



# **MINUTES**

## **ORDINARY COUNCIL MEETING**

---

Wednesday 23<sup>rd</sup> April 2025  
10.00 a.m.

Levendale Hall  
1325 Woodsdale Road, Levendale

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# **OPEN COUNCIL MINUTES**

**MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD  
ON WEDNESDAY 23<sup>RD</sup> APRIL 2025 AT THE LEVENDALE HALL,  
1325 WOODSDALE ROAD LEVENDALE, COMMENCING AT 10.00 A.M.**

Mayor Batt advised all attendees that this meeting is being recorded.

## **1. PRAYERS**

Deputy Mayor K Dudgeon recited prayers.

## **2. ACKNOWLEDGEMENT OF COUNTRY**

Mayor E Batt recited Acknowledgement of Country.

## **3. ATTENDANCE**

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

Mr T Kirkwood (General Manager), Mr A Benson (Deputy General Manager), Mr G Finn (Manager Development and Environmental Services), Mr D Richardson (Manager Infrastructure and Works), Mrs A Burbury (Finance Officer) and Mrs J Crosswell (Executive Assistant).

## **4. APOLOGIES**

Cllr A E Bisdee OAM.

## **5. MINUTES**

### **5.1 Ordinary Council Meeting**

The Minutes (Open Council Minutes) of the previous meeting of Council held on 26<sup>th</sup> March 2025, as circulated, are submitted for confirmation.

#### **RECOMMENDATION**

**THAT the Minutes (Open Council Minutes) of the Council Meeting held 26<sup>th</sup> March 2025 be confirmed.**

#### **DECISION**

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

**THAT the Minutes (Open Council Minutes) of the Council Meeting held 26<sup>th</sup> March 2025 be confirmed.**

#### **CARRIED**

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

### **5.2 Special Committees of Council Minutes**

#### **5.2.1 Special Committees of Council - Receipt of Minutes**

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

- Chauncy Vale Wildlife Sanctuary Management Committee General Meeting Minutes – 24<sup>th</sup> February 2025

#### **RECOMMENDATION**

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

#### **DECISION**

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

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

#### **CARRIED**

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

### 5.2.2 Special Committees of Council - Endorsement of Recommendations

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

- Chauncy Vale Wildlife Sanctuary Management Committee General Meeting Minutes – 24<sup>th</sup> February 2025

### RECOMMENDATION

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

### DECISION

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

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

### CARRIED

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

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

**5.3.1       Joint Authorities - Receipt of Minutes**

Nil.

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

Nil.

## **6. NOTIFICATION OF COUNCIL WORKSHOPS**

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

One workshop has been held since the last Ordinary Meeting.

A workshop was held on the 14<sup>th</sup> April 2025 at the Council Chambers, Oatlands commencing at 9.30 a.m.

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

Also in Attendance: T Kirkwood, A Benson, G Finn, D Richardson, W Young and M Weeding (part).

Apologies: Nil.

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

### **1. Oatlands Gaol Property (old Swimming Pool)**

Councillors participated in an onsite tour of the old 'Swimming Pool' site. This site inspection follows the demolition and removal of the old Pool.

General discussion regarding the future possible interpretation and development of the property.

### **2. 2025/26 Capital Works Program**

Review of preliminary draft and an opportunity for Councillors to provide ideas / suggestions of potential projects based on discussion with the community and/or or representations received.

### **3. Greater South East Irrigation Scheme (Tasmania Irrigation - TI)**

Tas Irrigation representatives, Mr Andrew McShane (Director of TI) and Mr Jacob Gerke (GM Project Development and Delivery), attended this part of the workshop.

Also in attendance were Mr Barry Curtain, Mr Courtney Richardson, Mr Michael Munnings and Mrs Maryanne Munnings - representing landowners within the Colebrook district who have expressed interest in the scheme and purchasing water entitlements.

This session followed an issue raised at the previous Council Meeting. The intent was to gain a better understanding of the current status of the Scheme, and in particular, the extent to which irrigation water will be supplied. The main focus being the delivery of water through to the Craighourne Dam. The present design indicated that scheme will only service as far as the 'Stockdale' property.

Following a presentation by Mr Gerke and lengthy discussion, it was agreed that a month extension of time would be granted beyond the 17<sup>th</sup> April 2025 timeframe to lodge fresh applications to purchase water entitlements. This will provide additional time to further



consult with other landowners in the district. A commitment was also given by Mr Gerke that TI would be prepared to address a follow-up meeting with interested parties to provide any additional information and respond to any questions.

#### **4. Other Matters:**

##### **4.1 Tasmanian Youth Justice Facility (Pontville)**

Presentation deferred pending finalisation of the Site Master Plan. Alternative date/time to be arranged when completed.

The workshop concluded at approximately 12.00 noon.

#### **RECOMMENDATION**

**THAT the information be received.**

#### **DECISION**

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

**THAT the information be received.**

#### **CARRIED**

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

## **7. COUNCILLORS – QUESTION TIME**

### **7.1 Questions (On Notice)**

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

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

Nil.

## 7.2 Questions Without Notice

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

It states:

**“29. Questions without notice**

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

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

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

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

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

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

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

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

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

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

**Clr B Campbell** – Property – Richmond Street, Colebrook (old Post Office) – questioned whether an inspection of this property had been undertaken. This follows his comments made at the previous meeting about the unsafe appearance of the front veranda which extends over the footpath.

*Question taken on notice by the General Manager.*

**Clr B Campbell** – Colebrook – History Room Public Toilets – there is a need to upgrade signage at the Toilets as a number of people continue to enquire at the shop about the availability of toilets etc.

*To be assessed and appropriate action taken.*

**Clr B Campbell** – Woodsdale Recreation Ground – update sought.

*General Manager advised that Development Approval has now been granted. The Club/Incorporated Body must now proceed to prepare the required plans to comply with the DA approval and secure the necessary building and plumbing permits. The Club is then required to demonstrate that it has sufficient resources to undertake all the required works.*

**Clr F Miller** – Reeve Street, Campania – Bus Stop - when will the works be completed?

*Manager Infrastructure & Works advised that the works are scheduled to commence 28<sup>th</sup> April 2025 and will take approximately six (6) weeks.*

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## **8. DECLARATIONS OF PECUNIARY INTEREST**

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

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

Nil.

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

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

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

Nil.

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

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

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

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

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

Mayor E Batt invited members of the public to ask any questions.

**Stephen Booker (Oatlands) Re: Lake Dulverton** – asked Council whether there was any strategies or plans to maintain (or supply) an adequate water level in Lake Dulverton and any plans to manage the weeds that exist in the Lake?

*Mayor Batt firstly commented that the Lake is not Council owned, it is State Government owned, although Council does have a Lease arrangement with the Crown for the property. There is a community based Council Management Committee (being the Lake Dulverton and Callington Park Management Committee).*

*The General Manager advised that Council does source water from the Midlands Water Scheme (via a winter offtake entitlement) which delivers water to the Lake. Based on historical rainfall records, this should maintain a reasonable level in the Lake (inside the bund wall area), but this has proven not to be the case due to lower rainfall over recent years. In regard to the management and treatment options for the native vegetation (commonly thought to be weeds), the Management Committee has sought advice from the Parks and Wildlife Service, as the responsible State Government agency, but information has not been received to date.*

**Stephen Booker (Oatlands) Re: Memorial Plaques – High Street, Oatlands** – commented that there are five memorial plaques placed beside trees in High Street, Oatlands. With the exception of one plaque, the writing is on the road side. Can these be turned around so they can be read from the footpath?

*The General Manager advised that this suggestion can be addressed. The Oatlands RSL will be consulted in advance to ensure that there are no issues with relocation etc.*

**Julia Jabour – Southern Midlands Regional News – Pontville Youth Detention Centre** – sought clarification in relation to the proposed community consultation process.

*The Manager Development & Environmental Services advised that the consultants will be releasing the Property Master Plan on 30<sup>th</sup> April 2025. The community consultation period will extend through to the 25<sup>th</sup> May 2025.*

#### **DECISION**

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

**THAT Council adjourn the meeting for morning tea at 10.51 a.m.**

**CARRIED**

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

#### **DECISION**

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

**THAT Council reconvene at 11.14 a.m.**

**CARRIED**

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

### **10.1 Permission to Address Council**

Nil.



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

Nil.

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

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

### **12.1 Development Applications**

#### **12.1.1 Development Application - DA2400122 For Sports Pavilion, indoor sports centre, car parking, oval works and boundary re-organisation at the Bagdad Recreation Ground at 1661 Midland Highway, Bagdad**

**Author:** TOWN PLANNING CONSULTANT  
(DAVID CUNDALL – FORM PLANNING + PROJECTS)

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

**Date:** 16 APRIL 2025

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

*Development Application documents*

*Three (3) Representations (names and personal details redacted)*

### **PROPOSAL**

The Southern Midlands Council have applied for a permit under Section 57 of the *Land Use Planning and Approvals Act 1993* (the Act) and the *Tasmanian Planning Scheme - Southern Midlands* (the Planning Scheme) for a proposed sports pavilion, indoor sports centre, car parking, oval works and boundary re-organisation at the Bagdad Recreation Ground at 1661 Midland Highway, Bagdad.

Planning assessment of the application (DA 2400122) has been undertaken by independent town planning consultants **Form Planning + Projects Pty Ltd** to avoid any conflicts of interest between the Council as Planning Authority (and assessment Officer) and as the Applicant.

The application seeks approval of the following:

- Construction of a new multipurpose indoor sports centre along the southern boundary of the site (Hall Lane boundary). The building will be used for change rooms, courts, toilets, canteen, small gym and community facilities.
- Demolition of the existing cricket club shed and demolition of the existing public toilets building; and
- Construction of new clubrooms with kitchen and bar, change rooms, toilets and other facilities
- Reposition the existing sports oval approximately 30m to the north
- Landscaping
- Alteration to the on-site wastewater system
- Alteration to stormwater management systems and drainage
- Provide new onsite carparking, access arrangements and dedicated bus parking area
- Provision of new sports lighting towers for the oval

- Boundary re-organisation to amalgamate five (5) titles into one (1) title and create a new smaller, separate title for the existing Tasmanian Fire Service Station.

Under the Planning Scheme the proposal is to be assessed against the development standards of the zone and the development standards of the applicable Codes. These matters are described and assessed in this report. This is a discretionary application under the Planning Scheme. Meaning Council may grant a permit or refuse to grant a permit or grant a permit with or without conditions.

The Council gave notice of the application for 14 days for public comment as required by the Act.

During the notification period 17<sup>th</sup> March 2025 – 31<sup>st</sup> March 2025. Three (3) representations were received. The objections and concerns raised in these representations are assessed in this report. Additional conditions related to these representations are included in the recommendations of this report.

This report will assess the proposal against the relevant provisions of the Act and the Scheme. It is recommended that Council grant a permit for the proposal subject to conditions.

## **THE SITE**

The site is the Bagdad Recreation Ground at 1661 Midland Highway, Bagdad. The site is accessed from Hall Lane (see Figure 1).



*Figure 1: The site - Bagdad Recreation Ground (Source: ListMap)*

The total area of the site is 8.1ha. The land is known as the Bagdad Recreation ground. The land includes a nine (9) hole golf course, sport oval (mostly cricket), club rooms, a childcare centre, the Bagdad Fire Station, the Bagdad Community Club and associated parking, landscaping and amenities.

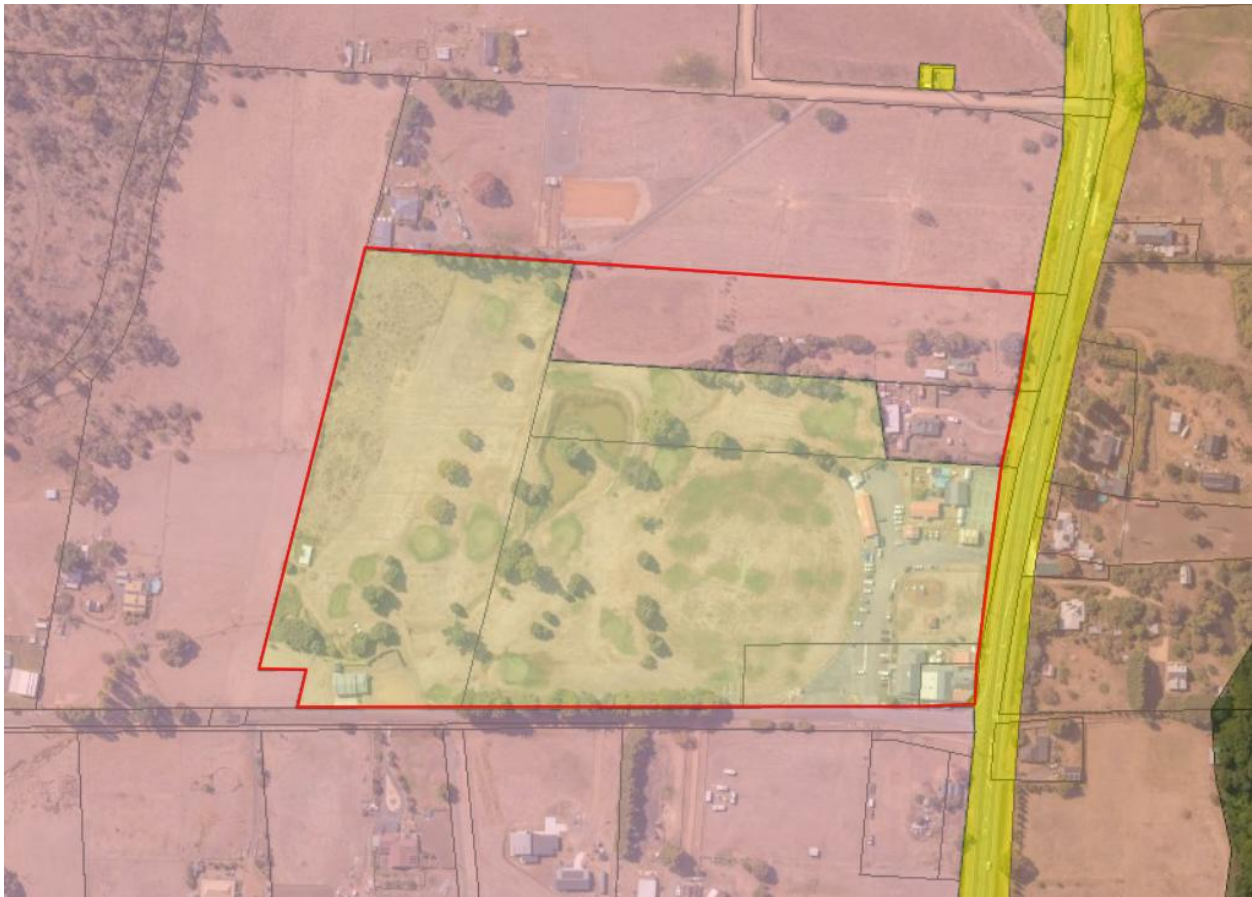


Figure 2: Zoning map of site and surrounds. Light Yellow=Community Purpose Zone, Pink = Rural Living Zone and Bright Yellow = Utilities Zone (i.e Midland Highway, TasNetworks site) (Source: ListMap).

The site has an existing vehicular access to Hall Lane at the rear of the Community Club and also access to the Bagdad Fire Station. There is pedestrian access from the existing footpath alongside the Midland Highway.

The land is zoned Community Purpose Zone and is surrounded by Rural Living Zoned land (dwellings on large lots). The land adjoins Hall Lane to the south and the Midland Highway to the east which is in the Utilities Zone (See Figure 2).

The following mapped overlays (Codes) apply to the land (see Figure 3):

- Bushfire-Prone Area (C13.0 Bushfire-Prone Areas Hazard Code)
- Local Heritage Place (Bagdad Community Club only) (C6.0 Local Historic Heritage Code)
- Waterway and Coastal Protection Area (C7.0 Natural Assets Code)

In addition to the above codes, which are applied through the mapped overlays, the following codes also apply to the land and the proposed use and development of the land:

- C2.0 Parking and Sustainable Transport Code
- C3.0 Road and Railway Assets Code
- C12.0 Flood-Prone Areas Hazard Code





Figure 3: Mapped Overlays (Source: LISTmap)

## THE APPLICATION

The applicant has submitted the attached Plans and reports to accompany the Development Application Form, Landowner Consent and Certificate of Title Documents:

- Cover letter by Peter Gaggin (Philp Lighton Architects)
- Contour & detail Plan by Rogerson & Birch;
- Architectural Plans by Philp Lighton Architects;
- Bushfire Hazard Report by Bushfire Wise Development Planning (Mark Van den Berg)
- Civil Design Drawings by JMG
- Flood Hazard Report by Flussig Engineers
- Onsite Wastewater Design and Assessment Report by Rock Solid Geotechnics
- Oval concept design by Southern Midlands
- Stormwater Management Report by JMG
- Traffic Impact Statement by Hubble Traffic
- Subdivision Plans by Rogerson and Birch

## USE/DEVELOPMENT DEFINITION

The proposed use and development is categorised under the Planning Scheme as 'Sport and Recreation' which is a Discretionary Use in the Community Purpose Zone and a 'Subdivision' in accordance with the Planning Scheme.

## Use/Development Status under the Planning Scheme

As the proposal is an intensification of the existing Sport and Recreation Use together with development that is reliant on the Performance Criteria of the applicable standards the development application is determined to be Discretionary development.

Council has the discretion to grant a permit for this proposal with or without conditions or refuse to grant a permit subject to the notification and appeal provisions of the Act.

## ASSESSMENT – TASMANIAN PLANNING SCHEME - SOUTHERN MIDLANDS

The proposal is situated in the Community Purpose Zone of the *Tasmanian Planning Scheme – Southern Midlands*. The purpose of this Zone is:

- *To provide for key community facilities and services including health, educational, government, cultural and social facilities.*
- *To encourage multi-purpose, flexible and adaptable social infrastructure.*

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

### 27.3 Use Standards

27.3.1 Non-residential use	
<b>Objective:</b> <i>That non-residential use does not cause an unreasonable loss of amenity to residential zones.</i>	
Acceptable Solutions	Performance Criteria
<b>A1</b> Hours of operation of a use, excluding Emergency Services, Hospital Services, Natural and Cultural Values Management, Passive Recreation or Utilities, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be within the hours of: <ul style="list-style-type: none"> <li>(a) 8.00am to 8.00pm Monday to Friday;</li> <li>(b) 9.00am to 6.00pm Saturday; and</li> <li>(c) 10.00am to 5.00pm Sunday and public holidays.</li> </ul>	<b>P1</b> Hours of operation of a use, excluding Emergency Services, Hospital Services, Natural and Cultural Values Management, Passive Recreation or Utilities, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to an adjacent residential use having regard to: <ul style="list-style-type: none"> <li>(a) the timing, duration or extent of vehicle movements; and</li> <li>(b) noise, lighting or other emissions.</li> </ul>
<b>Comment:</b> The development site is not within 50m of a residential zone.  The standard is not applicable.	
<b>A2</b> External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation and Utilities and flood lighting of	<b>P2</b> External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation and Utilities and flood lighting of

<p>Sports and Recreation facilities, on a site within 50m of a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone, must:</p> <ul style="list-style-type: none"> <li>(a) not operate between 9:00pm and 6:00am, excluding any security lighting; and</li> <li>(b) if for security lighting, must be baffled so that direct light does not extend into the adjoining property.</li> </ul>	<p>Sports and Recreation facilities, within 50m of a General Residential Zone, Inner Residential Zone, and Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zones, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the level of illumination and duration of lighting; and</li> <li>(b) distance to habitable rooms of an adjacent dwelling.</li> </ul>
<p><b>Comment:</b></p> <p>The development site is not within 50m of a residential zone.</p> <p>The standard is not applicable.</p>	
<p><b>A3</b></p> <p>Flood lighting of Sports and Recreation facilities on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not operate between 9.00pm and 6.00am.</p>	<p><b>P3</b></p> <p>Flood lighting of Sports and Recreation facilities on a site within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the necessity of floodlighting for the Sports and Recreation use;</li> <li>(b) the frequency of the Sports and Recreation event;</li> <li>(c) whether the event is of a special nature;</li> <li>(d) the duration of the event; and</li> <li>(e) any lighting required to set up and pack up for the event.</li> </ul>
<p><b>Comment:</b></p> <p>The development site is not within 50m of a residential zone.</p> <p>The standard is not applicable.</p>	
<p><b>A4</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Hospital Services, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must be within the hours of:</p> <ul style="list-style-type: none"> <li>(a) 7.00am to 6.00pm Monday to Friday; and</li> <li>(b) 9.00am to 5.00pm Saturday, Sunday and public holidays.</li> </ul>	<p><b>P4</b></p> <p>Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services or Hospital Services, within 50m of a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, must not cause an unreasonable loss of amenity to the residential zone having regard to:</p> <ul style="list-style-type: none"> <li>(a) the time and duration of commercial vehicle movements;</li> <li>(b) the number and frequency of commercial vehicle movements;</li> </ul>

	<ul style="list-style-type: none"> <li>(c) the size of commercial vehicles involved;</li> <li>(d) manoeuvring by the commercial vehicles, including the amount of reversing and associated warning noise;</li> <li>(e) any noise mitigation measures between the vehicle movement areas and the residential zone; and</li> <li>(f) the existing levels of amenity.</li> </ul>
<p><b>Comment:</b> The development site is not within 50m of a residential zone.</p> <p>The standard is not applicable.</p>	

## 27.4 Development Standards for Buildings and Works

27.4.1 Building height	
<p><b>Objective:</b> <i>That building height:</i></p> <ul style="list-style-type: none"> <li>(a) <i>is compatible with the streetscape; and</i></li> <li>(b) <i>does not cause an unreasonable loss of amenity to adjoining residential properties.</i></li> </ul>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b> Building height must be not more than 10m.</p>	<p><b>P1</b> Building height must be compatible with the streetscape and character of development existing on established properties in the area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the height, bulk and form of existing buildings on the site and adjacent properties;</li> <li>(c) the bulk and form of proposed buildings;</li> <li>(d) the apparent height when viewed from the road and public places;</li> <li>(e) any overshadowing of adjoining properties or public places; and</li> <li>(f) the need to locate the building on the site.</li> </ul>
<p><b>Comment:</b> The proposed multi-purpose sports centre is 11.5m from natural ground level and the proposed sports lighting towers for the oval are 29m from natural ground level.</p> <p>As both of these structures (buildings) are greater than 10m per the A1 Acceptable Solution the buildings are assessed against the P1 Performance as follows:</p>	



- a) The site is flat.
- b) The land is developed as a sport, recreation and community complex with multiple buildings and structures. The Bagdad Community Club is the largest building in the immediate area with a roofed area of approximately 1000m<sup>2</sup> (including the undercover/outdoor areas). The height of this building is approximately 5m at the apex. The nearby and adjacent buildings are approximately 80m away. The immediate area is sparsely developed as it is a rural living area. The immediate streetscape is Hall Lane which can be described as paddocks, large pine trees, power poles, fencing, the Bagdad Community Club. The area has a rural feel with sports and community ground which is common/typical in country towns and areas. Any development of these sports grounds will differ from the overall streetscape and nearby development as that is the nature of country town sports grounds. The introduction of larger buildings and light towers which are necessary to illuminate a sports oval are not out of character with a country town sports complex and both the multi-purpose sports centre and sports lights must be of sufficient height to meet their intended function.
- c) The bulk and form of the proposed buildings is not out of character with the existing buildings and structures on the land.
- d) Per the response to (b) above the multi-purpose sports centre will appear tall when viewed immediately from Hall Lane owing to its 4.5m setback. However when viewed from the Midland Highway or the western end of Hall Lane the building is read against the large pine trees, power poles and bulky Bagdad Community Club. This is acceptable in this context. Though some additional trees in the proposed garden beds along Hall Lane would assist in minimising the perceived height and bulk of the proposed multi-purpose sports centre. The sports lighting is acceptable due to its substantial setbacks from the roads and sitting behind the proposed multi-purpose sports centre and Bagdad Community Club (and other buildings on the land).
- e) The proposed multi-purpose sports centre is north of Hall Lane will partly overshadow the roadway. This is however acceptable as there is substantial open spaces in the immediate area. The overshadowing is very minimal and is only a road which is designed for traffic.
- f) Both the multi-purpose sports centre and sports lighting exceed the 10m Acceptable Solution for functional reasons. There is a need for both these buildings to be located on the land and for them to be of a size suitable to meet the needs of the community.

All other proposed buildings and structures on the land are below the 10m A1 Acceptable Solution and otherwise comply with the Performance Criteria P1.

The buildings comply with P1.

#### 27.4.2 Setback

**Objective:**

*That building setback:*

- (a) *is compatible with the streetscape; and*
- (b) *does not cause an unreasonable loss of residential amenity to adjoining residential zones.*

Acceptable Solutions	Performance Criteria
<b>A1</b> Buildings must have a setback from a frontage of:	<b>P1</b> Buildings must have a setback from a frontage that is compatible with the streetscape, having regard to:

<p>(a) not less than 5m; or (b) not more or less than the maximum and minimum setbacks of the buildings on adjoining properties, whichever is the lesser.</p>	<p>(a) the topography of the site; (b) the setbacks of buildings on adjacent properties; (c) the height, bulk and form of existing and proposed buildings; and (d) the safety of road users.</p>
<p><b>Comment:</b> The proposed multi-purpose sports centre is 4.5m from the Hall Lane frontage and does not comply with the 5m Acceptable Solution for setback from the boundary.</p> <p>However, this setback is compatible with the streetscape per the Performance Criteria P1 as the immediate building next to the proposed multi-purpose sports centre is the Bagdad Community Club which is built to the boundary of Hall Lane (a near 0m setback). The Traffic Impact Assessment by Peter Hubble has also factored the sight distance at the access and determined it is suitable for the intended use.</p> <p>The building complies with P1.</p>	
<p><b>A2</b> Buildings must have a setback from side and rear boundaries adjoining a General Residential Zone, Inner Residential Zone or Low Density Residential Zone not less than: (a) 3m; or (b) half the wall height of the building, whichever is the greater.</p>	<p><b>P2</b> Buildings must be sited to not cause an unreasonable loss of amenity to adjoining properties within a General Residential Zone, Inner Residential Zone or Low Density Residential Zone, having regard to: (a) overshadowing and reduction in sunlight to habitable rooms and private open space of dwellings; (b) overlooking and reduction of privacy to adjoining properties; or (c) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from the adjoining property.</p>
<p><b>Comment:</b> All buildings are located at a distance greater than 3m from side and rear boundaries and therefore complies with the Acceptable Solution A2.</p>	
<p><b>A3</b> Air extraction, pumping, refrigeration systems, compressors or generators must be separated a distance of not less than 10m from a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone. (Exemption may apply)</p>	<p><b>P3</b> Air conditioning, air extraction, pumping, heating or refrigeration systems, compressors or generators within 10m of a General Residential Zone, Inner Residential Zone, or Low Density Residential Zone, must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to sensitive uses, having regard to:</p>

	<ul style="list-style-type: none"> <li>(a) the characteristics and frequency of emissions generated;</li> <li>(b) the nature of the proposed use;</li> <li>(c) the topography of the site and location of adjoining sensitive uses; and</li> <li>(d) any proposed mitigation measures.</li> </ul>
<p><b>Comment:</b> The development site is greater than 10m from a residential zone. The standard does not apply.</p>	

### 27.4.3 Fencing

**Objective:**

*That fencing:*

- (a) is compatible with the streetscape; and*
- (b) provides for passive surveillance.*

**Comment:**

Acceptable Solutions	Performance Criteria
<p><b>A1</b> No Acceptable Solution. (Exemption may apply)</p>	<p><b>P1</b> A fence (including a free-standing wall) within 4.5m of a frontage must:</p> <ul style="list-style-type: none"> <li>(a) provide for security and privacy while allowing for passive surveillance of the road; and</li> <li>(b) be compatible with the streetscape, having regard to: <ul style="list-style-type: none"> <li>i. its height, design, location and extent;</li> <li>ii. the topography of the site; and</li> <li>iii. traffic volumes on the adjoining road.</li> </ul> </li> </ul>
<p><b>Comment:</b> No fencing along the boundary is proposed. The standard does not apply. However, should fencing be introduced along the Hall Lane for traffic and pedestrian safety then this can be constructed in accordance with the Planning Scheme exemptions and would not require a separate approval.</p>	

### 27.4.4 Outdoor storage areas

**Objective:**

*That outdoor storage areas for do not detract from the appearance of the site or surrounding area.*

**Comment:**

Acceptable Solutions	Performance Criteria
<b>A1</b> Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site.	<b>P1</b> Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity.
<b>Comment:</b> Existing outdoor storage areas for the Community Club will continue to be used. Any other areas can be obscured behind buildings. A standard condition on the permit is all that is needed.  The proposal complies with the Acceptable Solution A1.	

## 27.5 Development Standards for Subdivision

27.5.1 Lot design	
<b>Objective:</b> <i>That each lot:</i> <ul style="list-style-type: none"> <li>(a) has an area and dimensions appropriate for use and development in the zone; and</li> <li>(b) is provided with appropriate access to a road.</li> </ul>	
Acceptable Solutions	Performance Criteria
<b>A1</b> Each lot, or lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> <li>(a) have an area of not less than 600m<sup>2</sup> and: <ul style="list-style-type: none"> <li>i. be able to contain a minimum area of 10m x 15m, with a gradient not steeper than 1 in 5, clear of: <ul style="list-style-type: none"> <li>a. all setbacks required by clause 27.4.2 A1 and A2; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> </li> <li>ii. existing buildings are consistent with the setback required by clause 27.4.2 A1 and A2;</li> </ul> </li> <li>(b) be required for public use by the Crown, a council or a State authority;</li> <li>(c) be required for the provision of Utilities; or</li> </ul>	<b>P1</b> Each lot, or lot proposed in a plan of subdivision, must have sufficient useable area and dimensions suitable for its intended use, having regard to: <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of buildings on the lots;</li> <li>(b) existing buildings and the location of intended buildings on the lots;</li> <li>(c) the topography of the site;</li> <li>(d) the presence of any natural hazards;</li> <li>(e) adequate provision of private open space; and</li> <li>(f) the pattern of development existing on established properties in the area.</li> </ul>

(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.	
<p><b>Comment:</b></p> <p>The proposed lots are all greater than 600m<sup>2</sup> and can contain a 10m x 15m building area and otherwise compliant with A2 (b) as the Tasmanian Fire Service Lot is required by a State Authority.</p> <p>The subdivision lot size complies with the Acceptable Solution A1.</p>	
<p><b>A2</b></p> <p>Each lot, or lot proposed in a plan of subdivision, must have a frontage or legal connection to a road by a right of carriageway of not less than 10m.</p>	<p><b>P2</b></p> <p>Each lot, or lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(b) the topography of the site;</li> <li>(c) the functionality and useability of the frontage;</li> <li>(d) the anticipated nature of vehicles likely to access the site;</li> <li>(e) the ability to manoeuvre vehicles on the site;</li> <li>(f) the ability for emergency services to access the site; and</li> <li>(g) the pattern of development existing on established properties in the area.</li> </ul>
<p><b>Comment:</b></p> <p>All lots have a frontage greater than 10m and therefore comply with the Acceptable Solution A2.</p>	
<p><b>A3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) the length of the access;</li> <li>(c) the distance between the lot or building area and the carriageway;</li> <li>(d) the nature of the road and the traffic; and</li> <li>(e) the pattern of development existing on established properties in the area.</li> </ul>

**Comment:**

All lots are provided with a vehicular access. The accesses are further assessed as compliant with the relevant standards of the Parking and Sustainable Transport Code and the Road and Railway Assets Code.

