an offence has been committed.

**Questions:**

- ⇒ How well does the Act describe and manage offences?
- ⇒ Are the penalties adequate?
- ⇒ Could the offences and penalties provisions in the Act be improved, and if so, how?
- ⇒ Are there circumstances where the 'rules' of the Act should apply differently to different people?

## 7. When can Aboriginal heritage be interfered with?

The Act provides for circumstances where a person can be provided with a legal authority to interfere with a relic. The Act also provides for circumstances where a person's failure to comply with the Act can be justified, or 'defended' legally. Generally, the offence provisions in the Act apply to every person and every circumstance, however a number of circumstances are specified in the Act where either a legal authority or a legal defence can exist. They are where:

- A person is acting in accordance with a permit granted by the Minister or Director (see also Section 4);
- A person is acting in accordance with Guidelines issued by the Minister, or relying on another person's compliance with the Guidelines; or
- A person is carrying out emergency works.

There is little guidance in the Act for the process which must be followed for seeking a permit to interfere with a relic. However, in practice the Director, through their oversight of the Department of Primary Industries, Parks, Water and Environment, has established a longstanding and robust policy-based process for assessing the merit of every application for a permit. This is set out in the *Aboriginal Heritage Standards and Procedures* published by Aboriginal Heritage Tasmania. The process entails a desktop assessment to determine if Aboriginal heritage is at risk. Where a risk is determined, and depending on the nature of the risk, further information is obtained including:

- Specialist surveys.
- Site visits.
- Advice from the Aboriginal Heritage Council; and
- Consideration of the broader social, economic and environmental implications.

A permit to interfere – usually to conceal or relocate, but sometimes to destroy a relic – may then be granted by the Minister on the recommendation of the Director.

Section 21A of the Act specifies that the Minister must issue 'Guidelines'. The intention of the 'Guidelines' is to set out the things that a person must do to ensure they have undertaken all reasonable precautions to minimise the risk that the activity they are proposing to undertake will result in impacting Aboriginal heritage.

Measures in the current Guidelines include:

- Contacting the 'Dial Before You Dig' service.
- Conducting a search through the Aboriginal Heritage Property Search tool administered by Aboriginal Heritage Tasmania.
- Acting in accordance with the standards and procedures which have been adopted by the guidelines. These are:
  - Aboriginal Heritage Tasmania's *Aboriginal Heritage Standards and Procedures*;
  - *Procedures for Managing Aboriginal Cultural Heritage when Preparing Forest Practices Plans*; and
  - *Mineral Exploration Code of Practice*.
- Contacting Aboriginal Heritage Tasmania directly; and
- Acting in accordance with any advice received from Aboriginal Heritage Tasmania, including in relation to unanticipated discoveries of Aboriginal heritage.

Emergency works are specified in the Act as being works undertaken in accordance with Section 5 of the *Electricity Supply Industry Act 1995*, or any work that is necessary and proportionate to save lives, prevent injury and prevent damage or loss of property. An example of this would be the clearing of fire breaks to control a fire or to prepare for an impending fire. Emergency management teams routinely inform their decisions with information about the natural and cultural values of an area, and wherever practical they take steps to minimise impacts on those known values as they deliver their emergency services.

**Questions:**

- ⇒ Are the defence provisions in the Act adequate and reasonable?
- ⇒ Could the defence provisions be improved, and if so, how?
- ⇒ Do the Guidelines provide adequate protection for Aboriginal heritage?
- ⇒ Could the Guidelines be improved, and if so, how?

## 8. Enforcement of the legislation

The provisions in the Act are legal requirements and must be complied with. As discussed in Section 6 of this Paper, a magistrate determines whether a person has committed an offence, and will decide the proportion of the maximum relevant penalty that will be imposed.

An important amendment to the Act in 2017 was an extension of a statutory limit on the amount of time within which a prosecution must be initiated – from within six months of an offence being committed, to within two years of discovery of evidence of an offence having been committed. This change recognised that breaches of the Act were sometimes reported long after alleged offences were committed (eg, vandalism of rock art in remote areas) and the considerable length of time required to conduct robust investigations prior to decisions being made to proceed with prosecution.

The Act also provides for people to be 'authorised' under the Act to make certain types of decisions and take certain actions such as:

- Requiring a person to provide their name and address.
- Requiring a person to leave a 'protected site'.
- Requiring a person to disclose the location of a relic.
- Seizing objects (relics and property); and
- Obtaining a warrant to search a premises.

Police officers are automatically authorised officers. Any State Service employee may also be authorised as a warden on a case-by-case basis. The practice is for State Service employees to undergo relevant training, to ensure their competence and safety prior to them being authorised. Honorary wardens with lesser powers, and who are not required to be State Service employees, can also be appointed.

Unlike most other legislation that regulates development activity/works, the Act does not provide for the issue of stop-work notices. The key issue here is that a determination of an offence and penalty by a magistrate necessarily takes some time (often years) and there are no mechanisms in the Act to legally require a person (e.g. a contractor or a developer) to stop what they are doing and to not start again until further notice, thereby exposing Aboriginal heritage to ongoing risk of potential damage. A number of other Acts, including Tasmania's *Historic Cultural Heritage Act 1995*, do have this type of provision.

A number of Acts governing the protection of natural and cultural values also have infringement notice provisions which allow for an immediate judgement and on-the-spot fine, where an authorised officer has determined that a breach of the relevant Act has occurred. Infringement notices can be an efficient and immediate means of issuing a penalty. They are usually issued in relation to actions which are considered to constitute breaches that are less serious or minor in nature, and the associated penalties tend to be a small fraction of the (potentially maximum) penalties that might be applied by a magistrate for serious offences.

**Questions:**

- ⇒ How well does the Act provide for enforcement of its provisions?
- ⇒ Could this be improved, and if so, how?
- ⇒ Should the Act include stop-work provisions?
- ⇒ Should the Act include provision for infringement notices and associated on-the-spot fines?
- ⇒ Should offences in the Act be further scaled to distinguish between minor and non-minor offences?

## 9. Other ways the legislation protects Aboriginal heritage

The Act provides a number of other mechanisms which are intended to provide further protection for Aboriginal heritage, in addition to the general provisions already discussed in this Discussion Paper.

The first mechanism (which has been mentioned earlier in this Discussion Paper) is the ability for the Minister to declare a site to be a 'protected site' where the Minister is satisfied that steps should be taken to protect or preserve a relic at that site. In principle, the provisions in the Act provide for a greater level of management attention, aimed at protecting relics, than may otherwise be available.

This mechanism has rarely been used and only three 'protected sites' have been declared, one of which was revoked when that land was formally returned to the Aboriginal community under the *Aboriginal Lands Act 1995*. In practice, it has been more useful and effective to administer such sites under the broader reserve and Crown land management systems administered by the Parks and Wildlife Service.

The second mechanism is a provision for the Governor to make Regulations under Section 25 of the Act which provide additional prescriptions relating to the care, control and management of 'protected sites'. Regulations were initially made in 1978, however these Regulations lapsed in 2000 and Regulations have not existed since that time.

**Questions:**

- ⇒ How well does the Act protect and manage Tasmania's Aboriginal heritage?
- ⇒ Could this be improved, and if so, how?
- ⇒ Are 'protected sites' a useful mechanism for protecting Aboriginal heritage?
- ⇒ Is the provision for the making of Regulations useful?

## 10. Other matters covered by the legislation

The Act also has a number of miscellaneous provisions that while relatively minor are important.

Section 22 specifies that any monies received under the Act, primarily as a result of fines being imposed, will be paid to the Government's consolidated fund. The section also specifies that the Tasmanian Government will pay any expenses incurred through administration of the Act.

Section 23 specifies that the Act must be reviewed within three years of the 2017 amendments.

Section 24 specifies that the *Aboriginal Heritage Act 1975* does not affect the operation of certain other acts, namely Section 139 of the *Criminal Code Act 1924* and the *Coroners Act 1995*.

### Other considerations

The focus of the review of the Act, and therefore this Discussion Paper, is around the design and operation of the current Act. There are, however, some additional aspects relating to the protection and management of Aboriginal heritage that are not directly or indirectly referenced in the Act, and are important to acknowledge.

There are multiple elements to the effective management of Aboriginal values. Legislation and subordinate or subsidiary statutory instruments and processes are a key part, however there are an array of non-statutory mechanisms that may have the potential to support and significantly strengthen the whole system. Central to concerns that have been expressed by Tasmania's Aboriginal people in previous consultation is the importance of educating broader society to promote a better understanding and appreciation of the value and importance of Tasmania's Aboriginal heritage.

A great deal of resources are directed to protecting, managing and promoting Tasmania's Aboriginal heritage. Examples include work on understanding and presenting the Aboriginal values of the Tasmanian Wilderness World Heritage Area, developing and supporting joint management arrangements, as well as the Parks and Wildlife Service's Aboriginal Trainee Ranger Program, and support of Aboriginal tourism.

A key issue with the protection and management of Aboriginal heritage in Tasmania continues to be a lack of understanding and clarity for people who are planning activities which have the potential to impact on Aboriginal heritage. Currently there are a range of key administrative processes that aren't prescribed in detail in the Act – notably specific steps and timeframes to be followed and adhered to when seeking advice on whether a permit for an activity is required, and when making a decision in relation to granting of such a permit. There is also no provision in the current Act for a decision to be appealed, should a party be unsatisfied with how the Act is administered. A theme that emerged from land use and development stakeholders and industries through the consultation for the 2017 amendments was that tighter prescriptions and stronger penalties were not opposed, provided there was clarity and certainty in the requirements and operation of the Act. Some noted a desire to see statutory processes and timeframes for the handling of enquiries regarding whether Aboriginal heritage permits were required and for decisions to be made in relation to applications for permits.

A further but related matter for consideration is how the Act should relate to other Tasmanian planning legislation. Unlike the *Historic Cultural Heritage Act 1995*, the Act is not part of Tasmania's Resource Management and Planning System (RMPS) and there are no triggers in, nor alignment with Tasmania's core planning Act (the *Land Use Planning and Approvals Act 1993*). Integration of Aboriginal heritage legislation with the RMPS would necessarily increase the complexity of the Act.

### Questions:

- ⇒ Is there anything else you would like to see included in Aboriginal heritage legislation in Tasmania?
- ⇒ Are there any other comments that you would like to make with regard to Aboriginal heritage management in Tasmania?

## Important information regarding your submission

### Publication of submissions

Your submission will be published in accordance with the Tasmanian Government's *Public Submission Policy*, which requires that Government departments publish online all written submissions made in response to broad public consultation on major policy matters.

### Confidentiality

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### Useful links

- [Aboriginal Heritage Act 1975](#)
- [Aboriginal Heritage Act 1975 - Statutory Guidelines](#)
- [Aboriginal Heritage Tasmania](#)
- [Aboriginal Heritage Council](#)



West Point midden – West Coast of Tasmania.



Department of Primary Industries, Parks, Water and Environment

Email: [aboriginalheritageact@dpiwte.tas.gov.au](mailto:aboriginalheritageact@dpiwte.tas.gov.au)

Web: [www.dpiwte.tas.gov.au/aboriginalheritageact](http://www.dpiwte.tas.gov.au/aboriginalheritageact)

SOUTHERN MIDLANDS COUNCIL  
DRAFT SUBMISSION ON THE STATUTORY REVIEW OF THE ABORIGINAL HERITAGE ACT 1975 –  
COUNCIL SUBMISSION  
SEPTEMBER 2019

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**1. Mapping of Aboriginal sites/areas/items of significance**

- 1.1 Aboriginal heritage sites and areas should be mapped by the State Government/AHT and data made available to the Planning Authorities. Councils are often the first point of contact for developers in scoping out projects and in undertaking due diligence in land purchases;
- 1.2 To achieve the above - greater resources should be used to map Aboriginal Heritage sites and areas. This in time will reduce impost on developers needing to undertake detailed studies to determine the presence of Aboriginal Heritage or determine the significance of the site/area/item.
- 1.3 There is potential to create mapping that provides a high, medium or low level significance or likelihood of Aboriginal Heritage sites being present. This broad mapping would still provide some protection for specific sites from risks of vandalism/inappropriate access. This in turn puts the onus on the developer to undertake further due diligence or investigation as necessary and the developer can make an informed decision on how best to proceed with a project.

**2 Resource Management and Planning System Tasmania (RMPS)**

- 2.1 The scope of the statutory review could be expanded to either work with the Resource Management and Planning System (RMPS) or potentially be brought under or in conformity with the RMPS (as the previous reform attempted)
- 2.2 Aboriginal Heritage is arguably a fundamental component in any site selection in the planning and design phase of a project.
- 2.3 Developers seeking approvals from AHT for the removal, disturbance or otherwise interference with site/item post Development Approvals (Planning Permit, Building Permits, Dam Permit or otherwise) is often too late in the process – recognising that significant resources have already been expended in the site selection, planning, procurement and design phase of a project. Developers should be factoring in Aboriginal Heritage prior to seeking Development Approval from Council.
- 2.4 Bringing the consideration of Aboriginal Heritage into the RMPS would have a positive flow on effect:
  - 2.4.1 Elevate the importance of respecting and considering Aboriginal Heritage in works and development – like other culturally significant sites, high natural values, or other sites where sustainability should be a factor in undertaking works – not adding ‘more red tape’ with a new, non-statutory step/process but simply broadening the established system of referral bodies like Heritage Tasmania or Taswater
  - 2.4.2 Bolster resources to AHT to undertake mapping and data collection
  - 2.4.3 Greater certainty for developers, Councils, Service providers and the like to confirm at what stage of a project Aboriginal Heritage *should* be considered
  - 2.4.4 Overall shift in thinking and moving away from the early intentions of the 1975 Act to prevent interference and removal of aboriginal “relics” to sustainability and respectfulness
  - 2.4.5 Better understanding of Tasmania’s history, people and culture
- 2.5 There needs to be sensible approach to any statutory mapping of overlays or codes in zones such as the Inner Residential Zone, General Residential Zone or other zones that are subject to regular works and development (that are otherwise highly disturbed and modified environments) – these zones should not then be subject to any impost on the typical works and development in these areas. Much of the works and development that takes places in

these zones do not require statutory pre-approvals and there should not be limited. Aside from previously identified heritage listed sites.

### 3 Education and Further Resources

- 3.1 There is merit to further resources being provided to engaging Aboriginal Heritage Practitioners to assist Council, developers, service providers and the like in identifying and managing heritage sites prior to works commencing at the design phase or earlier in a project. This could be undertaken through a resource sharing model between Councils.
- 3.2 Greater education by State Government, Advocacy groups, interest groups or even Council are a valuable tool.
- 3.3 Southern Midlands Council welcome further discussions with AHT

### 4 Time Frames and Resources for Site Investigation

- 4.1 Council would encourage greater resources be directed to AHT or organisations acting on their behalf to assist developers, Councils, Service Providers and the like in the assessment of sites of potential Aboriginal Heritage Significance where a “relic” or the like has been discovered in the ordinary course of works or development. The cost and resources required to procure a qualified person to undertake a site assessment and report to be provided to AHT can lead to significant costs and delays to progressing a project; and
- 4.2 The Act does not provide any details on the permit application process nor any timeframes in association with this process. Council would encourage incorporating a timeframe into the Act.
- 4.3 Council appreciate the issuing of the *Guidelines* under Section 21A of the Act and the corresponding *Standards and Procedures*. But there is still limited information on how persons undertaking works in the ordinary course of their duties that make an unanticipated discovery will be assisted by AHT in assessing the significance of the discovery or how to proceed in a timely manner; and
- 4.4 The *Guidelines* are limited in the sense that there is no recognition of “day-to-day” activities undertaken by Councils such as road widening, road works, works in parks and reserves (such as track maintenance, erosion and stormwater management practices or similar works) that could lead to an unanticipated discovery. These types of works do not readily fit into any of the categories provided in the *Guidelines*. It is not clear how a Council should treat any relics or sites which have previously been highly disturbed by past works and practices - such as maintenance of drains, roads or tracks that have intersected relics i.e. prior to the 1975 Act. It seems highly onerous for a Council to stop works, notify AHT and await instruction on how to proceed in such events.
- 4.5 Council will continue to undertake works as a model corporate citizen and continue to abide by the Act and the *Guidelines* and the advice otherwise of AHT.
- 4.6 Council do however recommend further advancement of the *Guidelines* and mapping or collection of data together with improved criteria for defining Aboriginal Heritage should lead towards better practices.

### 5 Comments on “relics” and defining “Aboriginal Heritage”

- 5.1 The Act defines Aboriginal Heritage as being “relics”. The definition does not give adequate weight to the surrounding area or context as to why a “relic” may be present in a specific area. It is the understanding of Council Officers that “relics” are often located in areas where there was Aboriginal ancestor activity such as campsites, food and resource gathering areas, spiritual places or walking routes. The term and definition of a “relic” in the Act does not provide a clear and tangible description of the other elements that comprise Aboriginal Heritage – as the term “relic” is interchangeable with the term “object”; and

- 5.2 There is no clear criteria as what defines the relic/place as being of significance and therefore worthy of a heritage listing – it seems to be any and all “relics”
- 5.3 There may then need to be clearer criteria that articulates “Aboriginal Heritage” much like the criteria provided under the *Historic Cultural Heritage Act* for places listed on the Tasmanian Heritage Register and that adopted by some Councils in preparing their Local Places of Heritage Significance. There should be some scope for such criteria to be developed based on the Burra Charter and work of the International Council on Monuments and Sites (ICOMOS).
- 5.4 The term “relic” is also synonymous deceased practices, persons or disappearance otherwise of a culture and does not appear aligned with modern thinking about Tasmania’s people and culture;

## 14.2 Natural

### Strategic Plan Reference 3.2.1 & 3.2.2

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

#### 14.2.1 NRM UNIT – GENERAL REPORT

**Author:** NRM PROGRAMS MANAGER (MARIA WEEDING)

**Date:** 17 SEPTEMBER 2019

**ISSUE:** Southern Midlands Landcare Unit Monthly Report.

#### DETAIL

- Helen Geard and Maria Weeding have done some maintenance work on the Dulverton foreshore. This has included replacement of a few plants, control / removal of weeds around the younger plants, mainly around the toilet block to stopover area of the lake.
- A Lake Dulverton and Callington Park meeting was held Monday 2<sup>nd</sup> September 2019. There was much to discuss. A lot of work analysing water levels and other information ready for the meeting was undertaken. *Minutes from the meeting forwarded for consideration at the September 2019 Council meeting.*
- A meeting of the Kempton Streetscape Group was held on Monday 2<sup>nd</sup> September 2019. One of the items discussed was the proposed changes to the forecourt area at the Kempton Memorial Hall. Three draft plans were looked at and comments/suggestions were collated ready to be sent to PlayStreet for a revised draft to be modelled. The revised draft will be considered for any minor changes at the next meeting of the Group – Monday 30<sup>th</sup> September 2019. The final draft will then go out for public consultation prior to submitting a Development Application to Council for Planning and Building approvals. *Notes from the meeting forwarded to Council for consideration at the September 2019 Council meeting.*
- The current water flow (winter season take) from the Tas Irrigation line will conclude on 30<sup>th</sup> September 2019. Recent information from Tas Irrigation revealed that the Lake has had its full 215 ML quota slightly ahead of the close of the winter period. It has also come to light that some additional water was placed in to the lake as a result of the water outlet spilling at a slightly higher than the anticipated rate. The water outlets are controlled by Tas Irrigation.
- In regard to Drum Muster, SKM has been trading (through finances made available to them). Veolia were therefore able to collect the drums from Campania and deliver them to SKM for processing.
- Maria Weeding and Helen Geard spent time at the Oatlands School consulting with the grade 1, 2 and 3 students in relation to playground equipment. The process for consultation was pre-determined with the relevant staff at the school. The results of the consultation have been most helpful in confirming a way forward with the play equipment proposed for Callington Park. Further consultation and planning is to take place with playground experts at a meeting on 24<sup>th</sup> September 2019. Helen, Maria and Andrew Benson will attend the meeting.

- Maria Weeding has been busy with representatives from the Mt Pleasant Football Club in relation to the proposed upgrade of the toilets at the recreation ground. A draft design of the upgrade has been sent to the office of Brian Mitchell (MP) seeking additional funding to the Council budget allocation.
- Jack Lyall, Helen Geard and Maria Weeding took a trip to Hobart to investigate path surface options for possible use for the pathway at Lake Dulverton. There are a number of options. Nothing has been determined at this stage.

## **WEEDS REPORT**

The Weeds Officer – Jen Milne has submitted the following report for her work to 17<sup>th</sup> September 2019.

### **Site visits:**

- Removed Boneseed with Helen Geard at Dysart properties. Very few plants found, mostly seedlings, two mature. Part of ongoing control by council since 2006.
- Boneseed site in Levendale inspected. One large very old boneseed plant still on Burrows Rd. Cut down by works dept. No other plants found.
- Boneseed spotted and removed in Bagdad at one property. This is the second year of ongoing control measures by Council.
- Followed up on two pampas reports - one removed from Elderslie Rd, other letter sent to landowner for removal.

### **Emerging weed issues:**

- New serrated tussock (single plant) removed from roadside on Eldon Rd. Adjacent property inspected, none found.
- New Spanish heath roadside bushes found on New Country Marsh Rd.
- Surveyed Broadmarsh and Mangalore roadsides for Patterson's curse. Rosettes currently forming. Spot spraying scheduled with contractor for initial control in coming weeks as they become more visible in roadside grass.

### **Meetings:**

- Thursday 29<sup>th</sup> September - Weed workshop held at Broadmarsh hall. Well attended by local community. Control of Patterson's curse on both private and public land a community priority for upcoming spring season.
- Tuesday 10<sup>th</sup> October Sandy Leighton, State Growth – visited roadside weed sites on Mud Walls Rd and Midland Highway to discuss State Growth weed control programs and coordination with council programs. State Growth continuing control of priority weeds on these areas, along with isolated patches of gorse and English broom. No planned works for Tunnack Road, due to budget cuts.
- Meeting with Brighton Council to discuss resource sharing. Will be commencing Patterson's curse management in the Brighton area to complement works in Broadmarsh on Brighton Councils behalf in October/November.

## RECOMMENDATION

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

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

### 14.3 Cultural

**Strategic Plan Reference 3.3.1**

*Ensure that the cultural diversity of the Southern Midlands is maximised.*

Nil.

### 14.4 Regulatory (Other than Planning Authority Agenda Items)

**Strategic Plan Reference 3.4.1**

*A regulatory environment that is supportive of and enables appropriate development.*

Nil.

### 14.5 Climate Change

**Strategic Plan Reference 3.5.1**

*Implement strategies to address issues of climate change in relation to its impact on Councils corporate functions and on the Community.*

Nil.

## 15. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LIFESTYLE)

### 15.1 Community Health and Wellbeing

**Strategic Plan Reference 4.1.1**

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

Nil.

### 15.2 Youth

**Strategic Plan Reference 4.2.1**

*Increase the retention of young people in the municipality.*

Nil.

### 15.3 Seniors

**Strategic Plan Reference 4.3.1**

*Improve the ability of the seniors to stay in their communities.*

Nil.

### 15.4 Children and Families

**Strategic Plan Reference 4.4.1**

*Ensure that appropriate childcare services as well as other family related services are facilitated within the Community.*

Nil.

### 15.5 Volunteers

**Strategic Plan Reference 4.5.1**

*Encourage community members to volunteer.*

Nil.

### 15.6 Access

**Strategic Plan Reference 4.6.1a & 4.6.1b**

*Continue to explore transport options for the Southern Midlands Community / Continue to meet the requirements of the Disability Discrimination Act (DDA).*

Nil.

### 15.7 Public Health

**Strategic Plan Reference 4.7.1**

*Monitor and maintain a safe and healthy public environment.*

Nil.

## 15.8 Recreation

**Strategic Plan Reference 4.8.1**

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

Nil.

## 15.9 Animals

**Strategic Plan Reference 4.9.1**

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

Nil.

## 15.10 Education

### Strategic Plan Reference 4.10.1

*Increase the educational and employment opportunities available within the Southern Midlands.*

#### 15.10.1 BAGDAD PRIMARY SCHOOL – VEHICLE PARKING AND TRAFFIC (INFORMATION ONLY)

**Author:** SPECIAL PROJECTS OFFICER (DAMIAN MACKEY)

**Date:** 19 SEPTEMBER 2019

**Enclosure:**

*Design Concept – Development Application*

### ISSUE

To provide Council with an update in relation to the proposed construction of an off-street carpark (in conjunction with the Department of Education).

### DETAIL

The attached Application for the development of the Car Park, including the associated boundary adjustment(s), has been submitted to Council.

The Application was advertised in the Mercury Newspaper on Wednesday 18<sup>th</sup> September 2019 with a fourteen day representation period.

Councillors will note that the development includes the Bagdad Primary School; former Church and 40 Church Road, Bagdad.

It is confirmed that all parties have consented to the application which was a prerequisite to lodgement.

In summary, subject to development approval being granted, the process will involve:

- Prepare detailed construction plans;
- Confirm final costings;
- Confirm that the final costings are acceptable to the Education Department and secure final funding agreement; and
- Proceed with construction which will be undertaken 'in-house'.

**Human Resources & Financial Implications** – Council has allocated an amount of \$25,000 as its contribution to the project. To date, approximately \$6036.00 has been expended on engineering design; site survey and associated costs.

The original cost estimate was in the vicinity of \$240K, with the Education Department to fund the balance.

Depending on the final estimated cost of construction, including the additional costs associated with the above requirements, Council may need to consider an additional allocation. At this stage it is not possible to indicate any such amount, however it should still

be considered a worthy investment to address the significant road safety issues that have existed for many years.

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

**Policy Implications –.N/A**

**Priority - Implementation Time Frame – Immediate.**

**RECOMMENDATION**

**THAT the information be received.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

**ENCLOSURE**  
*Agenda Item 15.10.1*

DEVELOPMENT APPLICATION FOR  
**CAR PARK & ASSOCIATED BOUNDARY ADJUSTMENT**

BAGDAD PRIMARY SCHOOL, FORMER CHURCH & 40 CHURCH ROAD, BAGDAD

Certificates of Title: 125270/1, 201269/1, 201270/1 & Untitled Crown Land of the School.

11 September 2019

## Development Application – Bagdad Primary School New Car Park & Associated Boundary Adjustment

### DESCRIPTION OF PROPOSAL:

This document sets out the plans for the construction of a new car park at the Bagdad Primary School, the associated construction of a new driveway for the property at 40 School Road and the adjustment of boundaries to accommodate the new carpark within the school land and to address two historical boundary anomalies.

### CAR PARK:

The primary purpose of this development application is to seek approval for the construction of a new car park servicing the Bagdad Primary School. This will involve:

- Construction of a 40-space sealed car park on land that is partially the current access to the former church and partially adjoining land currently within the 40 Church Road property.
- Construction of a new concrete path running south along School Road from the school entrance to the new car park, and running down its side.
- Access to the former church (future school class room) will also be provided straight-on from the end of the car park.
- Construction of a gravel driveway for 40 School Road to the south of the new car park.
- Construction of 2.1m high colorbond steel fences along the new boundaries between the school and 40 School Road (on the southern and eastern boundaries).
- Construction of a 1.8m high steel fence along the southern side of the new driveway to 40 School Road.
- The removal of the row of trees (mainly old pine trees) which are in the way of the new car park and the new driveway for 40 School Road.

### BOUNDARY ADJUSTMENT:

In regard to the boundary adjustment there are five points:

Firstly; the land upon which the school buildings sit is divided into three separate parcels, with school buildings straddling several boundaries, (see Plan 1). As part of the boundary adjustment to add the future car park land to the school, the opportunity will be taken to consolidate the school building land parcels into one.

Secondly; the Education Department will soon gain ownership of the adjacent former church. The church building is already being used as a class room and the proposed car park will be partially constructed on the current church title. The title of the church is to be added to the consolidated school title.

Thirdly; the new car park will be partially constructed on land currently part of 40 School Road. This portion of land is to be added to the consolidated school title.

Fourthly, a small part of the former church title (approximately 40m<sup>2</sup>) appears to have been occupied for many years by 40 School Road, (refer Lot 2 on Plan 3). The boundary adjustment provides an opportunity to formerly add this land to 40 School Road, to recognise long-standing occupation and use.

Fifthly; another small section of land (approximately 87m<sup>2</sup>) appears to have been occupied by the school for many years but is part of 40 Church Road, (refer Lot 3). Again, the boundary adjustment provides an opportunity to swap this land between the titles to recognise long-standing occupation and use.

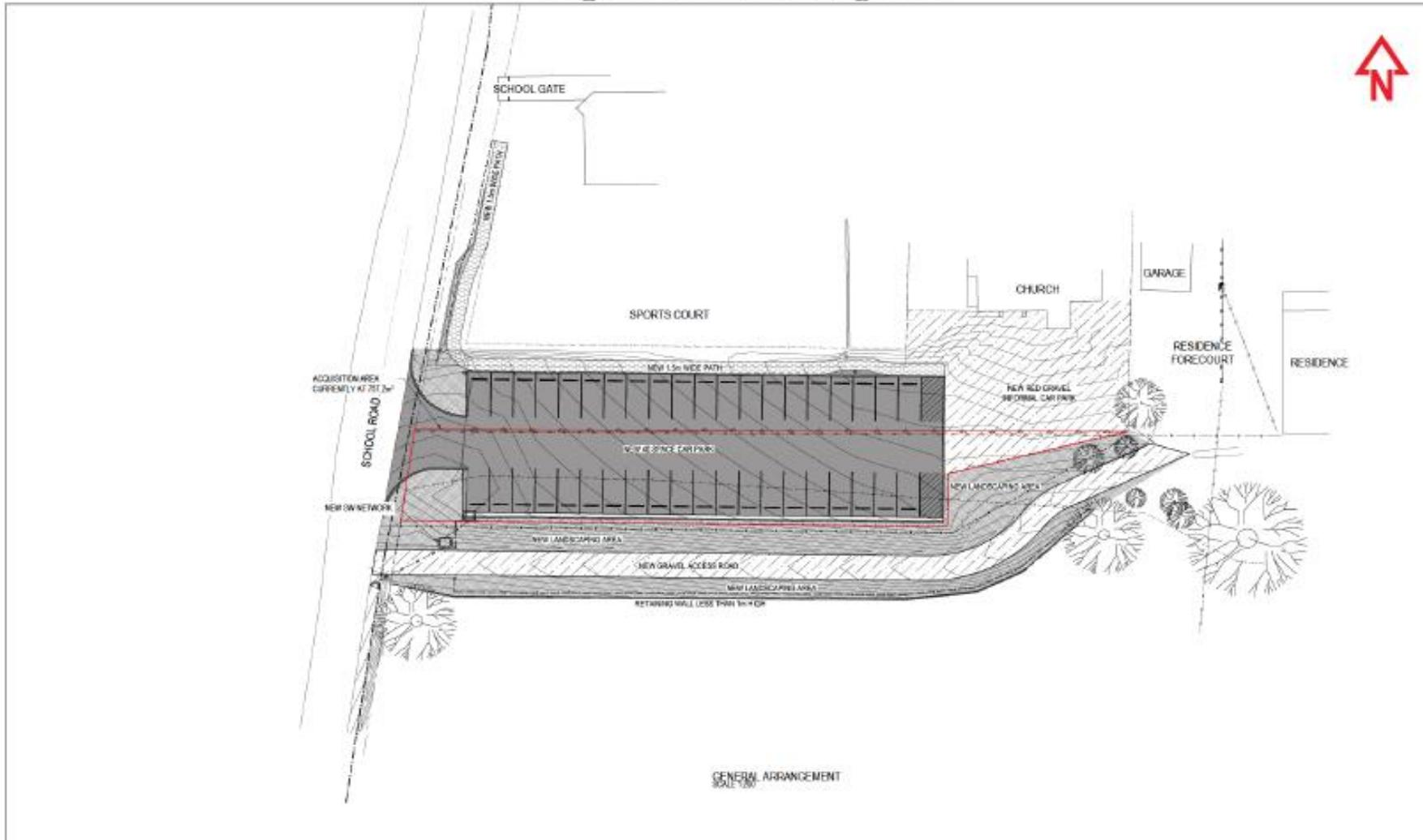
### PLANS:

Diagram 1: Location Plan.    Diagram 2: General Arrangement.    Diagram 3: Detail Sheet - Car Park.    Diagram 4: Cross-Section.    Diagram 5: Boundary Adjustment Detail.

**Development Application – Bagdad Primary School New Car Park & Associated Boundary Adjustment**  
**Diagram 1 – Location Plan**

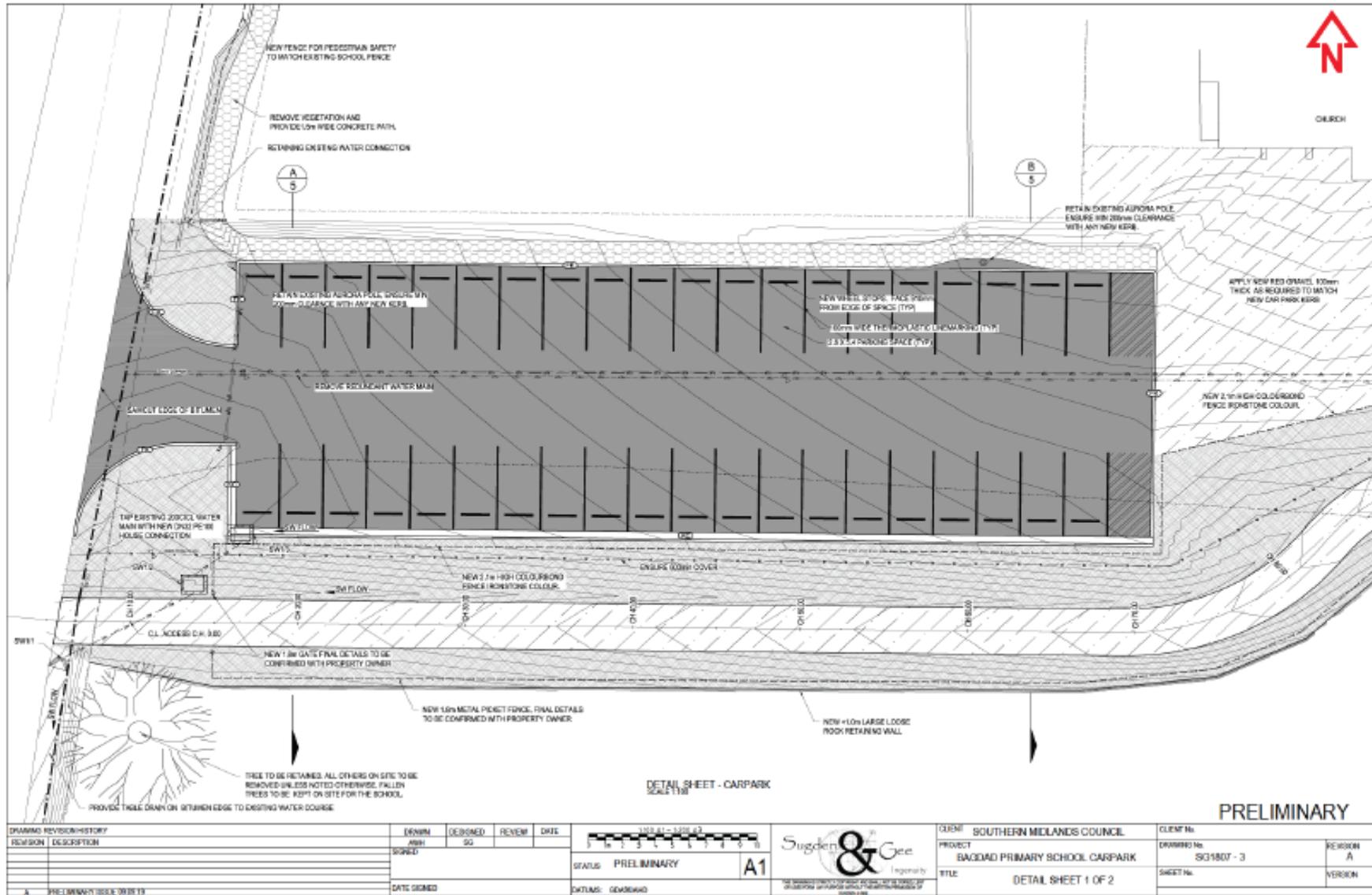


Development Application – Bagdad Primary School New Car Park & Associated Boundary Adjustment  
 Diagram 2 – General Arrangement

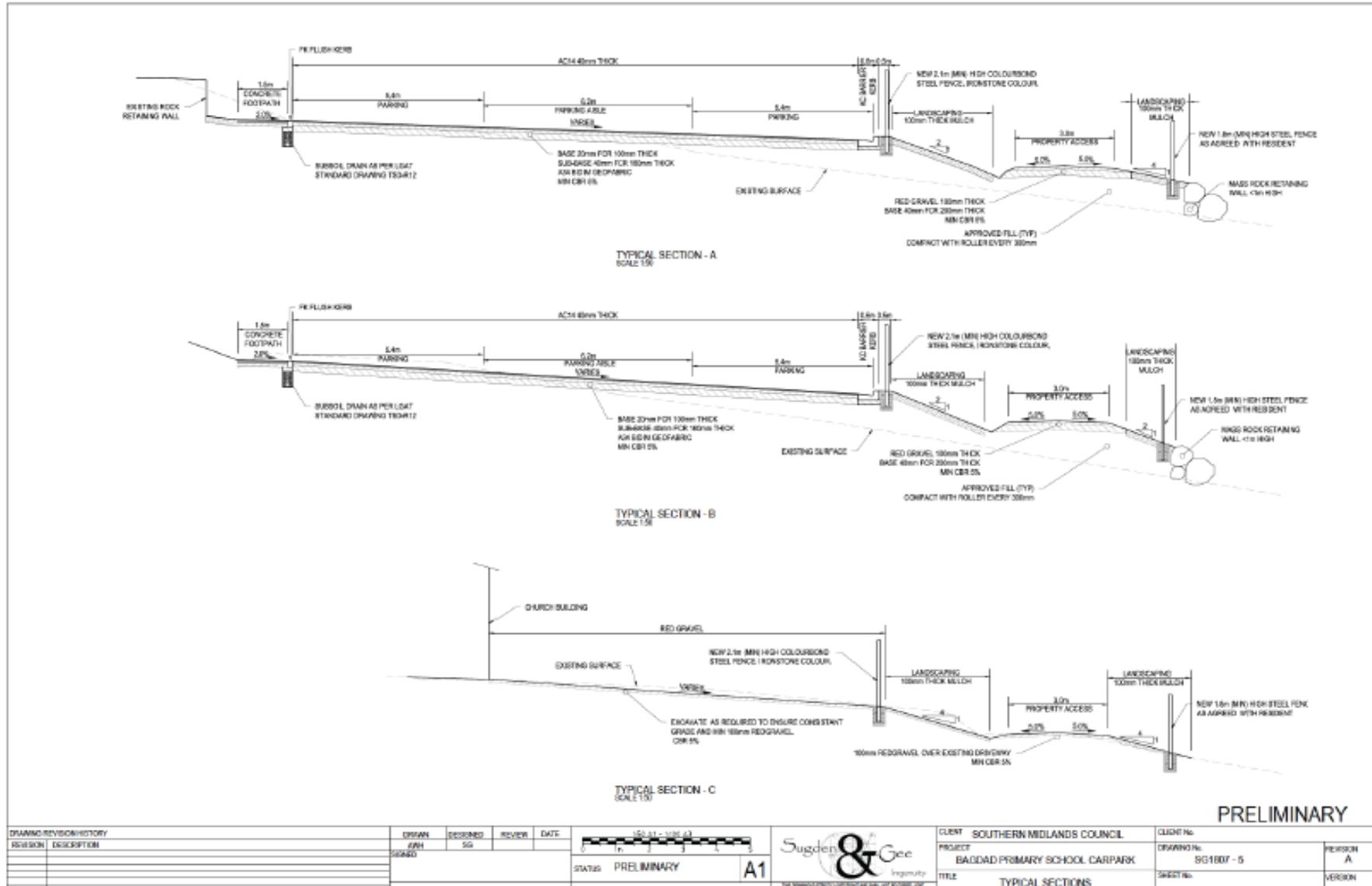


DRAWING REVISION HISTORY				DRAWN		DESIGNED		REVIEW		DATE		CLIENT		CLIENT No.	
REVISION   DESCRIPTION				2019		2019						SOUTHERN MIDLANDS COUNCIL		SG1807 - 2	
				2019								BAGDAD PRIMARY SCHOOL CARPARK		REVISION A	
				2019								GENERAL ARRANGEMENT		VERSION	

Development Application – Bagdad Primary School New Car Park & Associated Boundary Adjustment  
 Diagram 3 – Detail Sheet - Carpark



## Development Application – Bagdad Primary School New Car Park & Associated Boundary Adjustment Diagram 4 – Cross-Sections



### Development Application – Bagdad Primary School New Car Park & Associated Boundary Adjustment Plan 5 – Boundary Adjustment Detail



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

### 16.1 Capacity

**Strategic Plan Reference 5.1.1 & 5.1.2**

*Build the capacity of the community to help itself and embrace the framework and strategies articulated through social inclusion to achieve sustainability / Maintain and strengthen communities in the Southern Midlands.*

#### 16.1.1 SOUTHERN MIDLANDS COUNCIL COMMUNITY SMALL GRANTS PROGRAM 2019

**Author:** DEPUTY GENERAL MANAGER; MANAGER COMMUNITY & CORPORATE DEVELOPMENT (ANDREW BENSON)

**Date:** 17 SEPTEMBER 2019

**Enclosure(s):**

*Assessment Analysis Summary (A3 size)*

### BACKGROUND

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

Council's Facilities and Recreation Committee have responsibility for overseeing the Grants Program and undertaking the formal assessment process in determining the successful grant applications. Whilst the majority of the information in this report is included in the minutes of the Facilities and Recreation Committee, the Committee has always considered that the detailed process and determinations should be fully reported to Council through the public Agenda and Minutes in an open and transparent manner.