The lots comply with the Acceptable Solution A3.

## 27.5.2 Services

**Objective:**

*That the subdivision of land provides services for the future use and development of the land.*

Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must:</p> <ul style="list-style-type: none"> <li>(a) be connected to a full water supply service if the frontage of the lot is within 30m of a full water supply service: or</li> <li>(b) be connected to a limited water supply service if the frontage of the lot is within 30m of a limited water supply service,</li> </ul> <p>unless a regulated entity advises that the lot is unable to be connected to the relevant water supply service.</p>	<p><b>P1</b></p> <p>No Performance Criterion.</p>
<p><b>Comment:</b></p> <p>The lots are connected to a full water supply and therefore compliant with the Acceptable Solution A1 (a).</p>	
<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must have a connection to a reticulated sewerage system.</p>	<p><b>P2</b></p> <p>Each lot, or lot proposed in a plan of subdivision, excluding those for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.</p>
<p><b>Comment:</b></p> <p>The lots do not have a connection to a reticulated sewerage system as this is not available in this area and a connection is not proposed nor can be reasonably made.</p> <p>The application includes a detailed assessment and wastewater design for the proposed development and subdivision of the land which is compliant with Performance Criteria P2.</p>	
<p><b>A3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open</p>	<p><b>P3</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding those for public open</p>

space, a riparian or littoral reserve or Utilities, must be capable of connecting to a public stormwater system.	space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site stormwater management system adequate for the future use and development of the land, having regard to: <ul style="list-style-type: none"> <li>(a) the size of the lot;</li> <li>(b) topography of the site;</li> <li>(c) soil conditions;</li> <li>(d) any existing buildings on the site;</li> <li>(e) any area of the site covered by impervious surfaces; and</li> <li>(f) any watercourse on the land.</li> </ul>
<b>Comment:</b> Each lot is connected to a public stormwater system and legal point of discharge from the land and complies with the Acceptable Solution A3.	

The proposal must satisfy the requirements of the following relevant development standards of the Codes in the *Tasmanian Planning Scheme – Southern Midlands*:

## C2.0 Parking and Sustainable Transport Code

The purpose of the Parking and Sustainable Transport Code is:

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

<b>C2.5 Use Standards</b> <b>C2.5.1 Car parking numbers</b> That an appropriate level of car parking spaces are provided to meet the needs of the use.	
Acceptable Solutions	Performance Criteria
<b>A1</b> The number of on-site car parking spaces must be no less than the number specified in Table 2.1, less the number of car parking spaces that cannot be provided due to the site including container refund scheme space, excluding if: <ul style="list-style-type: none"> <li>(a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan;</li> <li>(b) the site is contained within a parking precinct plan and subject to Clause C2.7;</li> </ul>	<b>P1</b> The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to: <ul style="list-style-type: none"> <li>(a) the availability of off-street public car parking spaces within reasonable walking distance of the site;</li> <li>(b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> <li>(i) variations in car parking demand over time; or</li> </ul> </li> </ul>

<p>(c) the site is subject to Clause C2.5.5; or</p> <p>(d) it relates to an intensification of an existing use or development or a change of use where:</p> <p>(i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or</p> <p>(ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows:</p> <p><math>N = A + (C - B)</math></p> <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C= Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p>	<p>(ii) efficiencies gained by consolidation of car parking spaces;</p> <p>(c) the availability and frequency of public transport within reasonable walking distance of the site;</p> <p>(d) the availability and frequency of other transport alternatives;</p> <p>(e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping;</p> <p>(f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity;</p> <p>(g) the effect on streetscape; and</p> <p>(h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development.</p> <p>P1.2</p> <p>The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</p> <p>(a) the nature and intensity of the use and car parking required;</p> <p>(b) the size of the dwelling and the number of bedrooms; and</p> <p>(c) the pattern of parking in the surrounding area.</p>
<p><b>Comment:</b></p> <p>The applicant has provided a Traffic Impact Statement (TIS) which addresses the Performance Criteria.</p> <p>The proposal provides 70 formal parking spaces and two (2) gravel overflow areas which can accommodate 30-40 additional vehicles. There is also potential for additional parking, that may be needed during large sporting or other events on the land, through an event management plan and use of nearby properties.</p> <p>In summary the parking is suitable for accommodating the 153 car spaces required by the Acceptable Solution A1 through the formal and the informal parking areas.</p> <p>This is typical of the rural atmosphere of informal parking arrangements at country town sporting events. The proposal also includes potential for additional parking through an</p>	



event management plan. Importantly, the parking numbers and arrangement proposed are assessed as suitable for the day-to-day use of the land (i.e. childcare centre, Community Club, weekend sport and training).

**Additional assessment is provided by Council's Development Engineer in the referral section of this report.**

The TIS, together with the proposed parking numbers and access is supported and the application satisfies the Performance Criteria P1.

### C2.5.2 Bicycle parking numbers

**Objective:**

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

**Acceptable Solutions**

**A1**

Bicycle parking spaces must:

- (a) be provided on the site or within 50m of the site; and
- (b) be no less than the number specified in Table C2.1.

**Performance Criteria**

**P1**

Bicycle parking spaces must be provided to meet the reasonable needs of the use, having regard to:

- (a) the likely number of users of the site and their opportunities and likely need to travel by bicycle; and
- (b) the availability and accessibility of existing and any planned parking facilities for bicycles in the surrounding area.

**Comment:**

Two (2) spaces are proposed near the childcare centre which would serve the occupants of the childcare centre. However no dedicated bicycle parking is provided for the Community Club.

It is a recommended condition of approval that two (2) bicycle parking spaces be provided for the Community Club.

The proposal complies with the Performance Criteria P1.

### C2.5.3 Motorcycle parking numbers

*That the appropriate level of motorcycle parking is provided to meet the needs of the use.*

**Acceptable Solutions**

**A1**

The number of on-site motorcycle parking spaces for all uses must:

- (a) be no less than the number specified in Table C2.4; and
- (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.

**Performance Criteria**

**P1**

Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to:

- (a) the nature of the proposed use and development;
- (b) the topography of the site;
- (c) the location of existing buildings on the site;
- (d) any constraints imposed by existing development; and
- (e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.

**Comment:**

Table C2.4 prescribes that the development requires two (2) on-site motorcycle parking spaces. Two (2) motor-cycle parking spaces are proposed.

The proposal complies with the Acceptable Solution A1.

## **C2.6 Development Standards for Buildings and Work**

### **C2.6.1 Construction of parking areas**

That parking areas are constructed to an appropriate standard.

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> All parking, access ways, manoeuvring and circulation spaces must: <ul style="list-style-type: none"> <li>(a) be constructed with a durable all weather pavement;</li> <li>(b) be drained to the public stormwater system, or contain stormwater on the site; and</li> <li>(c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement.</li> </ul>	<b>P1</b> All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to: <ul style="list-style-type: none"> <li>(a) the nature of the use;</li> <li>(b) the topography of the land;</li> <li>(c) the drainage system available;</li> <li>(d) the likelihood of transporting sediment or debris from the site onto a road or public place;</li> <li>(e) the likelihood of generating dust; and</li> <li>(f) the nature of the proposed surfacing.</li> </ul>

#### **Comment:**

The proposal complies with the Acceptable Solution A1 as the proposed (new) parking areas will be constructed with a durable all weather pavement and will drained to the public stormwater system. Additional conditions of approval are required to ensure compliance with the planning scheme.

The proposal complies with the Acceptable Solution A1.

### **C2.6.2 Design and layout of parking areas**

That parking areas are designed and laid out to provide convenient, safe and efficient parking.

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1.1</b> Parking, access ways, manoeuvring and circulation spaces must either: <ul style="list-style-type: none"> <li>(a) comply with the following: <ul style="list-style-type: none"> <li>(i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;</li> <li>(ii) provide for vehicles to enter and exit the site in a forward direction where providing for more than 4 parking spaces;</li> </ul> </li> </ul>	<b>P1</b> All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to: <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the proposed slope, dimensions and layout;</li> <li>(c) useability in all weather conditions;</li> <li>(d) vehicle and pedestrian traffic safety;</li> </ul>

<p>(iii) have an access width not less than the requirements in Table C2.2;</p> <p>(iv) have car parking space dimensions which satisfy the requirements in Table C2.3;</p> <p>(v) have a combined access and manoeuvring width adjacent to parking spaces not less than the requirements in Table C2.3 where there are 3 or more car parking spaces;</p> <p>(vi) have a vertical clearance of not less than 2.1m above the parking surface level; and</p> <p>(vii) excluding a single dwelling, be delineated by line marking or other clear physical means; or</p> <p>(b) comply with Australian Standard AS 2890- Parking facilities, Parts 1-6.</p> <p><b>A1.2</b> Parking spaces provided for use by persons with a disability must satisfy the following:</p> <p>(a) be located as close as practicable to the main entry point to the building;</p> <p>(b) be incorporated into the overall car park design; and</p> <p>(c) be designed and constructed in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities. [S35]</p>	<p>(e) the nature and use of the development;</p> <p>(f) the expected number and type of vehicles;</p> <p>(g) the likely use of the parking areas by persons with a disability;</p> <p>(h) the nature of traffic in the surrounding area;</p> <p>(i) the proposed means of parking delineation; and</p> <p>(j) the provisions of Australian Standard AS 2890.1:2004 - Parking facilities, Part 1: Off-street car parking and AS 2890.2 -2002 Parking facilities, Part 2: Off-street commercial vehicle facilities.</p>
<p><b>Comment:</b> The provided TIA has addressed the Acceptable Solution A1. However, standard conditions in any permit are required to ensure compliance with the planning scheme.</p> <p>The proposal complies with the Acceptable Solution A1.1 and A1.2</p>	

### C2.6.3 Number of accesses for vehicles

**Objective:**

*That:*

- (a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;*
- (b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and*
- (c) the number of accesses minimise impacts on the streetscape.*

Acceptable Solutions	Performance Criteria
<b>A1</b> The number of accesses provided for each frontage must: <ul style="list-style-type: none"> <li>(a) be no more than 1; or</li> <li>(b) no more than the existing number of accesses, whichever is the greater.</li> </ul>	<b>P1</b> The number of accesses for each frontage must be minimised, having regard to: <ul style="list-style-type: none"> <li>(a) any loss of on-street parking; and</li> <li>(b) pedestrian safety and amenity;</li> <li>(c) traffic safety;</li> <li>(d) residential amenity on adjoining land; and</li> <li>(e) the impact on the streetscape.</li> </ul>
<b>Comment:</b> Two (2) vehicle accesses are provided for the sporting complex and Bagdad Community Club area and one (1) vehicle access is provided for the Tasmanian Fire Service lot (Fire Station).  There are currently multiple vehicle access points to the Bagdad Recreation Ground, which is arguably two (2) very large informal accesses from Hall Lane. Similarly, the Bagdad Fire Stateion has a large informal access along the frontage.  The proposal is therefore no more than the existing number of accesses and complies with the Acceptable Solution A1.	
<b>A2</b> Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.	<b>P2</b> Within the Central Business Zone or in a pedestrian priority street, any new accesses must: <ul style="list-style-type: none"> <li>(a) not have an adverse impact on: <ul style="list-style-type: none"> <li>i. pedestrian safety and amenity; or</li> <li>ii. traffic safety; and</li> </ul> </li> <li>(b) be compatible with the streetscape.</li> </ul>
<b>Comment:</b> The land is not within the Central Business Zone and therefore the standard does not apply.	

<b>C2.6.5 Pedestrian access</b>	
That pedestrian access within parking areas is provided in a safe and convenient manner.	
Acceptable Solutions	Performance Criteria
<b>A1.1</b> Uses that require 10 or more car parking spaces must: <ul style="list-style-type: none"> <li>(a) have a 1m wide footpath that is separated from the access ways or parking aisles, excluding where crossing access ways or parking aisles, by: <ul style="list-style-type: none"> <li>i. a horizontal distance of 2.5m between the edge of the footpath and the access way or parking aisle; or</li> <li>ii. protective devices such as bollards, guard rails or planters between the footpath and the access way or parking aisle; and</li> <li>iii. be signed and line marked at points where pedestrians cross access ways or parking aisles.</li> </ul> </li> </ul>	<b>P1</b> Safe and convenient pedestrian access must be provided within parking areas, having regard to: <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the nature of the use;</li> <li>(c) the number of parking spaces;</li> <li>(d) the frequency of vehicle movements;</li> <li>(e) the needs of persons with a disability;</li> <li>(f) the location and number of footpath crossings;</li> <li>(g) vehicle and pedestrian traffic safety;</li> <li>(h) the location of any access ways or parking aisles; and</li> </ul>
<b>A1.2</b>	

In parking areas containing accessible car parking spaces for use by persons with a disability, a footpath having a width not less than 1.5m and a gradient not steeper than 1 in 14 is required from those spaces to the main entry point to the building.	(i) any protective devices proposed for pedestrian safety.
<p><b>Comment:</b> Footpaths are proposed throughout the recreation and Community Club area. However, in some instances, these do not have the 2.5m separation or protective devices required by A1 (a) (i).</p> <p>The proposed footpaths are of a high quality and a significant improvement from the current parking and pedestrian arrangement and the supplied Traffic Impact Assessment is supported.</p> <p>The proposal is compliant with the Performance Criteria P1.</p>	

### C3.0 Road and Railway Asset Code

The purpose of the Road and Railway Asset Code is:

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

### C3.5 Use Standards

<b>C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction</b>	
<p><b>Objective:</b> To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1.1</b> For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:</p> <ul style="list-style-type: none"> <li>(a) a new junction;</li> <li>(b) a new vehicle crossing; or</li> <li>(c) a new level crossing.</li> </ul> <p><b>A1.2</b> For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.</p> <p><b>A1.3</b> For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.</p> <p><b>A1.4</b></p>	<p><b>P1</b> Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any increase in traffic caused by the use;</li> <li>(b) the nature of the traffic generated by the use;</li> <li>(c) the nature of the road;</li> <li>(d) the speed limit and traffic flow of the road;</li> <li>(e) any alternative access to a road;</li> <li>(f) the need for the use;</li> <li>(g) any traffic impact assessment; and</li> <li>(h) any advice received from the rail or road authority.</li> </ul>

<p>Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:</p> <ul style="list-style-type: none"> <li>(a) the amounts in Table C3.1; or</li> <li>(b) allowed by a licence issued under Part IVA of the <i>Roads and Jetties Act 1935</i> in respect to a limited access road.</li> </ul> <p><b>A1.5</b> Vehicular traffic must be able to enter and leave a major road in a forward direction.</p>	
<p><b>Comment:</b> The supplied Traffic Impact Assessment is supported.</p> <p><b>Further assessment by Council's Development Engineer is provided in this report.</b></p> <p>The proposal complies with the Standard.</p>	

### C6.0 Local Historic Heritage Code

The purpose of the Local Historic Heritage Code is to recognise and protect:

- the local historic heritage significance of local places, precincts, landscapes and areas of archaeological potential; and
- significant trees.
- This code does not apply to Aboriginal heritage values.

The Bagdad Community Club building is listed as "Federation era weatherboard buildings with strong community value". **There are no works proposed to this building or the intended specific extent of the listing.**

There are works within part of the title which is included in the listing. This includes part of the proposed multi-purpose sports centre and the proposed carpark, landscaping and access works. However, the listing clearly identifies the buildings only and does not describe the carpark and sports oval as part of the listing. The titles will also be amalgamated as a single title with the exception of the Bagdad Fire Station lot on Hall Lane.

The code provides an exemption for minor upgrades of infrastructure such as roads, footpaths, drains, cycle paths and the like by or on behalf of the Council.

### C7.0 Natural Assets Code

The proposal includes works within the Waterway and Coastal Protection area which covers the small creek/watercourse which traverses the Bagdad Golf Course. This is shown below in Figure 4.



Figure 4: Waterway and Coastal Protection Area over the small creek (Source:LISTmap)

#### C7.1 Code Purpose

- To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.
- To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.
- To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.
- To minimise impacts on identified priority vegetation.
- To manage impacts on threatened fauna species by minimising clearance of significant habitat.

#### C7.6 Development Standards for Buildings and Works

<b>C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area</b>	
<b>Objective:</b> <i>That buildings and works within a waterway and coastal protection area or future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Buildings and works within a waterway and coastal protection area must:  (a) be within a building area on a sealed plan approved under this planning scheme;	<b>P1.1</b> Buildings and works within a waterway and coastal protection area must avoid or minimise adverse impacts on natural assets, having regard to: (a) impacts caused by erosion, siltation, sedimentation and runoff;

<p>(b) in relation to a Class 4 watercourse, be for a crossing or bridge not more than 5m in width; or</p> <p>(c) if within the spatial extent of tidal waters, be an extension to an existing boat ramp, car park, jetty, marina, marine farming shore facility or slipway that is not more than 20% of the area of the facility existing at the effective date.</p>	<p>(b) impacts on riparian or littoral vegetation;</p> <p>(c) maintaining natural streambank and streambed condition, where it exists;</p> <p>(d) impacts on in-stream natural habitat, such as fallen logs, bank overhangs, rocks and trailing vegetation;</p> <p>(e) the need to avoid significantly impeding natural flow and drainage;</p> <p>(f) the need to maintain fish passage, where known to exist;</p> <p>(g) the need to avoid land filling of wetlands;</p> <p>(h) the need to group new facilities with existing facilities, where reasonably practical;</p> <p>(i) minimising cut and fill;</p> <p>(j) building design that responds to the particular size, shape, contours or slope of the land;</p> <p>(k) minimising impacts on coastal processes, including sand movement and wave action;</p> <p>(l) minimising the need for future works for the protection of natural assets, infrastructure and property;</p> <p>(m) the environmental best practice guidelines in the <i>Wetlands and Waterways Works Manual</i>; and</p> <p>(n) the guidelines in the <i>Tasmanian Coastal Works Manual</i>.</p> <p><b>P1.2</b></p> <p>Buildings and works within the spatial extent of tidal waters must be for a use that relies upon a coastal location to fulfil its purpose, having regard to:</p> <p>(a) the need to access a specific resource in a coastal location;</p> <p>(b) the need to operate a marine farming shore facility;</p> <p>(c) the need to access infrastructure available in a coastal location;</p> <p>(d) the need to service a marine or coastal related activity;</p> <p>(e) provision of essential utility or marine infrastructure; or</p> <p>(f) provisions of open space or for marine-related educational, research, or recreational facilities.</p>
<p><b>Comment:</b></p> <p>The works within the Waterway and Coastal Protection Area Overlay are the relocation of the oval works, sports lighting (for the oval), minor stormwater and drainage works for the Bagdad Fire Station and upgraded onsite wastewater system for the Fire Station.</p> <p>The works do not introduce buildings or structures within the overlay that would cause adverse impacts on stream hydrology. The wastewater system is subject to separate approvals under</p>	



the *Building Act 2016* and will require a detailed plumbing design that will be assessed by Council's Environmental Health Officer in accordance with a Plumbing Permit.

Sediment controls through a soil and water management plan will be required during construction, particularly, for the proposed oval works which will involve earth works, top soil, drainage and turf works. The plan will need to prevent the run-off of sediment and the like into the creek. A standard condition of approval is included in the recommendations of this report.

The proposed works are compliant with the Performance Criteria P1 subject to the application of standard conditions.

## **A2**

Buildings and works within a future coastal refugia area must be located within a building area on a sealed plan approved under this planning scheme.

## **P2.1**

Buildings and works within a future coastal refugia area must allow for natural coastal processes to continue to occur and avoid or minimise adverse impacts on natural assets, having regard to:

- (a) allowing for the landward transgression of sand dunes and the landward colonisation of wetlands, saltmarshes and other coastal habitats from adjacent areas;
- (b) avoiding the creation of barriers or drainage networks that would prevent future tidal inundation;
- (c) allowing the coastal processes of sand deposition or erosion to continue to occur;
- (d) the need to group new facilities with existing facilities, where reasonably practical;
- (e) the impacts on native vegetation;
- (f) minimising cut and fill;
- (g) building design that responds to the particular size, shape, contours or slope of the land;
- (h) the impacts of sea-level rise on natural coastal processes and coastal habitat;
- (i) the environmental best practice guidelines in the *Wetlands and Waterways Works Manual*; and
- (j) the guidelines in the *Tasmanian Coastal Works Manual*.

## **P2.2**

Buildings and works within a future coastal refugia area must be for a use that relies upon a coastal location to fulfil its purpose, having regard to:

- (a) the need to access a specific resource in a coastal location;
- (b) the need to operate a marine farming shore facility;

	<ul style="list-style-type: none"> <li>(c) the need to access infrastructure available in a coastal location;</li> <li>(d) the need to service a marine or coastal related activity;</li> <li>(e) provision of essential utility or marine infrastructure; and</li> <li>(f) provision of open space or for marine-related educational, research, or recreational facilities.</li> </ul>
<b>Comment:</b> This standard is not applicable.	
<b>A3</b> Development within a waterway and coastal protection area or a future coastal refugia area must not involve a new stormwater point discharge into a watercourse, wetland or lake.	<b>P3</b> Development within a waterway and coastal protection area or a future coastal refugia area involving a new stormwater point discharge into a watercourse, wetland or lake must avoid or minimise adverse impacts on natural assets, having regard to: <ul style="list-style-type: none"> <li>(a) the need to minimise impacts on water quality; and</li> <li>(b) the need to mitigate and manage any impacts likely to arise from erosion, sedimentation or runoff.</li> </ul>
<b>Comment:</b> The proposal does not include any <u>new</u> stormwater point discharges into a watercourse.	
<b>A4</b> Dredging or reclamation must not occur within a waterway and coastal protection area or a future coastal refugia area.	<b>P4.1</b> Dredging or reclamation within a waterway and coastal protection area or a future coastal refugia area must minimise adverse impacts on natural coastal processes and natural assets, having regard to: <ul style="list-style-type: none"> <li>(a) impacts caused by erosion, siltation, sedimentation and runoff;</li> <li>(b) impacts on riparian or littoral vegetation;</li> <li>(c) the need to avoid land filling of wetlands;</li> <li>(d) impacts on sand movement and wave action; and</li> <li>(e) the potential for increased risk to inundation of adjacent land.</li> </ul> <b>P4.2</b> Dredging or reclamation within a waterway and coastal protection area or a future coastal refugia area must be necessary: <ul style="list-style-type: none"> <li>(a) to continue an existing use or development on adjacent land; or</li> <li>(b) for a use which relies upon a coastal location to fulfil its purpose, having regard to: <ul style="list-style-type: none"> <li>i. the need to access a specific resource in a coastal location;</li> <li>ii. the need to operate a marine farming shore facility;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>iii. the need to access infrastructure available in a coastal location;</li> <li>iv. the need to service a marine or coastal related activity;</li> <li>v. provision of essential utility or marine infrastructure; and</li> <li>vi. provision of open space or for marine-related educational, research, or recreational facilities.</li> </ul>
<b>Comment:</b> This standard is not applicable.	
<b>A5</b> Coastal protection works or watercourse erosion or inundation protection works must not occur within a waterway and coastal protection area or a future coastal refugia area.	<b>P5</b> Coastal protection works or watercourse erosion or inundation protection works within a waterway and coastal protection area or a future coastal refugia area must be designed by a suitably qualified person and minimise adverse impacts on natural coastal processes, having regard to: <ul style="list-style-type: none"> <li>(a) impacts on sand movement and wave action; and</li> <li>(b) the potential for increased risk of inundation to adjacent land.</li> </ul>
<b>Comment:</b> This standard is not applicable.	

### C12.0 Flood-Prone Areas Hazard Code

The Flood-Prone Areas Hazard Code applies to the land through records held by the Council which have mapped the land as flood-prone. The community and Council are also aware of recent flooding events in the area.

The purpose of the Flood-Prone Areas Hazard Code is:

- To ensure that use or development subject to risk from flood is appropriately located and managed, so that:
  - o people, property and infrastructure are not exposed to an unacceptable level of risk;
  - o future costs associated with options for adaptation, protection, retreat or abandonment of property and infrastructure are minimised; and
  - o it does not increase the risk from flood to other land or public infrastructure.
- To preclude development on land that will unreasonably affect flood flow or be affected by permanent or periodic flood.

The Applicant has provided a detailed Flood Hazard Report which is based on the latest flood modelling and assessment (undertaken in 2023).

### E12.5 Use Standards

<b>C12.5.1 Uses within a flood-prone hazard area</b>	
<b>Objective:</b> <i>That a habitable building can achieve and maintain a tolerable risk from flood.</i>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> No Acceptable Solution.	<b>P1.1</b> A change of use that, converts a nonhabitable building to a habitable building, or a use involving a new habitable room within an existing building, within a flood-prone hazard area must have a tolerable risk, having regard to: <ul style="list-style-type: none"> <li>(a) the location of the building;</li> <li>(b) the advice in a flood hazard report; and</li> <li>(c) any advice from a State authority, regulated entity or a council.</li> </ul> <b>P1.2</b> A flood hazard report also demonstrates that: <ul style="list-style-type: none"> <li>(a) any increase in the level of risk from flood does not require any specific hazard reduction or protection measures; or</li> <li>(b) the use can achieve and maintain a tolerable risk from a 1 % annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.</li> </ul>
<b>Comment:</b> The proposed multi-purpose centre is classed as a habitable building.  The submitted Flood Hazard Report has adequately demonstrated there is a tolerable risk and complies with the Performance Criteria. This is achieved through deliberate/engineered solutions for raised floor levels for the multi-purpose sports centre and club rooms. Other requirements include modification and reshaping of drains and clearing of obstructions in the watercourse to improve flow.  The proposal complies with the Performance Criteria subject to additional conditions requiring that the recommendations of the Flood Hazard Report be undertaken.	

## C12.6 Development Standards for Buildings and Works

<b>C12.6.1 Buildings and works within a flood-prone hazard area</b>	
<b>Objective:</b> <i>That:</i> <ul style="list-style-type: none"> <li>(a) <i>building and works within a flood-prone hazard area can achieve and maintain a tolerable risk from flood; and</i></li> <li>(b) <i>buildings and works do not increase the risk from flood to adjacent land and public infrastructure.</i></li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> No Acceptable Solution.	<b>P1.1</b>

	<p>Buildings and works within a flood-prone hazard area must achieve and maintain a tolerable risk from a flood, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the type, form, scale and intended duration of the development;</li> <li>(b) whether any increase in the level of risk from flood requires any specific hazard reduction or protection measures;</li> <li>(c) any advice from a State authority, regulated entity or a council; and</li> <li>(d) the advice contained in a flood hazard report.</li> </ul> <p><b>P1.2</b> A flood hazard report also demonstrates that the building and works:</p> <ul style="list-style-type: none"> <li>(a) do not cause or contribute to flood on the site, on adjacent land or public infrastructure; and</li> <li>(b) can achieve and maintain a tolerable risk from a 1% annual exceedance probability flood event for the intended life of the use without requiring any flood protection measures.</li> </ul>
<p><b>Comment:</b> The proposal includes buildings and works within a Flood-Prone Hazard Area. This includes the carpark works, the oval works, the multi-purpose sports centre and club rooms.</p> <p>The submitted Flood Hazard Report has adequately demonstrated there is a tolerable risk and complies with the Performance Criteria. This is achieved through deliberate/engineered solutions for raised floor levels for the multi-purpose sports centre and club rooms. Other requirements include modification and reshaping of drains and clearing of obstructions in the watercourse to improve flow.</p> <p>The proposal complies with the Performance Criteria subject to additional conditions requiring that the recommendations of the Flood Hazard Report be undertaken.</p>	

## C12.7 Development Standards for Subdivision

<b>C12.7.1 Subdivision within a flood-prone hazard area</b>	
<p><b>Objective:</b> <i>That subdivision within a flood-prone hazard area does not create an opportunity for use or development that cannot achieve a tolerable risk from flood.</i></p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b> Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must:</p> <ul style="list-style-type: none"> <li>(a) be able to contain a building area, vehicle access, and services, that are wholly located outside a flood-prone hazard area;</li> </ul>	<p><b>P1</b> Each lot, or a lot proposed in a plan of subdivision, within a flood-prone hazard area, must not create an opportunity for use or development that cannot achieve a tolerable risk from flood, having regard to:</p> <ul style="list-style-type: none"> <li>(a) any increase in risk from flood for adjacent land;</li> </ul>

<ul style="list-style-type: none"> <li>(b) be for the creation of separate lots for existing buildings;</li> <li>(c) be required for public use by the Crown, a council or a State authority; or</li> <li>(d) be required for the provision of Utilities.</li> </ul>	<ul style="list-style-type: none"> <li>(b) the level of risk to use or development arising from an increased reliance on public infrastructure;</li> <li>(c) the need to minimise future remediation works;</li> <li>(d) any loss or substantial compromise by flood of access to the lot, on or off site;</li> <li>(e) the need to locate building areas outside the flood-prone hazard area;</li> <li>(f) any advice from a State authority, regulated entity or a council; and</li> <li>(g) the advice contained in a flood hazard report.</li> </ul>
<p><b>Comment:</b>  The proposed Fire Station lot is within the Flood-Prone Area Hazard Overlay. This is limited to very minor localised flooding associated with Hall Lane (i.e. around 0-3cm of water).</p> <p>The lot is for an existing building and is not for the purposes of dedicating land for a new building or dwelling.</p> <p>The lot is for the Tasmanian Fire Service which is a State Authority. Accordingly, the subdivision is compliant with the Acceptable Solution A1 (c).</p>	

## C13.0 Bushfire-Prone Areas Code

### C13.1 Code Purpose

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

### C13.6 Development Standards for Subdivision

<b>C13.6.1 Provision of hazard management areas</b>	
<p><b>Objective:</b>  <i>That subdivision provides for hazard management areas that:</i></p> <ul style="list-style-type: none"> <li><i>(a) facilitate an integrated approach between subdivision and subsequent building on a lot;</i></li> <li><i>(b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and</i></li> <li><i>(c) provide protection for lots at any stage of a staged subdivision.</i></li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <ul style="list-style-type: none"> <li>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or</li> <li>(b) The proposed plan of subdivision: <ul style="list-style-type: none"> <li>i. shows all lots that are within or partly within a bushfire-prone</li> </ul> </li> </ul>	<p><b>P1</b></p> <p>A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the dimensions of hazard management areas;</li> <li>(b) a bushfire risk assessment of each lot at any stage of staged subdivision;</li> </ul>