### [EXTRACT FROM THE GUIDELINES]

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

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

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

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

**Purpose**

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

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

**Community Building**

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

**Minor Capital Works**

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

**Safety/Accessibility Upgrades/Equipment**

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

**Frequency**

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

**Important Dates:**

The current round for assistance opens at 8.30am on Monday 29<sup>th</sup> July 2019 and **closes on Monday 26<sup>th</sup> August 2019 at 4:00pm**. Applications can be lodged at either the Oatlands or Kempton Office, or lodged electronically at [mail@southernmidlands.tas.gov.au](mailto:mail@southernmidlands.tas.gov.au)

Projects are able to start from Monday 7th October 2019 - full acquittal is required by Friday 17th July 2020.

**Level of Funding Available**

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

**Eligibility**

**Financial Assistance WILL be considered for:**

- Any not for profit community group or voluntary association that is legally constituted as an incorporated body or under the auspice of one.
- The group or organisation is located in the Southern Midlands municipal area or is proposing an activity or project which will take place in the Southern Midlands municipal area, for the benefit of those who live, visit or conduct business in the municipal area.
- The applicant is able to demonstrate financial viability and competence.

- *The applicant meets Council's insurance requirements.*
- *Education providers are able to apply on the condition that the project/activity is open to all residents and has a broad community benefit.*
- *For equipment grants, applicants are required to contribute at least 50% towards the cost of equipment for items considered 'consumables' eg cricket bats / balls , Footballs etc .Items of a longer term nature eg line marking machines , training equipment and the like would be eligible for up to 100% funding.*

*The following are important areas to address*

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

***Financial Assistance WILL NOT be given for:***

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

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

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

**Project Management**

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

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

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

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

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

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

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

**Financial**

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

**Promotion**

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

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

- *Opportunities for the Mayor or delegate to participate in any public relations activities, launches, or proceedings associated with the project. Sufficient notice should be given in the form of an official letter of invite addressed to the General Manager.*

*Attendance at any Council arranged event celebrating the provision of the grant funding, in particular providing a representative at Council's Australia Day ceremony.  
Prominently displaying any certificates or plaques associated with the Council's provision of any grant funding*

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

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

### **Evaluation / Acquittal Process**

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

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

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

### **Priority Criteria**

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

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

9. *Includes the ability for broad Community access – Land Tenure [in the ownership of the applicant or in other ownership]*
10. *Grant funds applied for as a % of the total amount to complete the project [including in kind contribution] i.e. A financial contribution by the applicant/s would be favourably looked upon*
11. *The Project shall be one that has not received any previous funding for the same purpose by Council or any other funding body (i.e. no ‘double dipping’)*
12. *Demonstrate that a Risk Assessment of the project is deemed within acceptable limits*

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

### **Assessment**

*The application process is as follows:*

*The application forms can be accessed from the Council Chambers, Oatlands and Kempton or via the Council Website: [www.southernmidlands.tas.gov.au](http://www.southernmidlands.tas.gov.au)*

*Applicants are encouraged to contact Council’s Manager Community & Corporate Development, Andrew Benson on 6259 3011 if you have any questions relating to completion of the forms or require information in regard to how your project meets the guidelines of the program.*

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

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

*Once adopted by Council the applicants will be informed of their success or otherwise in gaining funding. Successful applicants will need to supply Council with a tax invoice [ on their own letterhead preferably ] for the approved grant amount to allow funding of grant monies to be processed . **This should be done as soon as the approved grant funding letter has been received.***

### **Tips for completing the Application Form**

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

#### **Section 1: General Information**

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

#### **Section 2: Details of the Project**

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

6. *Select the category that your project best fits under.*

7. Give your project a name which represents what your project/activity is about.
8. Indicate where the project/activity is to be held or carried out (e.g. Hall, park, or facility).
9. When answering this question think about the following:
  - What does your group want to achieve? (e.g. raise awareness of a service program, group or local issue, improve access to and use of a community facility, maximize participation in your group or a particular activity, improve safety).
  - What steps are you planning to take to make sure your project/activity runs smoothly?
  - Who might you involve; (e.g.) young persons, older persons, people with different abilities, people from different cultural backgrounds).
  - Why is this project/activity important for your group/organisation and the wider community?
10. When answering this question think about the following?
  - How things will be different for your group and/or the wider community?
  - What might it allow them to do that they can't at present?
  - How might it improve access to or participation in activities?
  - Who will benefit most from your project/activity?  
Keep in mind concepts such as community pride, attracting people to the region and spending money in the community, forming new community links, etc.
11. Tell us how your group identified a need in the community (e.g. community consultation, public meeting, suggestion box).
  - Why do you think the need exists?
  - Why is it a problem/issue for your group and/or the wider community?
  - Who have you spoken to about this need?
  - Why has your group chosen this way to tackle the problem and/or improve the situation?
12. To answer these questions think about:
  - Can you draw on volunteers from within your group or organisation? If yes, what sort of work will they be asked to do or in what way can they help?
  - What equipment, machinery, etc. you have?
  - What sort of skills or abilities do the individuals involved in the project/activity have? (e.g. financial management, organisational, trade skills – e.g. plumber, builder etc).
  - What type of outside assistance will you seek to complete the project or run the event?
13. For example:
  - Increased participation/membership
  - A well attended event or activity
  - Peoples comments and thoughts (how will you get these?)
  - Media coverage (e.g. newspaper, community newsletter)  
You may wish to identify the main aims of your project which you can go back and review to see whether you were successful.

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

### **Section 3: Budget**

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

15. Clearly list the expenses for your project/activity and indicate which expenses you intend to use Council's contribution for.
16. Please provide details of the confirmed and anticipated sources of funding for your project. If available please provide with your application any documents confirming the availability of these funds (e.g. bank statements, loan details, letters, etc).

Good luck with your Application

## **[END OF EXTRACT FROM THE GUIDELINES]**

### **CURRENT POSITION**

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

Preliminary Advice on Council's web site and Facebook page	Monday 1 <sup>st</sup> July 2019
Advertisement in "Mercury"	Saturday 27 <sup>th</sup> July 2019
Grant applications open	Monday 29 <sup>th</sup> July 2019
Grant applications close	Monday 26 <sup>th</sup> August 2019 (4.00pm)
Fac & Rec C'tee Agenda closes	Friday 6 <sup>th</sup> September 2019
Fac & Rec C'tee Meeting [For assessment of applications]	Thursday 12 <sup>th</sup> September 2019 10 00am
Full Council meeting Agenda closes	Thursday 19 <sup>th</sup> September 2019
Full Council meeting - Oatlands [To consider recommendations]	Wednesday 25 <sup>th</sup> September 2019
Letters to grant applicants	Week commencing 30 <sup>th</sup> September 2019

**Nineteen applications** have been received identifying **\$110,791.00** worth of projects, requesting a total of **\$50,611.00** of support from Council through the SMC Community Small Grants Program 2019. Within the application we ask,

**GRANT AMOUNT REQUESTED:**                      \$ \_\_\_\_\_ **[GST inc]**

*Council may not be able to fund the full amount requested .Please advise the minimum amount that would still allow the project to continue \$ \_\_\_\_\_.*

A total “*Will Accept*” figure of **\$39,332.00** has been determined from the applications for this grant round. The funds available for distribution by Council for the projects being \$30,000.00 as per the 2019/20 budget, plus \$2,000 from Oatlands Rotary.

## ASSESSMENT PROCESS

As per the previous rounds, to assess the applications in an open, transparent and equitable manner, whilst maintaining a rigorous analysis against the established criteria, the Deputy General Manager (Andrew Benson) put together a rational decision making process to assist the Facilities & Recreation Committee in their deliberations.

The process consisted of;

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

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

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

<b>MUST - NOs</b>	<b>Funds not available for the following</b>
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Has the Applicant organisation previously failed to acquit Council assisted projects in line with the agreed terms.
Actions/services previously disbursed.
Fundraising purposes (donations).
Program/projects by local schools/education providers that are exclusive to students Core school curriculum and activities cannot be considered.
Projects with ongoing costs e.g. staff, salaries, administration, maintenance, insurance, rental or lease arrangements.
Community Organisations who already receive Council funds to undertake a specific activity for which funding is being sought or community organisations wanting to do a specific activity that is already funded by Council.
The purchase of land.
Routine and regular maintenance work to existing facilities (e.g. gardening, cleaning).
Facilities where little or no public access is available.
Travel to sporting competitions or conferences for individual or community groups.

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

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

WANT	WT
<b>Criteria 1</b>	
Demonstrate considerable benefit to the community;	10
<b>Criteria 2</b>	
Raise the awareness of or access to a service, program, group or issue or maximize the participation or use of facility;	10
<b>Criteria 3</b>	
Demonstrate coordination with other groups in the Community;	5

<b>Criteria 4</b>	
Address local issues by attempting to meet a Community need or gap;	15
<b>Criteria 5</b>	
Show evidence of community support for the project;	10
<b>Criteria 6</b>	
Enhance the lifestyle options for residents and visitors in the Community;	5
<b>Criteria 7</b>	
Demonstrate an ability to manage the project through resource allocation, effective planning, clear goals and evaluation processes;	15
<b>Criteria 8</b>	
Demonstrate the ability to be ongoing.	10
<b>Criteria 9</b>	
Is the project reliant on other funds, if so have other funds been approved	5
<b>Criteria 10</b>	
Grant funds applied for as a % of the total amount to complete the project (including in-kind contribution)	10
<b>Criteria 11</b>	
Risk Assessment of this Project	10

It was decided that given the number of applications far exceeded the available funds for dispersal, then an addition Criterion, Criteria 12 be added 'Funding achieved over the last five years'. This meant that if an organisation had received funds in recent years that a scoring figure should be derived to recognise that fact in the overall assessment process. This 'raw score figure' was weighted by 10 as it was considered a significant factor in the assessment. Therefore the following table represented the scoring, it was scored 5 if the organisation had received no funding in the preceding five years, it was scored 4 if there had been no fund in the preceding four years, it was scored 3 if there had been no funding in the preceding three years, it was scored 2 if there had been no fund in the preceding two years, and finally it was scored 1 in all other circumstances.

### Potential Conflict of Interest

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

**During the Grants Assessment Workshop the following declarations were noted.**

Tim Kirkwood declared an interest in regard to the grant application for Bagdad Community Club and left the meeting.

Tim Kirkwood declared an interest in regard to the grant application for Central Hawks Junior Football Club and left the meeting.

Elisa Lang declared an interest in regard to the grant application for Central Hawks Junior Football Club and left the meeting.

Tim Kirkwood declared an interest in regard to the grant application for Levendale Hall Committee and left the meeting.

Tim Kirkwood declared an interest in regard to the grant application for Oatlands RSL and Community Club and left the meeting.

Clr Don Fish declared an interest in regard to the grant application for Parattah Progress Association and left the meeting.

Tim Kirkwood declared an interest in regard to the grant application for Tunbridge Community Club and left the meeting.

### **Grants Assessment Workshop Outcomes**

The assessment process was completed and the document containing the final results of the assessment of the Southern Midlands Council Community Small Grants program 2019 was tabled for consideration.

SMC Community Small Grants 2019 - Assessment Results									
Item	Group/Club	Auspiced by	Project	Project Cost	Grant Sought	Will Accept	Recommend to be Approved by Council	Priority (1 = highest)	Remarks
1	Levendale Hall Committee		Construct Wheel Chair Access to Hall	\$ 3,300.00	\$ 3,000.00	\$ 1,500.00	\$ 3,000.00	1	
2	Central Hawks FC		Heat Pump for Kempton Club Rooms	\$ 4,000.00	\$ 3,000.00	\$ 2,800.00	\$ 3,000.00	2	
3	Bagdad Community Club		Repair / Replace Weatherboard Wall lining	\$ 10,000.00	\$ 3,000.00	\$ 2,500.00	\$ 3,000.00	3	
4	Mt Pleasant FC		Supply & Fit Wood Heater to Club Rooms	\$ 4,100.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	4	
5	Tunbridge Community Club		Upgrade to Refridgeration at the Club	\$ 15,000.00	\$ 3,000.00	\$ 2,000.00	\$ 3,000.00	5	
6	Runnymede Cricket Club		Supply & Install Bore, Pump, Electricals	\$ 13,414.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	6	
7	Colebrook Progress Assn		Chairs for Memorial Hall Colebrook	\$ 749.00	\$ 749.00	\$ 749.00	\$ 749.00	7	
8	Oatlands RSL& Community Club		Building Upgrade	\$ 4,264.00	\$ 3,000.00	\$ 2,000.00	\$ 3,000.00	8	
9	Brighton & Green Ponds RSL_1		Kitchen Upgrade Kempton Memorial Hall	\$ 2,750.00	\$ 2,750.00	\$ 2,550.00	\$ 2,750.00	9	
10	Campania School	School Assn	Establishment of a Community Kitchen	\$ 4,587.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	10	
11	Oatlands District Historical Society		Supply & Install Shelving	\$ 1,198.00	\$ 1,198.00	\$ 1,198.00	\$ 1,198.00	11	
12	Surf Life Saving Tas		Water Safety / Aquatic Survival Program	\$ 16,165.00	\$ 3,000.00	\$ 2,000.00	\$ 2,000.00	12	
13	Oatlands Progress Assn	OCA	Fund First Aid Courses for the Community	\$ 3,260.00	\$ 2,360.00	\$ 1,180.00	\$ 1,180.00	13	
14	Sporting Shooters Assn		Supply & Install Skeet Trap	\$ 8,000.00	\$ 3,000.00	\$ 1,000.00	\$ -	14	
15	Soup & Cinema	OCA	Seven Cinema Showings at Oatlands	\$ 9,450.00	\$ 3,000.00	\$ 3,000.00	\$ -	15	
16	Oatlands Community Assn		Tables & Chairs for the Small Meeting Rm	\$ 1,999.00	\$ 1,999.00	\$ 1,000.00	\$ -	16	
17	Horse Drawn Heritage Tasmania	GPPA	Repairs to Landau	\$ 2,860.00	\$ 2,860.00	\$ 2,860.00	\$ -	17	
18	Brighton & Green Ponds RSL_2		Defibrillator	\$ 2,695.00	\$ 2,695.00	\$ 1,995.00	\$ -	18	<i>This Applicant submitted two applicants &amp; as their second priority this application goes last on the list of overall priorities</i>
19	Parattah Progress Assn		Concrete Slab for BBQ	\$ 3,000.00	\$ 3,000.00	\$ 2,000.00			<i>It was determined that this item would be funded out of the Facilities &amp; Recreation Committee budget given it is improvement to the Parattah Rec Grd and was part of a commitment to provide this slab following the removal of the grandstand at the Parattah Rec Grd</i>
				<b>\$ 110,791.00</b>	<b>\$ 50,611.00</b>	<b>\$ 39,332.00</b>	<b>\$ 31,877.00</b>		

The Facilities & Recreation Committee took the following decision.

**DECISION**

*Moved by Deputy Mayor E Batt, seconded by Cllr A Bantick*

**THAT**

- 1. The attached summary document (marked Southern Midlands Council Community Small Grants Program 2019 - Assessment Results) articulates the final decisions that have been calculated and endorsed based on the Southern Midlands Council Community Small Grants Program 2019 assessment; and*
- 2. The financial allocations for the thirteenth round of the Southern Midlands Council Community Small Grants Program be subsequently submitted to the next Full Council meeting for ratification.*

**CARRIED**

Councillor	Vote For	Vote Against
Cllr D F Fish (Chairperson)	√	
Deputy Mayor E Batt	√	
Cllr A R Bantick	√	

**CONCLUSION**

The Facilities & Recreation Committee received **nineteen applications** identifying **\$110,791.00** worth of projects to be undertaken in the Southern Midlands for the benefit of the Community, requesting a total of **\$50,611.00** of support from Council through the SMC Community Small Grants Program 2019. Council had allocated \$30,000.00 in its 2019/2020 budget for the Program and the Oatlands Rotary Club had provided Council with \$2,000.00 as their contribution to the Program. A rigorous and transparent assessment was undertaken as detailed above with the available funds being allocated in priority order as detailed in the Assessment Results on the preceding page.

From an historical perspective it is interesting to note that since the inception of the Southern Midlands Community Small Grants Program in 2007, **Council have paid out to Community Groups through this Program \$305,820.00, supporting \$1,047,151.00 worth of Community Projects.** It must be acknowledged that this Program and this Council has made a significant contribution to this Southern Midlands Community through the Program, a contribution that current and past Councillors should be rightly proud of.

**Human Resources & Financial Implications** - Nil, funds included in the 2019/2020 budget as well as a \$2,000 contribution from Oatlands Rotary.

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

**Policy Implications** - Nil.

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

**RECOMMENDATION**

**THAT the financial allocations for the thirteenth round of the Southern Midlands Council Community Small Grants Program 2019 to the following organisations be approved:**

<b>\$3,000</b>	<b><i>Levendale Hall Committee</i></b>
<b>\$3,000</b>	<b><i>Central Hawks Football Club</i></b>
<b>\$3,000</b>	<b><i>Bagdad Community Club</i></b>
<b>\$3,000</b>	<b><i>Mt Pleasant Football Club</i></b>
<b>\$3,000</b>	<b><i>Tunbridge Community Club</i></b>
<b>\$3,000</b>	<b><i>Runnymede Cricket Club</i></b>
<b>\$ 749</b>	<b><i>Colebrook Progress Association</i></b>
<b>\$3,000</b>	<b><i>Oatlands RSL &amp; Community Club</i></b>
<b>\$2,750</b>	<b><i>Brighton &amp; Green Ponds RSL Sub Branch</i></b>
<b>\$3,000</b>	<b><i>Campania School</i></b>
<b>\$1,198</b>	<b><i>Oatlands District Historical Society</i></b>
<b>\$2,000</b>	<b><i>Surf Life Saving Tas</i></b>
<b>\$1,180</b>	<b><i>Oatlands Progress Association</i></b>

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		



## 16.1.2 LIFE WITHOUT BARRIERS (CARE & DISABILITY SERVICES) – OFFER TO PURCHASE 2002 TOYOTA HIACE BUS – WHEELCHAIR ACCESSIBLE

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

**Date:** 17 SEPTEMBER 2019

### ISSUE

Council to consider direct sale of its 2002 Toyota Hiace Bus (Wheelchair accessible) to Life Without Barriers.

### BACKGROUND

Life Without Barriers (LWB) is an organisation that provides a wide range of support from disability services to foster care. LWB operate the Oatlands Respite Centre out of 'Hawthorne House' at 12 Church Street, Oatlands.

LWB currently use the Hiace Bus and make a contribution to Council based on kilometres travelled.

Whilst the Bus is used infrequently for a number of other community purposes, it is not licensed as a 'Public Passenger Vehicle' and as such it should not necessarily be used for carrying passengers for hire or reward.

### DETAIL

Council purchased this vehicle second-hand in September 2006 for an amount of \$14,000. It replaced a previous 8 seater vehicle that was primarily used by the Midlands Multi-Purpose Health Centre for transporting residents and attendees at the Day Care Centre. The MMPHC now has its own vehicle and does not require further use of this vehicle.

The vehicle has been depreciated to its current written down value (i.e. residual value) of \$4,000. There are approximately \$660 in annual fixed costs associated with registration and insurance. The vehicle has travelled approximately 235,000 klms.

If sold, the vehicle would not be replaced.

Council, at its last meeting, resolved to seek a report regarding the proposed sale with a preferred intention to sell the vehicle direct to Life Without Barriers.

**Human Resources & Financial Implications** – A review of the 'Private Price Guide' suggests a value between \$7,400 to \$9,700 – obviously dependent upon condition of the vehicle. It should be noted that these values do not include the wheelchair access capability.

The 'Trade-In Price Guide' indicates a value between \$4,900 and \$7,200.

Similar models on 'Carsales.com' are being advertised for around \$9,000 (also without wheelchair access).

In recognition of the service(s) that LWB provide to the community, plus its not-for-profit status, it is suggested that Council could offer the vehicle for an amount of \$6,600 (incl.

GST). Alternatively, the vehicle could be sold through the standard auction method and LWB aim to secure ownership through this process.

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

**Policy Implications** – Light vehicles are generally sold through an auction process, but in this case, sale to a not-for-profit organisation is considered appropriate.

**Priority - Implementation Time Frame** – Immediate.

## RECOMMENDATION

**THAT Council offer the Vehicle (2002 Toyota Hiace Bus) to Life without Barriers for an amount of \$6,600 (includes GST).**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

## 16.2 Safety

**Strategic Plan Reference 5.2.1**

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

Nil.

## 16.3 Consultation & Communication

### Strategic Plan Reference 5.3.1

*Improve the effectiveness of consultation and communication with the community.*

#### 16.3.1 CORPORATE COMMUNICATIONS STRATEGY

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

**Date:** 19 SEPTEMBER 2019

**Enclosure(s):**

*Draft Corporate Communications Strategy*

#### ISSUE

Council to consider the proposed Corporate Communications Strategy as a policy document.

#### DETAIL

The attached Corporate Communications Strategy consolidates a range of actions in the communication suite of requirements for a proactive and effective local authority. Many of the actions are existing and embedded in Council's day to day activities; some actions are currently undertaken but are in need of refinement; and other actions are new to the communications framework of Southern Midlands Council.

The following extract from the Strategy is the basis of the document:

##### ***Introduction***

*Southern Midlands Council is committed to establishing and maintaining effective two-way communication with residents, ratepayers, local business, community groups and visitors to the region, as well as staff and their families.*

*The Corporate Communication Strategy sets a minimum standard for communicating with key stakeholders and outlines strategies to assist with the implementation of a customer focused organisational culture. It also highlights the key projects Council will develop over the next three years to ensure clear, consistent messaging; the best use of communication resources and the timely, effective distribution of key information.*

*Feedback between Council and its internal and external stakeholders is an essential part of this Strategy.*

##### ***What is Corporate Communication?***

*Corporate communication is the process of facilitating information and knowledge exchange between an organisation and its stakeholders. It encompasses a variety of public relations functions including media management, marketing, internal communication and stakeholder consultation.*

*Corporate communication promotes:*

*Strong corporate culture*

*Coherent corporate identity*

*A genuine sense of corporate citizenship*  
*Understanding of communication tools and technologies*  
*An appropriate and professional relationship with media*

### **Vision**

*Council is committed to developing strong, consistent and compelling messages, and to create strategies which successfully communicate those messages to key audiences. Our vision is for Southern Midlands Council to be seen as a dynamic, responsive and professional organisation which values:*

*Two-way communication as a means of understanding and meeting the needs of our diverse community*

*The sharing of information and key decisions with all stakeholders as a means of maintaining open and accountable governance*

### **Audience**

#### **Primary Stakeholders**

*Residents and ratepayers*  
*Council staff and their families*  
*Elected members*  
*Visitors to the Southern Midlands region*  
*Community and community organisations*  
*Local business and investors*  
*Council controlled entities*  
*Local and state media*

#### **Secondary Stakeholders**

*Professional associations and peak bodies*  
*Other Government authorities*  
*Key government departments and agencies*  
*Tourism Tasmania, Destination Southern Tas and regional tourism bodies*

### **Key Objectives**

*The organisation's primary corporate communication objectives are:*

- 1. To reaffirm and communicate Council's brand, functions and identity*
- 2. To improve Council's relationship with the community and encourage community involvement*
- 3. To promote the Southern Midlands Region to visitors and new residents*
- 4. To effectively utilise electronic media*
- 5. To deliver effective internal communication*

### **Responsibility**

*The effective implementation of this strategy requires a commitment to communication by both elected members and staff at all levels and across all Business Units. Managers in particular hold a high degree of responsibility to communicate openly and actively, and to guide their teams in developing an effective communication culture.*

*The Corporate Communication Officer (CCO) is responsible for overseeing the implementation of the strategy.*

*The following team members comprise the Corporate Communications Unit; Executive Assistant to General Manager (Corporate Communications Officer - CCO), General Manager (GM), Deputy General Manager (DGM), Manager Infrastructure & Works (MI&W), Manager Development & Environmental Services (MDES), Corporate Compliance Officer (CCompO), Senior Administration Officer Kempton (SEOK), (Legal Adviser as required), (Communications Consultant as required).*

### **Elements of the Communication Strategy**

#### **1. Reaffirm and Communicate Council's Brand, Functions and Identity**

*In order to reaffirm and communicate Council's brand, functions and identity, Council will employ the following strategies:*

- 1a. Introduce a consistent 'look' to Council's information and communication material, activities, services and products*
- 1b. Promote a positive image of the Southern Midlands region and ensure the community is well informed of Council's role and services*
- 1c. Create greater awareness of activities and projects Council is undertaking*
- 1d. Maintain a positive community profile of the organisation through effective and proactive media management*
- 1e. Challenge and fully investigate less than positive media articles in respect of Southern Midlands Council*

#### **2. Improve Council's Relationship with the Community and Encourage Community Involvement**

*In order to improve Council's relationship with the community and encourage community involvement, Council will employ the following strategies:*

- 2a. Be visually active within the community*
- 2b. Obtain community commitment to the implementation of major projects through committees and / or structured consultation*
- 2c. Seek community feedback regarding services*
- 2d. Respond efficiently and effectively to queries, complaints and feedback from the community*

#### **3. Promote the Southern Midlands to Visitors and New Residents**

*In order to promote the Southern Midlands to visitors and new residents, Council will employ the following strategies:*

- 3a. Maintain up-to-date information about the Southern Midlands region and each of its towns*
- 3b. Carry out promotional activities for regional attractions and services*

#### **4. Effectively Utilise Electronic Media**

*In order to effectively utilise electronic media, Council will employ the following strategies:*

- 4a. Maintain a website which is relevant, current and a frontline information source*

- 4b. *Promote use of Council’s website as a key source of information*
- 4c. *Maximise Council’s Social media presence*

**5. *Deliver Effective Internal Communication***

*In order to deliver effective internal communication, Council will employ the following strategies:*

- 5a. *Deliver frequent information to staff regarding Council news, activities, services and functions*
- 5b. *Encourage positive staff to staff communication*
- 5c. *Support Managers and key staff in developing communication skills*

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

**CONCLUSION**

The draft Corporate Communications Strategy is commended to Council for its consideration.

**RECOMMENDATION**

**THAT Council:**

- 1. **Receive the report; and**
- 2. **Consider the draft Corporate Communications Strategy for adoption at the October 2019 Council meeting.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

**ENCLOSURE**

*Agenda Item 16.3.1*



Draft

**CORPORATE COMMUNICATIONS STRATEGY**



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## Introduction

Southern Midlands Council is committed to establishing and maintaining effective two-way communication with residents, ratepayers, local business, community groups and visitors to the region, as well as staff and their families.

The Corporate Communication Strategy sets a minimum standard for communicating with key stakeholders and outlines strategies to assist with the implementation of a customer focused organisational culture. It also highlights the key projects Council will develop over the next three years to ensure clear, consistent messaging, the best use of communication resources and the timely, effective distribution of key information.

Feedback between Council and its internal and external stakeholders is an essential part of this Strategy.

## What is Corporate Communication?

Corporate communication is the process of facilitating information and knowledge exchange between an organisation and its stakeholders. It encompasses a variety of public relations functions including media management, marketing, internal communication and stakeholder consultation.

Corporate communication promotes:

- Strong corporate culture
- Coherent corporate identity
- A genuine sense of corporate citizenship
- Understanding of communication tools and technologies
- An appropriate and professional relationship with media

## Vision

Council is committed to developing strong, consistent and compelling messages, and to create strategies which successfully communicate those messages to key audiences. Our vision is for Southern Midlands Council to be seen as a dynamic, responsive and professional organisation which values:

- Two-way communication as a means of understanding and meeting the needs of our diverse community
- The sharing of information and key decisions with all stakeholders as a means of maintaining open and accountable governance



## Audience

### Primary Stakeholders

- Residents and ratepayers
- Council staff and their families
- Elected members
- Visitors to the Southern Midlands region
- Community and community organisations
- Local business and investors
- Council controlled entities
- Local and state media

### Secondary Stakeholders

- Professional associations and peak bodies
- Other Government authorities
- Key government departments and agencies
- Tourism Tasmania, Destination Southern Tasmania and regional tourism bodies

## Key Objectives

The organisation's primary corporate communication objectives are:

1. To reaffirm and communicate Council's brand, functions and identity
2. Build on Council's relationship with the community and encourage community involvement
3. To promote the Southern Midlands Region to visitors and new residents
4. To effectively utilise electronic media
5. To deliver effective internal communication

## Responsibility

The effective implementation of this strategy requires a commitment to communication by both elected members and staff at all levels and across all Business Units. Managers in particular hold a high degree of responsibility to communicate openly and actively, and to guide their teams in developing an effective communication culture.

The Corporate Communication Officer (CCO) is responsible for overseeing the implementation of the strategy.

The following team members comprise the Corporate Communications Unit; Executive Assist to General Manager (Corporate Communications Officer - CCO), General Manager (GM), Deputy General Manager (DGM), Manager Infrastructure & Works (MI&W), Manager Development & Environmental Services (MDES), Corporate Compliance Officer (CCompO), Senior Administration Officer Kempton (SEOK), Council's Legal Advisers (as required) and Communications Consultant (as required).



## Elements of the Communication Strategy

### 1. REAFFIRM AND COMMUNICATE COUNCIL'S BRAND, FUNCTIONS AND IDENTITY

In order to reaffirm and communicate Council's brand, functions and identity, Council will employ the following strategies:

- 1a. Introduce a consistent 'look' to Council's information and communication material, activities, services and products
- 1b. Promote a positive image of the Southern Midlands region and ensure the community is well informed of Council's role and services
- 1c. Create greater awareness of activities and projects Council is undertaking
- 1d. Maintain a positive community profile of the organisation through effective and proactive media management
- 1e. Fully investigate and where required, challenge less than positive media articles in respect of Southern Midlands Council

#### Actions and outputs

1. Reaffirm and Communicate Council's Brand, Functions and Identity				
Strategy	Action	Purpose	Priority	Responsibility
1a. Introduce a consistent look to Council's information and communication material, activities, services and products	Develop graphics Style Guides for Council and Council businesses	Identify standards for presentation of visual and written information. Unite all operations under one brand and sub brand where appropriate.	High	Corporate Communications Unit
	Review and further develop brand compliant templates	Set consistent, professional, brand-compliant standards for all Council material (eg. fliers, forms, report covers, business cards and name badges).	Medium	Corporate Communications Unit to develop. Managers to implement.
	Standardise electronic correspondence	Provide consistent format for email correspondence which compliments Council's brand (fonts, background and signoff) and meets set standards for written communication.	Medium	Corporate Communication Unit to develop. Managers to implement.



<b>1. Reaffirm and Communicate Council's Brand, Functions and Identity</b>				
<b>Strategy</b>	<b>Action</b>	<b>Purpose</b>	<b>Priority</b>	<b>Responsibility</b>
	Standardise written correspondence	Provide consistent format for written correspondence so outgoing material reflects standard style and branding.	High	Corporate Communication Unit to develop. Managers to implement.
	Produce marketing protocol and guidelines	Set guidelines for development and approval of external marketing material in order to meet brand guidelines and keep up to date with market standards.	High	Corporate Communication Unit to develop. Managers to implement
	Set up preferred supplier arrangements for graphic design services	Ensure consistency in pricing, service standards and visual standards. Utilise skills of experts in their field while keeping up to date with market trends.	Medium	Corporate Services/Community Corporate Development Business Units in consultation with Corporate Communication Unit.
	Educate key staff and suppliers on Council and Council business brands.	Empower 'brand ambassadors' within each department to ensure consistent use of Council's logo and brand. Material bearing former brands to be phased out.	Medium	Corporate Communication Unit. Managers to assist with rollout.
	Review use of Council brand on existing signage and vehicles	Unite all Council operations under one brand and sub-brand where appropriate. Update existing branding as necessary.	Medium	Infrastructure & Works in consultation with Corporate Communication.
	Develop and maintain corporate image library	Give Council access to a comprehensive image database for exclusive use in development of corporate material and advertising.	Medium	Corporate Communication Unit with ongoing contributions from Business Units.
<b>1b. Promote a positive image of the Southern Midlands region and ensure the community</b>	Update annual Residents' Guide to Council services and facilities	Promote better understanding and improved use of Council services and facilities.	Medium	Corporate Communication Unit



<b>1. Reaffirm and Communicate Council's Brand, Functions and Identity</b>				
<b>Strategy</b>	<b>Action</b>	<b>Purpose</b>	<b>Priority</b>	<b>Responsibility</b>
<b>is well informed of Council's role and services</b>	Update Business Unit service brochures	Promote better understanding and improved use of Council services and facilities. Available to residents at all service points.	Medium	Corporate Communication Unit in consultation with all Business Units
	Host and participate in community events	Engage the community, celebrate diversity and community achievement, bring local people together, generate networking opportunities and create partnerships	Medium	Community & Corporate Development
	Host corporate and civic events	Initiate, promote and facilitate activities which benefit the Southern Midlands community or the Council as an organisation (eg. Citizenship ceremonies and staff social events)	Medium	General Managers Unit and Community & Corporate Development
	Identify and implement key messages for the organisation	Set direction for Council, ensure consistent and strategic approach to achieving key goals and provide a platform for updating the community on progress / milestones.	High	General Manager and Mayor, implement through the Corporate Communication Unit
	Develop 'on hold' telephone messages	Utilise time while customers are 'on hold' to communicate key messages.	Medium	Corporate Communication Unit
	Implement marketing campaigns for Council's key priorities and projects	Create greater awareness of Council services and encourage a higher level of community participation in certain projects, events or programs (including rates).	Medium	Business Units in consultation with the Corporate Communication Unit
<b>1c. Create greater awareness of activities and projects Council is undertaking</b>	Develop professional standard external and e-newsletters	Deliver information on Council projects, programs and community happenings direct to ratepayer and residents. One printed page /mth	Medium	Corporate Communication Unit and Corporate Services
	Maintain a regular radio presence through structured advertising	Deliver information on Council projects, programs and community happenings in a timely manner. To be carried out to an agreed minimum standard and subject to budget.	Medium	Corporate Communication Unit with input from managers.



<b>1. Reaffirm and Communicate Council's Brand, Functions and Identity</b>				
<b>Strategy</b>	<b>Action</b>	<b>Purpose</b>	<b>Priority</b>	<b>Responsibility</b>
	Maintain a regular presence in print media through structured advertising	Deliver information on Council projects, programs and community happenings in a timely manner. To be carried out to an agreed minimum standard and subject to budget.	Medium	Corporate Communication with input from managers.
	Maintain, update and expand information available on Council's website	Deliver information on Council projects, programs and community happenings in a timely manner. Ensure information is easily accessible, clear and concise.	High	Designated staff member in consultation with Corporate Communication Unit
	Set up preferred supplier arrangements for providers of promotional merchandise	Ensure consistency in pricing, service standards and visual standards. Utilise skills of experts in their field while keeping up to date with market trends.	As needed	Corporate Services in consultation with Corporate Communication Unit.
	Review media protocol	Set standards for liaising with media. Nominate Council spokespersons. Update Mayor and others on technical matters.	High	Corporate Communication in consultation with Mayor and GM
<b>1d. Maintain a positive community profile through effective and proactive media management</b>	Liaise with media outlets	Facilitate the exchange of information and ensure proactive media opportunities are created. Focus on developing a high level of trust with the media to assist with managing crisis communication.	High	Corporate Communication Unit and spokespersons as outlined in media protocol.
	Maintain a regular radio presence through structured interviews	Deliver information on Council projects, programs and community happenings in a timely manner.	Medium	Corporate Communication Unit
	Provide media training for nominated spokespersons and key staff	Facilitate the exchange of information and ensure proactive media opportunities are created.	Medium	Human Resources in consultation with Corporate Communication Unit



<b>1. Reaffirm and Communicate Council's Brand, Functions and Identity</b>				
<b>Strategy</b>	<b>Action</b>	<b>Purpose</b>	<b>Priority</b>	<b>Responsibility</b>
<b>1e. Fully investigate and where appropriate, challenge less than positive media articles in respect of Southern Midlands Council</b>	Monitor less than positive media messages	Fully investigate and provide report. Remedy issue as matter of urgency. Report outcome to Mayor, Councillors and General Manager	High	Corporate Communications Unit
	Engage legal representation	Investigate legal ramifications of vexatious media articles	High	Corporate Communications Unit



**2. BUILD ON COUNCIL’S RELATIONSHIP WITH THE COMMUNITY AND ENCOURAGE COMMUNITY INVOLVEMENT**

In order to improve Council’s relationship with the community and encourage community involvement, Council will employ the following strategies:

- 2a. Be visually active within the community
- 2b. Obtain community commitment to the implementation of major projects through committees and / or structured consultation
- 2c. Seek community feedback regarding services
- 2d. Respond efficiently and effectively to queries, complaints and feedback from the community

**Actions and Outputs**

<b>2. Build on Council’s relationship with the community and encourage community involvement</b>				
<b>Strategy</b>	<b>Action</b>	<b>Purpose</b>	<b>Priority</b>	<b>Responsibility</b>
<b>2a. Be visually active within the community</b>	Increase Council presence at community events, initiatives, development group meetings and other happenings	To increase knowledge of community issues and initiatives while strengthening local and cross community ties. To show support for local events, and to encourage one-on-one feedback.	Medium	General Managers Unit, managers and elected members
<b>2b. Obtain community commitment to the implementation of major projects through use of committees and / or structured consultation</b>	Identify and facilitate community projects	Provide an integrated approach to development of major projects and programs and strengthen them with community input. To encourage leadership and volunteerism.	High	Community & Corporate Development with input from elected members.
	Facilitate regular community consultation activities	Work with the community to identify priorities for Council work programs or activities through the Strategic Plan review process.	Medium	Community & Corporate Development. All other departments as necessary.
<b>2c. Seek feedback regarding services</b>	Review community feedback forms and website link	Give residents with a means of providing feedback to Council.	Medium	Corporate Communications Unit



<b>2. Build on Council's relationship with the community and encourage community involvement</b>				
<b>Strategy</b>	<b>Action</b>	<b>Purpose</b>	<b>Priority</b>	<b>Responsibility</b>
	Conduct external benchmarking survey	Assess community satisfaction with Council, and identify areas for improvement. Use data to initiate organisation-wide improvements and measure future success.	High	Corporate Communications Unit
<b>2d. Respond to queries, complaints or feedback</b>	Review collection of information	Collate information gathered through feedback process to use as a guide to future requirements and improvements	Medium	ICT in consultation with Corporate Communications Unit and all Business Units.