<p>area, including those developed at each stage of a staged subdivision;</p> <p>ii. shows the building area for each lot;</p> <p>iii. shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.4.4 of <i>Australian Standard AS3959-2009 Construction of buildings in bushfire-prone areas</i>; and</p> <p>iv. is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than the separation distances required for BAL 19 in Table 2.4.4 of <i>Australian Standard AS3959-2009 Construction of buildings in bushfire-prone Areas</i>; and</p> <p>(c) if hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.</p>	<p>(c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability;</p> <p>(d) the topography, including site slope;</p> <p>(e) any other potential forms of fuel and ignition sources;</p> <p>(f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development;</p> <p>(g) an instrument that will facilitate management of fuels located on land external to the subdivision; and</p> <p>(h) any advice from the TFS.</p>
<p><b>Comment:</b> The application includes a Bushfire Hazard Management Plan and Report prepared by an accredited Bushfire Hazard Practitioner.</p> <p>The proposal is compliant with the Standard.</p>	

#### C13.6.2 Public and fire fighting access

**Objective:**

*That access roads to, and the layout of roads, tracks and trails, in a subdivision:*

- (a) allow safe access and egress for residents, fire fighters and emergency service personnel;*
- (b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack, and for hazard management works to be undertaken;*

<p>(c) are designed and constructed to allow for fire appliances to be manoeuvred; (d) provide access to water supplies for fire appliances; and (e) are designed to allow connectivity, and where needed, offering multiple evacuation points.</p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or</p> <p>(b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas, is included in a bushfire hazard management plan that:</p> <ul style="list-style-type: none"> <li>i. demonstrates proposed roads will comply with Table C13.1, proposed property accesses will comply with Table C13.2 and proposed fire trails will comply with Table C13.3 and</li> <li>ii. is certified by the TFS or an accredited person.</li> </ul>	<p><b>P1</b></p> <p>A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to:</p> <p>(a) appropriate design measures, including:</p> <ul style="list-style-type: none"> <li>i. two way traffic;</li> <li>ii. all weather surfaces;</li> <li>iii. height and width of any vegetation clearances;</li> <li>iv. load capacity;</li> <li>v. provision of passing bays;</li> <li>vi. traffic control devices;</li> <li>vii. geometry, alignment and slope of roads, tracks and trails;</li> <li>viii. use of through roads to provide for connectivity;</li> <li>ix. limits on the length of cul-de-sacs and dead-end roads;</li> <li>x. provision of turning areas;</li> <li>xi. provision for parking areas;</li> <li>xii. perimeter access; and</li> <li>xiii. fire trails; and</li> </ul> <p>(b) the provision of access to:</p> <ul style="list-style-type: none"> <li>i. bushfire-prone vegetation to permit the undertaking of hazard management works; and</li> <li>ii. fire fighting water supplies; and</li> <li>iii. any advice from the TFS.</li> </ul>
<p><b>Comment:</b> The application includes a Bushfire Hazard Management Plan and Report prepared by an accredited Bushfire Hazard Practitioner.</p> <p>The proposal is compliant with the Standard.</p>	

C13.6.3 Provision of water supply for fire fighting purposes	
<p><b>Objective:</b> <i>That an adequate, accessible and reliable water supply for the purposes of fire fighting can be demonstrated at the subdivision stage to allow for the protection of life and property associated with the subsequent use and development of bushfire-prone areas.</i></p>	
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>In areas serviced with reticulated water by the water corporation:</p> <p>(a) TFS or an accredited person certifies that there is an insufficient increase in</p>	<p><b>P1</b></p> <p>No Performance Criterion.</p>



<p>risk from bushfire to warrant the provision of a water supply for fire fighting purposes;</p> <p>(b) A proposed plan of subdivision showing the layout of fire hydrants, and building areas, is included in a bushfire hazard management plan approved by the TFS or accredited person as being compliant with Table C13.4; or</p> <p>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</p>	
<p><b>Comment:</b> The application includes a Bushfire Hazard Management Plan and Report prepared by an accredited Bushfire Hazard Practitioner.</p> <p>The proposal is compliant with the Standard.</p>	
<p><b>A2</b> In areas that are not serviced by reticulated water by the water corporation:</p> <p>(a) The TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant provision of a water supply for fire fighting purposes;</p> <p>(b) The TFS or an accredited person certifies that a proposed plan of subdivision demonstrates that a static water supply, dedicated to fire fighting, will be provided and located compliant with Table C13.5; or</p> <p>(c) A bushfire hazard management plan certified by the TFS or an accredited person demonstrates that the provision of water supply for fire fighting purposes is sufficient to manage the risks to property and lives in the event of a bushfire.</p>	<p><b>P2</b> No Performance Criterion.</p>
<p><b>Comment:</b> The application includes a Bushfire Hazard Management Plan and Report prepared by an accredited Bushfire Hazard Practitioner.</p> <p>The proposal is compliant with the Standard.</p>	

## REPRESENTATIONS

During the 14-day notification period, three (3) representations were received. Assessment and comment of these representation is provided in the table below:

Representor comments (summarised)	Planning Assessment Response
<b>Representation 1</b>	
<p>Decreased privacy + safety concerns</p> <ul style="list-style-type: none"> <li>• The proposed development will lead to increased traffic to the site, particularly during peak hours, with up to 400 trips per day estimated on the traffic report. As a growing suburb it would not be unreasonable to expect this to grow significantly in the future. This will generate more noise and people who will be able to look over into the properties.</li> <li>• With the pavilion set to be 5.5m high and the sports hall 11.5m high this is significantly taller than the residential buildings in the surrounding areas. Patrons using these facilities will be able to look directly into the surrounding and neighbouring properties.</li> <li>• There are existing safety concerns with the golf club, having had more than one near miss from being hit by golf balls coming at pace over the fence. This is a significant liability issue if it were to cause serious injury or damage. We also have small children visit regularly who are exposed to bad behaviour of patrons urinating on our fence, drinking alcohol, acting aggressively and swearing. If this is to remain, it is a significant safety concern especially if a green is to be moved to fit in the new smaller footprint.</li> <li>• Whilst I do not believe it is possible to eliminate the loss of privacy, some of it may be mitigated by adding a provision in the plan for privacy fencing around all boundaries with private property. A suggestion of a 6ft timber fence could be considered, recognising that the council may have an alternative that also reduce noise pollution.</li> <li>• Additionally vegetation and green spaces between infrastructure and boundaries should also be considered.</li> </ul>	<p>A comment against each of the summarised dot points is provided below:</p> <ul style="list-style-type: none"> <li>- The increase in traffic associated with the intensification of the Bagdad Recreation Ground is reasonable for a growing township. The proposal is intended to serve the growing community. The Traffic Impact Assessment supports the application and that the traffic generated is not unreasonable in this area given the large volume of traffic on the Midland Highway.</li> <li>- Agreed the multipurpose sports centre is taller than other buildings in the area. Assessment against the Performance Criteria for building height under the Community Purpose Zone is provided in this report. The development in the area is sparse and patrons of the facilities do not have direct view lines into people's habitable spaces. The distance between the multi-purpose sports centre and the nearest dwelling is a substantial 80m +/- which is not considered a distance that would cause overlooking or loss of privacy.</li> <li>- The comments are noted and have been passed onto Council's asset department. Anti-social behaviour is a matter for the Bagdad Golf Club and the Tasmanian Police.</li> <li>- The comments regarding fencing and landscaping have also been passed onto Council's asset department. However, additional fencing or landscaping along the boundary of the land is not a matter specifically required by the Planning Scheme.</li> <li>- Council ought to note that the Section 57 requirements of the Act are often used as a form of community consultation. This is not necessarily the intent of this process. Matters regarding fencing or neighbourly relations are best addressed separately by the Community Club, Golf Club and Council Asset Department.</li> </ul>
<p>2. Light Pollution from Light Towers</p> <ul style="list-style-type: none"> <li>• The installation of light towers may result in excessive artificial light, affecting nearby properties, particularly during winter months when usage may be higher.</li> </ul>	<ul style="list-style-type: none"> <li>- The light towers are positioned to avoid unreasonable light overspill into adjoining properties. Light emittance will be noticeable but is unlikely to be used during times when people are sleeping. The light towers are intended for training in the late afternoon and evening outside of daylight savings and not intended for late night use. However, a</li> </ul>

<ul style="list-style-type: none"> <li>This could impact residents' ability to enjoy their homes and sleep without excessive glare and disruption.</li> <li>With light towers these will also be a higher level of noise later into the night, which has the potential to disrupt sleep and enjoyments of the home.</li> </ul> <p>We suggest that council provide further information as to the type and strength of the lights and the projected light pollution. Additionally, the council should consider restricting operating hours to between 6:30am and 9:00 pm and regulate the number of nights they can be on during the week.</p>	<p>condition requiring the submission of a lighting design plan to minimise and avoid light spill into adjoining properties is included in the recommended conditions.</p> <ul style="list-style-type: none"> <li>The comments regarding restriction of operating hours are noted. <b>The standard for external lighting in the Community Purpose Zone 27.3.1 A2 is not applicable to this area as there are no residential zones within 50m of the land.</b> Nevertheless, the comment is not unreasonable. A condition that requires the lighting to be operated between 6am to 9pm is included on the recommended permit. Any operation outside of these hours is then subject to separate approval by Council's General Manager. This is likely restricted to special events (not frequent/regular events).</li> </ul>
<p>3. Wastewater Implications</p> <ul style="list-style-type: none"> <li>The proposal includes wastewater being discharged less than 20 meters from our home. We would like confirmation that this will not result in any odour issues, or runoff entering our property as this could significantly impact our quality of life.</li> </ul>	<p>The representation has merit. Consideration should be given to relocation the irrigation areas further from the northern boundary for the main system. A condition to this effect is recommended.</p> <p>As a further note. The supplied wastewater report is drawn as a concept only and the final design drawing will need to comply with the <i>Building Act 2016</i> and Directors Determination and Guidelines.</p>
Representation 2	
<p>Impact on Safety:</p> <p>The proximity of the proposed developments to our property raises serious concerns about the safety of our family. Currently, the golf course boundary is already very close to our home, and we frequently experience golf balls landing on our property. The addition of the cricket ground, which would be positioned even closer, would likely increase the frequency of balls entering our yard, thus elevating the risk of personal injury to our young children, as well as potential damage to our property. This is an unacceptable risk, especially when the safety of children is at stake.</p>	<p>The comments are noted and have been passed onto Council's Asset Department.</p>
<p>Impact on Privacy:</p> <p>The close proximity—just 12 meters—from our property of the proposed plan including the loading bays and pavillion would result in an increase in noise and foot traffic. The proposal states that traffic noise and hazards could increase by an additional 80 vehicle movements per hour, significantly impacting our privacy. The intrusion of these elements into our personal space, especially during the evenings, would severely disrupt our family's daily routine and overall quality of life. The proposed installation of</p>	<p>Formal parking areas are located south of the existing Childcare Centre. Whilst the development may result in an increase in noise from vehicles accessing the site efforts have been made to locate vehicle movement away from the adjacent residences.</p>

<p>multiple light towers nearby would significantly diminish our privacy, particularly during the evening hours when the lights would be in operation. The resulting light pollution would not only disrupt the comfort and peaceful enjoyment of our property but also negatively affect our lifestyle, making it harder for us to maintain a sense of tranquility and safety in our own home. We are also seeking clarification on the light tower specifications, as the plans do not state their height or the strength of the light.</p>	
<p><b>Impact on Property Value and Lifestyle:</b> While we understand that the proposed facilities may benefit the Bagdad community, we have significant concerns about how these developments will affect our property value and lifestyle. The introduction of these developments—specifically the sports pavilion, cricket ground, and associated facilities—will create an environment that is no longer conducive to the quiet, family-friendly nature of the area. The resulting noise, traffic, and safety hazards will reduce the desirability of our property, potentially causing its value to decrease. The long-term impacts on our daily life and wellbeing would be considerable, with a reduced quality of living and possible depreciation in our property's value.</p> <p>The proposal also states that these facilities have the potential to be "booked and used on demand." With the opening hours spanning 7 days a week from 6 a.m. to 10 p.m., this leads us to believe that these spaces could be hired out for events and parties. We are particularly concerned about the pavilion area, as the plans mention a "bar space." We are worried that alcohol consumption could negatively impact our lifestyle. Additionally, if the oval is to be used for multiple sports, this will affect us year-round.</p>	<p>The Bagdad Recreation Gound is an existing use within a Community Purpose Zone.</p> <p>Matters regarding anti-social behaviour are a matter for the Bagdad Community Club.</p>
<p><b>Impact of Construction:</b> In addition to the ongoing impacts of these developments, we are also deeply concerned about the disruption caused during the construction phase. The noise, dust, and general disturbance from construction activities will further interfere with our family's peace and safety, especially with young children in the household. These disruptions will affect our daily lives and could potentially harm the health and wellbeing of our family members. We believe</p>	<p>Standard conditions relating to construction amenity are recommended.</p>

that such construction activities should be carefully considered to avoid unnecessary disruption to neighboring homes.	
<p>Request for Compensation:</p> <p>Given the significant negative impacts these developments would have on our family's safety, privacy, lifestyle, and the added disturbance from construction if the project is approved, we request compensation for these losses. We are open to discussing possible solutions that would help offset the disruption this development will cause if it proceeds.</p>	This is not a matter for the Planning Authority.
<b>Representation 3</b>	
<p>1. Nuisance caused by proximity of the golf course to residential area:</p> <p>(a) We are instructed that:</p> <p>(i) the boundary of the golf course is so close to residential areas that golf balls are regularly hit into those residential areas, including our client's property;</p> <p>(ii) our client has complained on a regular basis that golf balls pose a nuisance, and further that players or strangers to the course have regularly trespassed on our client's property to retrieve golf-balls; and</p> <p>(iii) our client has been verbally abused by trespassers if she objected to the trespass on her property.</p> <p>(b) These issues now impact our client's tenant's enjoyment of the property.</p> <p>(c) The Development Application does not address the issue of nuisance caused by the operation of the golf course, and the boundary of the course is too close to residential areas, and lacks fencing or netting which would mitigate the nuisance caused by stray golf balls.</p>	<p>The comments are noted and have been passed onto Council's asset department. Anti-social behaviour is a matter for the Bagdad Golf Club and the Tasmanian Police.</p>
<p>2. Nuisance caused by inadequate drainage:</p> <p>(a) We are instructed that:</p> <p>(i) the current stormwater drainage for the golf course and surrounding recreational area is inadequate;</p> <p>(ii) stormwater regularly floods into residential areas, including our client's property; and</p> <p>(iii) our client's tenant has had to evacuate the property (for up to a week).</p> <p>(b) In the circumstances, the Development Application does not address the issue of</p>	<p>A flood hazard report was provided with the application. The report assesses the pre and post development scenarios and the report concludes that the post-development model does not adversely impact flood flows through neighbouring properties.</p> <p>The report does makes a number of recommendations including reshaping and clearing the existing watercourse of any obstructions. A condition that the recommendations of the report be undertaken is included in the proposed permit conditions.</p>

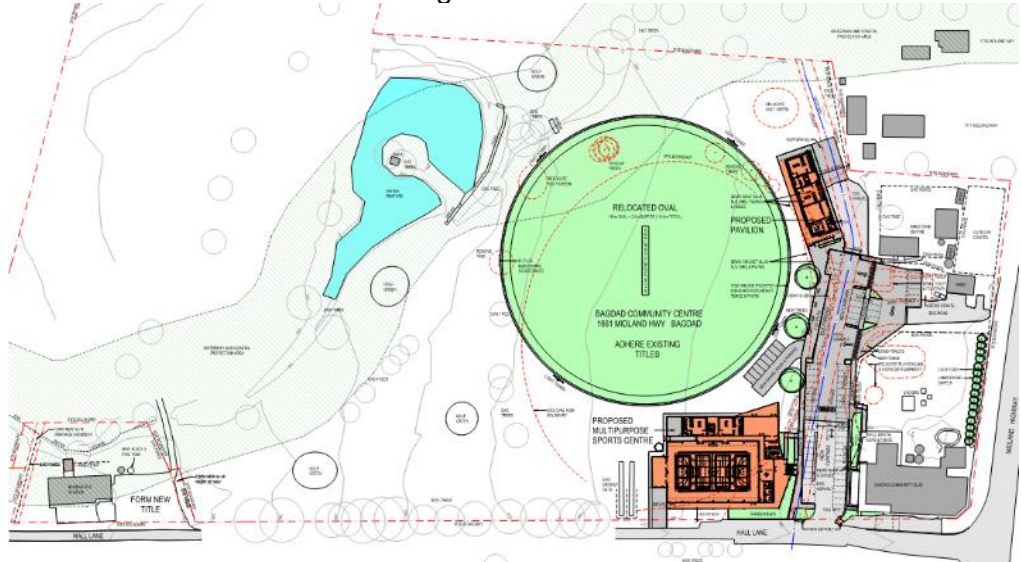
inadequate drainage causing a nuisance to surrounding residential areas.	
3. Impact of development on residents: (a) While the Development Application identifies the existence of residential areas in proximity to the development, the Development Application does not address the potential impact on those residential areas to the predicted increased traffic. (b) Similarly, the Development Application does not address the potential impact of the external lighting proposed. (c) Insufficient details concerning the extent of external lighting is provided to properly assess the impact on residents.	Though there are dwellings in the area the land is zoned Rural Living. This is not a residential zone.  The comments regarding lighting are noted. A condition of approval is to restrict lighting to between 6am and 9pm which corresponds with the hours cited in the Standard 27.3.1 A2.
4. Prejudice: Although our client is not currently residing at the property, the Development Application threatens our client's tenant's quiet enjoyment of the property, and so diminishes the value of the property, and our client's commercial interests in the property.	This is not a matter for the Planning Authority.

## REFERRALS

The application was referred to Council's Environmental Health Officer, Council's Development Engineer, Department of State Growth and Taswater.

The comments from each referral agency or person is provided as follows:

### Council Development Engineer

Brief Description	
<b>Proposal</b>	<p>Multipurpose Indoor Sports Centre, Sports Pavilion and Oval Development plus Demolition of the Existing Small Shed and associated works.</p> 
<b>Roadworks, Parking, and</b>	<p>The site has frontage to the Midland Highway and Hall Lane. The Midland Hwy fronting the development is a State Road and designated Limited Access Road.</p>

**access (existing and proposed)**

Hall Lane is a Council maintained road.  
Traffic Impact Assessment  
A TIA was provided by Hubble Traffic. This was later updated following feedback from Council. Refer to the report “Updated January 2025”.

**Vehicular Accesses**

The site has existing vehicular access to Hall Lane. This access will be upgraded as part of the development.

The site includes sufficient on site manoeuvring for buses to enter and exit the site in a forward direction.

**Parking**

Total number of parking spaces to comply with the planning scheme requirement across all uses is as follows

Activity	Use	Employees / Floor area	Employees / Floor area	No. of parking spaces
Sports Ground/Pavillion	Sport and Recreation	50 spaces per facility		50
Multi Use Recreation Centre	Sport and Recreation	50 spaces per facility		50
Childcare Centre	Educational and Occasional Care	1 space per employee	10	10
Community Centre	Community, Meeting and Entertainment	1 space per 15m <sup>2</sup> of floor area, or 1 space per 3 seats, whichever is greater	650m <sup>2</sup>	43
<b>Total</b>				<b>153</b>

The development proposes 70 formal parking spaces and two gravel overflow areas which could provide an additional 15 to 20 vehicles within the site. Existing parking along the Community Centre building on Hall Lane will also be retained. In total, nearly 100 parking spaces will be available to meet the normal parking demand.

The TIA proposes that an event management plan will be developed for larger events that includes additional informal parking in nearby properties accessible from Hall Lane. These properties can provide 50 extra informal parking spaces, and Council could manage this.

2 bicycle parking spaces are proposed

2 motorcycle spaces are proposed

3 accessible parking spaces are proposed. Two of the spaces will be located in close proximity to the new multipurpose centre, and one will be adjacent to the new clubrooms.

The TIA addressed the requirements of the planning scheme and relevant performance criteria.

**Traffic Volumes**

The TIA provided detail on existing vehicle trips as follows, with a vehicle trip being a one way vehicle movement (ie a vehicle entering the site then existing is 2 trips)

**Existing trips:**

Childcare Centre: 35 trips during both morning and evening peak periods

Sporting Ground: 19 trips during weekday evening peak (ie when highway traffic is greatest) Peak hour on weekends estimated to be 40 trips

	<p>Community Centre: Minimal trips during peak periods</p> <p>New Trips: The multipurpose sports centre could theoretically generate 400 trips per day however is estimated will operate around the 85th percentile demand, generating a maximum of 340 daily trips, which averages to 34 trips per hour.</p> <p>The TIA has estimated that the development site is estimated to generate up to an additional 80 trips during the busiest peak hour.</p> <p>The TIA analysed the impact of the development on the intersection of Halls Lane and the Midland Highway over a 10 year period and concludes that <i>additional peak hour trips generated by this development, are not expected to cause any adverse traffic impact to the traffic performance of the surrounding junctions.</i></p> <p>Pedestrian Access Pedestrian pathways have been incorporated into the parking design.</p>
<b>Stormwater (existing and proposed)</b>	<p>A Stormwater Management Report prepared by JMG was submitted with the application.</p> <p>Stormwater from the site predominantly discharges to the roadside drainage system on the Midland Highway. As such it is proposed that stormwater detention will be included to limit peak flows from the site to predevelopment levels for up to a 1% AEP rainfall event.</p> <p>The new development has 2 primary catchments. Runoff from the sports pavilion discharges to a DN150 connection at the northern end of the site around the tennis courts.</p> <p>The southern portion of the site discharges to the roadside drain via an existing DN300 main just north of the Community Club. It is proposed the existing internal DN225/DN300 stormwater line within the site will be upgraded to DN375.</p> <p>Above ground storage tanks will be utilised to provide detention to roofed areas to limit flows for up to a 1%AEP event to the existing public drainage system, including council and Department of State Growth assets.</p> <p>Runoff from hardstand areas will flow into a proposed flat swale along the eastern boundary of the car park. The swale will provide both detention and treatment.</p> <p>The development proposes to include stormwater treatment by means of detention tanks and grassed swale.</p> <p>The provision of detention for a 1% AEP event and treatment should ensure there is no (or minimal) stormwater impact to downstream properties as a result of the development.</p> <p>An updated (for construction) report will be required to reflect detailed design prior to applying for building or plumbing approval. This may result in modification to the proposed design however the report demonstrates that compliance with the required quality and quantity requirements is readily achievable.</p>
<b>Sewer and Water</b>	<p>The site is predominately within the water serviced land area.</p> <p>The site is outside the sewer serviced land area.</p> <p>The application was referred to TasWater who have provided a SPAN.</p> <p>An on site wastewater system is proposed for the new development. A separate smaller system is proposed to replace the existing system for the fire shed contained within the proposed boundary for the new fire shed lot. 2 wastewater reports were submitted with the application.</p>
<b>Flooding</b>	<p>Portions of the land are subject to flooding. A Flood Hazard Report prepared by Flussig Engineers was submitted with the application.</p> <p>The report identifies that the placement of the proposed structures leads to notable changes in the extent of flooding however these changes are largely contained within the boundaries of the site itself. Importantly the report concludes that the post-</p>



	<p>development model does not adversely impact flood flows through neighbouring properties.</p> <p>The report assesses the floor levels of the proposed new buildings and sets a minimum floor level for both the Multipurpose Centre and Clubrooms.</p> <p>The report makes a number of recommendations including reshaping and clearing the existing watercourse of any obstructions. A condition that the recommendations of the report be undertaken should be included in the permit.</p>
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### **TasWater**

The application was referred to TasWater due to the proximity of works to the water mains and the consolidation of services and increase in demand for water.

TasWater have provided conditions of approval which are included as a recommended condition of approval on the recommended permit.

### **Department of State Growth**

The application was referred to the Department of State Growth due to the proximity of the development to the Midland Highway and the increased traffic at the Hall Lane intersection.

The Department did not have any objection to the proposal.

### **Council Environmental Health Officer**

The wastewater details were provided to Council's Environmental Health Officer. Standard conditions of approval are required on any permit and further approvals under the *Building Act 2016* are also required. This is particularly relevant to the concerns raised by the representation regarding the proximity of the irrigation area in the northwest corner of the land.

### **CONCLUSION**

The report has assessed a Development Application for a sports pavilion, indoor sports centre, car parking, oval works and boundary re-organisation at the Bagdad Recreation Ground at 1661 Midland Highway, Bagdad.

An independent planner has prepared this report to ensure there are no conflicts of interest between the Council as the Planning Authority (assessment officers) and the Council as the Applicant.

Three (3) representation were received during public exhibition of the application which raised concerns regarding amenity, lighting, traffic and suitability of intensification of the land and use of the land. Additional conditions are recommended and the concerns regarding noise or nuisance behavior are a matter for the Community Club.

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

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

### **RECOMMENDATION**

**THAT, in accordance with the provisions of the *Tasmanian Planning Scheme – Southern Midlands* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application (DA2400122) for a sports pavilion, indoor sports centre, car parking, oval works and boundary re-organisation at the Bagdad Recreation Ground at 1661 Midland Highway, Bagdad is approved subject to conditions detailed below:**

## **CONDITIONS**

### **General**

1. The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.

### **Easements**

2. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's Municipal Engineer. The cost of locating and creating the easements shall be at the subdivider's full cost.

### **Sports Lighting (Oval Lighting)**

3. The use of tower lighting for the sports oval (sports lighting) is restricted to 6am to 9pm only. Operation of the lights outside of these hours is subject to the prior approval of the General Manager.
4. A lighting design plan for the sports lighting must be provided to Council's Senior Planner prior to any application for a Building Permit per the requirements of the *Building Act 2016*. The plan must avoid and minimise unreasonable light spill or pollution (or nuisance caused) to adjoining and nearby properties.

### **Services**

5. The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision or development. Any work required is to be specified or undertaken by the authority concerned.
6. Services located under the proposed driveway are to be provided with trafficable covers to the requirements of the relevant authority and to the satisfaction of Council's Municipal Engineer.

### **TasWater**

7. Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P (2) (b) TasWater impose conditions on the permit as per Form PL05P (attached).

### **Parking and Access**

8. Parking and access must be in accordance with the, *Traffic Impact Assessment, Multipurpose Sport Centre at Bagdad Community Centre, Updated January 2025* prepared by Hubble Traffic.
9. The existing vehicular access to Hall Lane must be upgraded from the edge of road to the property boundary, including a sealed surface, in accordance with the endorsed plans and Councils standards.
10. At least seventy (70) car parking spaces, including at least three (3) accessible parking spaces must be provided on site at all times for the use of the development.
11. At least two (2) bicycle parking spaces must be provided adjacent the childcare facility at all times for the use of the development.
12. At least two (2) motorcycle parking spaces must be provided at all times for the use of the development.

13. Pedestrian access must be provided to new parking areas in accordance with the endorsed plans; and:
  - (a) have a minimum width of 1m, and
  - (b) be signed and line marked at points where pedestrians cross access ways or parking aisles.
14. All parking, access ways, manoeuvring and circulation spaces must be provided in accordance with the endorsed drawings, Australian Standard AS 2890 - Parking facilities, Parts 1-6, or as otherwise required by this permit, and include all of the following:
  - (a) Constructed with a durable all weather pavement;
  - (b) Drained to the public stormwater system, or contain stormwater on the site, such that stormwater is not concentrated onto adjacent properties.
  - (c) Surfaced by asphalt, concrete, pavers or approved equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement
  - (d) The 8 car parking spaces adjacent the south eastern boundary of the oval may be surfaced with a minimum gravel surface that is designed, constructed and maintained to avoid dust or mud generation, erosion or sediment transfer on or off site;
  - (e) Have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;
  - (f) Provide for all vehicles to enter and exit the site in a forward direction
  - (g) be delineated by line marking or other clear physical means.
15. Prior to the development commencing, or application for building or plumbing permits, the developer must submit to Council a parking plan including:
  - (a) pavement details,
  - (b) design surface levels and gradients,
  - (c) drainage,
  - (d) turning and travel paths (where required to demonstrate compliance with AS2890),
  - (e) dimensions (including clearances),
  - (f) line marking,
  - (g) lighting (where provided),
  - (h) pedestrian paths (including any signage, line marking, protective devices such as bollards, guard rails or planters),
  - (i) signage

The parking plan is to be certified by an engineer and shall form part of the permit once accepted.

16. The completed parking and associated turning areas and access must be certified by a practicing civil engineer to the effect that they have been constructed in accordance with the endorsed drawings and specifications approved by Council before the proposed hospital is occupied.

17. All areas set-aside for parking and associated turning, and access must be completed before the use commences and must continue to be maintained to the satisfaction of the Council's Municipal Engineer.

### **Access to Public Road**

18. Prior to undertaking any works in the State road reservation, a Works permit is required from the department of State Growth in accordance with Section 16 of the *Roads and Jetties Act 1935*.

### **Stormwater**

19. The stormwater system for the proposed development must be substantially in accordance with *Stormwater Management Report, Stage 1 Bagdad Community Club, 1661 Midland Highway, Bagdad, Southern Midlands Council* dated February 2025 prepared by JMG.
20. Stormwater from the proposed development must be retained on site or drain to a legal point of discharge to the satisfaction of Council's Municipal Engineer and in accordance with the Building Act 2016.
21. The stormwater drainage system for the proposed development must be designed to comply with all of the following:
  - (a) Stormwater detention must be provided such that peak flows from the site to the public stormwater system for up to a 1% AEP event are limited to pre-existing;
  - (b) Stormwater from the proposed development must be treated prior to entering the public stormwater system to:
    - i) Standard Stormwater Treatment Requirements specified in Table 3 Water Quality Treatment Targets in DEP and LGAT Tasmanian Stormwater Policy Guidance And Standards For Development 2021 V1.
22. The development must incorporate overland flow paths through the site to accommodate a 1% AEP (plus climate change) rainfall event.
23. The stormwater system within the development must continue to be maintained to ensure the quality targets and flow rates discharging to the public stormwater system are maintained as per the approved design and water is conveyed so as not to create any nuisance to adjacent or downstream properties.
24. The driveway must be drained to minimise surface runoff over adjoining land (including road reservation) in accordance with the requirements of the Municipal Engineer and the Building Act 2016.
25. Prior to the lodgement of building or plumbing applications the developer must submit a revised (for construction) Stormwater Management Report to Council's Municipal Engineer. The Stormwater Management Report must be prepared and certified by a suitably qualified person, in accordance with section 2.6.2 of *DEP & LGAT (2021). Tasmanian Stormwater Policy Guidance and Standards for Development. Derwent Estuary Program and Local Government Association of Tasmania (Hobart, Australia)* and include calculations, design, construction and maintenance details of stormwater treatment, detention, and conveyance. The report must clearly demonstrate that the requirements of this permit are met and that adjacent and downstream properties will not be adversely impacted by the stormwater system. Once approved the Stormwater Management Report will form part of this permit.

**Advice:** General Manager's consent is required for connection to the public stormwater system in accordance with the Urban Drainage Act. Providing the planning permit conditions are met General Managers Consent will be granted.

26. Any works in, or adjacent, the waterway must be carried out in accordance with the environmental best practice guidelines in the Waterways and Wetlands Works Manual (DPIWE 2003).

### **Wastewater**

27. All works associated with the proposed wastewater system must be designed and undertaken in accordance with the requirements of Council's Environmental Health Officer.
28. The irrigation areas for the proposed wastewater system servicing the development are to be located to the satisfaction of Council's Environmental Health Officer and must maintain maximum allowable distance from property boundaries.

### **Flooding**

29. The developer must implement the recommendations contained in *FE\_24095 Bagdad Recreation Ground, Bagdad Flood Hazard Report / REV00* dated 13 January 2025 prepared by Flussig Engineers.

### **Subdivision Standards**

30. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
31. Land shown as public open space on the final plan of survey must be transferred to the Southern Midlands Council by Memorandum of Transfer submitted with the final plan of survey.
32. All roads or footways must be shown as "Road" or "Footway" on the final plan of survey and transferred to the Southern Midlands Council by Memorandum of Transfer submitted with the final plan.
33. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's Municipal Engineer. The cost of locating and creating the easements shall be at the subdivider's full cost.
34. A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
35. A fee of \$180.00, or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey for each stage.
36. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Southern Midlands Council. The security must be in accordance with section 86(3) of the *Local Government (Building & Miscellaneous Provisions) Council 1993*. The amount of the security shall be determined by the Council's Municipal Engineer.

37. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
38. Property services must be contained wholly within each lots served or an easement to the satisfaction of the Council's Municipal Engineer or responsible authority

### **Erosion and Sediment Control**

39. An Erosion and Sediment Control Plan (here referred to as a 'ESCP') prepared in accordance with the guidelines *Erosion and Sediment Control, The fundamentals for development in Tasmania*, by the Derwent Estuary Programme and Tamar Estuary and Esk Rivers Program, must be approved by Council's Director Development Services before development of the land commences. The ESCP shall form part of this permit when approved.
40. Temporary run-off, erosion and sediment controls must be installed in accordance with the approved ESCP and must be maintained at full operational capacity to the satisfaction of Council's Director Development Services until the land is effectively rehabilitated and stabilised after completion of the development.

### **Construction Amenity**

41. The developer must make good any damage to the road frontage of the development site including road, kerb and channel, footpath, and nature strip to the satisfaction of Council's Municipal Engineer.
42. The road frontage of the development site including road, kerb and channel, footpath, and nature strip, should be:
- (a) Surveyed prior to construction, photographed, documented and any damage or defects be noted in a dilapidation report to be provided to Council's Asset Services Department prior to construction.
  - (b) Be protected from damage, heavy equipment impact, surface scratching or scraping and be cleaned on completion.

In the event a dilapidation report is not provided to Council prior to commencement, any damage on completion, existing or otherwise, may be deemed a result of construction activity and require replacement or repair to the satisfaction of Council's Municipal Engineer.

43. Works associated with the development must only be carried out between the following hours unless otherwise approved by the Council's General Manager
- Monday to Friday 7:00 am to 6:00 pm
  - Saturday 8:00 am to 6:00 pm
  - Sunday and State-wide public holidays 10:00 am to 6:00 pm
44. All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function, and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
- (a) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.

- (b) The transportation of materials, goods and commodities to and from the land.
  - (c) Obstruction of any public footway or highway.
  - (d) Appearance of any building, works or materials.
45. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's General Manager.
46. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.

**THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -**

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.

**DECISION**

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

**THAT in accordance with the provisions of the *Tasmanian Planning Scheme – Southern Midlands* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council **APPROVE** the Development Application (DA2400122) for a sports pavilion, indoor multi-purpose centre, car parking, oval works and boundary re-organisation at the Bagdad Recreation Ground at 1661 Midland Highway, Bagdad is approved subject to conditions detailed below:**

**CONDITIONS**

**General**

1. The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.

**Easements**

2. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's Municipal Engineer. The cost of locating and creating the easements shall be at the subdivider's full cost.

**Sports Lighting (Oval Lighting)**

3. The use of tower lighting for the sports oval (sports lighting) is restricted to 6am to 9pm only. Operation of the lights outside of these hours is subject to the prior approval of the General Manager.

4. A lighting design plan for the sports lighting must be provided to Council's Senior Planner prior to any application for a Building Permit per the requirements of the *Building Act 2016*. The plan must avoid and minimise unreasonable light spill or pollution (or nuisance caused) to adjoining and nearby properties.

### **Services**

5. The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision or development. Any work required is to be specified or undertaken by the authority concerned.
6. Services located under the proposed driveway are to be provided with trafficable covers to the requirements of the relevant authority and to the satisfaction of Council's Municipal Engineer.

### **TasWater**

7. Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P (2) (b) TasWater impose conditions on the permit as per Form PL05P (attached).

### **Parking and Access**

8. Parking and access must be in accordance with the, *Traffic Impact Assessment, Multipurpose Sport Centre at Bagdad Community Centre, Updated January 2025* prepared by Hubble Traffic.
9. The existing vehicular access to Hall Lane must be upgraded from the edge of road to the property boundary, including a sealed surface, in accordance with the endorsed plans and Councils standards.
10. At least seventy (70) car parking spaces, including at least three (3) accessible parking spaces must be provided on site at all times for the use of the development.
11. At least two (2) bicycle parking spaces must be provided adjacent the childcare facility at all times for the use of the development.
12. At least two (2) motorcycle parking spaces must be provided at all times for the use of the development.
13. Pedestrian access must be provided to new parking areas in accordance with the endorsed plans; and:
  - (a) have a minimum width of 1m, and
  - (b) be signed and line marked at points where pedestrians cross access ways or parking aisles.
14. All parking, access ways, manoeuvring and circulation spaces must be provided in accordance with the endorsed drawings, Australian Standard AS 2890 - Parking facilities, Parts 1-6, or as otherwise required by this permit, and include all of the following;
  - (a) Constructed with a durable all weather pavement;
  - (b) Drained to the public stormwater system, or contain stormwater on the site, such that stormwater is not concentrated onto adjacent properties.
  - (c) Surfaced by asphalt, concrete, pavers or approved equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement
  - (d) The 8 car parking spaces adjacent the south eastern boundary of the oval may be surfaced with a minimum gravel surface that is designed,



constructed and maintained to avoid dust or mud generation, erosion or sediment transfer on or off site;

- (e) Have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6;
- (f) Provide for all vehicles to enter and exit the site in a forward direction
- (g) be delineated by line marking or other clear physical means.

15. Prior to the development commencing, or application for building or plumbing permits, the developer must submit to Council a parking plan including:

- (a) pavement details,
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- (c) drainage,
- (d) turning and travel paths (where required to demonstrate compliance with AS2890),
- (e) dimensions (including clearances),
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- (g) lighting (where provided),
- (h) pedestrian paths (including any signage, line marking, protective devices such as bollards, guard rails or planters),
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The parking plan is to be certified by an engineer and shall form part of the permit once accepted.

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- (a) Stormwater detention must be provided such that peak flows from the site to the public stormwater system for up to a 1% AEP event are limited to pre-existing;
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**Advice:** General Manager's consent is required for connection to the public stormwater system in accordance with the Urban Drainage Act. Providing the planning permit conditions are met General Managers Consent will be granted.

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29. The developer must implement the recommendations contained in *FE\_24095 Bagdad Recreation Ground, Bagdad Flood Hazard Report / REV00* dated 13 January 2025 prepared by Flussig Engineers.

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34. A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
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36. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Southern Midlands Council. The security must be in accordance with section 86(3) of the *Local Government (Building & Miscellaneous Provisions) Council 1993*. The amount of the security shall be determined by the Council's Municipal Engineer.
37. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
38. Property services must be contained wholly within each lots served or an easement to the satisfaction of the Council's Municipal Engineer or responsible authority

### **Erosion and Sediment Control**

39. An Erosion and Sediment Control Plan (here referred to as a 'ESCP') prepared in accordance with the guidelines *Erosion and Sediment Control, The fundamentals for development in Tasmania*, by the Derwent Estuary Programme and Tamar Estuary and Esk Rivers Program, must be approved by Council's Director Development Services before development of the land commences. The ESCP shall form part of this permit when approved.

40. Temporary run-off, erosion and sediment controls must be installed in accordance with the approved ESCP and must be maintained at full operational capacity to the satisfaction of Council's Director Development Services until the land is effectively rehabilitated and stabilised after completion of the development.

**Construction Amenity**

41. The developer must make good any damage to the road frontage of the development site including road, kerb and channel, footpath, and nature strip to the satisfaction of Council's Municipal Engineer.
42. The road frontage of the development site including road, kerb and channel, footpath, and nature strip, should be:

- (a) Surveyed prior to construction, photographed, documented and any damage or defects be noted in a dilapidation report to be provided to Council's Asset Services Department prior to construction.
- (b) Be protected from damage, heavy equipment impact, surface scratching or scraping and be cleaned on completion.

In the event a dilapidation report is not provided to Council prior to commencement, any damage on completion, existing or otherwise, may be deemed a result of construction activity and require replacement or repair to the satisfaction of Council's Municipal Engineer.

43. Works associated with the development must only be carried out between the following hours unless otherwise approved by the Council's General Manager

- Monday to Friday 7:00 am to 6:00 pm
- Saturday 8:00 am to 6:00 pm
- Sunday and State-wide public holidays 10:00 am to 6:00 pm

44. All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function, and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:

- (a) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
- (b) The transportation of materials, goods and commodities to and from the land.
- (c) Obstruction of any public footway or highway.
- (d) Appearance of any building, works or materials.

45. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's General Manager.

46. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.

**THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -**

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.

**CARRIED**

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

**12.1.2 Development Application - DA2400035**  
**For a ten (10) Lot Subdivision at land described as 365 Green Valley Road, Bagdad submitted by PDA Surveyors and owned by S Baume**

**Author:** SENIOR PLANNING OFFICER (LOUISA BROWN)

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

**Date:** 23 APRIL 2025

**Enclosure(s)**

*Development Application Documents*  
*Representations*

**PROPOSAL**

Council is in receipt of a Development Application for a ten (10) Lot Subdivision at land described as 365 Green Valley Road, Bagdad. The application comprises of the following;

- **Lot 1** - 10.25ha, accessed via new Council road, street frontage of 353m plus – includes existing dwelling and outbuilding;
- **Lot 2** - 5.55ha, accessed via Right of Way from new Council road, street frontage 179m plus;
- **Lot 3** - 6.28ha, accessed via Right of Way from new Council road, street frontage 10m;
- **Lot 4** - 5.05ha, accessed via Right of Way from new Council road, street frontage 145m plus;
- **Lot 5** - 5.13ha, accessed via Right of Way from new Council road, frontage street frontage 10m;
- **Lot 6** - 5.20ha, accessed via Right of Way from new Council road, street frontage 4m;
- **Lot 7** - 10.68ha, accessed via Right of Way from new Council road, street frontage 4m;
- **Lot 8** - 5.69ha, accessed via Right of Way from new Council road, street frontage 4m;
- **Lot 9** - 5.01ha, accessed via Right of Way from new Council road, street frontage 4m; and
- **Lot 10** - 10.25ha, accessed via new Council road, street frontage 4m.

A Traffic Impact Statement (TIS) was provided by Hubble Traffic with the Development Application documents and is enclosed within this report. The TIS provided detail on the potential vehicle trips generated by the subdivision once a dwelling is constructed on each lot. The TIS estimates each lot will generate 7.4 vehicle trips per day. A vehicle trip being a one way trip. (ie a return journey is 2 vehicle trips)

The TIS concluded:

From a traffic engineering and road safety perspective, additional traffic generated from this development site is not expected to create any adverse safety, amenity, or traffic efficiency problems, as:

- the amount of traffic generated is considered to be minor and there is sufficient capacity within the current road network to absorb the extra traffic movements, without adversely impacting current users;
- although the road standard is limited between the development site and Huntingdon Tier Road, there is sufficient pavement width to accommodate safe and efficient passing of opposing vehicles;
- the existing vehicular access will be retained, widened and upgraded to a new junction, suitable to accommodate two-way traffic movements; and
- there is sufficient sight distance at the existing vehicular access with Green Valley Road, enabling vehicles to enter and leave the development site in a safe and efficient manner.

The TIS recommended Council consider a reduced speed limit on Green Valley Road. However the subdivision was not considered to be reliant on the speed limit reduction. This should be reviewed by Council separate to the subdivision.

The TIS does recommend a 50km/h speed limit be imposed on the new subdivision road

A new intersection will be constructed off Green Valley Road in the vicinity of the existing access location. Sight distances were assessed as being compliant.

The proposed internal road is steep in places with a maximum gradient of 20%. This exceeds the normal maximum grade but is acceptable in areas constrained by steep terrain in short sections. These steeper grades are to be surfaced with asphalted rather than a 2 coat seal. All roads will need to meet the standards of the Bushfire Prone Area Code of The Scheme.

The proposal includes a number of long shared driveways. The applicant proposes these be gravel rather than have a sealed surface. The acceptable solution in the scheme is that access ways in the Rural Living Zone be sealed. Given the rural nature of the development it is not out of place for the driveways to be gravel. Maintenance will be the responsibility of the various property owners.

The property contains areas of Priority Vegetation as defined in the Natural Assets Code of The Scheme. A Natural Values Assessment has been prepared by a suitably qualified person and submitted with the Development Application. As a part of the Natural Values Assessment a field survey was undertaken on the 22nd November 2023. The overall vegetation communities on the site were assessed and searches for potential threatened fauna habitat e.g. tree hollows and den sites, and other evidence e.g. scats, diggings and tracks were also undertaken.

Four native and one modified vegetation communities were mapped during the field survey, as per the TASVEG 4.0 classification system.

- Eucalyptus amygdalina forest and woodland on sandstone (DAS) \*\*
- Eucalyptus obliqua dry forest (DOB)
- Eucalyptus tenuiramis forest and woodland on sediments (DTO) \*\*
- Acacia-Bursaria woodland and scrub (NBA)
- Agricultural land (FAG)

*\*\* Denotes the community is listed as threatened under the Nature Conservation Act 2005*

The proposed subdivision will require the clearance of small areas of vegetation communities which are listed as threatened under the Nature Conservation Act 2005.

The Natural Values Assessment makes the following general recommendations regarding the development;

- Minimise vegetation clearance and disturbance outside the building footprint and Bushfire Hazard Management Areas (BHMA);
- All declared weeds and environmental weeds to be controlled prior to construction;
- All areas (>1ha) of threatened vegetation communities DAS and DTO on the new lots are protected from future clearance through a Part V Agreement on title (applies to Lots 1 - 3, and 7-10); and
- Any soil or gravel imported to the site for construction or landscaping purposes should be from a weed free source to prevent the establishment of further introduced species on the site.

Under the Planning Scheme the proposal is to be assessed against both the development standards of the Rural Living C zone and the applicable Codes. These matters are described and assessed in this report. The proposal is considered to be ~~is~~ a discretionary application under the Tasmanian Planning Scheme.

The Council gave notice of the application for public comment as required by the Act. During the notification period Two (2) representations were received.

This report will assess the proposal against the relevant provisions of the Act and the Tasmanian Planning Scheme – Southern Midlands (The Scheme).

It is recommended that Council grant a permit for the ten (10) lot Subdivision subject to conditions of approval.

## **THE SITE**

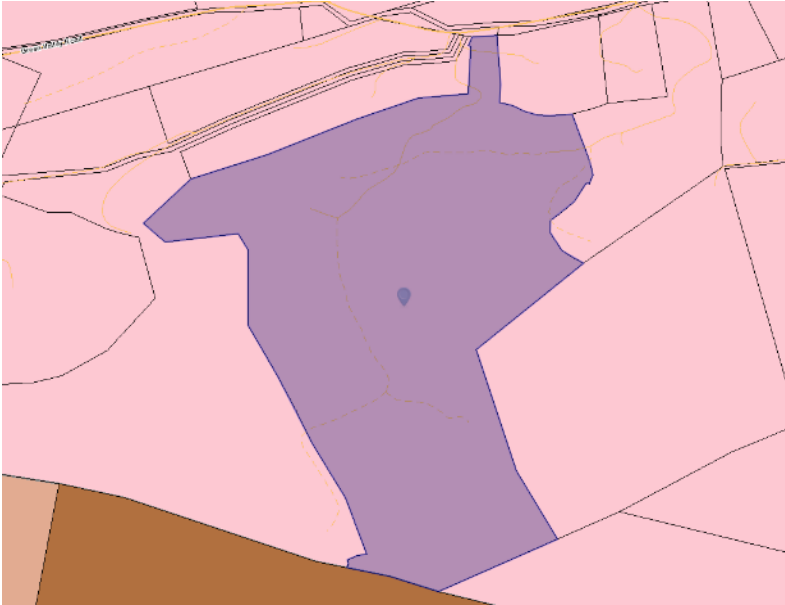
The site comprises of 65.22 ha of land on Green Valley Road and includes an existing dwelling and outbuilding. An existing single vehicle access is located from Green Valley Road and traverses an existing ridgeline to the dwelling to the north-west.

The property includes a ridgeline which slopes towards the southern property boundary, towards McGradys Gully. The existing vehicular access will be upgraded to a new junction.

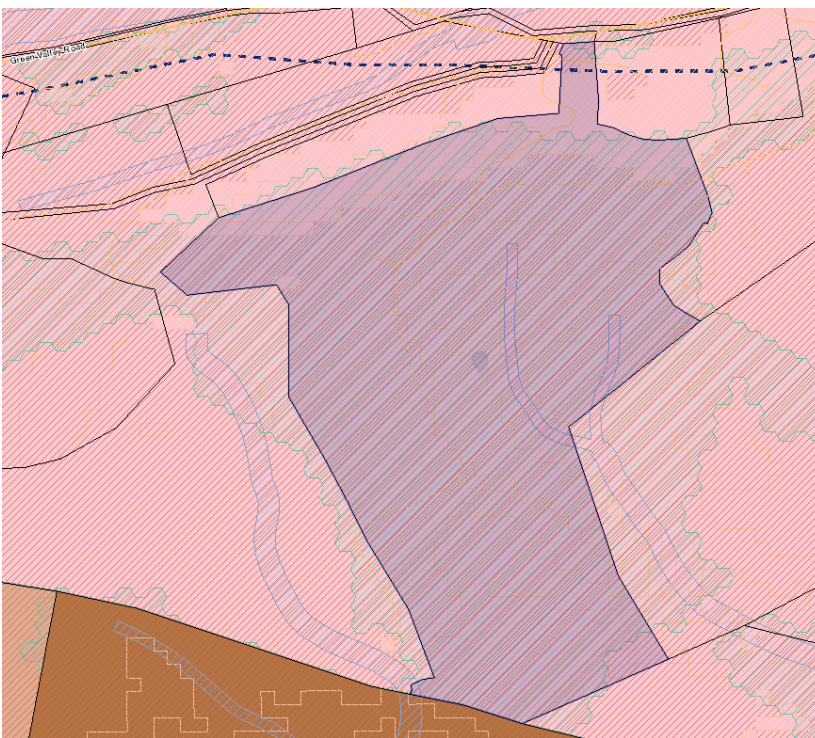
Open grassland and native forest are the predominate landscape, including two vegetation community listed as threatened under the Nature Conservation Act 2005.

Within the northern section of the property, adjacent to Green Valley Road lies a pipeline, which has a 2.0m easement over it. This is within the Schedule of Easements on the Certificate of Title. In addition, a Right of Way to neighbouring properties (proposed Lots 8 and 7) crosses the property and runs east.

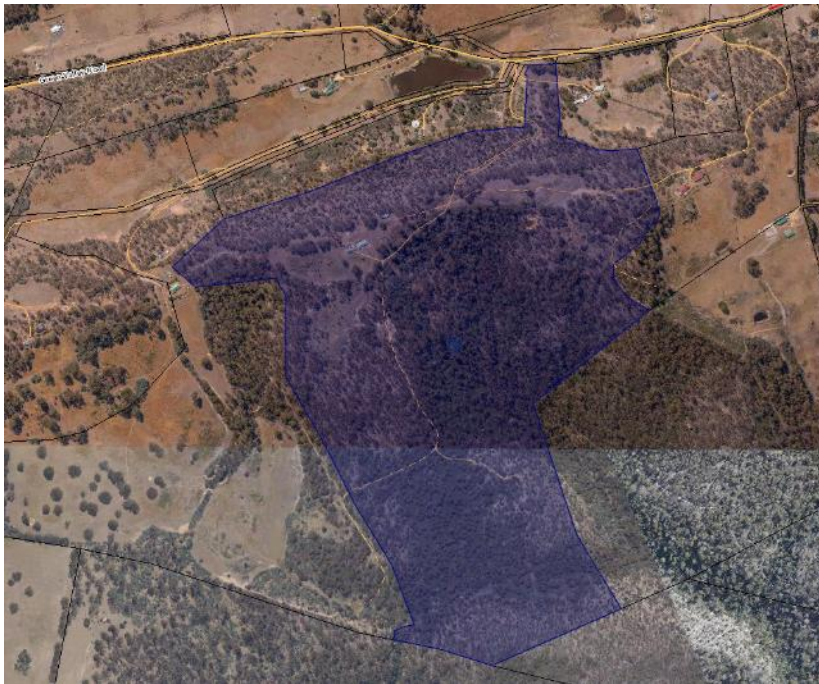




*Map 1\_The subject land and most surrounding properties are in the Rural Living C Zone (orange). Adjoining land to the south west is in the Agriculture Zone (brown). The blue area identifies the subject title. Source: LISTmap (16/04/2025)*



*Map 2\_The subject land is covered in green lines of the Natural Assets Code, brown lines of the Bushfire Prone Area Code and some areas of Landslip Hazard Code (low) orange lines. Waterways and Coastal Protection Areas are shown as Blue Lines. The blue area identifies the subject title. Source: LISTmap (16/04/2025)*



Map 3 \_ Aerial image of the subject land and surrounding area. Subject title marked in blue . Source: LISTmap (16/04/2025)

## THE APPLICATION

The applicant has submitted the following attached plans and documents in support of the Development Application;

- Planning Report prepared by PDA Surveyors, Engineers & Planners dated March 2024;
- Certificate of Title documents and schedule of easements;
- Plan of Subdivision P1, P2 and P3 drawings;
- Bushfire Hazard Report prepared by Enviro-dynamics and dated December 2023;
- Natural Values Assessment prepared by Environ-dynamics and dated December 2023;
- Traffic Impact Assessment prepared by Hubble Traffic and dated July 2024;
- Engineer drawings 365 Green Valley Road, 51968CT revision C P3 and dated 13/08/2024; and
- Rock Solid Geotechnics PTY LTD.

## USE/DEVELOPMENT DEFINITION

*The proposed use and development is defined as Subdivision, under the Planning Scheme.*

*Subdivision is a Discretionary Activity in accordance with the Tasmanian Planning Scheme – Southern Midlands.*

## Use/Development Status under the Planning Scheme

*As a discretionary development, the application was advertised in accordance with Section 57 of the Land Use Planning Approvals Act. ('Act')*

*Council has the discretion to grant a permit for this proposal with or without conditions, or refuse to grant a permit subject to the notification and determination provisions of the Act.*

## PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was publicly advertised from the 6<sup>th</sup> - 21<sup>st</sup> March 2025. Two (2) representations were received.

The matters raised in the representations are considered in the table below.

Representation 1	Council Officer Comment
<p>I am writing to object on the following grounds:</p> <p>Infrastructure – Increased traffic to this area will become a hazard to the surrounding area as well as wildlife.</p> <p>The Traffic Management report states “the road surface is in reasonably good order, with no potholes or significant defects”, this road is not regularly maintained and built specifically for rural commuters many years ago who were not expecting a development of multiple dwellings in one confined area.</p> <p>This road becomes quite icy, this was not covered in the Traffic Management Report.</p> <p>The application refers to the road surface being upgraded in Green Valley Road, maintaining this road as a priority for the extra traffic remains a concern as nothing has been noted in the application of ongoing maintenance.</p> <p>Minimal impact to the Priority Vegetation, Landslide Hazard, Bushfire Prone, Waterway and Coastal Protection areas have been referenced, due to the removal/clearance of the Eucalyptus Forest, this will be detrimental to the proposed site and surrounding areas due to the effect of the development on the character of the neighbourhood.</p>	<p><i>A Traffic Impact Assessment (TIA) has been prepared for the Development Application. This assessment states that Green Valley Road is suitable for light traffic flows and that the road is of a suitable standard with capacity to absorb the increase in traffic generated by the proposed development.</i></p> <p><i>The TIA estimates the potential Increase In traffic from the developed subdivision to be in the order of 67 daily vehicle trips or 7 peak hour trips. The increase in traffic is within the capacity of Green Valley Road.</i></p> <p><i>It is not proposed to undertake any upgrades to Green Valley Road itself as part of the development. It was intended to upgrade the existing vehicular access onto Green Valley Road but this will become a new intersection rather than a simple upgrade of the existing access. Council will continue to monitor Green Valley Road and undertake maintenance as necessary.</i></p> <p><i>The proposed internal road has been designed to meet the current Local Government Road Standards and the standards of the Bushfire Prone Area Code. All final engineering plans for the road and access upgrade will be assessed by Council’s Municipal Engineer.</i></p> <p><i>The property contains areas of Priority Vegetation, as defined in The Scheme as “a threatened native vegetation community as prescribed under Schedule 3A of the Nature Conservation Act 2002”. A Natural Values Assessment has been prepared for the proposal, which has identified areas of Priority Vegetation and made recommendations for maintenance of</i></p>

<p>Waste Management - reference to the tip, waste management will become a concern.</p> <p>My right of way is on Lot 2 of the development site, it is fully fenced with a locked gate which has not been erected by myself but the applicant, I should have access to this right of way at all times, how will this be addressed?</p> <p>Proof of Need: It has not been communicated as to why this multi dwelling development is required in this rural area, nor has it been demonstrated that it is appropriate for the location and will not cause undue harm to the surroundings or residents at hand.</p>	<p><i>these areas. This is discussed in the following assessments of this report.</i></p> <p><i>New residences on the proposed lots will need to manage waste in the same manner as existing residences in the area.</i></p> <p><i>The Right Of Way will be Maintained. A condition requiring a new vehicular access off the proposed new subdivision road connecting to the existing driveway within the Right Of Way is recommended.</i></p> <p><b><i>Additionally a condition requiring the developer to pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works is also included.</i></b></p> <p><b><i>Proof of need is not a requirement of The Scheme. The Scheme allows for subdivision in this zone to a minimum lot size of 5ha. This application is for subdivision. Each proposed lot will have a single dwelling (excluding the existing dwelling), it is not a multiple dwelling application.</i></b></p>
<p><b><i>Representation 2</i></b></p>	<p><b><i>Council Officer Comment</i></b></p>
<p>I would like to note that there is a pipeline under the existing pipeline easement and this needs to be retained.</p> <p>Having been a resident at the neighbouring property for close to twenty years I am doubtful of the ability of a 2wd drive vehicle to get in or out during periods of snow or heavy frost.</p>	<p><b><i>The pipeline will need to remain. There are standard conditions recommended that the developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works.</i></b></p> <p><b><i>Portions of the proposed road are steep but comply with the bushfire standards. The road will be sealed with a minimum 2 coat spray seal with the steeper sections being asphalt.</i></b></p>

## ASSESSMENT – TASMANIAN PLANNING SCHEME - SOUTHERN MIDLANDS

The subject land is zoned Rural Living Zone - Tasmanian Planning Scheme (Southern Midlands).

The purpose of this Zone is:

- To provide for residential use or development in a rural setting where:
  - (a) services are limited; or
  - (b) existing natural and landscape values are to be retained.
- To provide for compatible agricultural use and development that does not adversely impact on residential amenity.
- To provide for other use or development that does not cause an unreasonable loss of amenity, through noise, scale, intensity, traffic generation and movement, or other off site impacts.
- To provide for Visitor Accommodation that is compatible with residential character.