### 3. PROMOTE THE SOUTHERN MIDLANDS TO VISITORS AND NEW RESIDENTS

In order to promote the Southern Midlands to visitors and new residents, Council will employ the following strategies:

- 3a. Maintain up-to-date information about the Southern Midlands region and each of its towns
- 3b. Carry out promotional activities for regional attractions and services

#### Actions and Outputs

3. Promote the Southern Midlands to Visitors and New Residents				
Strategy	Action	Purpose	Priority	Responsibility
3a. Maintain up-to-date information about the Southern Midlands region and each of its towns	Upload web links to regionally focused tourism sites on Council's webpage	Provide a direct link between Council and the region and encourage visitors to find out more about the Southern Midlands.	Medium	Corporate Communications Unit in consultation with ICT
3b. Carry out promotional activities for regional attractions and services	Produce an events calendar in electronic format	Promote the diversity of events on offer around the region. Encourage both residents and visitors to find out more about what's happening in the Southern Midlands	Medium	Corporate Communications Unit in consultation with ICT
	Produce a 'Community Directory' – a detailed guide to community services in the region.	Encourage both residents and visitors to find out about and utilise services on offer in the Southern Midlands	Medium	Corporate Communications Unit.
	Place regionally-focused advertising	Advertise the Southern Midlands and its attractions in publications circulated outside the region where relevant and subject to budget.	Ongoing	Corporate Communications Unit.
	Maintain council / community information points	Provide residents and visitors with information about council services and the Southern Midlands area. Eg Community Notice Boards.	Low	Corporate Communications Unit



#### 4. EFFECTIVELY UTILISE ELECTRONIC MEDIA

In order to effectively utilise electronic media, Council will employ the following strategies:

- 4a. Maintain a website which is relevant, current and a frontline information source
- 4b. Promote use of Council's website as a key source of information
- 4c. Maximise Council's Social media presence

#### Actions and Outputs

4. Effectively Utilise Electronic Media				
Strategy	Action	Purpose	Priority	Responsibilities
4a. Maintain a website which is relevant, current and a frontline information source	Review current website provider and develop plan to make Council's website a primary source of information for residents, ratepayers and tourists.	Provide information on Council and community services in a more user-friendly format which encourages interaction and enhances appeal. Increase usage.	High	Corporate Communications Unit in association with ICT
	Develop tourism portal	Link tourist and visitor information to Council's website: events, accommodation, pictures etc in the Southern Midlands.	Medium	Corporate Communication Unit in association with Heritage Highway Touring Region & DST.
4b. Promote use of Council's website as a key source of information	Initiate web promotional program	Review Council's website to encourage use and visits.	Medium	Corporate Communication Unit
	Educate staff on website content	Provide staff access to key information which they can pass on through their networks.	Low	Corporate Communications Unit.
	Promote We're on the web' messages	Messages on all correspondence or documentation to remind residents and ratepayers that they can access particular information on Council's website	Medium	Corporate Communication Unit.



<b>4. Effectively Utilise Electronic Media</b>				
<b>Strategy</b>	<b>Action</b>	<b>Purpose</b>	<b>Priority</b>	<b>Responsibilities</b>
<b>4c. Maximise Council's Social media presence</b>	Initiate web promotional program	Review Council's Social Media site to encourage use and visits.	Medium	Corporate Communication Unit
	Educate staff on Social Media content	Provide staff access to key information which they can pass on through their networks.	Low	Corporate Communications Unit.
	Promote We're on the web' messages	Messages on all correspondence or documentation to remind residents and ratepayers that they can access particular information on Council's Social Media site	Medium	Corporate Communication Unit.



**5. DELIVER EFFECTIVE INTERNAL COMMUNICATION**

In order to deliver effective internal communication, Council will employ the following strategies:

- 5a. Deliver frequent information to staff regarding Council news, activities, services and functions
- 5b. Encourage positive staff to staff communication
- 5c. Support Managers and key staff in developing communication skills

**Actions and Outputs**

5. Deliver effective Internal Communication				
Strategy	Action	Purpose	Priority	Responsibilities
5a. Deliver frequent information to staff regarding Council news, activities, services and functions	Develop and produce a staff newsletter	Regular bulletin to keep staff up to date with information on the organisation, training opportunities, staff achievements, profiles and departmental happenings.	High	Corporate Communications Unit. Information supplied by staff under direction of managers.
	Maximise the use of the Council 'intranet site'	Internal web system that all staff can log into for updates, staff profiles, contact information etc. Easily updatable version of newsletter.	High	Corporate Communication in consultation with ICT Officer
	Introduce all staff memos	Bulletins for all staff with information regarding events, updates etc. that cannot wait for distribution of monthly newsletter. (eg. summary of decisions from Council meetings).	Medium	Corporate Communication Unit and GM
	Utilise Councillor memos	Regular bulletins emailed to Councillors with up-to date information regarding operational activities, events, updates, changes, media releases and rollout of Council decisions.	Medium	Corporate Communications Unit
	Continue media monitoring	Form a database of press coverage and provide feedback to staff on interview	Medium	Corporate Communications Unit



5. Deliver effective Internal Communication				
Strategy	Action	Purpose	Priority	Responsibilities
		technique and coverage. Collate press clippings as they appear and email to key staff and Councillors		
<b>5b. Encourage positive staff to staff communication</b>	Hold regular staff meetings and social events	Encourage staff interaction and build a strong team dynamic. Provide avenue for exchange of information.	High	GM and Managers
	Conduct annual staff survey	Gauge employee satisfaction and identify areas for organisational improvement	Medium	Community & Corporate Development
	Conduct staff recognition program and years of service awards	To recognise staff who have gone above and beyond their role, contributed significantly to the community or helped fellow staff. To reward staff for their input into the organisation.	Medium	Community & Corporate Development
	Maintain staff calendar	To keep customer service informed of staff holidays / unavailability. To fit with new and existing software.	Low	ICT. Managers to implement.
<b>5c. Support Managers, and key staff in developing communication skills</b>	Introduce communication support program	Provide ongoing support for managers and key staff, including training in communication and marketing. Give guidance choosing effective communications tools and developing communication strategies	Medium	Community & Corporate Development

## 17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

### 17.1 Improvement

**Strategic Plan Reference(s) 6.1.1, 6.1.2, 6.1.3, 6.1.4 & 6.1.5**

*Improve the level of responsiveness to Community 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 IT systems / Develop an overall Continuous Improvement Strategy and framework.*

Nil.

## 17.2 Sustainability

**Strategic Plan Reference(s) 6.2.1, 6.2.2, 6.2.3, 6.2.4, 6.2.5, 6.2.6, 6.2.7 & 6.2.8**

*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.*

### 17.2.1 LOCAL GOVERNMENT SHARED SERVICES UPDATE (STANDING ITEM – INFORMATION ONLY)

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

**Date:** 19 SEPTEMBER 2019

**Enclosure(s):**

*Local Government Shared Services – Council Update – August 2019*  
*Local Government Shared Services Update – August 2019*

### ISSUE

To inform Council of the Common Services Joint Venture activities for the month of August 2019.

### 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.

### DETAIL

Refer to the enclosed 'Local Government Shared Services – Council Update'.

**Human Resources & Financial Implications** – Refer comment provided in the update.

Councillors will note that the Southern Midlands Council provided 128 hours of service to other Councils and received 16 hours of services from other Councils during the month.

Details of services provided are included in the enclosures.

**Community Consultation & Public Relations Implications** – Nil

**Policy Implications** – N/A

**Priority - Implementation Time Frame** – Ongoing.

## RECOMMENDATION

**THAT the information be received.**

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

**ENCLOSURE**  
Agenda Item 17.2.1

## Local Government Shared Services - Council Update

### Council

Southern Midlands

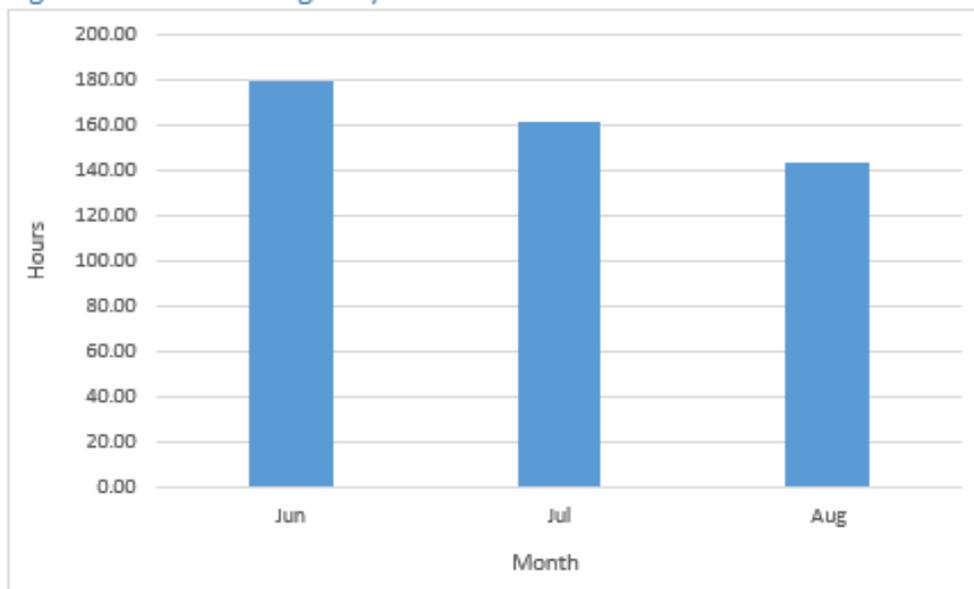
### Shared Service Participation in August 2019

144 hours

### Summary

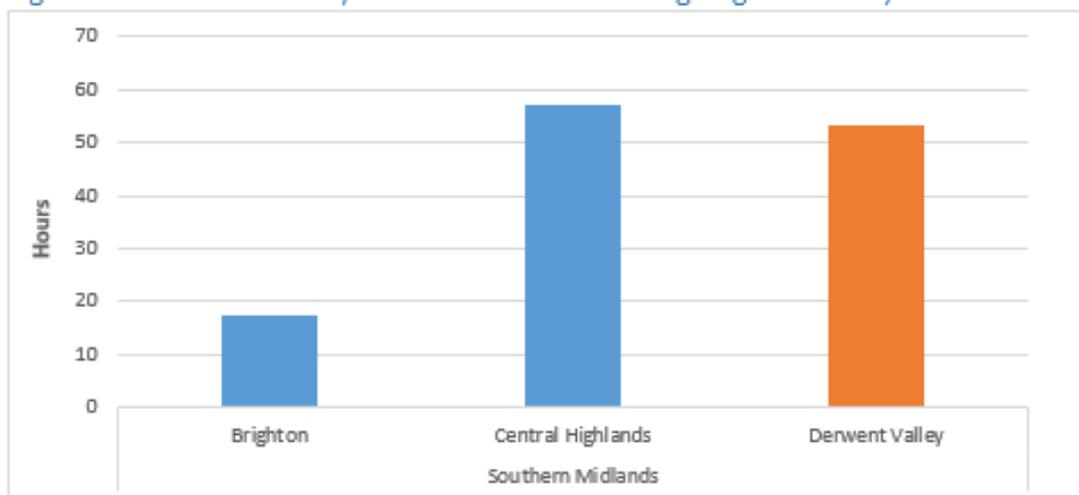
In August 2019, 144 hours of shared services were exchanged by the Southern Midlands Council. From this total, Southern Midlands provided 128 hours to other Councils and received 16 hours of services from other Councils. Total hours of exchange decreased by 11% when compared to July 2019 (162) and were below the three-month average of 161 hours per month.

Fig 1 – Services Exchanged by Southern Midlands Council in Recent Months



### Services Provided by Southern Midlands Council

Fig 2 - Services Provided by Southern Midlands during August 2019 by Council



\* Council is not currently a member of LG Shared Services

Fig 3 - Services Provided by Southern Midlands during August 2019 by Service Category

Southern Midlands	128	Summary of Services Provided
<b>Brighton</b>	<b>17</b>	
Permit Authority	17	Permit Authority - Plumbing
<b>Central Highlands</b>	<b>57</b>	
Planning	57	Regulatory and Strategic Planning
<b>Derwent Valley</b>	<b>53</b>	
Permit Authority	53	Permit Authority - Plumbing

\* Council is not currently a member of LG Shared Services

### Services Received by Southern Midlands Council

Fig 4 - Services Received by Southern Midlands during August 2019 by Council

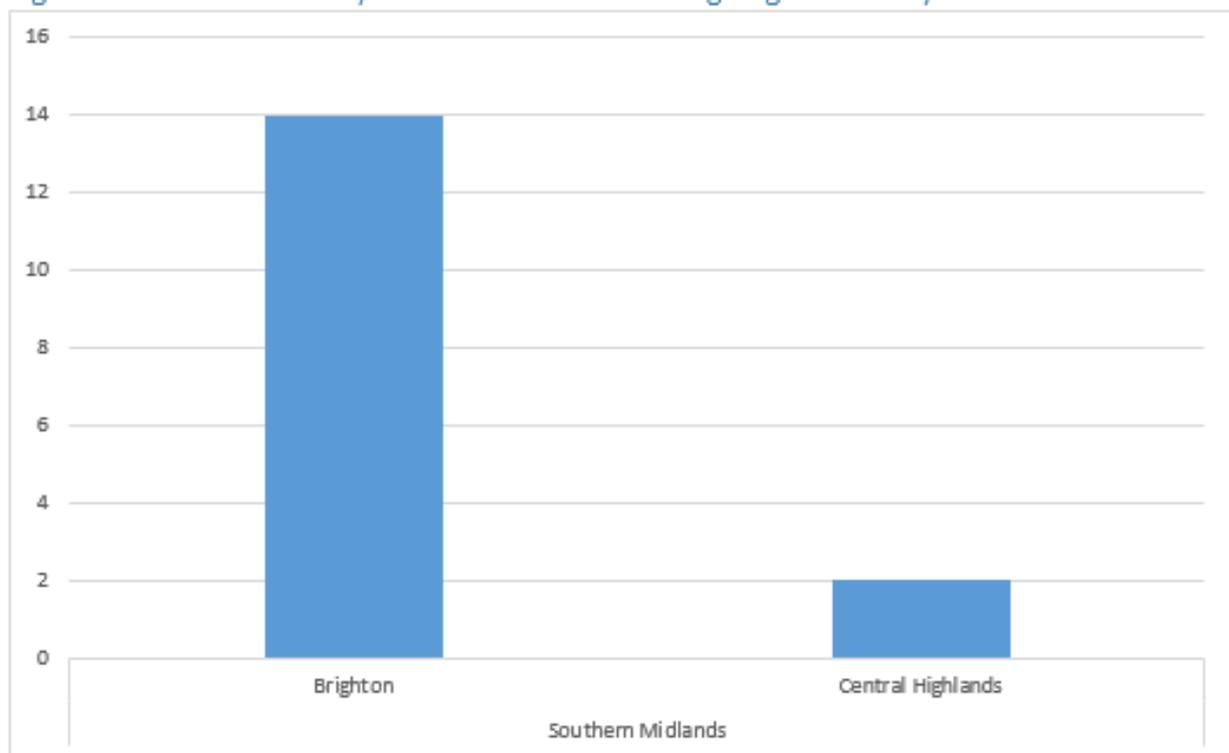


Fig 5 - Services Received by Southern Midlands during August 2019 by Service Category

Southern Midlands	16	Summary of Services Received
<b>Brighton</b>	<b>14</b>	
Development Engineering	14	Development Engineering
<b>Central Highlands</b>	<b>2</b>	
Works Services	2	Online Contractor Inductions

## Cost Benefits Achieved by Southern Midlands and Other Councils

144 hours of Shared Services were exchanged by Southern Midlands Council last month. Analysis of Shared services provision has indicated that both the Provider Council and the Client Council save money through the exchange of Shared services at an approximate ratio of 50%.

In the month of August, it is estimated, Council have achieved a net benefit of approximately \$4,300. This was a result of increasing the utilisation of its current staff to earn additional revenue from providing services to other Councils, and from utilising Shared services from within Local Government as opposed to external consultants (on average LG Shared Services rates can be procured at significant discount to external consultant fees).

It is estimated that Southern Midlands Council's direct involvement in Shared services saved participating Councils (including Southern Midlands Council) approximately \$9,100 for the month of August.

# LG Shared Services Update

August 2019

## Summary of Recent Shared Services Activity

866 hours of Shared Services were exchanged between Councils in August 2019, which is an increase of 18% when compared to hours exchanged in July 2019 (731 hours), and is above the three-month average of 746 hours per month.