The subject site is in the Rural Living Zone C, therefore the proposal must satisfy the requirements of the following relevant development standards of this zone:

11.5 Development Standards for Subdivision		
11.5.1 Lot design		
Objective:		
That each lot:		
(a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; and (c) contains areas which are suitable for residential development.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, must: <ul style="list-style-type: none"> <li>(a) have an area not less than specified in Table 11.1 and:               <ul style="list-style-type: none"> <li>(i) be able to contain a minimum area of 15m x 20m clear of:                   <ul style="list-style-type: none"> <li>a. all setbacks required by clause 11.4.2 A2 and A3; and</li> <li>b. easements or other title restrictions that limit or restrict development; and</li> </ul> </li> <li>(ii) existing buildings are consistent with the setback required by clause 11.4.2 A2 and A3;</li> </ul> </li> <li>(b) be required for public use by the Crown, a council or a State authority;</li> <li>(c) be required for the provision of Utilities; or</li> <li>(d) be for the consolidation of a lot with</li> </ul>	<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have sufficient useable area and dimensions suitable for its intended use, having regard to: <ul style="list-style-type: none"> <li>(a) the relevant requirements for development of existing buildings on the lots;</li> <li>(b) the intended location of buildings on the lots;</li> <li>(c) the topography of the site;</li> <li>(d) any natural or landscape values;</li> <li>(e) adequate provision of private open space; and</li> <li>(f) the pattern of development existing on established properties in the area, and must be no more</li> </ul>	<i>The Acceptable Solution A1 is met as all lots meet the minimum Lot size for Rural Living C Zone, 5ha.</i>  <i>All proposed lots show a building area of 15m x 20m clear of setbacks and easements. The existing dwelling and outbuilding are also meet the setback requirements for this zone.</i>

another lot provided each lot is within the same zone.	than 20% smaller than the applicable lot size required by clause 11.5.1 A1.	
<p><b>A2</b> Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have a frontage not less than 40m.</p>	<p><b>P2</b> Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the width of frontage proposed, if any;</li> <li>(b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</li> <li>(c) the topography of the site;</li> <li>(d) the functionality and useability of the frontage;</li> <li>(e) the ability to manoeuvre vehicles on the site; and</li> <li>(f) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.</li> </ul>	<p><i>The proposal is assessed against the Performance Criteria as not all lots have a frontage of 40m (Lots 3, Lots 5-10 do not meet the Acceptable Solution).</i></p> <p><i>The topography of the property is challenging and restrictive. However, the proposed access arrangements are functional and useable. This too has been confirmed by the applicants Traffic Engineer. Access is also discussed in the Parking and Sustainable Transport Code below.</i></p> <p><i>Each lot has a frontage to a road. Lots 2 &amp; 3, lots 5-10 (inclusive) contain Rights of Way which provide frontage.</i></p> <p><i>Existing tracks within the property have been utilised and designed to provide access where possible.</i></p> <p><i>All frontages are greater than the minimum 4m as prescribed by the Performance Criteria.</i></p> <p><i>The pattern of existing development within Green Valley Road is consistent with the proposal.</i></p> <p><i>The application meets the Performance Criteria P2.</i></p>
<p><b>A3</b> Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority.</p>	<p><b>P3</b> Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> </ul>	<p><i>All lots are provided with a vehicular access, therefore the application meets the Acceptable Solution A3.</i></p>



	(b) the length of the access; (c) the distance between the lot or building area and the carriageway; (d) the nature of the road and the traffic; (e) the anticipated nature of vehicles likely to access the site; and (f) the ability for emergency services to access the site.	
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### 11.5.2 Roads

Objective:

That the arrangement of new roads with a subdivision provides:

- (a) safe, convenient and efficient connections to assist accessibility and mobility of the community;
- (b) adequate accommodation of vehicular, pedestrian, cycling and public transport traffic; and
- (c) the efficient ultimate subdivision of the entirety of the land and of surrounding land.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<b>A1</b> The subdivision includes no new roads.	<b>P1</b> The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, having regard to: <ul style="list-style-type: none"> <li>(a) any relevant road network plan adopted by the council;</li> <li>(b) the existing and proposed road hierarchy;</li> <li>(c) maximising connectivity with the surrounding road network;</li> <li>(d) appropriate access to public transport; and</li> <li>(e) access for pedestrians and cyclists.</li> </ul>	<i>The application is assessed against the Performance Criteria, as a new road is proposed.</i>  <i>The application has been assessed by Council's Municipal Engineer and in collaboration with Council's Manager of Infrastructure &amp; Works conclude that the design for the proposed road is appropriate for the area and the existing road hierarchy.</i>  <i>The application meets the Performance Criteria P1</i>

### 11.5.3 Services

Objective:

That outdoor storage areas do not detract from the appearance of the site or surrounding area.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision,	<b>P1</b> No Performance Criterion.	<i>The proposal meets the Acceptable Solution A1.</i>

<p>excluding for public open space, a riparian or littoral reserve or Utilities, must:</p> <p>(a) be connected to a full water supply service if the frontage of the lot is within 30m of a full water supply service; or</p> <p>(b) be connected to a limited water supply service if the frontage of the lot is within 30m of a limited water supply service, unless a regulated entity advises that the lot is unable to be connected to the relevant water supply service.</p>		<p><i>The property is not within 30m of a full or limited water supply.</i></p>
<p><b>A2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding within Rural Living Zone C or Rural Living Zone D or for public open space, a riparian or littoral reserve or Utilities, must:</p> <p>(a) be connected to a reticulated sewerage system; or</p> <p>(b) be connected to a reticulated sewerage system if the frontage of each lot is within 30m of a reticulated sewerage system and can be connected by gravity feed.</p>	<p><b>P2</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding within Rural Living Zone C or Rural Living Zone D or for public open space, a riparian or littoral reserve or Utilities, must be capable of accommodating an on-site wastewater treatment system adequate for the future use and development of the land.</p>	<p><i>The application is assessed against the Performance Criteria P2 as there is no reticulated sewage system in the area.</i></p> <p><i>The property is within the Rural Living Zone C, the Performance Criteria therefore does not apply.</i></p> <p><i>However, any future development of the lots will require Plumbing Permits, therefore wastewater will be regulated by the Plumbing Permit Authority.</i></p>

The proposal must also satisfy the requirements of the following relevant development standards of the applicable Codes - Tasmanian Planning Scheme (Southern Midlands):

## C2.0 Parking and Sustainable Transport Code

The purpose of the Parking and Sustainable Transport Code is:

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



<b>C2.6.3 Number of accesses for vehicles</b>		
<p>Objective</p> <p>That:</p> <p>(a) access to land is provided which is safe and efficient for users of the land and all road network users, including but not limited to drivers, passengers, pedestrians and cyclists by minimising the number of vehicle accesses;</p> <p>(b) accesses do not cause an unreasonable loss of amenity of adjoining uses; and</p> <p>(c) the number of accesses minimise impacts on the streetscape.</p>		
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	<b>OFFICER COMMENT</b>
<p><b>A1</b></p> <p>The number of accesses provided for each frontage must:</p> <p>(a) be no more than 1; or</p> <p>(b) no more than the existing number of accesses, whichever is the greater.</p>	<p><b>P1</b></p> <p>The number of accesses for each frontage must be minimised, having regard to:</p> <p>(a) any loss of on-street parking; and</p> <p>(b) pedestrian safety and amenity;</p> <p>(c) traffic safety;</p> <p>(d) residential amenity on adjoining land; and</p> <p>(e) the impact on the streetscape.</p>	<p><i>The Acceptable Solution A1 is met as no lot has more than 1 point of vehicular access.</i></p>
<p><b>A2</b></p> <p>Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.</p>	<p><b>P2</b></p> <p>Within the Central Business Zone or in a pedestrian priority street, any new accesses must:</p> <p>(a) not have an adverse impact on:</p> <p>(i) pedestrian safety and amenity; or</p> <p>(ii) traffic safety; and</p> <p>(b) be compatible with the streetscape.</p>	<p><i>Not applicable.</i></p>

### **C3.0 Road and Railway Assets Code**

The purpose of the Road and Railway Assets Code is:

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

This code applies to a use or development that:

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

<b>C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction</b>		
<b>Objective:</b> To minimise any adverse effects on the safety and efficiency of the road or rail network from vehicular traffic generated from the site at an existing or new vehicle crossing or level crossing or new junction.		
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	<b>OFFICER COMMENT</b>
<b>A1.1</b> For a category 1 road or a limited access road, vehicular traffic to and from the site will not require: <ul style="list-style-type: none"> <li>(a) a new junction;</li> <li>(b) a new vehicle crossing; or</li> <li>(c) a new level crossing.</li> </ul>	<b>P1</b> Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to: <ul style="list-style-type: none"> <li>(a) any increase in traffic caused by the use;</li> <li>(b) the nature of the traffic generated by the use;</li> <li>(c) the nature of the road;</li> <li>(d) the speed limit and traffic flow of the road;</li> <li>(e) any alternative access to a road;</li> <li>(f) the need for the use;</li> <li>(g) any traffic impact assessment; and</li> <li>(h) any advice received from the rail or road authority.</li> </ul>	<i>The development requires a new junction and is therefore assessed against the Performance Criteria.</i>  <i>The application includes a Traffic Impact Assessment (TIA) submitted with the Development Application documents.</i>  <i>The TIA concludes that 'Green Valley Road is suitable for light traffic flows and that the road is of a suitable standard with capacity to absorb the increase in traffic generated by the proposed development.'</i>  <i>There is sufficient space to accommodate safe and efficient passing of opposing vehicles on Green Valley Road.</i>  <i>The existing property access will be upgraded to a new junction to accommodate two-way traffic movements. The road will be sealed and will have a gradient of 5% or less for the first five metres. The junction has sufficient sight distances to enable vehicles to enter and leave the development in a safe and efficient manner.</i>  <i>The application meets the Performance Criteria P1.</i>
<b>A1.2</b> For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.		
<b>A1.3</b> For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.		
<b>A1.4</b> Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than: <ul style="list-style-type: none"> <li>(a) the amounts in Table C3.1; or</li> <li>(b) allowed by a licence issued under Part IVA of the Roads and Jetties Act 1935 in respect to a limited access road.</li> </ul>		
<b>A1.5</b> Vehicular traffic must be able to enter and leave a major road in a forward direction.		

## C7.0 Natural Assets Code

The purpose of the Natural Assets Code is:

- To minimise impacts on water quality, natural assets including native riparian vegetation, river condition and the natural ecological function of watercourses, wetlands and lakes.
- To minimise impacts on coastal and foreshore assets, native littoral vegetation, natural coastal processes and the natural ecological function of the coast.
- To protect vulnerable coastal areas to enable natural processes to continue to occur, including the landward transgression of sand dunes, wetlands, saltmarshes and other sensitive coastal habitats due to sea-level rise.
- To minimise impacts on identified priority vegetation.
- To manage impacts on threatened fauna species by minimising clearance of significant habitat.

This Code applies to development on land within the following areas;

- A Waterway & Coastal Protection Area;
- A priority vegetation area within the Rural Living Zone.

Priority vegetation means native vegetation where any of the following apply:

- it forms an integral part of a threatened native vegetation community as prescribed under Schedule 3A of the Nature Conservation Act 2002;
- is a threatened flora species;
- it forms a significant habitat for a threatened fauna species; or
- it has been identified as native vegetation of local importance.

<b>C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area</b>		
Objective: That:		
(a) works associated with subdivision within a waterway and coastal protection area or a future coastal refugia area will not have an unnecessary or unacceptable impact on natural assets; and		
(b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on natural assets.		
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	<b>OFFICER COMMENT</b>
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must: <ol style="list-style-type: none"> <li>be for the creation of separate lots for existing buildings;</li> <li>be required for public use by the Crown, a council, or a State authority;</li> <li>be required for the provision of Utilities;</li> <li>be for the consolidation of a lot; or</li> </ol>	<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, within a waterway and coastal protection area or a future coastal refugia area, must minimise adverse impacts on natural assets, having regard to: <ol style="list-style-type: none"> <li>the need to locate building areas and any associated bushfire hazard management area to be outside a waterway and coastal protection area or a</li> </ol>	<p><i>The proposal does not include any building area, bushfire hazard management area or vehicular access within the Waterway &amp; Coastal Protection area of the Natural Assets Code.</i></p> <p><i>The proposal meets the Acceptable Solution A1.</i></p>

(e) not include any works (excluding boundary fencing), building area, services, bushfire hazard management area or vehicular access within a waterway and coastal protection area or future coastal refugia area.	future coastal refugia area; and (b) future development likely to be facilitated by the subdivision.	
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#### **C7.7.2 Subdivision within a priority vegetation area**

Objective:

That:

- (a) works associated with subdivision will not have an unnecessary or unacceptable impact on priority vegetation; and
- (b) future development likely to be facilitated by subdivision is unlikely to lead to an unnecessary or unacceptable impact on priority vegetation.

<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	<b>OFFICER COMMENT</b>
<p><b>A1</b> Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must:</p> <ul style="list-style-type: none"> <li>(a) be for the purposes of creating separate lots for existing buildings;</li> <li>(b) be required for public use by the Crown, a council, or a State authority;</li> <li>(c) be required for the provision of Utilities;</li> <li>(d) be for the consolidation of a lot; or</li> <li>(e) not include any works (excluding boundary fencing), building area, bushfire hazard management area, services or vehicular access within a priority vegetation area.</li> </ul>	<p><b>P1</b> Each lot, or a lot proposed in a plan of subdivision, within a priority vegetation area must be for:</p> <ul style="list-style-type: none"> <li>(a) subdivision for an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person;</li> <li>(b) subdivision for the construction of a single dwelling or an associated outbuilding;</li> <li>(c) subdivision in the General Residential Zone or Low Density Residential Zone;</li> <li>(d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;</li> <li>(e) subdivision involving clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival</li> </ul>	<p><i>The application is assessed against the Performance Criteria.</i></p> <p><i>A Natural Values Assessment has been prepared for this Development Application which concludes that a total of 4.5ha of Native Vegetation is required to be cleared for future dwellings and a Bushfire Hazard Management Area. A small area of 2 ha of Eucalyptus tenuiramis forest DTO and 0.5ha of Eucalyptus amygdalina fores DAS, which are listed as Threatened Native Vegetation Communities under the NCA. The removal is limited within the property.</i></p> <p><i>No threatened flora or fauna species where recorded on the property.</i></p> <p><i>It is recommended that a Part 5 Agreement is entered into to protect any further clearance of threatened vegetation communities.</i></p>

	<p>of the priority vegetation and there is little potential for long-term persistence; or (f) subdivision involving clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.</p> <p><b>P1.2</b> Works association with subdivision within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:</p> <p>(a) the design and location of any works, future development likely to be facilitated by the subdivision, and any constraints such as topography or land hazards; (b) any particular requirements for the works and future development likely to be facilitated by the subdivision; (c) the need to minimise impacts resulting from bushfire hazard management measures through siting and fire-resistant design of any future habitable buildings; (d) any mitigation measures implemented to minimise the residual impacts on priority vegetation; (e) any on-site biodiversity offsets; and (f) any existing cleared areas on the site.</p>	<p><i>The Performance Criteria P.1.1 is met.</i></p> <p><i>Proposed road alignment within is situated over existing tracks, therefore minimising the impact of construction. Building areas area within areas of existing cleared land where possible (Lots 2 and 10). Clearing will be limited to areas required for buildings and Bushfire Hazard Management Areas.</i></p> <p><i>As Development Applications for dwellings will be required for each lot, Natural Values will be re-assessed and conditioned as part of any future planning approvals.</i></p> <p><i>The Performance Criteria P1.2 is met.</i></p>
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### C13.0 Bushfire-Prone Areas Code

The purpose of this Code is:

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

This Code applies to the subdivision of land that is located within or partially located within, a bushfire-prone area.

<b>C13.6.1 provision of hazard management areas</b> Objective: That subdivision provides for hazard management areas that: (a) facilitate an integrated approach between subdivision and subsequent building on a lot; (b) provide for sufficient separation of building areas from bushfire-prone vegetation to reduce the radiant heat levels, direct flame attack and ember attack at the building area; and (c) provide protection for lots at any stage of a staged subdivision.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<b>A1</b> (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant the provision of hazard management areas as part of a subdivision; or (b) The proposed plan of subdivision: (i) shows all lots that are within or partly within a bushfire-prone area, including those developed at each stage of a staged subdivision; (ii) shows the building area for each lot; (iii) shows hazard management areas between bushfire-prone vegetation and each building area that have dimensions equal to, or greater than, the separation distances required for BAL 19 in Table 2.6 of Australian Standard AS3959:2018 Construction of buildings in bushfire-prone areas; and (iv) is accompanied by a bushfire hazard management plan that addresses all the individual lots and that is certified by the TFS or accredited person, showing hazard management areas equal to, or greater than the separation distances required for BAL 19 in Table 2.6 of Australian Standard AS3959:2018 Construction of buildings in bushfire-prone Areas; and	<b>P1</b> A proposed plan of subdivision shows adequate hazard management areas in relation to the building areas shown on lots within a bushfire-prone area, having regard to: (a) the dimensions of hazard management areas; (b) a bushfire risk assessment of each lot at any stage of staged subdivision; (c) the nature of the bushfire-prone vegetation including the type, fuel load, structure and flammability; (d) the topography, including site slope; (e) any other potential forms of fuel and ignition sources; (f) separation distances from the bushfire-prone vegetation not unreasonably restricting subsequent development; (g) an instrument that will facilitate management of fuels located on land external to the subdivision; and (h) any advice from the TFS.	<i>A Bushfire Hazard Report and Management Plan have been prepared for the Development Application and concludes that all Lots meet BAL – 19, access complies with the relevant Tables of the Code (C13.1 and C13.2) and static water supply also complies.</i>  <i>The application meets the standard of the Bushfire Prone Area Code for Subdivision.</i>

(c) if hazard management areas are to be located on land external to the proposed subdivision the application is accompanied by the written consent of the owner of that land to enter into an agreement under section 71 of the Act that will be registered on the title of the neighbouring property providing for the affected land to be managed in accordance with the bushfire hazard management plan.		
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### C13.6.2 Public and fire fighting access

Objective:

That access roads to, and the layout of roads, tracks and trails, in a subdivision:

- (a) allow safe access and egress for residents, fire fighters and emergency service personnel;
- (b) provide access to the bushfire-prone vegetation that enables both property to be defended when under bushfire attack, and for hazard management works to be undertaken;
- (c) are designed and constructed to allow for fire appliances to be manoeuvred;
- (d) provide access to water supplies for fire appliances; and
- (e) are designed to allow connectivity, and where needed, offering multiple evacuation points.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<b>A1</b> (a) TFS or an accredited person certifies that there is an insufficient increase in risk from bushfire to warrant specific measures for public access in the subdivision for the purposes of fire fighting; or (b) A proposed plan of subdivision showing the layout of roads, fire trails and the location of property access to building areas, is included in a bushfire hazard management plan that: (i) demonstrates proposed roads will comply with Table C13.1, proposed property accesses will comply with Table C13.2 and proposed fire trails will	<b>P1</b> A proposed plan of subdivision shows access and egress for residents, fire-fighting vehicles and emergency service personnel to enable protection from bushfires, having regard to: (a) appropriate design measures, including: (i) two way traffic; (ii) all weather surfaces; (iii) height and width of any vegetation clearances; (iv) load capacity; (v) provision of passing bays; (vi) traffic control devices; (vii) geometry, alignment and slope of roads, tracks and trails;	<i>A Bushfire Hazard Report and Management Plan have been prepared for the Development Application and concludes that all Lots meet BAL – 19, access complies with the relevant Tables of the Code (C13.1 and C13.2) and static water supply also complies.</i>  <i>The application meets the standard of the Bushfire Prone Area Code for Subdivision.</i>

comply with Table C13.3 and (ii) is certified by the TFS or an accredited person.	(viii) use of through roads to provide for connectivity; (ix) limits on the length of cul-de-sacs and dead-end roads; (x) provision of turning areas; (xi) provision for parking areas; (xii) perimeter access; and (xiii) fire trails; and (b) the provision of access to: (i) bushfire-prone vegetation to permit the undertaking of hazard management works; and (ii) fire fighting water supplies; and (c) any advice from the TFS.	
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## C15.0 Landslip Hazard Code

The purpose of the Landslip Hazard Code is:

- To ensure that a tolerable risk can be achieved and maintained for the type, scale and intensity and intended life of use or development on land within a landslip hazard area.

This code applies to use or development of land within a landslip hazard area.

<b>C15.7.1 Subdivision within a landslip hazard area</b>		
Objective: That subdivision within a landslip hazard area does not create an opportunity for use or development that cannot achieve a tolerable risk from a landslip.		
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	<b>OFFICER COMMENT</b>
<b>A1</b> Each lot, or a lot proposed in a plan of subdivision, within a landslip hazard area, must:  (a) be able to contain a building area, vehicle access, and services, that are wholly located outside a landslip hazard area; (b) be for the creation of separate lots for existing buildings; (c) be required for public use by the Crown, a council or a State authority; or	<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, within a landslip hazard area must not create an opportunity for use or development that cannot achieve a tolerable risk from landslip, having regard to:  (a) any increase in risk from a landslip for adjacent land; (b) the level of risk to use or development arising from an increased reliance on public infrastructure;	<i>The proposal includes works within the low and medium landslip hazard area, therefore it is assessed against the Performance Criteria P1.</i>  <i>Rock Solid Geotechnics have prepared a report in response to the significant works required for the proposed access road in the low landslip hazard band.</i>  <i>During development of the public road all significant works will be restricted to</i>



(d) be required for the provision of Utilities.	(c) the need to minimise future remediation works; (d) any loss or substantial compromise, by a landslip, of access to the lot on or off site; (e) the need to locate building areas outside the landslip hazard area; (f) any advice from a State authority, regulated entity or a council; and (g) the advice contained in a landslip hazard report.	roadway excavation, roadside drains and earth fill embankments.  <i>The report concludes there is no evidence of current or past instability and that risk level implications for the development are acceptable to regulators.</i>  <i>The proposal meets the Performance Criteria P1.</i>
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### Southern Midlands local provisions Schedule

#### SOU-S3.0 Bagdad Potential Dispersive Soils Specific Area Plan

The purpose of the Bagdad Potential Dispersive Soils Specific Area Plan is:

To minimise and/or mitigate adverse impacts from development on land that contains potentially dispersive soils.

The specific area plan applies to the area of land designated as Bagdad Potential Dispersive Soils Specific Area Plan on the overlay maps.

In the area of land to which this plan applies, the provisions of the specific area plan are in addition to the Rural Living Zone, as specified in the relevant provision.

<b>SOU-S3.8.1 Subdivision on potential dispersive soils</b> This clause is in addition to Rural Living Zone - clause 11.5 Development Standards for Subdivision. Objective: That development with the potential to disturb dispersive soil is appropriately located or managed to minimise the potential to cause erosion and ensure risk to property and the environment is reduced to an acceptable level.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<b>A1</b> No Acceptable Solution.	<b>P1</b> Each lot, or a lot proposed in a plan of subdivision, must minimise the risks associated with dispersive soil to property and the environment, having regard to:  (a) the dispersive potential of soils in the vicinity of proposed buildings, driveways, services and the development area generally;	<i>An area of 3228m<sup>2</sup> of the property adjacent to Green Valley Road where the existing vehicular access serves the property is within the Bagdad Potential Dispersive Soils Specific Area Plan (SAP).</i>  <i>The area identified as within the SAP is very minor and represents 0.49% of the total land area. In addition conditions of approval are to be imposed requiring within the Planning Permit require</i>

	<p>(b) the potential of the subdivision to affect or be affected by erosion, including gully and tunnel erosion;</p> <p>(c) the dispersive potential of soils in the vicinity of water drainage lines, infiltration areas/trenches, water storages, ponds, dams and disposal areas;</p> <p>(d) the level of risk and potential consequences for property and the environment from potential erosion, including gully and tunnel erosion;</p> <p>(e) management measures that would reduce risk to an acceptable level; and</p> <p>(f) the advice contained in a dispersive soil management plan.</p>	<p><i>that a Soil and Water Management Plan (SWMP) and a Dispersive Soil Assessment. be under taken.</i></p>
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## CONCLUSION

The report has assessed a Development Application for a ten (10) lot subdivision of at land described as a 365 Green Valley Road, Bagdad.

Two (2) representations were received and have been considered in this report.

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

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

## RECOMMENDATION

**THAT, in accordance with the provisions of the *Tasmanian Planning Scheme – Southern Midlands* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application (DA2400035) for a ten (10) Lot Subdivision on land described as 365 Green Valley Road, Bagdad, owned by S Baume subject to conditions detailed below.**

## CONDITIONS

### General

1. The subdivision and associated works must be carried out substantially in accordance with the application for planning approval, endorsed drawings and conditions of this permit and must not be altered or extended without the further written consent of Council.

2. This permit shall not take effect and must not be acted on until 15 days after the date on which notice of the granting of the permit is served to the applicant or the representor, whichever is later, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

### **Bushfire**

3. The development and works must be carried out in accordance with the Bushfire Hazard Report, prepared by Enviro-dynamics and dated December 2023, v1.0.
4. Prior to Council sealing the final plan of survey for any stage, the developer must provide certification from a suitably qualified person that all works required by the approved Bushfire Hazard Management Plan has been complied with.

### **Endorsements**

5. The final plan of survey must be noted that Council cannot or will not provide a means of drainage to all lots shown on the plan of survey.

### **Road Widening**

6. Road widening must be provided across the entire frontage of the property at a distance of 9 metres from the centre line of Green Valley Road and shown as a separate Road parcel on the Final Plan of Survey.

### **Staged development**

7. The subdivision development must not be carried out in stages except in accordance with a staged development plan submitted to and approved by Council's General Manager.

### **Transfer of reserves**

8. All roads or footways must be shown as "Road" or "Footway" on the Final Plan of Survey and transferred to the Council by Memorandum of Transfer submitted with the Final Plan of Survey.

### **Public Open Space**

9. In accordance with the provisions of Section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993, payment of a cash contribution for Public Open Space must be made to the Council prior to sealing the Final Plan of Survey. The cash contribution amount is to be equal to 5% of the value of the land being subdivided in the plan of subdivision at the date of lodgement of the Final Plan of Survey. The value is to be determined by a Land Valuer within the meaning of the Land Valuers Act 2001 at the developers' expense.
10. The cash-in-lieu of public open space must be in the form of a direct payment made before the sealing of the final plan of survey or, alternatively, in the form of a Bond or Bank guarantee to cover payment within ninety (90) days after demand, made after the final plan of survey has taken effect.

### **Easements**

11. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's Municipal Engineer. The cost of locating and creating the easements shall be at the subdivider's full cost.

### **Final plan**

12. A final approved plan of survey and schedule of easements as necessary, together

with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.

13. A fee of \$400.00 (plus \$50 each additional lot, including balance lot) or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey for each stage.
14. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Southern Midlands Council. The security must be in accordance with section 86(3) of the Local Government (Building & Miscellaneous Provisions) Council 1993. The amount of the security shall be determined by the Council's Municipal Engineer.
15. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
16. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

## Engineering

17. The subdivision must be carried out and constructed in accordance with the:
  - a. *Tasmanian Subdivision Guidelines*
  - b. *Tasmanian Municipal Standard – Specifications*
  - c. *Tasmanian Municipal Standard – Drawings*as published by the Local Government Association of Tasmania and to the satisfaction of Council's Municipal Engineer.
18. Engineering design drawings, to the satisfaction of the Council's Municipal Engineer, must be submitted to and approved by Council before any works associated with development of the land commence.

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

19. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's Municipal Engineer, in accordance with the Tasmanian Subdivision Guidelines October 2013, and must show –
  - a) all existing and proposed services required by this permit;
  - b) all existing and proposed roadwork required by this permit;
  - c) measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
  - d) measures to be taken to limit or control erosion and sedimentation;
  - e) any other work required by this permit.

20. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
21. The developer shall appoint a qualified and experienced Supervising Engineer (or company registered to provide civil engineering consultancy services) who will be required to certify completion of subdivision construction works. The appointed Supervising Engineer shall be the primary contact person on matters concerning the subdivision.

### Services

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

**Advice:** *The pipeline within the existing Pipeline Easement 2.00 Wide through proposed lots 1, 2 and Road is to be retained.*

23. Any existing services shared between lots are to be separated to the satisfaction of Council's Municipal Engineer.
24. Property services must be contained wholly within each lot served or an easement to the satisfaction of the Council's Municipal Engineer or responsible authority.

### Roadworks

25. Roadworks and drainage must be constructed in accordance with the standard drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's Municipal Engineer or as otherwise required by this permit.
26. Roadworks must, unless approved otherwise by Council's Municipal Engineer, include: -
  - a. New Subdivision Road
    - i. 18m min. reservation width generally and 31m min. at the cul de sac head;
    - ii. Sealed surface
      - minimum 2 coat spray seal generally
      - hotmix asphalt for the section from Green Valley Road to approximately chainage 190 and all gradients greater than 16%
      - hotmix asphalt at the cul de sac turning head;
    - iii. 7.0m min. carriageway width (comprising 6.0m minimum seal width and 0.5m min. gravel shoulders either side);
    - iv. 12.0m min. outside radius (carriageway) cul de sac
    - v. Stormwater table drain on both sides.
27. A 50km/h speed limit sign is to be provided for the new subdivision road at the Green Valley Road intersection at the developers cost.
28. A street name sign is to be provided for the new subdivision road at the Green Valley Road intersection at the developers cost.
29. A vehicle access must be provided from the road carriageway to service each lot.

30. A vehicle access must be provided from the new road carriageway connecting to the existing driveway within the Right Of Way on proposed Lot 2.
31. Vehicular accesses must be located and constructed in accordance with the standards shown on standard drawings TSD-R03 Rural Roads Typical Property Access, TSD-R04 Rural Roads Typical Driveway Profile and TSD-RF01 Guide To Intersection And Domestic Access Sight Distance Requirements prepared by the IPWE Aust. (Tasmania Division), or as otherwise required by this permit, and the satisfaction of Council's Municipal Engineer.
32. Where building envelopes are provided the vehicular accesses must be constructed from the public road to the building envelope of each lot.
33. Vehicular accesses must be constructed for the entire length of any Right Of Way.
34. Unless approved otherwise by Council's Municipal Engineer, vehicular accesses must be:
  - (a) all-weather construction;
  - (b) Surfaced with a minimum gravel surface that is designed, constructed and maintained to avoid dust or mud generation, erosion or sediment transfer on or off site;
  - (c) Drained to the public stormwater system, or contain stormwater on the site;
  - (d) Sealed passing bay 5.5m wide x 6m min length located at the edge of the public road where servicing more than 1 property;
  - (e) load capacity of at least 20t, including for bridges and culverts;
  - (f) minimum carriageway width of 4m;
  - (g) minimum vertical clearance of 4m;
  - (h) minimum horizontal clearance of 0.5m from the edge of the carriageway;
  - (i) cross falls of less than 3 degrees (1:20 or 5%);
  - (j) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;
  - (k) curves with a minimum inner radius of 10m;
  - (l) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads;
  - (m) passing bays of 2m additional carriageway width and 20m length provided every 200m where the access length is 200m or greater;
  - (n) passing bays of 2m additional carriageway width and 20m length must be provided every 100m where the access services 3 or more properties; and
  - (o) As required by the endorsed Bushfire Hazard Management plan(s).

### Access to Public Road

**Advice:** No works on or affecting any Council road reservation is to be commenced until Southern Midlands Council has issued a WORKS IN ROAD RESERVATION PERMIT. Application for the issue of the necessary works permit is to be made to the Council's Manager of Infrastructure & Works prior to the proposed date of commencement of any works.

### Stormwater

35. The piped system (culverts) and roadside table drains the subdivision must be able to accommodate a storm with a 5% AEP when the land serviced by the system is fully developed;
36. The subdivision must incorporate overland flow paths to accommodate a 1% AEP (plus climate change) rainfall event.

### **Telecommunications and electrical reticulation**

37. Electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's Municipal Engineer.
38. Street lighting must be provided to the satisfaction of Council's Municipal Engineer.
39. Prior to the work being carried out a drawing of the electrical reticulation and street lighting, and telecommunications reticulation in accordance with the appropriate authority's requirements and relevant Australian Standards must be submitted to and endorsed by the Council's Municipal Engineer.
  - (a) Prior to sealing the final plan of survey the developer must submit to Council:  
An exemption from the installation of fibre ready pit and pipe, a "Provisioning of Telecommunications Infrastructure – Confirmation of final payment" or "Certificate of Practical Completion of Developer's Activities" from NBN Co.
  - (b) Written advice from TasNetworks confirming that all conditions of the Agreement between the Owner and authority have been complied with and that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections (basic connection) at the time each lot is further developed.

### **Weed management**

40. Prior to the carrying out of any works approved or required by this approval, the subdivider must provide a Weed Management Plan detailing measures to be adopted to limit the spread of weeds listed in the Weed Management Act 1999 and those identified on the property in the Natural Values Assessment but not limited to (Californian Thistle and Mont Pellier Broom) through imported soil and land disturbance by appropriate water management and machinery and vehicular hygiene.
41. The Weed Management Plan must demonstrate how existing weeds on the property will be managed in accordance with the best practice prescriptions as stated in the Weed and Disease Planning and Hygiene Guidelines – Preventing the spread of weeds and diseases in Tasmania (DPIPWE).
42. The Weed Management Plan must be to the satisfaction of Council's Municipal Engineer and Weed Management Officer.

### **Erosion and Sediment Control**

43. An Erosion and Sediment Control Plan (here referred to as a 'ESCP') prepared in accordance with the guidelines Erosion and Sediment Control, The fundamentals for development in Tasmania, by the Derwent Estuary Programme and Tamar Estuary and Esk Rivers Program, must be approved by Council's General Manager before development of the land commences. The ESCP shall form part of this permit when approved.
44. Temporary run-off, erosion and sediment controls must be installed in accordance with the approved ESCP and must be maintained at full operational capacity to the satisfaction of Council's General Manager until the land is effectively rehabilitated and stabilised after completion of the development.
45. The topsoil on any areas required to be disturbed must be stripped and stockpiled in an approved location shown on the detailed ESCP for reuse in the rehabilitation

of the site. Topsoil must not be removed from the site until the completion of all works unless approved otherwise by the Council's Municipal Engineer.

46. All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, must be covered with top soil and, where appropriate, re-vegetated and stabilised to the satisfaction of the Council's Municipal Engineer.

### **Construction Amenity**

47. The developer must make good any damage to the road frontage of the development site including road, kerb and channel, footpath, and nature strip to the satisfaction of Council's Municipal Engineer.