Fig 1 - Shared Service Exchange Hours in Recent Months

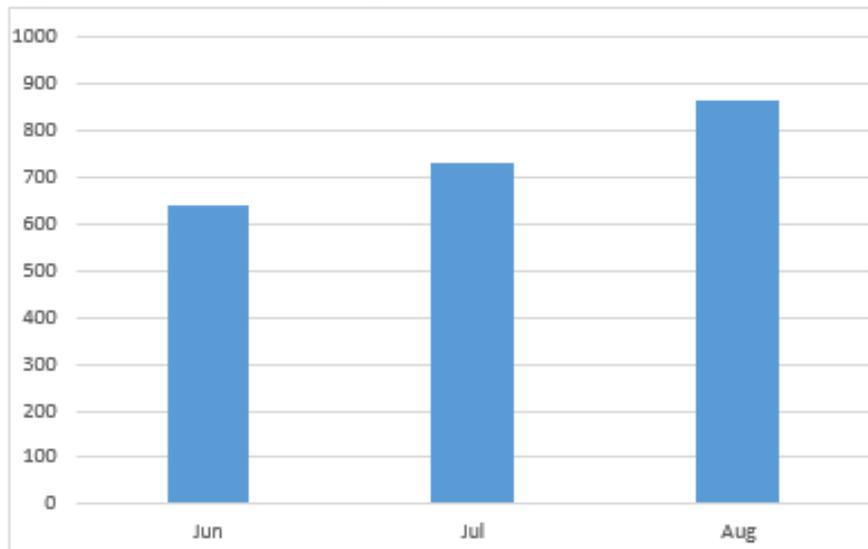
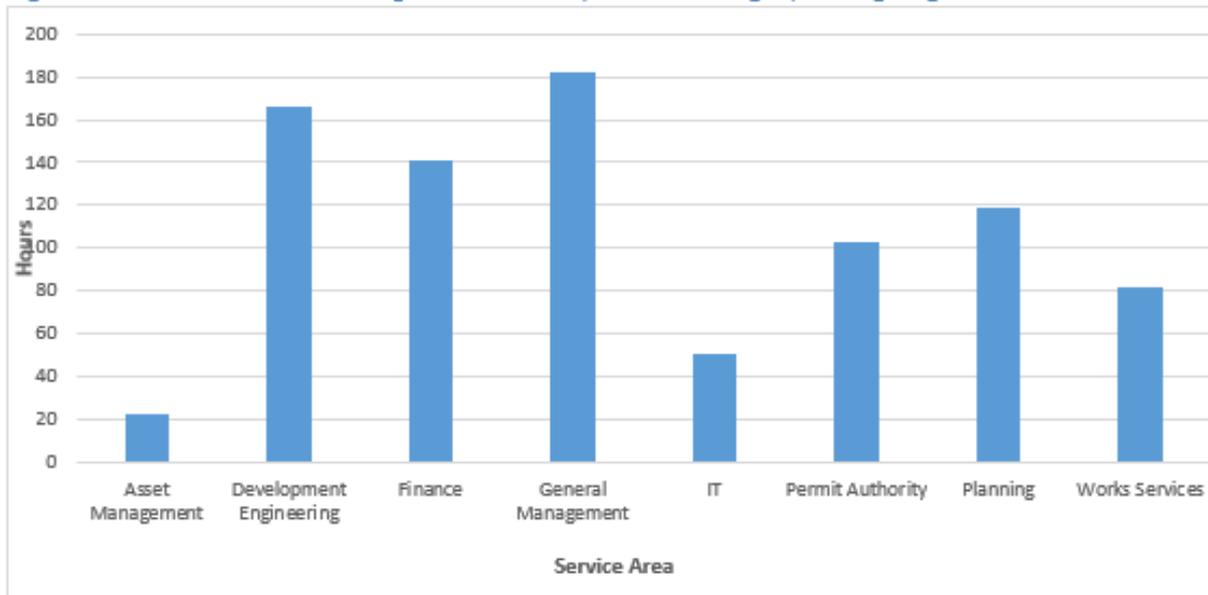


Fig 2 - Details of Current Exchange of Services by Council during August 2019

Provider Council	Client / Organisation							
	Brighton	Central Highlands	Derwent Valley	GSB	Glenorchy	Sorell	Southern Midlands	Tasman
Brighton		3.75	2.5	115.75	46.75	2.5	14	450
Central Highlands		2				2	2	2
GSB								
Glenorchy								
Huon Valley								
Litchfield								
West Arnhem Regional								
Sorell				39.75				55.5
Southern Midlands	17.25	57.25	53.25					
Tasman								

\* Council/Organisation not currently a member of the Shared Services Joint Venture Agreement

Fig 3 - Details of Current Exchange of Services by Service Category during August 2019



### Savings to Local Government

A total of 866 hours of shared services were exchanged between Councils last month. Analysis of Shared Services provision has indicated that both the Provider Council and the Client Council save money through the exchange of Shared Services at an approximate ratio of 50%.

Due to this, it is estimated that the provision of shared services between Councils saved participating Councils and Local Government as a whole \$59,000 for the month of August. This was a result of increasing the utilisation of current Council Staff at Councils providing services and from Client Councils utilising Shared services from within Local Government as opposed to external consultants (on average LG Shared Services rates can be procured at significant discount to external consultant fees).

## 17.2.2 CORPORATE CREDIT CARD POLICY

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

**Date:** 19 SEPTEMBER 2019

**Enclosure(s):**

*Draft Corporate Credit Card Policy*

### ISSUE

Council to consider the draft 'Corporate Credit Card Policy' for adoption.

### BACKGROUND

The Local Government Association of Tasmania (LGAT) has prepared a 'Model Credit Card Policy for Local Government in Tasmania'. The model Policy includes feedback and endorsement from the Tasmanian Audit Office (TAO). Feedback was also sought from the Local Government Division and this has been incorporated.

### DETAIL

The Model Policy has been amended to reflect the Southern Midlands Council's circumstances and was referred to the Audit Panel for review.

The Audit Panel has recommended to Council that the Corporate Credit Card Policy is in a form suitable for adoption by Council.

**Human Resources & Financial Implications** – review of existing policies.

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

**Policy Implications** – Policy position.

**Priority - Implementation Time Frame** – Immediate.

### RECOMMENDATION

**THAT Council:**

1. **Receive and note the report; and**
2. **Adopt the Corporate Credit Card Policy.**

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

**ENCLOSURE**  
 Agenda Item 17.2.2



Council Policy  
**CORPORATE CREDIT CARD POLICY**

Approved by: Council DRAFT  
 Approved date:  
 Review date:

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## 1. Policy Statement

### 1.1 Scope

Corporate credit cards are recognised as an efficient and flexible method of paying for goods and services in the public sector. They offer a convenient and highly traceable payment option, particularly for low value, day-to-day transactions, and can substantially improve purchasing efficiency by reducing administrative costs.

However, any transaction method holds the potential for misuse and the convenience and flexibility of credit cards can be a vulnerability. Therefore, sound policies and protocols for use and control must be established to take advantage of the improved purchasing efficiency while minimising the opportunity and impact of misuse of funds.

The policy is intended to apply to credit cards, as well as any other similar type of corporate or organisational purchasing card. In this policy, the term "credit card" is used to refer to any purchasing card, including credit, debit, EFTPOS and similar bank cards issued by Council and used for purchasing on behalf of Council. The key features of an account to which this policy applies are:

- (1) Purchasing responsibility on the account holder; and
- (2) A bank card for making purchases utilising Council finances; and
- (3) A periodic transaction statement cycle.

### 1.2 Purpose

The purpose of this policy is to provide guidance on how Council corporate credit cards are to be allocated, used and administered to ensure that they assist in efficient delivery of local government services while minimising the potential for misuse and fraud.

### 1.3 Purchasing Principles

Cardholders must conform to sound principles of purchasing when using a Council credit card. These principles are detailed in Council's Purchasing Policy.

### 1.4 Preferred Purchasing Methods

In using a Council credit card, Cardholders must consider the alternative purchasing methods available, such as purchase orders and purchase contracts.

Credit cards are appropriate for purchasing in the following typical situations:

- (1) Smaller purchase amounts, typically below \$1,000;
- (2) Invoices for approved goods or services requiring immediate or out-of-cycle payment, when payment has been authorised;
- (3) Where purchase orders:
  - (a) are impossible or unworkable (such as internet purchases of approved goods or services);  
or



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- (b) would take too long, unreasonably impact operational efficiency or result in missed opportunity, for example, if a PO would incur significant and unreasonable additional costs (either to Council or the supplier) relative to the cost of the goods or services being procured;
- (4) Where payment by credit card has been formally authorised, such as emergency situations; or
- (5) For purchases that cannot be made in the office, such as work-related travel expenses generated while traveling, or field work expenses requiring payment in the field.

Purchase orders or purchase contracts are preferred in the following typical situations:

- (1) For invoices not requiring urgent or immediate payment, such as invoices with a future due date;
- (2) Larger purchase amounts, typically of \$1,000 or more; or
- (3) Purchases requiring agreement between parties on terms (of service, engagement or sale).

Cardholders operate with some discretion, but must justify their purchasing decisions, including the purchasing method chosen. Seek guidance or written instruction from your General Manager or financial executives if you are in doubt.

**1.5 Related Policies – Essential Reading**

Understanding and complying with this policy relies on understanding and complying with several other related Council policies, including:

- Goods and Services Purchasing Policy;
- Donations & Community Support Policy;
- Payment of Councillors Expenses & Provision of Facilities Policy.

All Council purchasing, including with a Council credit card, must be undertaken in compliance with these related policies.

**1.6 Policy Review and Update Cycle**

This policy is to be reviewed every two years. Credit card allocation and credit limits are to be reviewed at the same time as the policy review, as well as those time specified in section 0.

**Document Control**

<b>Policy Name</b>	<b>Credit Card Policy</b>
<b>First issued/approved</b>	September 2014
<b>Source of approval/authority</b>	Council
<b>Last reviewed</b>	May 2019
<b>Next review date</b>	2 years
<b>Version number</b>	2.0
<b>Responsible Officer</b>	General Manager
<b>Dept responsible for policy</b>	General Manager's Unit
<b>Related policies</b>	<ul style="list-style-type: none"> <li>• Goods and Services Purchasing Policy</li> <li>• Donations &amp; Community Support Policy</li> <li>• Payment of Councillors Expenses &amp; Provision of Facilities Policy</li> </ul>
<b>Publication of policy</b>	Website



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## 2. Control of Credit Cards – For Authorisers

### 2.1 Risk Management Strategy

Each active credit card represents a risk of accidental or intentional misuse of public funds and each credit limit amount is the extent of that risk. To minimise risks associated with credit cards, Council must:

- (1) Allocate credit cards according to an organisation-wide strategy, and avoid allocating on an ad hoc or individual basis; and
- (2) Only issue cards to organisational roles where the operational benefits of efficient purchasing outweigh the increase in risk; and
- (3) Maintain control on the total number of credit cards issued and their combined purchasing potential (or credit limit) at any one time; and
- (4) Control the credit available on each card to an appropriate amount required to facilitate efficient purchasing for each role, considering the alternative payment options available; and
- (5) Ensure Cardholders and Authorisers adhere to the procedures and responsibilities set out by the policy by placing the onus of evidence for each purchase upon the Cardholder.

### 2.2 Authorisers

Authorisers have a key role in the control of credit cards, managing purchasing risk and maintaining compliance with this policy. Authorisers:

- (1) May authorise or decline the issuing of credit cards to a Cardholder;
- (2) May authorise or decline applications for the top-up of funds to monthly credit limits;
- (3) May authorise or decline discretionary transactions, such as entertainment or gifts in accordance with this policy;
- (4) May direct a Cardholder to reimburse Council for transactions deemed not to be in accordance with this policy;
- (5) May or may not be allocated a credit card; and
- (6) If they are allocated a credit card, **may not** authorise their own purchases, top-ups, or issuing their own credit card.

The following roles are Authorisers for the purpose of this policy:

- General Manager
- Deputy General Manager
- Manager, Corporate Services



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## 2.3 Allocation and Issue of Credit Cards and Credit Limits

Credit cards are allocated and issued according to the rules in the following sections.

### 2.3.1 Allocating Credit Cards

- (1) SCHEDULE lists the roles that, at the absolute discretion of the Authorisers, may potentially be issued with a credit card and the maximum credit limit for each role.
- (2) The General Manager and Manager, Corporate Services must authorise the allocation table.
- (3) Council credit cards are allocated to people in roles that require them. Credit cards may not be applied for. Contact your supervisor if you believe your role requires a credit card or a different credit limit. Your supervisor may choose whether or not to request a review of Table 1. Credit Card Allocation Table to include your role or change the credit limit available to your role.
- (4) A credit card will not be allocated to Councillors.
- (5) A credit card may be issued to the Mayor if the operational benefits to Council of efficient purchasing sufficiently outweigh the administrative cost of managing an additional card.

### 2.3.2 Issuing Credit Cards

- (1) The issue of each credit card must be authorised by an Authoriser and recorded.
- (2) An Authoriser cannot authorise the issue of their own credit card.
- (3) A person in a role that is allocated a credit card is not obliged to hold one.

### 2.3.3 The General Manager's Credit Card

- (1) The General Manager is allocated a card, if they choose to hold one.
- (2) The credit limit for the General Manager is determined by Council approval, including subsequent adjustments.
- (3) All statement reconciliations and credit limit top-ups for the General Manager's credit card are reviewed by the Mayor (who is not an Authoriser) and authorised by the Manager, Corporate Services who is an Authoriser.

### 2.3.4 Setting Limits and Controls on Credit Cards

- (1) The maximum number of cards that Council will allow to be active at any one time is three. This is based on Council needs and acceptable risk.
- (2) The maximum total credit limit of all cards is to be no more than \$15,000. This is based on needs, acceptable risk and budget requirements.
- (3) Monthly credit limits will be set to the lowest amount required by the Cardholder to conveniently execute their role, considering budget constraints, the role of top-ups, and the alternative payment methods available.
- (4) Limits on individual transactions may be set.



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## 2.4 Review of Credit Card Allocation and Credit Limits

The allocation of each credit card and their credit limits detailed in **SCHEDULE** is to be set according to operational requirements and authorised by the General Manager and Manager, Corporate Services. Only the General Manager's credit limit requires Council approval; all other roles and limits are set according to Council operational requirements, as determined by the General Manager and Manager, Corporate Services.

**Table 1. Credit Card Allocation Table** will be periodically reviewed every two years, as a minimum, in conjunction with the policy update cycle. The aim of each review is to ensure that credit card allocation and limits are facilitating efficient purchasing and delivery of Council's services while effectively managing purchasing risk. Unnecessary or insufficiently justified cards should be withdrawn and destroyed. Credit limits should be adjusted to the lowest monthly amount needed to facilitate efficient purchasing, as evidenced by purchasing history and adherence to this policy.

In addition to the periodic review, Table 1. Credit Card Allocation Table is recommended to be reviewed if:

- (1) Requests are received to add or remove roles from the Credit Card Allocation Table, or alter individual credit limits;
- (2) Proposed changes to the Credit Card Allocation Table require changes to the maximum number of credit cards or the maximum total credit limit;
- (3) A Cardholder terminates employment or returns their card;
- (4) A card is lost or stolen or the subject of fraud or identity theft;
- (5) A significant breach of the policy (under section 0) occurs; or
- (6) Significant reorganisation of Council roles is undertaken.

Where the operational benefits to Council of a role holding a credit card no longer outweigh the increase in risk of the extra card, the credit card should be returned and cancelled.

- The last review of credit cards and limits was: May 2019
- The next review of credit cards and limit is: May 2021

## 2.5 Top-Ups to Monthly Credit – Deciding Applications

A Cardholder may apply for a top-up of funds to the monthly credit. Top-up applications are decided according to the following procedure:

- (1) A top-up requires the following approval:
  - (a) An Authoriser, or any person, cannot authorise top-ups for their own credit card.
  - (b) Top-ups of the General Manager's credit card account are always reviewed by the Mayor (who is not an Authoriser) and authorised by the Manager, Corporate Services who is an Authoriser.
  - (c) Top ups of the Manager, Corporate Services credit card are authorised by the General Manager and another Authoriser.
  - (d) Top ups of all other Cardholders are authorised by the General Manager and one other Authoriser



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- (2) Authorisers review the Cardholder's purchasing and top-up history for adherence to this policy and justification of purchases.
- (3) For any given month, the total top-up amount for an account should generally not exceed 50% of the monthly credit limit.

## 2.6 Breach of Policy or Misuse

Any breaches of this policy by any Cardholder, Authoriser, staff or elected member, depending on the nature and extent of the breach, may result in:

- (1) Counselling and retraining in the policy and requirements;
- (2) Reimbursement of costs;
- (3) Cancellation of card;
- (4) Disciplinary action in accordance with Councils' **Disciplinary Policy**; or
- (5) Referral to police or civil proceedings.

If you become aware of policy breaches or misuse, report them immediately to an Authoriser. Policy breaches or misuse should also be reported to Council and credit card allocation should be reviewed.



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### 3. Statement Reconciliation and Acquittal Process – Cardholders and Authorisers

The purpose of the Statement Reconciliation and Acquittal Process is to ensure that:

- Cardholders justify and prove every purchasing decision to Council; and
- Council is able to justify and validate its endorsement and validation of Cardholders' purchasing decisions to auditors, investigators and the public.

On receipt of the account transaction statement each month, the statement will be reconciled according to the following process:

- (1) The Cardholder must collate all purchase evidence (including tax invoices with purchase purpose or signed purchase statement) with all written approvals for discretionary purchases or top-ups and provide them to a Council financial officer who is delegated to reconcile the account statement.
- (2) A delegated Council financial officer will:
  - (a) Reconcile transactions individually against the supporting documentation and the requirements of this policy; and
  - (b) Question with the Cardholder any transactions:
    - (i) without supporting documentation;
    - (ii) that may be in conflict with this policy;
    - (iii) that appear suspicious, unauthorised, excessive or of unknown purpose.
  - (c) If there are any outstanding transactions that cannot be adequately explained or reconciled with this policy, the officer must report these to the Manager, Corporate Services for further investigation and appropriate action.
- (3) Any breaches of this policy will be dealt with according to risk and severity of the breach in accordance with section 0 2.6 Breach of Policy or **Misuse**.
- (4) If all transactions are supported by adequate documentation and purchases appear to be in accordance with this policy with no suspicious activity:
  - (a) The cardholder will sign the account statement to confirm the purchases; and
  - (b) For the General Manager's credit card, the Mayor will review the statement and sign to confirm purchases are in accordance with this policy; and
  - (c) The Manager, Corporate Services signs the statement to approve for payment.
- (5) Full statement reconciliation, acquittal and approval for payment must be completed before payment is due or within four (4) weeks of receiving the statement.



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## 4. Use of Credit Cards – For Cardholders

### 4.1 General Use

#### 4.1.1 Cardholder Responsibility and Liability

As a Cardholder, you are responsible for the safe custody and security of the card and account and liable for any misuse and associated costs. You are responsible for resolving use and transaction disputes and ensuring that use of the card is ethical and strictly in accordance with this policy.

Credit cards are provided strictly for business-related purchasing only. Cardholders must be able to justify and prove their purchasing decisions to Council in a manner that allows Council to be able to justify and validate their endorsement of purchasing decisions to auditors, investigators, and the public. Always follow this policy and seek guidance from an Authoriser if in doubt.

Cardholders must comply with any terms and conditions of use provided by the card issuer and should follow the guidelines and recommendations of the issuing institution.

#### 4.1.2 Non-Cardholder Use

Only the designated Cardholder may use the credit card. You must not let any other person use your credit card or account or record or share your credit card number, including other Council staff or elected members.

Where for an approved purchase in compliance with this policy, you may use your credit card to purchase work-related items on behalf of another Council staff or elected member, provided you are satisfied the expense is appropriate and approved in accordance with this policy. If you choose to do so, the purchase must always be made, documented and justified by the Cardholder in accordance with this policy.

#### 4.1.3 Receipts and Documentation for Every Purchase

You must obtain a valid tax invoice for all credit card purchases and note the purpose of the purchase.

A valid tax invoice must provide sufficient information to demonstrate that the document is intended to be a tax invoice and include the following<sup>1</sup>:

- (1) The seller's identity;
- (2) The seller's Australian Business Number (ABN);
- (3) The date the invoice was issued;
- (4) A brief description of the items sold, including the quantity (if applicable) and the price;
- (5) The GST (goods and services tax) amount payable (if any) – this can be shown separately or, if the GST amount is exactly one-eleventh of the total price, as a statement such as 'Total price includes GST'; and
- (6) Purchases over \$1000 must also show the buyer's identity or ABN (in addition to the seller's details).

<sup>1</sup> ATO tax invoice requirements: <https://www.ato.gov.au/Business/GST/Issuing-tax-invoices/>



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You should make every attempt to obtain valid original documents in support of transactions. Council cannot claim the GST credit for purchases over \$75 without a valid tax invoice<sup>2</sup>, so it is always important your purchases have original documentation. Contact vendors for original tax invoices if necessary.

In the absence of a valid tax invoice or original receipt, you must provide sufficient information regarding the transaction to satisfy an Authoriser that the purchase is a valid work-related purchase that complies with this policy. The supporting information should include details of the transaction purpose, date, time, amount, vendor name and ABN, and your signature.

If you make a transaction of over \$100 and fail to retain a valid tax invoice for it, you must complete and sign a statutory declaration<sup>3</sup> that includes all the required supporting information to justify the purchase, including the transaction purpose, date, time, amount, vendor name and ABN.

Cardholders are liable for the cost of transactions that cannot be verified to be in compliance with this policy. Repeated purchases without original supporting documentation (valid tax invoice), requiring the Cardholder's explanation, or a statutory declaration are a purchasing risk to Council and may result in a credit card being revoked or disciplinary action in accordance with 0 2.6 **Breach of Policy or Misuse.**

#### **4.1.4 Applying for a Monthly Credit Top-Up (Cardholders)**

A Cardholder may apply for a top-up to the monthly credit. An application can be made as a written request to an Authoriser, detailing the following:

- (1) The top-up amount requested (top-ups, if approved, will usually not be greater than 50% of the monthly credit limit);
- (2) The account balance and monthly credit limit;
- (3) Reasons for exceeding the monthly limit; and
- (4) Forthcoming purchases expected and amounts to justify the need for a top-up.

#### **4.1.5 Lost, Stolen or Damaged Cards**

If your Council credit card is lost or stolen, you must immediately contact the issuing institution to report the lost or stolen card. Follow the advice of the institution and then advise an Authoriser at the earliest opportunity.

Damaged cards can be reported to Council's financial management team for a replacement card to be arranged.

#### **4.1.6 Return of Cards**

Return your Council credit card immediately to your manager if you:

- (1) Are ceasing or terminating employment;
- (2) Moving to a role that is not assigned a credit card;
- (3) Taking extended leave from your role for [6] or more months, or otherwise where you feel retaining your card is an unnecessary risk; or

<sup>2</sup> See *A New Tax System (Goods and Services Tax) Regulations 1999*:  
[https://www.legislation.gov.au/Details/F2011C00417/Html/Text#\\_Toc297551530](https://www.legislation.gov.au/Details/F2011C00417/Html/Text#_Toc297551530)

<sup>3</sup> Statutory declaration forms are available from the Department of Justice: [http://www.justice.tas.gov.au/forms/statutory\\_declarations](http://www.justice.tas.gov.au/forms/statutory_declarations)



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Approved date:  
Review date:

(4) No longer require, or do not wish to hold, a credit card.  
Credit cards should generally be cancelled and destroyed in these circumstances. If employees are returning from leave of 6 months or less, cards may be held securely by Council, at Council's discretion.

## 4.2 Permitted Transactions

The following types of transactions are permitted and purchases may generally be made with a Council credit card without written approval from Authorisers.

Transactions for expenses that are demonstrably approved and budgeted for, such as approved projects, approved entertainment or approved travel, may be made without additional approval from Authorisers. You must be able to demonstrate purchases you make are approved and in accordance with this policy, if queried.

### 4.2.1 Travel Expenses

Travel expenses are expenses incurred in the course of authorised work-related travel. They include accommodation, transport, meals, and expenses incidental to travel. Credit cards are ideally suited to cater for expenses incurred while travelling.

## 4.3 Discretionary Transactions Requiring Authorisation

The following types of transactions and purchases generally require written approval from one or more Authorisers and are discretionary transactions. Written approvals for discretionary purchases must be provided with all purchase invoices as part of the Statement Reconciliation and Acquittal Process (see Part 0).

### 4.3.1 Entertainment Expenses

Entertainment means the provision of food drink or recreation – even if business discussions or transactions occur. Entertainment is typically considered a private expense and must not be purchased using a council credit card or funds without clear prior approval to do so.

There are a range of circumstances where entertainment expenses may be considered to be work-related and may be purchased with your Council credit card. These include travel expenses (in accordance with section 0 4.2.1 Travel *Expenses* above), to support approved overtime work, for approved Council events or social functions or within an approved entertainment expenses budget for your role.

Certain roles are delegated the discretion to incur work-related entertainment expenses as part of their roles. These roles and their discretionary expense limits are allocated in SCHEDULE .

### 4.3.2 Gifts

Gifts are typically considered to be private expenses and must not be purchased with a Council credit card without prior approval. However, there may be limited instances where a gift using Council funds is appropriate, such as in recognition of exceptional service of a community volunteer, or as prizes for Council-sponsored community awards, and so are discretionary transactions.



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#### **4.3.3 Fuel**

Wherever available, use a fuel card to purchase fuel for work-related fuel expenses. In the event a fuel card is not available or not accepted by vendors in a location, you may use your Council credit card to purchase fuel for work-related travel, however you must provide sufficient supporting evidence that documents the trip, its length, and purpose.

#### **4.4 Prohibited Use and Transactions**

The following types of transactions and purchases are generally prohibited and must not be made on a Council credit card.

##### **4.4.1 Cash Advances / Withdrawals**

Council credit cards must not be used for cash advances or withdrawing cash.

##### **4.4.2 Refunds**

Any refunds for purchases made on a Council credit card must be refunded back to the credit card account. Refunds must not be accepted in cash.

##### **4.4.3 Purchases of a private or personal nature**

Council credit cards must not be used for purchases of a private or personal nature, even if you intend to reimburse Council. Only approved, work-related expenses in accordance with this policy may be incurred.

##### **4.4.4 Fines**

Council credit cards must not be used to pay fines of any nature. You must pay any fines that you incur.

##### **4.4.5 Alternative Online Payment Methods and Storing Credit Card Details**

Use of Council credit cards on, or linking to, alternative online payment methods and e-commerce payment systems or accounts, such as PayPal, Google Pay, Apple Pay, iTunes, or any system that records and stores credit card details, are prohibited.

Where a payment for necessary goods or services can only be made through such a payment/e-commerce system, and that system requires the storage of credit card details or linking to a credit card account (such as Uber), then the General Manager may delegate certain Cardholders to set up and manage an online account. This policy applies for the online account, as for the credit card itself.

- (1) The online account is restricted for use by the Cardholder;
- (2) The online account is for work-related purchases only, in accordance with this policy;
- (3) The online account is to be set up with the Cardholder's work email address and details and to be managed separately from any personal online payment/e-commerce accounts.

Permissions for online accounts should be centrally controlled and recorded by Council. Council credit cards must never be linked to personal online payment systems or accounts.



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**CARDHOLDER DECLARATION**

I have read and understood Council's Credit Card Policy. I understand the requirements of me as a Cardholder and agree with comply with them.

In particular, I agree:

- That I understand and will follow the rules and procedures of credit card use outlined in this policy;
- That I will adhere to all related Council policies.
- That my credit card is to be used for Council business only;
- That I must retain receipts and documentation to support all transactions made with my card;
- That I am responsible for the safekeeping and security of my card and account and liable for any misuse;
- That I will not allow any other person to use my Council credit card; and
- That disciplinary action will be taken for any breaches of the policy.

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**Authorisation:**

A Council credit card is approved to be issued to the Cardholder named above, who is authorised to hold and use a Council credit card in compliance with this policy.

*Authorised by*

*Authorised by*

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Position: \_\_\_\_\_

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_



Council Policy  
**CORPORATE CREDIT CARD POLICY**

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SCHEDULE 1

**ALLOCATION OF CREDIT CARDS AND CREDIT LIMITS**

This Policy permits the issue of credit cards only to the Council roles and with the limits stated in Table 1 below.

**Table 1. Credit Card Allocation Table**

Role/Position	Issue	Credit Limit <sup>4</sup>	Transaction Limit <sup>5</sup>	Discretionary Expense Limit <sup>6</sup>
General Manager	1	\$4,000	N/A	N/A
Manager, Corporate Services	2	\$5,000	N/A	N/A
<b>TOTAL</b>	<b>2</b>	<b>\$9,000</b>		

*Table 1. Credit Card Allocation Table is authorised by:*

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Position: **GENERAL MANAGER**

Position: **MANAGER, CORPORATE SERVICES**

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

<sup>4</sup> Credit Limit means the monthly credit limit and total value of purchases that may be made in a month.

<sup>5</sup> Transaction Limit means the maximum value for any single transaction.

<sup>6</sup> Discretionary Expense Limit means the maximum value per occasion of work-related entertainment expenses that a role is permitted to be purchased before seeking approval from an Authoriser.

### **17.2.3    TABLING OF DOCUMENTS**

Nil.

#### **17.2.4 ELECTED MEMBER STATEMENTS**

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

## 17.3 Finances

### Strategic Plan Reference(s) 6.3.1, 6.3.2 & 6.3.3

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

### 17.3.1 MONTHLY FINANCIAL STATEMENT (PERIOD ENDING 31 AUGUST 2019)

**Author:** FINANCE OFFICER (COURTNEY PENNICOTT)

**Date:** 19 SEPTEMBER 2019

#### BACKGROUND

The format of the Operating Expenditure Report has been amended to include a Year To Date (YTD) Budget Column, with variations (and percentage) based on YTD Budgets – as opposed to total annual Budget.

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

#### DETAIL

The enclosed Report incorporates the following: -

- Statement of Comprehensive Income – 1 July 2019 to 31 August 2019.
- Operating Expenditure Budget Report – as at 31 August 2019.
- Capital Expenditure Estimates – as at 31 August 2019.
- Cash Flow Statement – 1 July 2019 to 31 August 2019.
- Rates & Charges – as at 11<sup>th</sup> September 2019.

#### OPERATING EXPENDITURE ESTIMATES (OPERATING BUDGET)

Overall, operating expenditure to end of August 2019 was \$1,217,205, which represents 84.95% of YTD Budget.

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

#### ***Strategic Theme - Infrastructure***

Nil.

#### ***Strategic Theme – Growth***

Nil.

#### ***Strategic Theme – Landscapes***

Nil.

**Strategic Theme – Lifestyle**

**Sub-Program – Aged** – expenditure to date (\$875 – 116.67%). Expenditure relates to a community walk held last financial year.

**Strategic Theme –Community**

**Sub-Program – Capacity** – expenditure to date (\$13,139 – 115.21%). Expenditure relates to costs associated with the Heritage Bullock Festival, Arts Committee Events and donations provided for sporting representations.

**Strategic Theme –Organisation**

Nil.

**RECOMMENDATION**

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

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

STATEMENT OF COMPREHENSIVE INCOME				
FOR THE PERIOD				
1st JULY 2019 to 31st AUGUST 2019				
	Annual Budget	Year to Date as at 31st AUGUST	%	Comments
<b>Income</b>				
General rates	\$ 5,724,701	\$ 5,623,030	98.2%	Budget includes Interest & Penalties to be imposed to end of June 2020
User Fees (refer Note 1)	\$ 694,036	\$ 144,781	20.9%	
Interest	\$ 180,000	\$ 24,880	13.8%	
Government Subsidies	\$ 19,250	\$ 0	0.0%	Heavy Vehicle Licence Fees & Road Rescue MAIB reimbursements
Contract Income	\$ 0	\$ 0	0.0%	
Other (refer Note 2)	\$ 162,000	\$ 59,544	36.8%	
<b>Sub-Total</b>	<b>\$ 6,779,987</b>	<b>\$ 5,852,235</b>	<b>86.3%</b>	
Grants - Operating	\$ 3,470,832	\$ 435,611	12.6%	
<b>Total Income</b>	<b>\$ 10,250,819</b>	<b>\$ 6,287,845</b>	<b>61.3%</b>	
<b>Expenses</b>				
Employee benefits	\$ (3,905,753)	\$ (531,385)	13.6%	Less Roads - Resheeting Capitalised
Materials and contracts	\$ (3,063,277)	\$ (632,007)	20.6%	Less Roads - Resheeting Capitalised, Includes Land Tax
Depreciation and amortisation	\$ (3,061,160)	\$ (510,194)	16.7%	Percentage Calculation (based on year-to-date)
Finance costs	\$ (27,088)	\$ (4,149)	15.3%	
Contributions	\$ (233,907)	\$ 0	0.0%	Fire Service Levies
Other	\$ (133,944)	\$ (19,145)	14.3%	Incls Rate Discounts
<b>Total expenses</b>	<b>\$ (10,425,129)</b>	<b>\$ (1,696,880)</b>	<b>16.3%</b>	
<b>Surplus (deficit) from operations</b>	<b>\$ (174,310)</b>	<b>\$ 4,590,966</b>	<b>-2633.8%</b>	
Grants - Capital (refer Note 3)	\$ 4,526,481	\$ 0	0.0%	
Sale Proceeds (Plant & Machinery)	\$ 0	\$ 45,895	0.0%	
Net gain / (loss on disposal of non-current assets)	\$ (108,182)	\$ 0	0.0%	
<b>Surplus / (Deficit)</b>	<b>\$ 4,243,989</b>	<b>\$ 4,636,861</b>	<b>109.3%</b>	

<b>NOTES</b>				
1. Income - User Fees (Budget \$730,602) includes:				
- All other Programs	\$ 471,579	\$ 75,818	16.1%	Actual Income Received (i.e. excluding Debtors)
- Private Works	\$ 222,457	\$ 67,850	30.5%	
- Callington Mill	\$ -	\$ 1,112	0.0%	
	\$ 694,036	\$ 144,781		
2. Income - Other (Budget \$162,000) includes:				
- Tas Water Distributions	\$ 152,000	\$ -	0.00%	
- HBS Dividend	\$ 10,000	\$ -	0.0%	
- Other	\$ -	\$ 59,544	0.0%	
	\$ 162,000	\$ 59,544	36.8%	
3. Grant - Capital (Budget \$1,669,375) includes:				
- Aus Gov Election Commit'	\$ 1,930,000	\$ -	0.0%	
- Swimming Pool	\$ 1,900,000	\$ -	0.0%	
- Roads To Recovery Grant	\$ 665,531	\$ -	0.0%	To be received March 2020
- Twin Equestrian Arenas	\$ -	\$ -	0.0%	
- Commissariat NSRF Grant	\$ 30,950	\$ -	0.0%	
	\$ 4,526,481	\$ -	0.0%	
4. Grant - Operating (Budget \$1,669,375) includes:				
Operating Grants				
- FAGS		\$ 435,461		
- Court House		\$ 150		
	\$ -	\$ 435,611		

**CAPITAL EXPENDITURE PROGRAM 2019-20**  
**AS AT 31 AUGUST 2019**

INFRASTRUCTURE			BUDGET	EXPENDITURE	VARIANCE	COMMENTS
<b>ROAD ASSETS</b>						
Resheeting Program	Various	Roads Resheeting	\$ 500,000	\$ 20,297	\$ 479,703	
Reseal Program		Roads Resealing (as per agreed program)	\$ 280,000	\$ -	\$ 280,000	
	C1020033	Yarlington Road (Smarts Hill - 150 metres)	\$ 15,000	\$ -	\$ 15,000	\$15K Budget c/fwd
Reconstruct & Seal		Green Valley Road, Bagdad (300metres off Swan Street)	\$ 54,000	\$ -	\$ 54,000	
		Shene Road, Mangalore (650metres)	\$ 97,500	\$ -	\$ 97,500	
		Woodsdale Road (1klm Reconstruction)	\$ 165,000	\$ -	\$ 165,000	
Construct & Seal (Unsealed Roads)		Huntington Tier (300 metres new seal)	\$ 63,000	\$ -	\$ 63,000	
		Roberts Road (350m new seal incl. stormwater)	\$ 59,000	\$ -	\$ 59,000	
		Main Intersection/Carpark Campania - Design Concept	\$ 50,000	\$ -	\$ 50,000	
		Eldon Road (800 metres new seal)	\$ 154,000	\$ -	\$ 154,000	RTR
		Banticks Road (1klm new seal from Junction with Blackbrush)	\$ 27,500	\$ -	\$ 27,500	
		Blackbrush Road (1klm new seal from existing to Banticks)	\$ 210,000	\$ -	\$ 210,000	RTR
Minor Seals (New)		Dust Suppressant Seal	\$ 20,000	\$ -	\$ 20,000	
		Junctions - Various Locations (incl. Greggs Road)	\$ 20,000	\$ -	\$ 20,000	
	C1020032	Hasting Street Junction	\$ 15,000	\$ 959	\$ 14,041	\$15K Budget c/fwd WIP 30/6/19 \$959
Unsealed Rds - Road Widening	C1020065	Clifton Vale Road - (Cliff Section)	\$ 20,128	\$ 17,410	\$ 2,717	
	C1020061	Native Corners Road (Far end, Widening/Guard Rail)	\$ 9,000	\$ 3,277	\$ 5,723	\$9K Budget c/fwd
Junction / Road Realignment / Othe	C1010037	Campania - Reeve St / Clime Street (includes Footpath)	\$ 70,000	\$ 9,559	\$ 60,441	\$70K Budget c/fwd WIP 30/6/19 \$2,617
		Water Lane (Minor Widening/drainage - V drain)	\$ 23,500	\$ -	\$ 23,500	
Drainage Component - \$42,900	C1010079	Reeve St - Hall Street to Rec Ground (K&G)	\$ 94,915	\$ -	\$ 94,915	\$20k Budget c/fwd WIP 30/06/19 \$6,887
		Lovely Banks Road (vicinity of Carnes)	\$ 25,000	\$ -	\$ 25,000	Extend Culverts/ tree removal / realign
		Rhyndaston Road - Guard Rail	\$ 20,000	\$ -	\$ 20,000	
		Stonor Road - Guard Rail	\$ 30,000	\$ -	\$ 30,000	
		Woodsdale Raod (Vicinity of Dean Property)	\$ 15,000	\$ -	\$ 15,000	
	C1010088	Bagdad Primary School - Car Park (contribution)	\$ 25,000	\$ 6,036	\$ 18,964	\$25k Budget c/fwd WIP 30/06/19 \$6,036
			<b>\$ 2,062,543</b>	<b>\$ 57,538</b>	<b>\$ 2,005,005</b>	

<b>BRIDGE ASSETS</b>		Hardings Road (White Kangaroo Rivulet)	\$ 180,400	\$ -	\$ 180,400	RTR
		Woodsdale Road (Nutting Garden Rivulet)	\$ 210,390	\$ -	\$ 210,390	RTR
			<b>\$ 390,790</b>	<b>\$ -</b>	<b>\$ 390,790</b>	
<b>WALKWAYS</b>	C1040003	Footpaths - General Streetscapes Bagdad Township	\$ 20,000	\$ -	\$ 20,000	
	C1040014	- East Bagdad Road Broadmarsh Township	\$ 105,000	\$ 3,486	\$ 101,514	WIP 30/6/19
		- Streetscape Works Campania Township	\$ 230,000	\$ -	\$ 230,000	Grant Funded
		- Review Management Plan (Site Plan) / Walking Tracks (Bush)	\$ 5,000	\$ -	\$ 5,000	\$5K Budget c/fwd
		- Reeve Street - Footpath through to Hall	\$ 30,000	\$ -	\$ 30,000	
		- Climie Street/Water Lane (incl. footpath)				
		- Climie Street to Kandara Court Footpath Kempton Township				
		- Midlands Highway/Mood Food	\$ 70,150	\$ -	\$ 70,150	
	C1040027	- Memorial Avenue (complete drainage/other site works)	\$ 25,000	\$ 2,798	\$ 22,202	
		- Streetscape Plan (Review & Implementation) Mangalore Township	\$ 110,000	\$ -	\$ 110,000	Footpath renewal Component
		- Mangalore to Brighton Walkway Melton Mowbray Township				
	G2020002	- Streetscape Works (Trough / Shelter etc) Oatlands Township	\$ 30,000	\$ 5,318	\$ 24,682	
	C1040016	- High Street (Footpath Renewal)	\$ 50,000	\$ 1,252	\$ 32,034	
	C1040026	- Church Street (Footpath Renewal)		\$ 16,714		
		Tunbridge Township				
	- Maint Street Kerb & Gutter (Vicinity of Hall)	\$ 30,000	\$ -	\$ 30,000		
	Tunnack Township					
	- Streetscape concept Plan	\$ 5,000	\$ -	\$ 5,000		
		<b>\$ 710,150</b>	<b>\$ 29,568</b>	<b>\$ 680,582</b>		