48. The road frontage of the development site including road, kerb and channel, footpath, and nature strip, should be:

(p) Surveyed prior to construction, photographed, documented and any damage or defects be noted in a dilapidation report to be provided to Council's Asset Services Department prior to construction.

(q) Be protected from damage, heavy equipment impact, surface scratching or scraping and be cleaned on completion.

49. In the event a dilapidation report is not provided to Council prior to commencement, any damage on completion, existing or otherwise, may be deemed a result of construction activity and require replacement or repair to the satisfaction of Council's Municipal Engineer.

50. Works associated with the development must only be carried out between the following hours unless otherwise approved by the Council's General Manager

Monday to Friday	7:00 am to 6:00 pm
Saturday	8:00 am to 6:00 pm
Sunday and State-wide public holidays	10:00 am to 6:00 pm

51. All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function, and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:

- a) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
- b) The transportation of materials, goods and commodities to and from the land.
- c) Obstruction of any public footway or highway.
- d) Appearance of any building, works or materials.

52. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's General Manager.

53. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.



### **Survey pegs**

54. Survey pegs are to be stamped with lot numbers and marked for ease of identification.
55. Prior to the works being taken over by Council, evidence must be provided from a registered surveyor that the subdivision has been re-pegged following completion of substantial subdivision construction work. The cost of the re-peg survey must be included in the value of any security.

### **Maintenance and Defects Liability Period**

56. The subdivision must be placed onto a twelve (12) month maintenance and defects liability period in accordance with Council Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.
57. Prior to placing the subdivision onto the maintenance and defects liability period the Supervising Engineer must provide certification that the works comply with the Council's Standard Drawings, specification and the approved plans.

### **As Constructed Drawings**

58. Prior to the works being placed on the maintenance and defects liability period "as constructed" drawings and data for all engineering works provided as part of this approval must be provided to Council to the satisfaction of the Council's Municipal Engineer. These drawings and data sheets must be prepared by a qualified and experienced civil engineer or other person approved by the Municipal Engineer in accordance with Council's Guidelines for As Constructed Data.

### **Part 5 Agreements**

59. Prior to Council sealing the final Plan of Survey, an agreement pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 must be entered into in relation to Lots 1-3 and Lots 7-10 to the effect that the owners covenant and agree with Council that all areas greater than 1ha of Threatened Vegetation Community Eucalyptus amygdalina forest and woodland on sandstone (DAS) and Eucalyptus tenuiramis forest and woodland on sediments (DTO) on the new nominated lots are protected from future clearance unless in accordance with the requirements of the Tasmanian Planning Scheme – Southern Midlands or its successors.
60. Agreements pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 must bind the current owners and their successors in title, be prepared on a blank instrument form to the satisfaction of Council and be registered by the subdivider with the Recorder of Titles in accordance with the requirements in section 78 of the Land Use Planning and Approvals Act 1993. The subdivider must meet all costs associated with preparing and registering these agreements.

### **Covenants**

61. Covenants or other similar restrictive controls that conflict with any provisions or seek to prohibit any use provided within the planning scheme must not be included or otherwise imposed on the titles to the lots created by this permit, either by transfer, inclusion of such covenants in a Schedule of Easements or registration of any instrument creating such covenants with the Recorder of Titles, unless such covenants or controls are expressly authorised by the terms of this permit or the consent in writing of the Council's Manager Environment and Development Services.

## Construction

62. The subdivider must provide not less than 48 hours written notice to Council's Municipal Engineer before commencing construction works on site or within a council roadway. The written notice must be accompanied by evidence of payment of the Building and Construction Industry Training Levy where the cost of the works exceeds \$12,000
63. The subdivider must provide not less than 48 hours written notice to Council's Municipal Engineer before reaching any stage of works requiring inspection by Council unless otherwise agreed by the Council's Manager Engineering Services.
64. A fee for supervision of any works to which Section 10 of the Local Government (Highways) Council 1982 applies must be paid to the Southern Midlands Council unless carried out under the direct supervision of an approved practising professional civil engineer engaged by the owner and approved by the Council's Municipal Engineer. The fee must equal not less than three percent (3%) of the cost of the works.

## THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- C. The owner is advised that an engineering plan assessment and inspection fee of 1% of the value of the approved engineering works (minimum of \$300.00), or as otherwise specified in Council's Schedule of Fees, must be paid to Council prior to the approval of engineering plans.
- D. The issue of this permit does not ensure compliance with the provisions of the *Aboriginal Relics Act 1975*. If any aboriginal sites or relics are discovered on the land, stop work and immediately contact the Tasmanian Aboriginal Land Council and Aboriginal Heritage Unit of the Department of Tourism, Arts and the Environment. Further work may not be permitted until a permit is issued in accordance with the *Aboriginal Relics Act 1975*.
- E. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval unless the development for which the approval was given has been substantially commenced or extension of time has been granted. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development may be treated as a new application.

## DECISION

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

**THAT , in accordance with the provisions of the *Tasmanian Planning Scheme – Southern Midlands* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council APPROVE the Development Application (DA2400035) for a ten (10) Lot Subdivision on land described as 365 Green Valley Road, Bagdad, owned by S Baume subject to conditions detailed below.**

## **CONDITIONS**

### **General**

1. The subdivision and associated works must be carried out substantially in accordance with the application for planning approval, endorsed drawings and conditions of this permit and must not be altered or extended without the further written consent of Council.
2. This permit shall not take effect and must not be acted on until 15 days after the date on which notice of the granting of the permit is served to the applicant or the representor, whichever is later, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

### **Bushfire**

3. The development and works must be carried out in accordance with the Bushfire Hazard Report, prepared by Enviro-dynamics and dated December 2023, v1.0.
4. Prior to Council sealing the final plan of survey for any stage, the developer must provide certification from a suitably qualified person that all works required by the approved Bushfire Hazard Management Plan has been complied with.

### **Endorsements**

5. The final plan of survey must be noted that Council cannot or will not provide a means of drainage to all lots shown on the plan of survey.

### **Road Widening**

6. Road widening must be provided across the entire frontage of the property at a distance of 9 metres from the centre line of Green Valley Road and shown as a separate Road parcel on the Final Plan of Survey.

### **Staged development**

7. The subdivision development must not be carried out in stages except in accordance with a staged development plan submitted to and approved by Council's General Manager.

### **Transfer of reserves**

8. All roads or footways must be shown as "Road" or "Footway" on the Final Plan of Survey and transferred to the Council by Memorandum of Transfer submitted with the Final Plan of Survey.

### **Public Open Space**

9. In accordance with the provisions of Section 117 of the Local Government (Building and Miscellaneous Provisions) Act 1993, payment of a cash contribution for Public Open Space must be made to the Council prior to sealing the Final Plan of Survey. The cash contribution amount is to be equal to 5% of the value of the land being subdivided in the plan of subdivision at the date of lodgement of the Final Plan of Survey. The value is to be determined by a Land Valuer within the meaning of the Land Valuers Act 2001 at the developers' expense.
10. The cash-in-lieu of public open space must be in the form of a direct payment made before the sealing of the final plan of survey or, alternatively, in the form of a Bond or Bank guarantee to cover payment within ninety (90) days after demand, made after the final plan of survey has taken effect.

## Easements

11. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's Municipal Engineer. The cost of locating and creating the easements shall be at the subdivider's full cost.

## Final plan

12. A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
13. A fee of \$400.00 (plus \$50 each additional lot, including balance lot) or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey for each stage.
14. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance required by this permit must be lodged with the Southern Midlands Council. The security must be in accordance with section 86(3) of the Local Government (Building & Miscellaneous Provisions) Council 1993. The amount of the security shall be determined by the Council's Municipal Engineer.
15. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
16. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

## Engineering

17. The subdivision must be carried out and constructed in accordance with the:

- a. Tasmanian Subdivision Guidelines*
- b. Tasmanian Municipal Standard – Specifications*
- c. Tasmanian Municipal Standard – Drawings*

as published by the Local Government Association of Tasmania and to the satisfaction of Council's Municipal Engineer.

18. Engineering design drawings, to the satisfaction of the Council's Municipal Engineer, must be submitted to and approved by Council before any works associated with development of the land commence.

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

19. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's Municipal Engineer, in accordance with the Tasmanian Subdivision Guidelines October 2013, and must show –

- a) all existing and proposed services required by this permit;
- b) all existing and proposed roadwork required by this permit;

- c) measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
- d) measures to be taken to limit or control erosion and sedimentation;
- e) any other work required by this permit.

- 20. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
- 21. The developer shall appoint a qualified and experienced Supervising Engineer (or company registered to provide civil engineering consultancy services) who will be required to certify completion of subdivision construction works. The appointed Supervising Engineer shall be the primary contact person on matters concerning the subdivision.
- 22. The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

**Advice:** *The pipeline within the existing Pipeline Easement 2.00 Wide through proposed lots 1, 2 and Road is to be retained.*

Any existing services shared between lots are to be separated to the satisfaction of Council's Municipal Engineer.

- 23. Property services must be contained wholly within each lots served or an easement to the satisfaction of the Council's Municipal Engineer or responsible authority.

#### **Roadworks**

- 23. Roadworks and drainage must be constructed in accordance with the standard drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's Municipal Engineer or as otherwise required by this permit.
- 24. Roadworks must, unless approved otherwise by Council's Municipal Engineer, include: -

##### **a. New Subdivision Road**

- i. 18m min. reservation width generally and 31m min. at the cul de sac head;
- ii. Sealed surface
  - minimum 2 coat spray seal generally
  - hotmix asphalt for the section from Green Valley Road to approximately chainage 190 and all gradients greater than 16%
  - hotmix asphalt at the cul de sac turning head;
- iii. 7.0m min. carriageway width (comprising 6.0m minimum seal width and 0.5m min. gravel shoulders either side);
- iv. 12.0m min. outside radius (carriageway) cul de sac
- v. Stormwater table drain on both sides.

- 25. A 50km/h speed limit sign is to be provided for the new subdivision road at the Green Valley Road intersection at the developers cost.

26. A street name sign is to be provided for the new subdivision road at the Green Valley Road intersection at the developers cost.
27. A vehicle access must be provided from the road carriageway to service each lot.
28. A vehicle access must be provided from the new road carriageway connecting to the existing driveway within the Right Of Way on proposed Lot 2.
29. Vehicular accesses must be located and constructed in accordance with the standards shown on standard drawings TSD-R03 Rural Roads Typical Property Access, TSD-R04 Rural Roads Typical Driveway Profile and TSD-RF01 Guide To Intersection And Domestic Access Sight Distance Requirements prepared by the IPWE Aust. (Tasmania Division), or as otherwise required by this permit, and the satisfaction of Council's Municipal Engineer.
30. Where building envelopes are provided the vehicular accesses must be constructed from the public road to the building envelope of each lot.
31. Vehicular accesses must be constructed for the entire length of any Right Of Way.
32. Unless approved otherwise by Council's Municipal Engineer, vehicular accesses must be:

- (a) all-weather construction;
- (b) Surfaced with a minimum gravel surface that is designed, constructed and maintained to avoid dust or mud generation, erosion or sediment transfer on or off site;
- (c) Drained to the public stormwater system, or contain stormwater on the site;
- (d) Sealed passing bay 5.5m wide x 6m min length located at the edge of the public road where servicing more than 1 property;
- (e) load capacity of at least 20t, including for bridges and culverts;
- (f) minimum carriageway width of 4m;
- (g) minimum vertical clearance of 4m;
- (h) minimum horizontal clearance of 0.5m from the edge of the carriageway;
- (i) cross falls of less than 3 degrees (1:20 or 5%);
- (j) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle;
- (k) curves with a minimum inner radius of 10m;
- (l) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads;
- (m) passing bays of 2m additional carriageway width and 20m length provided every 200m where the access length is 200m or greater;
- (n) passing bays of 2m additional carriageway width and 20m length must be provided every 100m where the access services 3 or more properties; and
- (o) As required by the endorsed Bushfire Hazard Management plan(s).

### Access to Public Road

**Advice:** No works on or affecting any Council road reservation is to be commenced until Southern Midlands Council has issued a WORKS IN ROAD RESERVATION PERMIT. Application for the issue of the necessary works permit is to be made to the Council's Manager of Infrastructure & Works prior to the proposed date of commencement of any works.

### Stormwater

33. The piped system (culverts) and roadside table drains the subdivision must be able to accommodate a storm with a 5% AEP when the land serviced by the system is fully

developed;

34. The subdivision must incorporate overland flow paths to accommodate a 1% AEP (plus climate change) rainfall event.

#### **Telecommunications and electrical reticulation**

35. Electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority and to the satisfaction of Council's Municipal Engineer.
36. Street lighting must be provided to the satisfaction of Council's Municipal Engineer.
37. Prior to the work being carried out a drawing of the electrical reticulation and street lighting, and telecommunications reticulation in accordance with the appropriate authority's requirements and relevant Australian Standards must be submitted to and endorsed by the Council's Municipal Engineer.

- (a) Prior to sealing the final plan of survey the developer must submit to Council:  
An exemption from the installation of fibre ready pit and pipe, a "Provisioning of Telecommunications Infrastructure – Confirmation of final payment" or "Certificate of Practical Completion of Developer's Activities" from NBN Co.
- (b) Written advice from TasNetworks confirming that all conditions of the Agreement between the Owner and authority have been complied with and that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections (basic connection) at the time each lot is further developed.

#### **Weed management**

38. Prior to the carrying out of any works approved or required by this approval, the subdivider must provide a Weed Management Plan detailing measures to be adopted to limit the spread of weeds listed in the Weed Management Act 1999 and those identified on the property in the Natural Values Assessment but not limited to (Californian Thistle and Mont Pellier Broom) through imported soil and land disturbance by appropriate water management and machinery and vehicular hygiene.
39. The Weed Management Plan must demonstrate how existing weeds on the property will be managed in accordance with the best practice prescriptions as stated in the Weed and Disease Planning and Hygiene Guidelines – Preventing the spread of weeds and diseases in Tasmania (DPIPWE).
40. The Weed Management Plan must be to the satisfaction of Council's Municipal Engineer and Weed Management Officer.

#### **Erosion and Sediment Control**

41. An Erosion and Sediment Control Plan (here referred to as a 'ESCP') prepared in accordance with the guidelines Erosion and Sediment Control, The fundamentals for development in Tasmania, by the Derwent Estuary Programme and Tamar Estuary and Esk Rivers Program, must be approved by Council's General Manager before development of the land commences. The ESCP shall form part of this permit when approved.
42. Temporary run-off, erosion and sediment controls must be installed in accordance with the approved ESCP and must be maintained at full operational capacity to the satisfaction of Council's General Manager until the land is effectively rehabilitated

and stabilised after completion of the development.

43. The topsoil on any areas required to be disturbed must be stripped and stockpiled in an approved location shown on the detailed ESCP for reuse in the rehabilitation of the site. Topsoil must not be removed from the site until the completion of all works unless approved otherwise by the Council's Municipal Engineer.
44. All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, must be covered with top soil and, where appropriate, re-vegetated and stabilised to the satisfaction of the Council's Municipal Engineer.

### **Construction Amenity**

45. The developer must make good any damage to the road frontage of the development site including road, kerb and channel, footpath, and nature strip to the satisfaction of Council's Municipal Engineer.
46. The road frontage of the development site including road, kerb and channel, footpath, and nature strip, should be:

(a) Surveyed prior to construction, photographed, documented and any damage or defects be noted in a dilapidation report to be provided to Council's Asset Services Department prior to construction.

(b) Be protected from damage, heavy equipment impact, surface scratching or scraping and be cleaned on completion.

47. In the event a dilapidation report is not provided to Council prior to commencement, any damage on completion, existing or otherwise, may be deemed a result of construction activity and require replacement or repair to the satisfaction of Council's Municipal Engineer.

48. Works associated with the development must only be carried out between the following hours unless otherwise approved by the Council's General Manager

Monday to Friday	7:00 am to 6:00 pm
Saturday	8:00 am to 6:00 pm
Sunday and State-wide public holidays	10:00 am to 6:00 pm

49. All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function, and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:

- a) Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
- b) The transportation of materials, goods and commodities to and from the land.
- c) Obstruction of any public footway or highway.
- d) Appearance of any building, works or materials.

50. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's General Manager.

51. Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the



construction period.

### **Survey pegs**

52. Survey pegs are to be stamped with lot numbers and marked for ease of identification.
53. Prior to the works being taken over by Council, evidence must be provided from a registered surveyor that the subdivision has been re-pegged following completion of substantial subdivision construction work. The cost of the re-peg survey must be included in the value of any security.

### **Maintenance and Defects Liability Period**

54. The subdivision must be placed onto a twelve (12) month maintenance and defects liability period in accordance with Council Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.
55. Prior to placing the subdivision onto the maintenance and defects liability period the Supervising Engineer must provide certification that the works comply with the Council's Standard Drawings, specification and the approved plans.

### **As Constructed Drawings**

56. Prior to the works being placed on the maintenance and defects liability period "as constructed" drawings and data for all engineering works provided as part of this approval must be provided to Council to the satisfaction of the Council's Municipal Engineer. These drawings and data sheets must be prepared by a qualified and experienced civil engineer or other person approved by the Municipal Engineer in accordance with Council's Guidelines for As Constructed Data.

### **Part 5 Agreements**

57. Prior to Council sealing the final Plan of Survey, an agreement pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 must be entered into in relation to Lots 1-3 and Lots 7-10 to the effect that the owners covenant and agree with Council that all areas greater than 1ha of Threatened Vegetation Community Eucalyptus amygdalina forest and woodland on sandstone (DAS) and Eucalyptus tenuiramis forest and woodland on sediments (DTO) on the new nominated lots are protected from future clearance unless in accordance with the requirements of the Tasmanian Planning Scheme – Southern Midlands or its successors.
58. Agreements pursuant to Part 5 of the Land Use Planning and Approvals Act 1993 must bind the current owners and their successors in title, be prepared on a blank instrument form to the satisfaction of Council and be registered by the subdivider with the Recorder of Titles in accordance with the requirements in section 78 of the Land Use Planning and Approvals Act 1993. The subdivider must meet all costs associated with preparing and registering these agreements.

### **Covenants**

59. Covenants or other similar restrictive controls that conflict with any provisions or seek to prohibit any use provided within the planning scheme must not be included or otherwise imposed on the titles to the lots created by this permit, either by transfer, inclusion of such covenants in a Schedule of Easements or registration of any instrument creating such covenants with the Recorder of Titles, unless such covenants or controls are expressly authorised by the terms of this permit or the consent in writing of the Council's Manager Environment and Development

Services.

### Construction

60. The subdivider must provide not less than 48 hours written notice to Council's Municipal Engineer before commencing construction works on site or within a council roadway. The written notice must be accompanied by evidence of payment of the Building and Construction Industry Training Levy where the cost of the works exceeds \$12,000
61. The subdivider must provide not less than 48 hours written notice to Council's Municipal Engineer before reaching any stage of works requiring inspection by Council unless otherwise agreed by the Council's Manager Engineering Services.
62. A fee for supervision of any works to which Section 10 of the Local Government (Highways) Council 1982 applies must be paid to the Southern Midlands Council unless carried out under the direct supervision of an approved practising professional civil engineer engaged by the owner and approved by the Council's Municipal Engineer. The fee must equal not less than three percent (3%) of the cost of the works.

### THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- C. The owner is advised that an engineering plan assessment and inspection fee of 1% of the value of the approved engineering works (minimum of \$300.00), or as otherwise specified in Council's Schedule of Fees, must be paid to Council prior to the approval of engineering plans.
- D. The issue of this permit does not ensure compliance with the provisions of the *Aboriginal Relics Act 1975*. If any aboriginal sites or relics are discovered on the land, stop work and immediately contact the Tasmanian Aboriginal Land Council and Aboriginal Heritage Unit of the Department of Tourism, Arts and the Environment. Further work may not be permitted until a permit is issued in accordance with the *Aboriginal Relics Act 1975*.
- E. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval unless the development for which the approval was given has been substantially commenced or extension of time has been granted. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development may be treated as a new application.

### CARRIED

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

**12.2 Subdivisions**

Nil.

**12.3 Municipal Seal (Planning Authority)**

Nil.

**12.4 Planning (Other)**

Nil.

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

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

### **13.1 Roads**

**Strategic Plan Reference 1.1**

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

Nil.

### **13.2 Bridges**

**Strategic Plan Reference 1.2**

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

Nil.

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

**Strategic Plan Reference 1.3**

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

Nil.

### **13.4 Lighting**

**Strategic Plan Reference 1.4**

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

Nil.

### **13.5 Buildings**

**Strategic Plan Reference 1.5**

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

Nil.

### **13.6 Sewers / Water**

**Strategic Plan Reference(s) 1.6**

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

Nil.

### **13.7 Drainage**

**Strategic Plan Reference 1.7**

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

Nil.

## **13.8 Waste**

**Strategic Plan Reference 1.8**

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

Nil.

## **13.9 Information, Communication Technology**

**Strategic Plan Reference 1.9**

*Improve access to modern communications infrastructure.*

Nil.

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

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

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

**Date:** 16 APRIL 2025

**Enclosure:**

*Capital Works Program Projected Timeline as at 31<sup>st</sup> March 2025*

#### **Roads Program**

Maintenance grading works will continue throughout the municipality.

Pot holes in both sealed and unsealed roads are being addressed as resources allow.

Culvert cleaning and drainage works are underway in various areas and will continue as weather permits.

#### **Current Capital Works**

Road reseal works have been completed on various roads.

Bagdad shared walkway works have commenced starting at the Bagdad Community Centre heading north and progressing well. These works will continue towards Iden Road from Chauncey Vale Road.

Tunbridge kerb and gutter replacement is programmed to commence in February.

Concrete removal and backfilling works have been completed at the Old Oatlands pool site.

#### **Parks and Reserves**

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

Grass growth is keeping mowing crews busy as well as weed growth.

#### **Bridge Works**

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

Major repair works have been completed on a bridge at Daniels Road, Lemont.

#### **Building Services Unit**

Maintenance works have been carried out on various council buildings and will continue.

A number of stone-masonry works are commencing shortly.

Melton Mowbray Park development works continue.

#### **Planned Works**

- Drainage and pavement repairs various roads;
- Undertake various bridge maintenance repairs;
- Continue footbridge/pathway works Bagdad;
- Commence construction works for Kempton-Mood Food Pathway;
- Continue Tunbridge kerb replacement works Main Road Tunbridge;
- Edge break repairs on various roads;
- Building maintenance works will continue;
- Commence footpath construction works Campania;
- Continue works at Melton Mowbray open space area.

## **Road Infrastructure Condition assessment 2025**

Council has received the latest road condition and re-valuation assessment report from Moloney Asset Management Company. The assessments are undertaken every 3 years and the following is a part of the executive summary.

*This report provides a summary of the major findings coming out of the condition survey of Southern Midlands Council's road assets undertaken by Moloney Asset Management Systems (MAMS) in Mar 2025.*

### **1.1 Major Findings**

1. *The road assets within Southern Midlands Council were generally found to be in "Very Good to Excellent" overall condition when benchmarked against all 72 councils assessed by Moloney.*
2. *Your performance since our last survey in 2022 has delivered a solid condition improvement across all asset classes.*
3. *The total present renewal shortfall or backlog of over intervention assets (OIA's) for the whole roads group is estimated at \$2,893,329 representing 3.34% of the total road asset valuation. This equates to 131% of the level of one full year's annual liability for the renewal of the assets and as such is considered to be within the "Very Good" Overall Condition range based on your retreatment intervention levels (see Appendix D - Figure D 1 for details). This condition rating relates only to the extent of OIA's.*
4. *When your overall condition in three above is based on our industry standard intervention levels your "Very Good" condition rating lifts one full ranking up to the "Excellent" level. You have a higher level of service than the average of all councils we have assessed, but it is generally in line with most Tasmanian councils that we have assessed.*
5. *The current planned future renewal funding level of \$1,825,000 pa for the road assets is considered to be at an appropriate total level for the next 5 - 10 years subject to normal CPI increases.*
6. *We developed a recommended funding strategy using the Moloney funding scenario finder that delivered a commencing total annual renewal demand of \$1,721,000 pa. This is predicted to result in a lowering of the extent of OIA's from their present level of 131% of the level of one year's annual liability (or consumption rate) down to 100% after 10 years.*
7. *The recommended funding level should be considered as an average figure over the next 5 – 10 years. It may vary year to year depending on project size and council priorities. It may also vary between the sub asset classes year to year.*
8. *Council has done a good job with the management of their road assets since our last survey in 2022. Your assets are ageing. But your targeting of major maintenance and renewal programs has been excellent, resulting in a general condition improvement across all asset classes (See Fig 2.1 below for more details).*
9. *The recommended funding strategy is just one available option. With all data now within the Moloney model, different funding scenarios can be examined quite easily. Council is encouraged to use the model to deliver a funding strategy that best meets their needs.*

10. *All financial reporting within this document is based in today's values with no allowance for any CPI movement. The Moloney software has the capacity to adjust all outputs for an adopted annual CPI increase at the touch of a button. But it is felt that reporting with CPI included can present some difficult to interpret results.*
11. *It is early days with the development of your unique degradation curves, but in line with most other Tasmanian councils that we have worked with we consider that you are understating your asset depreciation lives and it is recommended that you lift them by 15% and review them again following the next condition survey when the trend will be further and better understood*

## 2.1 Overall condition at Sub Asset level

This section provides a summary of the condition findings at road sub asset level for each of the sub assets that were inspected along with a description of how they have changed since the time of the last condition survey in Feb-22

### 2.1.2 Overall Condition Findings for road sub assets

Sub Asset Description	Indicator 1 - Overall Condition (Weighted Average Asset Condition)		Indicator 2 - Ext of poor Cond Assets (Just below the Intervention Level)		Indicator 3 - Ext of poor Cond Assets (At and above the Intervention Level)		Indicator 4 - Ext of Isolated Failures		Single Overall Condition Descriptor (Considering all 4 Indicators)
	Your Condition Descriptor	Change since last survey	Your Extent	Change since last survey	Your Extent	Change since last survey	Your Extent	Change since last survey	
<b>Sealed Rd Pavements</b>	Excellent	Strong Improvement	Extremely Low	Strong Improvement	Extremely Low	Very Strong Improvement	Very Low	Very Strong Improvement	<b>Excellent</b>
<b>Sealed Surfaces</b>	Very Good	Modest Improvement	Very Low	Considerable decline	Higher than average	Strong Improvement	N/A	N/A	<b>Good to Very Good</b>
<b>Unsealed Rd Pavements</b>	Very Good based on Pave Depth	Very Strong Improvement	Average Levels	Very Strong Improvement	Low levels	Very Strong Improvement	Extremely Low	Very Strong Improvement	<b>Very Good</b>
<b>Kerbs</b>	Excellent	Strong Improvement	Very Low	Strong Improvement	Extremely Low	Strong Improvement	Extremely Low	Strong Improvement	<b>Excellent</b>
<b>Footpaths</b>	Excellent	Strong Improvement	Very Low	Very Strong Improvement	Above Average	Very Strong Improvement	N/A	N/A	<b>Very Good to Excellent</b>
Single Overall Condition Rating for whole Road network									<b>Very Good to Excellent</b>

## QUESTIONS WITHOUT NOTICE TO MANAGER, INFRASTRUCTURE & WORKS

**Clr B Campbell** – Rhyndaston Road – sharp ‘drop-off’ area on Rhyndaston Road just over the railway line.

*Manager Infrastructure and Works to inspect and take appropriate action.*

**Clr B Campbell** – Woodsdale Road – reported some edge breaks in the section of Woodsdale Road between Whitefoord and Woodsdale.

*Manager Infrastructure and Works advised that repair works are scheduled.*

**Clr B Campbell** – Eldon Road – Tunnack end – questioned whose responsibility to remove the trees/stumps following recent clearance works?

*Manager Infrastructure and Works advised that this work was associated with a renewal of fence line by the property owner and it is their responsibility to clear.*



**Clr F Miller** – Protection of Trees – questioned what measures are in place to protect ‘significant’ trees?

*Manager Infrastructure and Works provided comment.*

**Clr F Miller** – questioned whether it was cheaper to maintain sealed or unsealed roads?

*Manager Infrastructure and Works confirmed that based on a total ‘life-cycle’ cost, gravel (unsealed) roads are cheaper to maintain.*

**Deputy Mayor K Dudgeon** – Nala Road – removal of trees within the road reservation – commended the Infrastructure & Works team following completion of the tree removal works on Nala Road. Really positive feedback received.

**Mayor E Batt** – Kempton to Mood Food Pathway – when will works commence?

*Manager Infrastructure and Works confirmed that work is scheduled to commence in two weeks.*

## RECOMMENDATION

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

## DECISION

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

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

## CARRIED

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

**ENCLOSURE**

*Agenda Item 13.10.1*

Capital Works Program 2024-2025 Projected Timelines  
as at 31 March 2025

Project	Total Project Cost (\$)	2024						2025					
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June
<b>Road Resheeting</b>													
Clifton Vale Road Resheeting	113,893												
<b>Road Resealing - Sealed Roads</b>													
Various Projects	596,787												
<b>Road Reconstruction &amp; Seal</b>													
Elderslie - Pelham Road (1km)	160,000												
Tunnack - Eldon Road (600m)	100,000												
York Plains - Vicinity of 'Handroyd' (800 m)	130,000												
Woodsdale - Woodsdale Road (2.4 kims) Cricket Ground towards Quarry	370,000												
Colebrook - Station Street (includes drainage)	25,000												
<b>Construct &amp; Seal (Unsealed Roads)</b>													
Oatlands - Bentwick Street	20,000	Deferred pending development application											
Oatlands - Interlaken Road	5,746,180												
<b>Junction / Road Realignment / Other</b>													
Sealed Road Edge Breaks - Woodsdale Road, Pelham Road, Inglewood Road, York Plains	300,000												
Andover - Nala Road Junction with Inglewood Road (Asphalt junction)	30,000												
Campania - Car Park Improvements	67,600												
Campania - Estate Road (vicinity Mallow property)	31,830												
Elderslie - Cliftonvale Road (Guard Rail) - 600 metres	90,000												
Lemont - Stonehouse Road (Realignment)	17,170												
Oatlands - Hasting Street Junction	15,000												
Oatlands - Stanley Street (from Midland Highway junction to Nelson Street)	35,000												
Oatlands - William Street (from Wellington Street towards Stanley Street)	13,500												
Tunbridge - Main Street (Kerb & Gutter Renewal)	40,000												
Tunnack - Link Road Landslip	25,000												
York Plains Road (vicinity of Rooney's Road) - Guard Rail - approx. 50 metres	7,250												
<b>Footpaths</b>													
Footpaths - General Streetscapes	40,000												
Bagdad - Midland Highway Pathway (Primary School north to Community Club)	240,000												
Bagdad - Midland Highway Pathway (north of Bagdad Community Club)	645,840												
Campania - Climie Street (Across Railway)	41,250												
Campania - Reeve Street (West - adjacent to Flour Mill Park)	100,209												
Campania - Reeve Street (East - Rec Ground entrance to Villeneuve Street)	51,158												
Campania - Reeve Street - Footpath through to Hall	30,000												
Campania - Reeve Street Bus Stop - All Access All Weather Bus Stop Upgrade Program	40,696												
Kempton - Burnett Street to Mood Food	425,565												

# Southern Midlands Council

Minutes – 23<sup>rd</sup> April 2025

Project	Total Project Cost (\$)	2024						2025					
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June
Oatlands - High Street Bus Stop - All Access All Weather Bus Stop Upgrade Program	28,300												
Oatlands - Stanley Street (High Street to Nelson - 280 metres - kerb & footpath)	75,000												
Oatlands - Campbell Street (scope of works expanded to include kerb/gutter)	85,000												
Oatlands - Church Street (Sth Parade to William St - north. side - Footpath - 130 m)	30,000	Deferred until completion of ambulance bay											
<b>Public Toilets</b>													
Oatlands - Callington Park	203,000												
<b>Stormwater Drainage</b>													
Stormwater System Management Plans (Urban Drainage Act 2013)	50,000												
Bagdad / Mangalore - Hydraulic Assessment (Flood Mapping)	221,460												
<b>Tourism</b>													
Oatlands - Heritage Interpretation Panel renewal	2,000												
<b>Heritage</b>													
Jericho - Memorial Avenue - Plaques	20,000												
Kempton - Memorial Avenue Park - Interps	19,545												
Melton Mowbray - Recognition plaque JH Bisdee VC OBE (DVA Grant)	8,480												
Oatlands - Callington Mill - Structural Repair & External painting	40,000												
Oatlands - Council Chambers - Internal Toilets & Access Upgrade	100,000												
Oatlands - Court House (Wall Stabilisation)	15,000												
Oatlands - Gaolers Residence (Chimney Capping & Fireplace Repairs)	5,000												
Oatlands Gaolers Residence (Wingwall)	23,000												
Oatlands - Heritage Buildings (Security Upgrades)	10,000												
Oatlands - Heritage Collections Store	10,000												
Oatlands - Roche Hall (Building Improvements)	90,000												
Oatlands - Roche Hall Forecourt (Interps - Planning Condition of Approval)	40,000												
Parattah - Railway Station - Shed for Gangers Trolley	2,000												
<b>Natural</b>													
Campania - Bush Reserve / Cemetery	300,000												
Chauncy Vale - Day Dawn Cottage Improvements	12,000												
Chauncy Vale - Toilet & Interps Upgrade (Election Commitment)	80,000												
<b>Cultural</b>													
Oatlands - Aquatic Centre (Forecourt - Art Installation)	20,000												
<b>Regulatory - Development</b>													
Master / Structure Plans (Bagdad / Mangalore / Campana)	50,000												
Property Purchase - 10 Barrack Street, Oatlands (Police Residence)	530,000												
Oatlands - Stanley Street Master Plan	20,000												
<b>Regulatory - Public Health</b>													
Oatlands - GP Accommodation Units	500,000												

# Southern Midlands Council

Minutes – 23<sup>rd</sup> April 2025

Project	Total Project Cost (\$)	2024						2025					
		July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June
<b>Animal Control</b>													
Oatlands - Off-Lead Dog Park	35,000	Deferred											
<b>Recreation</b>													
Bagdad - Bagdad Community Club (Precinct Plan)	25,000												
Bagdad - Iden Road Park Development	75,000	Deferred											
Broadmarsh - Broadmarsh Hall "The Haven"	1,747,054												
Campania - Justitia Court POS - Shelter Hut	16,000												
Campania - War Memorial Hall (External Repainting)	10,600												
Campania - Hall (External Repainting)	36,800												
Campania - Recreation Ground (Electronic Scoreboard)	47,875												
Campania - Recreation Ground (All abilities Car Parking)	26,750												
Campania - Recreation Ground (Ground Improvements - Landscaping & Tiered Seating)	270,000												
Campania - Recreation Ground (Upgrade Change rooms)	1,100,000												
Colebrook - Hall Improvements (Resurface Timber Flooring)	1,800												
Kempton - Recreation Ground (Irrigation)	60,000												
Kempton - Recreation Ground (Site Dev and Play Equipment)	24,250												
Kempton - Recreation Ground (Cricket Net, Basketball, Pickleball) Election Commit.	80,000												
Mangalore - Recreation Ground (Dust Remediation - Tree planting etc.)	5,000												
Melton Mowbray - Streetscape Works (Trough / Shelter etc)	60,000												
Oatlands - Aquatic Centre (Courtyard Development -Shelter / BBQ)	30,000												
Oatlands - Aquatic Centre (Reception - Sliding Counter Window)	6,000												
Oatlands - Aquatic Centre (Gymnasium - Mirror & Equipment)	16,400												
Oatlands - Gay Street, Hall (Air Lock & Heating)	30,000												
Oatlands - Midlands Community Centre (External Painting - Front of Building)	8,000												
Oatlands - Old Swimming Pool (Staged demolition)	200,000												
Woodsdale Recreation Ground	45,000												
<b>Legend</b>													
<b>Scheduled</b>		Infrastructure & Works						Heritage Projects					
<b>Completed</b>		Infrastructure & Works						Heritage Projects					

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

### **14.1 Residential**

**Strategic Plan Reference 2.1**

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

Nil.

### **14.2 Tourism**

**Strategic Plan Reference 2.2**

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

Nil.

### **14.3 Business**

**Strategic Plan Reference 2.3**

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

Nil.

### **14.4 Industry**

**Strategic Plan Reference 2.4**

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

Nil.

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

### **15.1 Heritage**

<b>Strategic Plan Reference – Page 22</b>
---

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

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

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

**Date:** 16 APRIL 2025

#### **ISSUE**

Report from the Heritage Projects Officer on various Southern Midlands Heritage Projects.

#### **DETAIL**

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

- Demolition of the former Oatlands Pool is complete, with the top of some archaeological structure revealed. A minor works application is being prepared for submission to the Tasmanian Heritage Council for further archaeological investigations to inform the update of the Oatlands Gaol Interpretation Plan;
- Works to the Melton Mowbray Park are progressing, with the retaining wall and fence complete and paving commenced. The Tasmanian Heritage Council have been asked for an update on the registration status prior to relocating the trough;
- Works to Roche Hall have commenced in preparation of the Performing Residencies in Southern Midlands program;
- Ongoing collaboration with the Royal Society for the upcoming exhibition to be held in Oatlands mid 2025;
- Ongoing collaboration with Architects Institute of Australia for the Open House Southern Midlands program;
- Finalisation of content for Jericho Avenue of Honour;
- Re-organisation of the Heritage Program social media presence via training from Arts Tas;
- Collaboration with the Heritage Highway Association for the proposed Hobart - Launceston heritage walking trail;
- Research into early colonial Oatlands for Tasmanian Historic Research Association publication and presentation;
- Continuing appearances on ABC 936 regarding the history of the Southern Midlands;
- Ongoing projects with volunteers Ruby Dano and Linda Clarke;
- Our current Artist in Residence is Warren Viewers;

- Deborah Baldwin has retired from the position of Heritage Collections, Exhibitions and Data Officer after 5.5 years in that role. She will continue as a volunteer for a day a week, with that position to be filled in the near future.

## **RECOMMENDATION**

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

## **DECISION**

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

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

## **CARRIED**

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

## 5.2 Natural

### Strategic Plan Reference – page 23/24

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

### 15.2.1 NRM Unit – General Report

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

**Date:** 14 APRIL 2025

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

#### DETAIL

- Maria continues to work on a few Lake Dulverton and Callington Park matters. A meeting is proposed for mid May between senior management of Parks & Wildlife and the Lake Dulverton & Callington Park Management Committee to progress some ongoing issues in relation to Lake Dulverton.
- Following on from final inspections in March, all Certificates of Completion have been now received for the toilet at Callington Park.
- Maria arranged for the Works Dept Supervisor and Council's Plumbing and Building inspector to visit the Mt Pleasant Recreation Ground building, following reports of sewerage smell problems randomly occurring. It was discovered that the old urinal, that would have been fitted many years ago, did not have a 's trap' fitted where you would normally expect one, thus allowing the smell problem to occur since the new change rooms were added to the building. With a change to the urinal waste outlet now planned, the problem should be rectified soon. In the mean time the urinal is not in use.
- Helen continues work in assisting David Richardson with waste facility matters.
- Helen and Maria attended the 2 day Changemaker Workshop which was held in Oatlands on 31<sup>st</sup> March and 1<sup>st</sup> April and was attended by about 30 others from around Tasmania. It was a workshop focusing on ways to help communities to adapt to change, skills to facilitate proposed change, and how to communicate change ideas. The workshop was funded by the Australian Government as part of the Drought Resilience initiative. It was a very informative workshop.
- Helen compiled a traffic counter report for Stutzer Street, as part of the preliminary analysis for the proposed town square in Oatlands.
- Helen processed the Southern Midlands Council claim for the financial year to date for inspection costs relating to the Drum Muster program.
- The 19 geese that were living at Lake Dulverton have been relocated to two new homes. Geese are considered as stock and are not permitted in the Conservation area.
- The Weeds Officer Mary report covers two months as there was no report last month.



## **Weeds Officer Report, Mary Smyth**

17th February 2025 - 15<sup>th</sup> April 2025 (Two months combined)

### **Enquiries/feedback**

Spent some time in discussions with the NRM team regarding a proposed subdivision at Bagdad (weed and native vegetation issues).

Assisted MW with background on Blackman River reserves and willows for a Tunbridge resident.

In response to an enquiry regarding a small patch of Spanish heath on a property at Levendale, I replied via return email, and put together a package of related information for the landowner. At his invitation, I delivered this package to him at the (very enjoyable) Woodsdale Fair on the 9<sup>th</sup> March.

A local weed contractor mentioned the Great mullein and Wild mignonette along Interlaken Road. Liaised with Council contractor Drew Jones to control these weeds (plus gorse and broom). All 119 of the Green nightshade discovered along Interlaken Road also controlled.

Compiled a package including a list of local native plants and revegetation suppliers for a Tunbridge resident.

### **Site visits**

Completed cumbungi control on Lake Dulverton with HG. Only 11 clumps with a total of 10 seed heads found and controlled. All clumps mapped with the Garmin. The final trip was HG in a kayak to mop up two small plants at Marys Island. A small patch of Tansy nearby also controlled.

Whilst at the Woodsdale Fair, checked out some previous roadside Spanish heath work (all plants dead). On that same afternoon, came across two new, isolated Spanish heath plants not far from the Spinning gum Forest Reserve. Follow-up planned.

Checked on 4 sites of cumbungi along and close to Interlaken Road; 1 site free, 1 site only a couple of plants remain, 1 site mostly free, and 1 site with plentiful regrowth. All seed heads removed and plants controlled. Another 4 sites north of Oatlands given the same treatment.

3 small flowering Alyssum plants and 14 small ragwort plants dug out on roadside of Interlaken Road.

Re-checked the site of a new infestation of serrated tussock on Estate Road, Campania: a couple of missed plants removed. A few more plants found further east. Adjacent landowners notified by mail to keep an eye out in their paddocks.

Another productive gorse and broom control effort along the Dulverton Track using the QuikSpray unit.

Checked out a suspected clump of cumbungi in the middle of Lake Dulverton near the public toilets: turned out to be Tall spike-sedge, a native.

Inspected the Stemless thistle infestation and noted that germinations this year are low and sparse. Interestingly, the total number of plants eradicated between mid-October 2023 and late November 2024 totalled 8754. This will make a big dent in the soil seed reserves of this high priority weed.

Follow-up waterings at Mangalore Recreation ground plus selective control of broadleaf weeds. No further seedlings have disappeared/died, and one of the Swamp gums is approaching 2m high!

Follow-up watering of last year's plantings on the mounds at the rear of Kempton oval were not so encouraging. The dry season has taken another couple of seedlings, and even some of the 2023 plantings are really struggling.

Dispatched the last two St John's wort plants growing in cracks in the bitumen on Little Plains Road.

### **Communication**

Submitted an article on the discovery of a couple of interesting new weeds on Interlaken Road published in the Southern Regional News, March edition.

Submitted an article on Sweetbriar to the Southern Midlands Regional Newsletter, April edition.

Forwarded an article on "Weeds on the Move" for the Ratepayers' Newsletter.

Received a phone call from Adam Muylt (formerly Invasive Grasses Project manager, now WAF co-ordinator) on the much-anticipated Weeds Action Fund, Stage 3 plans. Funding this round will be using a different delivery model, and will target specific "emerging" weeds. Watch this space.

Emailed the Tasmanian Platypus Conservation Group requesting information on whether there is any research on the effects of Cumbungi on platypus habitat.

Spoke to, and later emailed a local landholder regarding the ongoing Serrated tussock control works programme.

Finally received a reply from Property Services regarding Chilean needle grass adjacent the Coal River in reserve land. According to the fellow who rang me, there had been no one in the position for some time: that would explain my two unanswered emails and three phone calls where action was promised by the phone centre staff, but didn't eventuate. Contacted the property owner by the reserve and he has since heard from Property Services. Hopefully there will now be some action on this issue.

Attempting to secure contractor to undertake winter flupropanate application of Chilean needle grass along three Council roads to get on top of the more heavily infested areas. Adjoining landowners to be contacted to co-ordinate eradication efforts on their paddocks.

### **Research**

Researching the third active ingredient (Aminopyralid) in Grazon extra. This is a very good woody weed herbicide but it is considerably more expensive than a couple of other alternatives.

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

With input from MW and HG, completed the Landcare Tasmania Council survey.

Planted a couple of Banksias to replace those that had died in the old cattle yards near the Callington Park playground. Have gotten into the habit of watering and weeding the seedlings on my way home each Monday or Tuesday evening. All plants are thriving.

Inspected the Pound plants after the weeds had been brushcut by depot staff. A few seedlings need replacing, and follow-up work is required to fill in gaps.

Continue to check out the Tasmanian Weeds Facebook page regularly to look for interesting/local weeds and upcoming events.

## Weed of the Week

Teasel, Willow, and Wild mignonette, Cumbungi, English ivy, Prickly lettuce and Black-berry nightshade displayed in Oatlands front office.

After a comment about whether the displayed nightshade was Deadly nightshade or not, I produced an A4 page with photograph and description of Deadly nightshade (*Atropa belladonna*) and put this below the display. True Deadly nightshade is not found in Tasmania (and if you ever find any, let me know!).

## RECOMMENDATION

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

## DECISION

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

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

## CARRIED

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

### 15.3 Cultural

**Strategic Plan Reference 3.3**

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

Nil.

### 15.4 Regulatory (Development)

**Strategic Plan Reference 3.4**

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

Nil.

## 15.5 Regulatory (Public Health)

### Strategic Plan Reference 3.5

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

### 15.5.1 Woodsdale Cemetery – Management Committee Terms of Reference (and related issues)

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

**Date:** 15 APRIL 2025

**Enclosure(s):**

*Draft Terms of Reference*

*Interim Committee – Discussion Notes (Meeting held 19<sup>th</sup> February 2025)*

*Interim Committee – Discussion Notes (Meeting held 9<sup>th</sup> April 2025)*

### ISSUE

Council to consider:

- a) the draft Terms of Reference for the Woodsdale Cemetery Management Committee;  
and
- b) the recommended fee schedule for the Woodsdale Cemetery.

### BACKGROUND

In September 2024, the Department of Premier and Cabinet provided formal confirmation that the Southern Midlands Council as a body corporate has been approved to manage the Woodsdale Cemetery in accordance with the *Burial and Cremation Act 2019*.

Subsequent to that approval, Council has completed the Notice of transfer of cemetery ownership from(s) and has complied with all the advertising and notification requirements. Whilst the introduction of a community based Management Committee formed part of Council's decision and preparedness to take ownership, it has been necessary to amend the actual role of the Committee due to the additional responsibilities imposed by the *Burial and Cremation Act 2019* (i.e. the obligations which are placed on Council (i.e. General Manager) as the Cemetery Manager).

### DETAIL

Pending formal adoption of the Terms of Reference for the Management Committee, an Interim Committee has met on two occasions and the notes from those meetings are enclosed.

In reference to the latter meeting held 9<sup>th</sup> April 2025, the Interim Committee has provided input into the final draft of the Terms of Reference and they are submitted to Council for formal consideration and approval.

In addition, the Interim Committee has:

- a) Been briefed and provided with copies of the new Policies and template applications forms that have been prepared for the Woodsdale Cemetery;
- b) Determined a process for managing enquiries and reservations; and
- c) Considered a schedule of fees for referral to Council (acknowledging that legal advice has been sought in terms of being able to vary the fees that are imposed).

**Terms of Reference:**

Additional comment:

- The interim Committee agreed that the Committee should consist of the Council appointed Chair (Deputy Mayor Karen Dudgeon); the seven persons present with one vacancy. At the suggestion of those present, the aim is to identify and recruit a 'younger person'. This would mean a total of 9 persons, with a quorum of 5.
- No set (or maximum) term for Committee members and in the event of vacancies an expression of interest process will be initiated
- The Terms of Reference will include a provision relating to termination of Committee members as a safeguard measure

**Terms of Reference:**

Additional comment:

In regard to the current fees at the Campania Cemetery they are as follows:

- Reserved Cemetery Plot - \$2,100 (incl. GST)
- Wall of Remembrance - \$260 (incl. GST)

The interim Committee submits the following recommendation which is obviously influenced by past practices:

- a) Reserved Cemetery Plot – to be identical to the Campania Cemetery (i.e. currently \$2,100- incl. GST) unless the following applies:
  - If the person resides in either the Levendale, Runnymede, Whitefoord or Woodsdale districts (the property address and district nominated on the application to be verified based on Council's Property & Rates system), then a donation is to be made at the time that the Plot is reserved (with a minimum donation of \$250 being required); or
  - If the person does not live within the above districts, and provides evidence that there is an existing family member in the Cemetery, then a donation is to be made at the time that the Plot is reserved (with a minimum donation of \$250 being required).
- b) Wall of Remembrance - to be identical to the Campania Cemetery (i.e. currently \$260 - incl. GST) unless the following applies:
  - If the person resides in either the Levendale, Runnymede, Whitefoord or Woodsdale districts (the property address and district nominated on the application to be verified based on Council's Property & Rates system), then a

donation is to be made at the time that the Niche is reserved (with a minimum donation of \$150 being required);

- If the person does not live within the above districts, and provides evidence that there is an existing family member in the Cemetery, then a donation is to be made at the time that the Niche is reserved (with a minimum donation of \$150).

Notes:

- i) If there is any doubt regarding a person's eligibility for the reduced fee, then the application is to be referred to the Management Committee for decision (or a delegation of at least three members of the Committee in a situation where there is a limited timeframe to make a determination regarding the fee that is to be applied).
- ii) If a person's application for a Reserved Cemetery Plot or reservation in the Wall of Remembrance is approved and the full fee applies, this does not enable any subsequent persons to claim the reduction in fee based on them having an existing family member interred in the Cemetery.
- iii) If a person is experiencing financial hardship, then an application for a reduction in the fee can be submitted to Council for consideration in accordance with its 'Financial Hardship Assistance Policy'.

**Human Resources & Financial Implications** – refer detail provided.

**Community Consultation & Public Relations Implications** – Recommendation(s) based on input and comment provided by the community based interim Committee.

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

**RECOMMENDATION**

**THAT:**

- a) In accordance with section 24(1) of the *Local Government Act 1993*, Council confirm the establishment of the Woodsdale Cemetery Management Committee and approve the Terms of Reference (enclosed);
- b) In accordance with section 24(2) of the *Local Government Act 1993*, Council appoint the following persons to the Management Committee:

**Council Representative:** Deputy Mayor Karen Dudgeon (Chair)

**Community Representatives:** Julie Bellette, Kate Bourne, Lynette Browning, Gerald Crawford, Yvonne Crawford, Adrian Dare and Ron Scott (with one vacancy).

- c) In accordance with section 205 of the *Local Government Act 1993*, Council impose the schedule of fees as recommended by the interim Management Committee (as detailed in the report).

## DECISION

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

- a) **THAT** In accordance with section 24(1) of the *Local Government Act 1993*, Council confirm the establishment of the Woodsdale Cemetery Management Committee and approve the Terms of Reference (enclosed);
- b) In accordance with section 24(2) of the *Local Government Act 1993*, Council appoint the following persons to the Management Committee:

**Council Representative:** Deputy Mayor Karen Dudgeon (Chair)

**Community Representatives:** Julie Bellette, Kate Bourne, Lynette Browning, Gerald Crawford, Yvonne Crawford, Adrian Dare and Ron Scott (with one vacancy).

- c) In accordance with section 205 of the *Local Government Act 1993*, Council impose the schedule of fees as recommended by the interim Management Committee (as detailed in the report).

## CARRIED

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



**ENCLOSURE 1**  
*Agenda Item 15.5.1*

## **TERMS OF REFERENCE WOODSDALE CEMETERY MANAGEMENT COMMITTEE**

Established as a Special Committee by the Southern Midlands Council under the provisions of Section 24 of the *Local Government Act 1993*.

### **1. INTERPRETATION**

In these Terms of Reference unless otherwise stated:-

**"The Council"** shall mean the elected Council of the Southern Midlands.

**"The Committee"** shall mean the Committee of Management of the Woodsdale Cemetery appointed by the Council.

**"The Property"** shall mean the Council property known as the Woodsdale Cemetery, situated at 2003 Woodsdale Road, Woodsdale (PID 5840316).

### **2. OBJECTS**

The objects of the Committee shall be:-

- (a) To provide advice and recommendations to Council as the Cemetery Manager, particularly in relation to any site improvements that can be considered as part of the Council budget process;
- (b) To provide advice and recommendations to Council as the Cemetery Manager should any issues arise or be referred to the Committee for consideration; and
- (c) To develop, upgrade and maintain the property and its facilities.

### **3. POWERS AND OBLIGATIONS**

The Council has appointed the Committee for the purposes of assisting Council to manage the property and in order to achieve the objects outlined above empowers and obliges the Committee as follows:-

- (a) To expend funds towards the development, enhancement, day-to-day maintenance and operations of the property (within the allocated budget);
- (b) The Committee may not hire staff for the purpose of caretaking and maintaining the property, but may engage contractors for this purpose after consultation and in accordance with the directions of the Council's General Manager.
- (c) All fixtures, fittings, equipment and appliances provided with or for the property by Council or donated by any party or purchased by the Committee shall be and remain the property of Council;
- (d) The Committee will maintain a comprehensive inventory of all assets included under Clause (g). A copy of this inventory shall accompany the Annual Financial Statements for presentation to the Council (refer Clause 11.).
- (e) No equipment or appliances shall be sold without a formal resolution by the Committee, which is to be subsequently endorsed by Council prior to the equipment or appliance being sold. The items shall be offered for sale through tender or auction, alternatively through a method of disposal approved by the Council.

#### **4. COMMITTEE & OFFICE BEARERS**

- (a) The Committee shall be comprised of the following:
  - i) One representative of Council as determined from time to time by Council; and
  - ii) At least eight community representatives as determined from time to time by Council.
- (b) The Council representative is the appointed chair of the Committee, and the Committee shall appoint the following Office Bearers, with all members being eligible for nomination.
  - Vice Chairperson; and
  - Secretary.

The Office Bearers shall be appointed at the inaugural meeting of the Committee, and shall hold office until otherwise determined by the Committee.

#### **5. DUTIES OF OFFICE BEARERS**

The duties of the Office Bearers shall include:

##### **CHAIRPERSON**

The Chairperson may chair all meetings of the Committee.

The Chairperson shall instigate policy initiatives in consultation with the Council. The Chairperson shall issue all public statements on behalf of the Committee after first referring such statements to the Council for the Council's consent.

The Chairperson shall submit a report on the maintenance / upgrade needs of the property to Council's Facilities & Recreation Committee by no later than 30<sup>th</sup> April, each year.

##### **VICE CHAIRPERSON**

The Vice Chairperson shall chair meetings of the Committee should the Chairperson be absent or should the Chairperson choose not to chair that meeting.

##### **SECRETARY**

The Secretary shall keep the minutes of all meetings of the Committee.

The Secretary shall forward a copy of all minutes to Council for information and endorsement of recommendations where appropriate. The Secretary shall be responsible for correspondence and any other duties as delegated by the Committee.

##### **GENERAL MEMBER**

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

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

- (a) Any person elected to the position of office bearer in the Committee shall hold office until a decision is made by the Committee to elect a successor.
- (b) The Committee may seek to expel any member of the Committee whose conduct in the opinion of the Committee or the Council is discreditable or injurious to the character or interests of the Committee and the Council.

- (c) Where the Committee has made a determination under b) the Committee shall report its finding to the Council together with its recommended course of action. The Council's decision on the report shall be final.
- (d) The position of any elected Office Bearer shall be automatically deemed vacant if that person is absent without leave of absence for three (3) consecutive Committee Meetings.
- (e) Any member may resign from the Committee. Such resignations must be in writing and forwarded to the Secretary.

## **7. ORGANISATIONAL STRUCTURE**

### **(a) COMMITTEE**

There is not set (or maximum) term for Committee members and in the event of any vacancies, an expression of interest process will be initiated.

All members of the Committee specified in Clause 4 of this Constitution may vote at Committee Meetings.

### **(b) SUBCOMMITTEES**

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

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

A quorum shall comprise at least 50% of the members and shall include the Convenor.

A Subcommittee shall not be authorised to expend funds on behalf of the Committee.

## **8. MEETINGS**

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

- i) The Committee shall meet at least twice each financial year unless otherwise determined for the purpose of:-
  - Confirming the minutes of the previous meeting;
  - Correspondence; and
  - General Business.
- ii) A quorum of the Committee shall consist of five members;
- iii) The Committee shall have power to adjourn and otherwise regulate its meetings as it deems fit. Any four members shall have the power to call a meeting of the Committee. The Chairperson of the Committee shall take the chair at all such meetings. Should the Chairperson not be present then the Vice Chairperson shall take the chair. In the absence of the Vice Chairperson the Committee shall elect one of its number to take the chair;
- v) All notices of Committee meetings shall unless extreme urgency arises, be in writing to members at least seven days prior to the date of such meeting.

## **11. FINANCE**

- (a) At commencement, the existing balance in the Woodsdale Cemetery Trust Account will be transferred to the Southern Midlands Council which will be accounted for separately in Council's financial system.

- (b) The Southern Midlands Council will retain responsibility for management and expenditure of these funds, including the annual expenditure budget to be allocated by Council.
- (c) The Southern Midlands Council will receive all future income relating to the property, including burial and wall of remembrance fees;
- (d) Any monies raised by, for or otherwise on behalf of the Committee (including Subcommittees) shall be used solely for the property needs and shall be deposited in the Southern Midlands Council's Bank Account.
- (e) A financial report, prepared by the Council, will be submitted to each Management Committee meeting.
- (f) Management Committees are strictly prohibited from borrowing funds from any source.

## **12. TERMS OF REFERENCE**

Any proposed changes to these Terms of Reference that may be identified by the Committee and recommended to Council or consideration and approval.

**ENCLOSURE 2**  
*Agenda Item 15.5.1*

**Woodsdale Cemetery Interim Management Committee**  
**Minutes of the Meeting held on Wednesday 19<sup>th</sup> February 2025**  
**commencing at 3.00 p.m.**

**MINUTES**

**1. Present:**

Deputy Mayor Karen Dudgeon (Chair), Ron Scott, Kate Bourne, Gerald Crawford, Yvonne Crawford, Adrian Dare, Julie Bellette and Lynette Browning.

**2. Apologies**

Nil.

**3. Business:**

**3.1 Introduction – Background**

A Community Meeting was held at the Woodsdale Community Hall in February 2021. At this time it was thought the transfer of ownership arrangements had nearly been completed and it was timely to consider the establishment of the Woodsdale Cemetery Management Committee. The introduction of a community based Management Committee formed part of Council's decision and preparedness to take ownership.

At the conclusion of the meeting, contact details were obtained from those that expressed an interest in being a member of the Management Committee. These being the persons invited to this meeting.

The entire process was then delayed due to significant amendments to the *Burial and Cremation Act 2019*.

A new 'Agreement for Sale' had to be entered into with the Crown (as the Cemetery owner) and this new agreement required the Crown to satisfy all the requirements specified in the Act prior to 'sale' of the property. This included the preparation and submission of all the relevant Certificates of compliance to the Regulator and approval.

At the conclusion of this process, the Southern Midlands Council was then required to obtain approval to be appointed as the Cemetery Manager.

In September 2024, the Department of Premier and Cabinet provided formal confirmation that the Southern Midlands Council as a body corporate has been approved to manage the Woodsdale Cemetery in accordance with the *Burial and Cremation Act 2019*.

Subsequent to that approval, Council has completed the Notice of transfer of cemetery ownership from(s) and has complied with all the advertising and notification requirements.

As part of the application and approval process, Council was required to prepare (or review) all the related documentation, and a copy of the following is provided for the Committee's information:

1. Cemeteries Management Policy
2. Woodsdale Cemetery Management Program
3. Application for Reservation
4. Application for an Interment (Burial)
5. Application for an Interment (Wall of Remembrance)
6. Application for Installation / Alteration of a Monument

This part of the meeting will also include a discussion relating to:

- a) the process of managing enquiries and reservations etc.
- b) what are the current restrictions (in terms of who can be buried etc.) and can these be maintained? There may be a need to seek further advice?
- c) Current financial arrangements, and associated with the above dot point, what options we may need to consider going forward?

**Notes from the Meeting:**

Managing enquiries and reservations – can be directed to Adrian Dare who will communicate with the person wishing to submit an 'Application for Interment' and allocate the Plot number. The Application will then be immediately submitted to Council to record in the Register and provide the required Certificate etc. This bypasses the need for Rachael Barwick (Council officer responsible for the Cemetery records) to contact Adrian to provide the Burial Plot number or Wall of Remembrance Niche number.

Burials - Current restrictions etc. – further advice to be obtained however the current practice primarily enables a 'local' or a 'person with local connections' to be interred at the Cemetery. It was acknowledged that there is no actual definition of 'local' and further consideration is to be given to this by the Committee.

It was also acknowledged that:

- The restriction in terms of who can be interred requires further legal advice to determine whether this is permissible.
- Given the cost of burial plots at other cemeteries, and the likelihood that this will increase, this may result in further enquiries being received from 'non-locals'. This is particularly relevant in the absence of a reasonable charge.
- Can variable charges apply for 'locals' and 'non-locals' – to be considered
- It was suggested that the current system be retained for a certain period (not confirmed) following which charges would be introduced. The relevant charges being identical to the Campania Cemetery.

### 3.2 Woodsdale Cemetery Management Committee

The Woodsdale Cemetery Management Committee is to be established as a Special Committee of Council under the provisions of section 24 of the *Local Government Act 1993*.

When establishing a Special Committee the Council is required to adopt Terms of Reference (basically a Constitution) and provide to the Committee.

Whilst a draft Constitution was submitted to the Community Meeting held in February 2021, it requires a major re-write as the terms of reference are inconsistent with the requirements of the *Burial and Cremation Act 2019* and the obligations which are placed on Council (i.e. General Manager) as the Cemetery Manager.

The main focus of this Meeting is to discuss and develop some agreed Terms of Reference that will work for all interested parties.