**CAPITAL EXPENDITURE PROGRAM 2019-20**

**AS AT 31 AUGUST 2019**

			<b>BUDGET</b>	<b>EXPENDITURE</b>	<b>VARIANCE</b>	<b>COMMENTS</b>
<b>LIGHTING</b>	C1050001	Esplanade Project (Total Project Cost \$128k year 1-2)	\$ 134,000	\$ 21,327	\$ 112,673	\$64k Budget c/fwd WIP 30/6/19 \$21,251
			<b>\$ 134,000</b>	<b>\$ 21,327</b>	<b>\$ 112,673</b>	
<b>BUILDINGS</b>	C1110002	Campania Flour Mill Park - Concrete Pathways/drainage/remove p	\$ 15,000	\$ -	\$ 15,000	
		Tunbridge Hall Toilets	\$ 59,000	\$ 20,151	\$ 38,849	WIP 30/6/19 \$18,288 - Budget incl. Grants
			<b>\$ 74,000</b>	<b>\$ 20,151</b>	<b>\$ 53,849</b>	

<b>DRAINAGE</b>		Bagdad				
		- Lyndon Road	\$ 15,000	\$ -	\$ 15,000	\$15K Budget c/fwd
		- Midland Highway/Swan Street Drainage	\$ 50,000	\$ 3,204	\$ 46,797	
		Campania				
		- Estate Road (School Farm)	\$ 10,000	\$ -	\$ 10,000	
		Oatlands				
		- Barrack Street (towards Mason Street)	\$ 10,000	\$ -	\$ 10,000	\$10K Budget c/fwd
		- High St/Wellington Street Junction	\$ 5,000	\$ -	\$ 5,000	\$5K Budget c/fwd
		- Queen Anne Street	\$ 7,500	\$ -	\$ 7,500	\$7.5K Budget c/fwd
		Kempton				
		- Erskine Street		\$ 4,668	\$ (4,668)	WIP 30/6/19
			<b>\$ 97,500</b>	<b>\$ 7,871</b>	<b>\$ 89,629</b>	
<b>WASTE</b>	C110001	Wheelie Bins and Crates	\$ 8,000	\$ -	\$ 8,000	
		Oatlands WTS - Concrete Pad(s)	\$ 25,000	\$ -	\$ 25,000	\$25K Budget c/fwd
		Dysart WTS - General Improvements	\$ 20,000	\$ -	\$ 20,000	\$20K Budget c/fwd
			<b>\$ 53,000</b>	<b>\$ -</b>	<b>\$ 53,000</b>	
<b>GROWTH</b>						
<b>HERITAGE</b>	C3010003	Callington Mill (Asset Renewals)	\$ 10,000	\$ 255	\$ 9,745	
		Callington Mill (Mill Tower - Fire Detection System & Exit Lighting)	\$ 6,500	\$ -	\$ 6,500	Budget c/fwd
		Oatlands Court House (Stabilisation & Gaol Cell)	\$ 8,000	\$ -	\$ 8,000	\$8K Budget c/fwd
		Oatlands Gaol - Wingwall Completion	\$ 15,000	\$ -	\$ 15,000	\$15K Budget c/fwd
		Oatlands Gaol - Aluminum Temporary Steps (Entrance)	\$ 3,500	\$ -	\$ 3,500	\$3.5K Budget c/fwd
		Kempton Watch House (Fitout)	\$ 4,000	\$ -	\$ 4,000	\$7.5K Budget c/fwd
		Roche Hall Forecourt (Interps - Planning Condition of Approval)	\$ 40,000	\$ 6,945	\$ 33,056	WIP 30/6/19 \$3,845 - Budget c/fwd
	C3010011	Roche Hall - Internal & External Painting (excl. Gutters; Fascias &	\$ 80,000	\$ -	\$ 80,000	\$15K Budget c/fwd
			<b>\$ 167,000</b>	<b>\$ 7,199</b>	<b>\$ 159,801</b>	
<b>NATURAL</b>						
		Campania Bush Reserve (Walking/Riding Path)	\$ 100,000	\$ -	\$ 100,000	Grant Funded
	C3020007	Chauncy Vale - Sanctuary Bridge	\$ 55,000	\$ -	\$ 55,000	Grant Funded
	C3020008	Mahers Point - Lanscape Plan	\$ 22,404	\$ -	\$ 22,404	Budget c/fwd
	C1040019	Lake Dulverton Walkway (Section 1)	\$ 135,000	\$ -	\$ 135,000	Grant Funded
	C1040028	Lake Dulverton Walkway (Section 2)	\$ 85,000	\$ -	\$ 85,000	Grant Funded
			<b>\$ 397,404</b>	<b>\$ -</b>	<b>\$ 397,404</b>	
<b>CULTURAL</b>						
		Heritage HUB - Internal fitout	\$ 10,000	\$ -	\$ 10,000	
			<b>\$ 10,000</b>	<b>\$ -</b>	<b>\$ 10,000</b>	
<b>REGULATORY</b>	C3040001	Kempton Council Chambers - Restoration Works	\$ 5,000	\$ -	\$ 5,000	
	C9990001	Kempton Council Chambers - Office Furniture & Equipment	\$ 5,000	\$ -	\$ 5,000	
			<b>\$ 10,000</b>	<b>\$ -</b>	<b>\$ 10,000</b>	

LIFESTYLE			BUDGET	EXPENDITURE	VARIANCE	COMMENTS
<b>COMMUNITY HEALTH &amp; WELLBEING</b>						
	C4070035	Oatlands Bus Shelter	\$ 14,000	\$ -	\$ 14,000	
			<b>\$ 14,000</b>	<b>\$ -</b>	<b>\$ 14,000</b>	
<b>ACCESS</b>						
	C4070035	All Buildings (Priority Approach - Year 4 of 5)	\$ 40,000	\$ -	\$ 40,000	
			<b>\$ 40,000</b>	<b>\$ -</b>	<b>\$ 40,000</b>	
<b>PUBLIC HEALTH</b>						
	C4070035	Kempton Community Health Facility	\$ 225,000	\$ 1,915	\$ 223,085	\$200K Budget c/fwd WIP 30/6/19 \$445
			<b>\$ 225,000</b>	<b>\$ 1,915</b>	<b>\$ 223,085</b>	
<b>RECREATION</b>						
	C4070005	Recreation Committee	\$ 20,000	\$ 3,364	\$ 16,636	Campania Rec Ground Window
		Oatlands Aquatic Centre (New Pool)	\$ 2,400,000	\$ -	\$ 2,400,000	
	C4070034	Oatlands Aquatic Centre (New Pool)		\$ 395,986	\$ (395,986)	WIP 30/6/19 \$395,896
	C4070034	Oatlands Aquatic Centre (New Pool)		\$ 379,803	\$ (379,803)	WIP 30/6/18 \$379,803
		Campania - Public Open Space dev (Subdivision)	\$ 23,000		\$ 23,000	
		Campania - Public Open Space dev (Shelter Alexander Circle)	\$ 10,000		\$ 10,000	
		Campania - Public Open Space dev (Play Equip Alexander Circle)	\$ 16,000		\$ 16,000	
	G4070024	Mangalore Equestrian Arena	\$ 51,784	\$ 19,269	\$ 32,515	Grant of \$36,784 plus additional budget \$15k
		Mangalore Hall (replace Gutters and Roofing)	\$ 18,000		\$ 18,000	
		Oatlands - Callington Park (Playground Election Commitment)	\$ 500,000		\$ 500,000	Incls. Revegetation and Watering System
		Campania - Recreation Ground (Nets)	\$ 45,000		\$ 45,000	\$45K Budget c/fwd
	C4070019	Kempton - Recreation Ground (Granstand Rails & Seating)	\$ 6,000		\$ 6,000	\$6K Budget c/fwd
		Kempton - Recreation Ground (Lighting)	\$ 10,000		\$ 10,000	\$10K Budget c/fwd
		Kempton - Recreation Ground (Roof Structure - Entry to Clubroc	\$ 15,000		\$ 15,000	
		Mount Pleasant - Recreation Ground (Upgrade Toilets)	\$ 38,000		\$ 38,000	\$13K Budget c/fwd
		Runneymede - Recreation Ground (resurfacing & watering system	\$ 20,000		\$ 20,000	
		Tunbridge Park - Perimeter Fence (Safety)	\$ 30,000		\$ 30,000	\$7.5K Budget c/fwd
			<b>\$ 3,202,784</b>	<b>\$ 798,422</b>	<b>\$ 2,404,362</b>	
<b>COMMUNITY ANIMALS</b>						
		Oatlands - Dog Pound	\$ 20,000	\$ -	\$ 20,000	
			<b>\$ 20,000</b>	<b>\$ -</b>	<b>\$ 20,000</b>	
<b>CAPACITY</b>						
	C5020001	Levendale Community Centre	\$ 8,000	\$ -	\$ 8,000	\$8K Budget c/fwd
		Oatlands Structure Plan	\$ 25,000	\$ -	\$ 25,000	
			<b>\$ 33,000</b>	<b>\$ -</b>	<b>\$ 33,000</b>	
<b>SAFETY</b>						
		Road Accident Rescue Unit	\$ 3,000	\$ -	\$ 3,000	
			<b>\$ 3,000</b>	<b>\$ -</b>	<b>\$ 3,000</b>	

<b>ORGANISATION</b>						
<b>SUSTAINABILITY</b>		Council Chambers - Internal Toilets Upgrade	\$ 60,000	\$ -	\$ 60,000	
		Council Chambers - Damp Issues & Stonemasonry	\$ 15,000	\$ -	\$ 15,000	\$15K Budget c/fwd
		Council Chambers - Works Office (floor coverings)	\$ 5,000	\$ -	\$ 5,000	\$5K Budget c/fwd
	C9990001	Town Hall (General - Incl. Office Equip/Furniture)	\$ 5,540	\$ 375	\$ 5,166	
	C6020003	Computer System (Hardware / Software)	\$ 55,400	\$ 31,903	\$ 23,497	\$15K Budget c/fwd
			<b>\$ 140,940</b>	<b>\$ 32,278</b>	<b>\$ 108,662</b>	
<b>WORKS</b>	C6020011	Kempton Depot - Property Purchase	\$ 50,000	\$ 18,820	\$ 31,180	
	C6020011	Kempton Depot - External Painting	\$ 10,000	\$ -	\$ 10,000	\$10K Budget c/fwd
	C6020001	Depot Relocation (Site / Concept Plans/ Amneities/ Redords Storz	\$ 200,000	\$ 24,311	\$ 175,689	
		Minor Plant Purchases	\$ 9,500	\$ -	\$ 9,500	
	C6020008	Radio System	\$ 3,000	\$ -	\$ 3,000	
		<b>Plant Replacement Program</b>				
		Refer separate Schedule (Gross)	\$ 935,000	\$ -	\$ 935,000	
		Light Vehicles (Gross)	\$ 210,000	\$ 40,088	\$ 169,912	
		(Trade Allowance - \$180K)				
			<b>\$ 1,417,500</b>	<b>\$ 83,219</b>	<b>\$ 1,334,281</b>	
		<b>GRAND TOTALS</b>	<b>\$ 9,202,611</b>	<b>\$ 1,059,489</b>	<b>\$ 8,143,122</b>	

	INFLOWS (OUTFLOWS) (July 2019)	INFLOWS (OUTFLOWS) (August 2019)	INFLOWS (OUTFLOWS) (Year to Date)
<b>Cash flows from operating activities</b>			
Payments			
Employee costs	- 259,732.34	- 280,026.23	- 539,758.57
Materials and contracts	- 489,960.05	- 252,409.90	- 742,369.95
Interest	- 4,148.51	-	- 4,148.51
Other	- 29,966.89	- 69,054.75	- 99,021.64
	<b>- 783,807.79</b>	<b>- 601,490.88</b>	<b>- 1,385,298.67</b>
Receipts			
Rates	98,749.91	1,287,791.14	1,386,541.05
User charges	65,479.66	44,553.00	110,032.66
Interest received	18,471.63	6,408.06	24,879.69
Subsidies		-	-
Other revenue grants	150.00	435,460.50	435,610.50
GST Refunds from ATO		-	-
Other	34,923.65	94,315.16	129,238.81
	<b>217,774.85</b>	<b>1,868,527.86</b>	<b>2,086,302.71</b>
<b>Net cash from operating activities</b>	<b>- 566,032.94</b>	<b>1,267,036.98</b>	<b>701,004.04</b>
<b>Cash flows from investing activities</b>			
Payments for property, plant & equipment	- 66,086.49	- 82,224.34	- 148,310.83
Proceeds from sale of property, plant & equipment	30,840.90	15,054.55	45,895.45
Proceeds from Capital grants	-	-	-
Proceeds from Investments	-	-	-
Payment for Investments	-	-	-
<b>Net cash used in investing activities</b>	<b>- 35,245.59</b>	<b>- 67,169.79</b>	<b>- 102,415.38</b>
<b>Cash flows from financing activities</b>			
Repayment of borrowings	- 7,060.07	-	- 7,060.07
Proceeds from borrowings			-
<b>Net cash from (used in) financing activities</b>	<b>- 7,060.07</b>	<b>-</b>	<b>- 7,060.07</b>
<b>Net increase/(decrease) in cash held</b>	<b>- 608,338.60</b>	<b>1,199,867.19</b>	<b>591,528.59</b>
Cash at beginning of reporting year	12,368,944.95	11,760,606.35	12,368,944.95
<b>Cash at end of reporting</b>	<b>11,760,606.35</b>	<b>12,960,473.54</b>	<b>12,960,473.54</b>

SOUTHERN MIDLANDS COUNCIL : OPERATING EXPENDITURE 2019/20

SUMMARY SHEET

PROGRAM	YTD ACTUAL (as at 31 August 19)	YTD BUDGET (as at 31 August 19)	YTD VARIANCE	YTD VARIANCE %	FULL YEAR BUDGET - REVISED INC. GRANTS & OTHER
<b>INFRASTRUCTURE</b>					
Roads	199,104	225,623	26,519	88.25%	3,176,074
Bridges	726	4,250	3,524	17.08%	372,719
Walkways	29,151	31,655	2,504	92.09%	194,893
Lighting	6,773	14,294	7,521	47.39%	86,520
Irrigation	-	-	-	-	-
Drainage	5,434	7,679	2,245	70.76%	80,042
Waste	93,974	149,925	55,951	62.68%	825,181
Public Toilets	12,424	13,830	1,406	89.84%	64,173
Communications	-	-	-	-	-
Signage	1,117	1,670	553	66.91%	7,575
<b>INFRASTRUCTURE TOTAL:</b>	<b>348,704</b>	<b>446,926</b>	<b>100,222</b>	<b>77.68%</b>	<b>4,807,177</b>
<b>GROWTH</b>					
Residential	-	-	-	-	-
Tourism	5,981	7,230	1,249	82.73%	43,950
Business	54,868	55,033	165	99.70%	1,173,941
Agriculture	-	-	-	-	-
<b>GROWTH TOTAL:</b>	<b>60,849</b>	<b>62,263</b>	<b>1,414</b>	<b>97.73%</b>	<b>1,217,891</b>
<b>LANDSCAPES</b>					
Heritage	51,092	61,418	10,326	83.19%	298,546
Natural	25,467	29,436	3,971	86.51%	173,266
Cultural	400	6,736	6,336	5.94%	9,600
Regulatory	102,706	141,096	38,392	72.79%	792,083
Climate Change	-	-	-	-	10,047
<b>LANDSCAPES TOTAL:</b>	<b>179,664</b>	<b>238,682</b>	<b>59,028</b>	<b>75.27%</b>	<b>1,283,542</b>
<b>LIFESTYLE</b>					
Youth	53,469	53,720	251	99.53%	257,126
Aged	875	750	125	116.67%	2,500
Childcare	4,000	5,250	1,250	76.19%	7,500
Volunteers	-	1,667	1,667	0.00%	40,000
Access	-	-	-	-	-
Public Health	438	1,698	1,260	25.80%	10,093
Recreation	68,966	72,317	3,351	95.37%	473,710
Animals	18,073	18,356	283	98.46%	105,552
Education	-	-	-	-	-
<b>LIFESTYLE TOTAL:</b>	<b>145,822</b>	<b>153,758</b>	<b>7,936</b>	<b>94.84%</b>	<b>896,481</b>
<b>COMMUNITY</b>					
Retention	-	-	-	-	-
Capacity	13,139	11,404	1,735	115.21%	27,925
Safety	3,369	8,033	4,664	41.94%	56,650
Consultation	2,507	3,800	1,293	65.98%	23,425
<b>COMMUNITY TOTAL:</b>	<b>19,016</b>	<b>23,237</b>	<b>4,221</b>	<b>81.83%</b>	<b>108,000</b>
<b>ORGANISATION</b>					
Improvement	15,816	19,019	3,203	83.16%	104,984
Sustainability	417,918	483,355	65,437	86.46%	2,256,362
Finances	19,194	23,810	4,616	80.61%	296,680
<b>ORGANISATION TOTAL:</b>	<b>452,927</b>	<b>526,184</b>	<b>73,257</b>	<b>86.08%</b>	<b>2,658,026</b>
<b>TOTALS</b>	<b>1,206,982</b>	<b>1,453,060</b>	<b>246,078</b>	<b>83.06%</b>	<b>10,971,117</b>

<b>SOUTHERN MIDLANDS COUNCIL</b>				
<b>SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED</b>				
	This Financial Year 11th September 2019		Last Financial Year 11th September 2018	
Arrears brought forward as at July 1		\$ 429,240.71		\$ 419,894.17
ADD current rates and charges levied		\$ 5,620,415.53		\$ 5,290,228.81
ADD current interest and penalty		\$ 7,285.01		\$ 6,769.46
<b>TOTAL rates and charges demanded</b>	100.00%	\$ 6,056,941.25	100.00%	\$ 5,716,892.44
LESS rates and charges collected	34.36%	\$ 2,080,907.56	33.61%	\$ 1,921,522.30
LESS pensioner remissions	3.84%	\$ 232,405.41	3.92%	\$ 224,238.46
LESS other remissions and refunds	-0.15%	-\$ 9,171.87	0.07%	\$ 4,033.48
LESS discounts	0.46%	\$ 28,031.92	0.45%	\$ 25,964.99
<b>TOTAL rates and charges collected and remitted</b>	38.50%	\$ 2,332,173.02	38.06%	\$ 2,175,759.23
<b>UNPAID RATES AND CHARGES</b>	61.50%	\$ 3,724,768.23	61.94%	\$ 3,541,133.21

**18. MUNICIPAL SEAL**

Nil.

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

Council to address urgent business items previously accepted onto 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.**

<b>Matter</b>	<b><i>Local Government (Meeting Procedures) Regulations 2015</i> Reference</b>
<i>Closed Council Minutes - Confirmation</i>	15(2)
<i>Applications for Leave of Absence</i>	15(2)(h)
<i>Heavy Plant Replacement Tender</i>	15(2)(d)

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

**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.**

<b>DECISION (MUST BE BY ABSOLUTE MAJORITY)</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr K Dudgeon		
Clr R McDougall		

## **CLOSED COUNCIL AGENDA**

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

*Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 provides that Council may consider certain sensitive matters in Closed Meeting.*

*The following matters have been listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015.*

#### **20.1 CLOSED COUNCIL MINUTES - CONFIRMATION**

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

#### **20.2 APPLICATIONS FOR LEAVE OF ABSENCE**

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

#### **20.3 HEAVY PLANT REPLACEMENT TENDER**

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

## RECOMMENDATION

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

<b>DECISION</b>		
<b>Councillor</b>	<b>Vote FOR</b>	<b>Vote AGAINST</b>
Mayor A O Green		
Deputy Mayor E Batt		
Clr A Bantick		
Clr A E Bisdee OAM		
Clr K Dudgeon		
Clr D F Fish		
Clr R McDougall		

## OPEN COUNCIL AGENDA

### 21. CLOSURE