In order to prepare a revised draft, consideration needs to be given to the following (and any other issues or questions that may arise):

1. Objectives of the Committee
2. Powers and obligations of the Committee
3. Committee numbers and Office Bearers (including confirming of interest from attendees)
4. The Term (if any) for Committee Members
5. Meetings – Frequency
6. Need for any Sub-Committee(s) provision?
7. Meeting Quorum and business to be considered
8. Finance procedures

#### Notes from the Meeting:

- Objectives of the Committee basically limited to:
  - o providing advice and recommendations to Council as the Cemetery Manager, particularly any site improvements that can be considered as part of the Council budget process
  - o provide advice and recommendations to Council should any other issues arise or be referred to the Committee; and
  - o Undertake site maintenance activities as required.
- Power and Obligations – no set powers
- Committee structure – all persons present confirmed their interest in being a member of the Committee. It was agreed that the Committee would consist of the Council appointed Chair (Deputy Mayor Karen Dudgeon); the seven persons present with one vacancy. At the suggestion of those present, the aim is to identify and recruit a 'younger person'. This would mean a total of 9 persons, with a quorum of 5.

- No set (or maximum) term for Committee members and in the event of vacancies an expression of interest process will be initiated
- The Terms of Reference will include a provision relating to termination of Committee members as a safeguard measure
- Finances – current Woodsdale Cemetery Trust Account balance (amount to be confirmed) to be transferred to the Southern Midlands Council and this will be separately accounted for within Council's financial system
- Committee to be provided with a financial report at each meeting which would include current balance; any income; and any expenses incurred against the Council allocated budget.

#### **4. Other Business:**

##### **4.1 Noticeboard**

It was suggested and agreed that a Notice Board be installed in the Cemetery where a Map of the site can be placed to indicate plots and the name of persons interred. It would be a low structure that people can view from top and bottom as some of the names on the Map are printed upside down.

##### **4.2 Working Bee**

It was acknowledged that two working bees are generally held each year – just prior to Easter and Christmas. Arrangements are being made for the Easter clean-up.

#### **5. Closure / Next Meeting**

Meeting closed at 4.40 p.m.

Next meeting scheduled for early April 2025 – date to be confirmed. Afternoon meetings preferable.



**ENCLOSURE 3**  
*Agenda Item 15.5.1*

**Woodsdale Cemetery Interim Management Committee**  
**Minutes of the Meeting held on Wednesday 9<sup>th</sup> April 2025**  
**commencing at 2.00 p.m.**

**MINUTES**

**1. Present**

Deputy Mayor Karen Dudgeon (Chair), Ron Scott, Gerald Crawford, Adrian Dare, Julie Bellette and Lynette Browning.

**2. Apologies**

Kate Bourne and Yvonne Crawford

**3. Confirmation of Minutes**

**Attachment(s):**  
*Committee Meeting Meetings – 19<sup>th</sup> February 2025*

Refer to the attached Minutes of the Meeting held 19<sup>th</sup> February 2025.

**RECOMMENDATION**

**THAT the Minutes of the Meeting held 19<sup>th</sup> February 2025 be confirmed.**

**DECISION**

**RESOLVED THAT the Minutes of the Meeting held 19<sup>th</sup> February 2025 be confirmed.**

**4. Business Arising from the Minutes**

**4.1 Burials – Current Restrictions etc.**

At the previous meeting it was noted that further advice was to be sought in terms of whether:

- a) the current practice of enabling only a 'local' or a 'person with local connections' to be interred at the Cemetery (at no charge) was permissible?
- b) it is possible to exclude a person if they do not satisfy the above criteria (acknowledging that there is no actual definition of 'local' and further consideration is to be given to this by the Committee); and
- c) depending on the above, can variable charges apply for 'locals' and 'non-locals'?

It was acknowledged that given the cost of burial plots at other cemeteries, and the likelihood that this will increase, this may result in further enquiries being received from 'non-locals'. This is particularly relevant in the absence of a reasonable charge.

It was suggested that the current system be retained for a certain period (not confirmed) following which charges would be introduced. The relevant charges being identical to the Campania Cemetery.

Update:

The following is an extract from the advice received from Abetz Curtis:

*"You have instructed us that Southern Midlands Council ('**Council**') has recently purchased and become the cemetery manager of Woodsdale Cemetery ('**the Cemetery**')."*

*You have requested our advice in relation to the following queries:*

- *Can Council allow only 'local' persons to be interred at the Cemetery?*
- *Can Council exclude non-local persons from being interred at the Cemetery?*
- *Can Council set variable charges depending on whether a person is a 'local' or not?*

*We note that the first and second queries are essentially the same questions given that if non-local persons are excluded then only locals could be interred at the Cemetery. Therefore, we have redrafted the queries as follows:*

1. *Can Council exclude non-local persons from being interred at the Cemetery?*
2. *Can Council set variable burial charges depending on whether a person is a 'local' or not?*

---

*In short, our advice is:*

1. **Yes**, Council can exclude non-local persons from being interred at the Cemetery. The reasons for this are as follows:
  - a. Under regulation 30 of the Burial and Cremation Regulations 2015 ('**the Burial Regulations**'), the cemetery manager (i.e. Council) may refuse to grant permission to inter human remains in the Cemetery, subject to provide reasons for the refusal in writing.
  - b. Under the Anti-Discrimination Act 1998 (Tas) ('**Anti-Discrimination Act**'), a person can only initiate an anti-discrimination claim if they have been discriminated on a 'ground of attribute' (i.e. race, age, gender etc.). We note that geographical location is **not** a prescribed ground of attribute. Therefore, there is no risk of Council being subject to a discrimination claim if it were to exclude non-local persons from being interred at the Cemetery.
2. **Yes**, Council can set variable charges depending on whether a person is a 'local' or not. There are no provisions in the Burial Regulations or the Burial and Cremation Act 2019 ('**Burial Act**') that prohibits Council from setting differing fees based on whether a person is a 'local' or not. Rather, we note that the practice of variable fees has been adopted by several Councils in Tasmania who set different fees depending on whether the person was a resident or ratepayer of the municipality.

In regard to the current fees at the Campania Cemetery they are as follows:

- Reserved Cemetery Plot - \$2,100 (incl. GST)
- Wall of Remembrance - \$260 (incl. GST)

Submitted for discussion and to prepare a recommendation to Council.

**DECISION**

RESOLVED THAT:

- a) the information be received;
- b) noting the advice provided by Abetz Curtis, then the following recommendation relating to fees for the Woodsdale Cemetery be submitted to Council for consideration:
  - c) Reserved Cemetery Plot – to be identical to the Campania Cemetery (i.e. currently \$2,100- incl. GST) unless the following applies:
    - If the person resides in either the Levendale, Runnymede, Whitefoord or Woodsdale districts (the property address and district nominated on the application to be verified based on Council's Property & Rates system), then a donation is to be made at the time that the Plot is reserved (with a minimum donation of \$250 being required); or
    - If the person does not live within the above districts, and provides evidence that there is an existing family member in the Cemetery, then a donation is to be made at the time that the Plot is reserved (with a minimum donation of \$250 being required).
  - d) Wall of Remembrance - to be identical to the Campania Cemetery (i.e. currently \$260 - incl. GST) unless the following applies:
    - If the person resides in either the Levendale, Runnymede, Whitefoord or Woodsdale districts (the property address and district nominated on the application to be verified based on Council's Property & Rates system), then a donation is to be made at the time that the Niche is reserved (with a minimum donation of \$150 being required);
    - If the person does not live within the above districts, and provides evidence that there is an existing family member in the Cemetery, then a donation is to be made at the time that the Niche is reserved (with a minimum donation of \$150).

Note:

- i) If there is any doubt regarding a person's eligibility for the reduced fee, then the application is to be referred to the Management Committee for decision (or a delegation of at least three members of the Committee in a situation where there is a limited timeframe to make a determination regarding the fee that is to be applied).
- ii) If a person's application for a Reserved Cemetery Plot or reservation in the Wall of Remembrance is approved and the full fee applies, this does not enable any subsequent persons to claim the reduction in fee based on them having an existing family member interred in the Cemetery.
- iii) If a person is experiencing financial hardship, then an application for a reduction in the fee can be submitted to Council for consideration in accordance with its 'Financial Hardship Assistance Policy'.

#### **4.2 Woodsdale Cemetery Management Committee – Terms of Reference**

As reported to the previous meeting, the Woodsdale Cemetery Management Committee is to be established as a Special Committee of Council under the provisions of section 24 of the *Local Government Act 1993*.

When establishing a Special Committee the Council is required to adopt Terms of Reference (basically a Constitution) and provide to the Committee.

Revised Terms of Reference have been drafted based on the outcome of the discussions at the last meeting and is submitted for review.

Following approval by the Committee, the Terms of Reference will then to be submitted to Council for confirmation.

#### **DECISION**

RESOLVED THAT the Terms of Reference (as presented) be referred to Council for approval.

### 4.3 Noticeboard

It was suggested and agreed that a Notice Board be installed in the Cemetery where a Map of the site can be placed to indicate plots and the name of persons interred. It would be a low structure that people can view from top and bottom as some of the names on the Map are printed upside down.

#### Update:

Refer attached concept plan which can be adapted to size. Confirmation is sought of the proposed concept.

#### Outcome of Discussion:

- Adrian Dare to confirm the size of the Cemetery Plan to be displayed in the Cabinet which will determine the final dimensions of the cabinet (thought to be approx. 1.2 metres x 1 metre) .
- The height to be reduced so that the cabinet is only 750 mm above ground level.
- The design be amended so that the cabinet is supported by a single steel post (as opposed to two posts) and, depending on size, supported as required.

## 5. Other Business

### 5.1 Finance Report

Opening Balance	Amount	Totals
As at 1/7/24		\$0
Council Allocated Budget		\$0
<b>Cemetery Income</b>		
Memorial Wall (E Plummer)	\$250.00	
<b>Income – Sub Total</b>		<b>\$250.00</b>
<b>Expenses – Sub Total</b>		<b>\$0</b>
Abetz Curtis – Legal Fees (Property Transfer etc.)	(\$2,344.97)	
Advertising Costs	(\$918.95)	
Council Labour & On-costs	(\$402.51)	
Gravel Supplies	(\$112.00)	
DPAC – Application Fee (Cemetery Manager)	(\$213.60)	
<b>Cemetery Expenses</b>		<b>(\$3,992.03)</b>
<b>Closing Balance</b>		<b>(\$3,742.03)</b>

#### **DECISION**

RESOLVED THAT the information be received, noting that the funds contained in the existing Bank Account are to be transferred to Council.

**5.2 Wall of Remembrance**

Adrian Dare to proceed and obtain a quotation for the supply and installation of a new prefabricated Wall of Remembrance. To be referred to the next Committee meeting.

**5.3 Working Bee (Saturday 12<sup>th</sup> April 2025)**

It was acknowledged that a working bee has been arranged for Saturday 12<sup>th</sup> April 2025. Mr Dare was provided with Volunteer Registration Forms that are to be completed and signed by the volunteers that participate.

**6. Closure / Next Meeting**

Meeting closed at 2.55 p.m.

Next meeting scheduled for October 2025 – date to be confirmed. Tuesday afternoons preferable (not Royal Hobart Show week).

## 15.6 Regulatory (Animals)

### Strategic Plan Reference 3.6

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

### 15.6.1 Animal Management Report

**Author:** ANIMAL MANAGEMENT OFFICER (RACHEL COLLIS)

**Date:** 14 APRIL 2025

**Enclosure:**

*Animal Management Statement 2025*

### ISSUE

Consideration of the Animal Management/Compliance Officer's report for April 2025

The purpose of the report is twofold:

1. To inform Council and the Community of infringements issued by Council Officers in relation to Animal Management for the period April; *and*
2. Provide a brief summary of actions and duties undertaken by Council Officers in relation to animal management.

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

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

### Resource Sharing

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

### INFRINGEMENT DETAILS:

Dog at large – Oatlands area

### ATTACK DETAILS:



**ENCLOSURE**  
*Agenda Item 15.6.1*

**YTD ANIMAL MANAGEMENT STATEMENT**  
**2025**

<b>DOG IMPOUNDS</b>	<b>RECLAIMED</b>	<b>ADOPTED/DOGS HOME</b>	<b>EUTHANISED</b>	<b>OTHER IMPOUNDS</b>
10	3	6	1	

**JOBS ATTENDED**  
**April 2025**

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

**REGISTERED DOGS:** 1759  
**KENNEL LICENCES:** 67  
**INFRINGEMENTS ISSUED:** 1

**RECOMMENDATION:**

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

**DECISION**

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

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

**CARRIED**

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

## **15.6.2 Dogs Home of Tasmania – Proposed Changes and Fee Structure for Pound Services**

**Author:** ANIMAL CONTROL OFFICER (RACHEL COLLIS)

**Authorised by:** MANAGER DEVELOPMENT & ENVIRONMENTAL SERVICES  
(GRANT FINN)

**Date:** 15 APRIL 2025

### **Enclosure(s)**

*Dogs Home of Tasmania - Correspondence dated 20 February 2025*

## **ISSUE**

The purpose of this report is to inform Council of the significant increase in fees proposed by the Dogs' Home of Tasmania (DHoT).

The proposed increase will see fees rising from around \$200 per year to potentially \$7,200 per year.

It is also important to assess the potential implications on Council operations and budget.

## **BACKGROUND**

Council has worked in partnership with the Dogs' Home of Tasmania to manage stray and impounded dogs for over 10 years. To date this has proven to be an effective working relationship.

As a not for profit charity, the DHoT have for more than 70 years been dedicated to the care and welfare of Tasmania's dogs.

As the state's largest canine welfare organisation, they reunite lost dogs with their families, find new homes for unwanted dogs, and provide care and medical treatment to all dogs in need.

As part of their core operations, they serve as a Pound for surrounding Councils, working closely with them to provide these facilities. In addition they also offer:

Advocacy for the interests of dogs and their owners through active lobbying, campaigning, and education.

Foster care for dogs needing medical or behavioural support before adoption.

Rehabilitation, care, and rehoming of ex-racing Greyhounds.

Support to other animal welfare organisations by providing shelter for their excess demand.

It is important to note that DHoT do not receive any Government funding and rely entirely on our services and the charity of our dog-loving community for support. As such, their fundraising efforts are vital to its survival.

## PROPOSAL

The annual fee currently charged for these services is \$55 per dog, irrespective of the number of the days held.

However, the DHoT has advised the proposed new fees will increase substantially to either a \$7,200 per year fixed fee, or a \$68 per-dog per-day fee. A copy of this correspondence is attached as an enclosure.

The purpose of this report is for Council to resolve and determine the appropriate payment option based on the following information.

Below is a breakdown of the proposed new charges which is based on number of dogs taken to the DHoT in the 23/24 financial year. This includes both the length of stay and the average cost per day.

Number of dogs received:	5
Number of days stayed:	78
Per-dog-per-day option:	\$5,304 (which is 78 days x \$68 per day)

### Proposed Annual cost to Council

Fixed fee option: \$7,200 or \$600 per month

Understandably the DHoT strongly recommend that Council adopts the fix annual fee model.

### Comments:

#### Option 1: Fixed Annual Fee - \$7,200 per year

- A set fee regardless of the number of dogs taken to the Dogs' Home
- If Council impounds a larger number of dogs this option will be more cost effective
- If Council impounds are low, Council may be overpaying for the service
- Easier to budget

#### Option 2: \$68 Per-Dog Per-Day

- Council only pay for the dogs that are taken to the DHoT
- If dogs are held for a long time, costs could exceed the fixed fee option.  
e.g. The per-dog daily rate (\$68 per day) could result in a total annual cost of \$26,520 if all 5 days were kept for the average 78 days.

## FUTURE OPTIONS TO CONSIDER

Given the significant cost increase, it is recommended that Council:

- Negotiate fees with the DHoT
- Investigate rehoming more dogs ourselves
- Partnership with Central Highlands Council and/or other adjoining LGAs
- Increase Council's impound fees, which might make it too expensive for owners to reclaim their dogs, resulting in more unclaimed dogs left in the pound

- Possibility for Council to introduce a new fee where it has the ability to cost recover DHoT fees from owner upon successful reunion, or sale of animal through DHoT.

The DHoT proposed fee increase from around \$200 to \$7,200 per year is a significant increase and represents a substantial financial challenge for Council. A proactive approach is required to explore alternative solutions, and ensure the continued effective management of stray and impounded dogs.

**RECOMMENDATION:**

**THAT:**

- a) the report be received and information noted;
- b) Council further negotiate with the Dogs Home of Tasmania but with the intent of entering into a one-year trial agreement at a fixed fee (no greater than \$7,200); and
- c) Council officers proceed to investigate the other options that are detailed in this report during this one-year trial period.

**DECISION**

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

**THAT a decision on this Item be deferred to allow for further discussion at the Budget Workshop.**

**CARRIED**

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

**ENCLOSURE**  
*Agenda Item 15.6.2*



**Dogs' Homes of Tasmania**  
*Always here, for every dog.*

20 February 2025

Southern Midlands Council

Dear General Manager,

**Proposed Changes & Fee Structure for Pound Services**

I am writing to discuss the current arrangement under which **Southern Midlands Council** pays a per dog drop-off fee for canine intake and pound services.

We have recently undertaken significant financial analysis, considering both our fixed and variable costs of operation. This analysis has confirmed that the existing fee structure is no longer sustainable for Dogs' Homes of Tasmania. It does not cover the costs of operation required to care for, house, and manage dogs from your municipality.

To address this issue, we would like to open dialogue by proposing two possible fee structures moving forward. Our strong preference is a fixed annual fee model, but we also wanted to offer an alternative per dog per day rate that may better suit Councils requirements better.

**Challenges with the current funding model**

**Under-Recovery of Costs**

- A substantial portion of our shelter's operating expenses—such as staff salaries, utilities, insurance, and facility upkeep—are fixed and must be met regardless of how many dogs we intake.
- Because the per dog fee does not consider the costs of care, it does not account for these critical overheads, resulting in ongoing deficits for our organisation.

**Financial and Operational Strain**

- Operating under a fee structure that does not fully cover costs places our nonprofit in a financially precarious position, limiting our ability to invest in quality care, staffing, and facilities.
- This shortfall can directly impact public safety and the welfare of animals within our care.

**Benefits of a Fixed Annual Fee**

While we offer two options below, from the Dogs' Homes perspective we strongly believe a fixed annual fee provides the most stability and clarity for both the council and us:



## **Dogs' Homes of Tasmania**

*Always here, for every dog.*

- Predictable Budgeting for the Council - a single, agreed-upon annual amount removes uncertainties around variable dog intake numbers. This approach simplifies the council's fiscal planning, allowing a clear line item for pound services each year.
- Consistent Service Quality - reliable funding ensures that adequate staff, training, veterinary resources, and facility maintenance are always available, fostering consistent care standards and minimising the risk of service disruptions.
- Administrative Efficiency - a flat annual fee reduces the administrative burden of billing per intake. Both parties can save on the time and costs associated with managing multiple invoices.
- Long-Term Cost-Effectiveness - by covering both overhead (fixed) and operational (variable) expenses, a fixed fee can, over time, streamline costs and reduce potential surges in funding requests when intake spikes.

### **Proposed Fee Options and Structure**

Below are the two fee approaches we would like to discuss further. The below examples have been based on the actual number of dogs received from Southern Midlands Council in 23/24, and their length of stay in our care:

#### **Fixed Annual Fee Option (Preferred)**

##### **One-Year Trial Agreement**

We recommend starting with a one-year agreement at a negotiated fixed annual fee. This trial period will allow both parties to gauge actual costs, review intake data, and confirm whether the fee adequately covers all relevant expenses and the service being provided is meeting the needs of council.

##### **Review and Assessment**

At the end of this one-year term, we propose a thorough joint review. This would include discussing service levels, actual cost data, and any required adjustments.

##### **Long-Term Contract**

If the arrangement proves beneficial and cost-effective, we will pursue a multi-year contract to ensure stability and predictable budgeting. This longer-term agreement can include provisions for annual inflation adjustments or cost-of-living increases.

#### **Per-Dog-Per-Day Fee Option**

##### **Covering True Daily Costs**

Should a fixed annual fee be unfeasible at present, we propose a per-dog-per-day rate that fully includes not just direct costs (food, basic veterinary care) but also a proportionate share of overhead (staffing, utilities, facility upkeep). This rate is higher than the current per-dog drop-off fee, as it must compensate for costs accrued daily up until rehoming.

##### **Flexibility in Volume**

A per-dog-per-day model can accommodate variations in daily intake, ensuring costs are recouped more accurately if intake volumes fluctuate significantly throughout the year.



## **Dogs' Homes of Tasmania**

*Always here, for every dog.*

### **Potential Transition to a Fixed Fee**

Even if the council opts for the daily rate initially, we encourage considering a future shift to a fixed-fee arrangement once we have additional data on cost patterns and intake numbers.

### **Our Commitment to Southern Midlands Council**

#### **Highest Standards of Animal Welfare**

We prioritise comprehensive veterinary assessments, humane treatment, and clear reclaim procedures for each dog, contributing to public safety and ethical animal care.

#### **Collaboration and Accountability**

We work transparently and in close partnership with council staff. Our cost-recovery model ensures every dollar is directed toward improving service quality and community outcomes.

#### **Regular Reporting**

We are prepared to provide routine financial and operational reports to verify that fees are being used responsibly and effectively.

### **Conclusion**

We very much value our partnership with Southern Midlands Council and firmly believe that adopting either a fixed annual fee or an improved per-dog-per-day rate—more reflective of actual costs—will lead to better service provision, improved planning, and long-term sustainability. While our fixed annual fee option is our strong preference for the reasons outlined, a revised per-dog-per-day rate is presented as an alternative to address any short-term budget considerations or constraints.

The real purpose of this letter is to begin an open dialogue regarding the best fee structure going forward. Whilst we have included indicative pricing for the 2023/24 period, that is based on current dog intake numbers, we hope to be able to refine our proposal through further discussions and more detailed data i.e. total Council dog numbers per annum etc.

Thank you for your time and consideration; we will be in touch shortly to arrange a suitable time to discuss this further. I look forward to working with you on a mutually beneficial solution.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Mark Wild".

Mark Wild

Chief Executive Officer



## Dogs' Homes of Tasmania

*Always here, for every dog.*

### Cost Breakdown

Below is a breakdown of proposed funding for Southern Midlands Council based on Councils 23/24 dog intake numbers, length of stay, and average cost per dog per day based on our financial analysis.

Number of Dogs Received:	5
Number of dog days:	78
Average per dog per day cost:	\$68

### Annual costs to Council

Fixed Fee option:	\$7,200 or \$600 per month.
Per-dog-per-day fee option:	\$5,304



## 15.7 Environmental Sustainability

**Strategic Plan Reference 3.7**

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

Nil.

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

**16.1 Community Health and Wellbeing**

**Strategic Plan Reference 4.1**

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

Nil.

## **16.2 Recreation**

### **Strategic Plan Reference 4.2**

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

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

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

**Date:** 15 APRIL 2025

#### **ISSUE**

Oatlands Aquatic Centre – Coordinator's Report for the month of March 2025.

#### **BACKGROUND**

Nil.

#### **DETAIL**

The purpose of the report is twofold:

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

OATLANDS AQUATIC CENTRE - OPERATING BUDGET

INCOME		Annual Budget 2024/25	Mar 2025	Mar 2024	2024/25 Year to Date	2023/24 Year to Date	% of Budget 2024/25
Admission Fees		\$237,500	\$19,454	\$16,653	\$154,535	\$141,627	65.1%
Sale of Goods		\$12,500	\$1,635	\$986	\$13,811	\$10,325	110.5%
Charging Station Energy Use Reimbursement		\$14,000	\$0	\$0	\$15,177	\$6,550	108.4%
<b>Sub-Total</b>		<b>\$264,000</b>	<b>\$21,089</b>	\$17,639	<b>\$183,522</b>	\$158,502	<b>69.5%</b>

EXPENDITURE		Annual Budget 2024/25	Mar 2025	Mar 2024	2024/25 Year to Date	2023/24 Year to Date	% of Budget 2024/25
Salaries (incl. On-Costs)		\$473,945	\$39,026	\$38,403	\$359,859	\$382,842	75.9%
Operating Costs - Other		\$260,395	\$34,371	\$9,413	\$250,271	\$198,362	96.1%
<b>Total Expenditure</b>		<b>\$734,340</b>	<b>\$73,397</b>	\$47,816	<b>\$610,131</b>	\$581,204	<b>83.1%</b>

<b>Budgeted Deficit</b>		<b>-\$470,340</b>	<b>-\$52,309</b>	-\$30,177	<b>-\$426,608</b>	-\$422,702	<b>90.7%</b>
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**Group Bookings & Programs – March (19/3/25 - 14/4/25):**

<b>Event / Booking</b>	<b>School / Group</b>	<b>Participation Numbers</b>
Physio Rehab Sessions	Annabel Butler – Physiotherapist	18 individual bookings
Centre Visits	Parkside Support Program	17 participants
GYM / Lane Hire	Corumbene Program – GYM & Pool	4 individual bookings 16 participants
Centre Visits	Birthday Parties	1 individual booking 12 participants (total)
Lane Hire	Oatlands District School	2 individual bookings 65 participants (total)
Centre Visits	Fitness Passport	34 participants (March)
Lane Hire	Midlands Swimming Club	4 individual bookings

**USAGE FOR THE PERIOD 19/3/2025 – 14/4/2025  
PAID UPFRONT**

<b>Type</b>	<b>Units</b>
<b>Gym</b>	
PAYG – Gym (17 years)	26
PAYG – Gym (Concession)	7
<b>Gym/Pool Combo</b>	
Gym/Pool Pass 10 Sessions (17 years)	2
Gym/Pool Pass 10 Sessions (Concession)	13
PAYG – Gym/Pool Combo (17 years)	0
PAYG – Gym/Pool Combo (Concession)	0
<b>Learn to Swim (Total Numbers)</b>	
Term 1, 2025 Program Enrolments (Currently)	135
<b>Pool</b>	
Upfront 6 Months Pool Membership (17 +)	0
Upfront 6 Months Pool Membership (Concession)	1
Upfront 6 Months Pool Membership (Family)	0
PAYG – Pool (4 years and under)	102
PAYG – Pool (5-16)	172
PAYG – Pool (17)	239
PAYG – Pool (Concession)	220
PAYG – (Family)	13

**DIRECT DEBITS – Current Numbers**

<b>Type</b>	<b>Units</b>
DD Pool/Gym	13
DD Gym	8
DD 6 Months Pool – 17 years +	1
DD 6 Months Pool – Child/Concession	21
DD 6 Months Centre – Family	1

### **Grant Applications & General Information**

See below an update on new programs and projects implemented during January:

- **Corumbene “Health & Wellbeing Program” for 2025:**  
Corumbene sessions have been extended to continue until the month of July, 2025. The Water & GYM exercise groups will continue on a Wednesday for a further 10 weeks beginning on 30<sup>th</sup> April.
- **Swimming Tasmania – State Representative Teams:**  
The Centre has just finalised a booking for June, 2025 with Swimming Tasmania to again be the host venue for the Tasmanian State Representative Teams who will compete in Brisbane & Melbourne during the month of July for their team training day.

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

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

**Policy Implications** – N/A

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

### **RECOMMENDATION**

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

### **DECISION**

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

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

### **CARRIED**

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

## 16.3 Access

### **Strategic Plan Reference 4.3**

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

Nil.

## 16.4 Volunteers

### **Strategic Plan Reference 4.4**

*Encourage community members to volunteer.*

Nil.

## 16.5 Families

### **Strategic Plan Reference 4.5**

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

Nil.

## 16.6 Education

### **Strategic Plan Reference 4.6**

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

Nil.

## 16.7 Capacity & Sustainability

### Strategic Plan Reference 4.7

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

### 16.7.1 Melton Mowbray Park – Naming Proposal (C L Batt OAM Park)

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

**Date:** 16 APRIL 2025

#### Enclosure(s)

*Melton Mowbray Park Development Proposal (as submitted with the Development Application)*

#### ISSUE

Council to consider a proposal to allocate a name to the Park area being developed at the corner of Blackwell Road and Highland Lakes Road, Melton Mowbray (opposite the Melton Mowbray Hotel).

#### BACKGROUND

The concept of developing a park at Melton Mowbray dates back to approximately 2014 and followed the unauthorised removal of the heritage listed sandstone trough by the then owners of the Melton Mowbray Hotel.

The removal of the trough sparked a significant amount of concern within the community, evidenced by the number of enquiries received by Council and activity on social media.

Whilst the Hotel owners advised that they had removed the trough so it can be repaired, it became evident that this was not the case and a legal (and enforcement) process was initiated. Following a lengthy process, Council eventually secured ownership of the trough through a negotiated outcome.

Through this entire process, the intention was to always return the trough to Melton Mowbray and place it in a secure location where it can be put on public display and provided with adequate statutory heritage protection via a consolidated entry on the Tasmanian Heritage Register together with the Melton Mowbray Hotel. It is currently being stored in Council's Depot at Oatlands pending completion of works and the finalisation of the Tasmanian Heritage Register entry.

#### DETAIL

The park area being developed in Blackwell Road, Melton Mowbray (opposite the Hotel) has been made possible through the donation of land by the Batt family.

Irrespective of the land being donated by the current Batt family, the proposal to name the Park the 'C L Batt OAM Park' is to recognise Mr Charles Leo Batt OAM's long-term link to the Melton Mowbray area and his public / community service to Tasmanian and the local district.

From my perspective, from the outset it was always intended to give some formal recognition to Mr C L Batt OAM when the option of developing this area as a park (and a secure area to place the trough) was first identified.



His biography is summarised as follows:

- Born 31 December 1921 in Tasmania – Died 25 October 2007
- Born and raised in Tasmania
- Received the National Medal in 1978
- Was awarded the Medal of the Order of Australia in the 2001 Australia Day Honours for community service through sports clubs; local government and the Tasmanian parliament, and received the Australian Centenary Medal in the same year
- Managed the sheep farming property 'Woodlands' at Melton Mowbray
- Member of the House of Assembly July 1974 – December 1976 (Electorate Wilmot (Lyons))
- Member of the Legislative Council May 1979 – May 1995 – when he retired (Leader for Government in LC 1989-1992)
- Green Ponds Councillor – approximately 26 years
- Life Member of the Melton Mowbray Cricket Club; Kempton Football Club (and premiership captain); and the South Eastern Districts Football Association
- Green Ponds Fire Warden for numerous years; and
- Patron of many sporting clubs and community organisations

Note: As a matter of interest, the following is an extract from the 'Sydney Morning Herald' following his death in October 2007:

*"Tasmanian Premier Paul Lennon paid tribute to Mr Batt, saying he was admired and respected by parliamentary colleagues.*

*"Charles Batt was one of nature's gentlemen, a person who dedicated himself to helping others throughout his long and successful career on the local council and in state parliament," Mr Lennon said.*

*"He was a hugely popular figure, achieving record votes each time he stood for the legislative council."*

*Mr Lennon said Mr Batt was a life-long supporter of the Labor Party and a member of the legislative council from 1978 up until the mid-1990s.*

*Mr Batt was Labor leader in the legislative council from 1989 to 1992.*

*Mr Polley said Mr Batt made an outstanding contribution to Tasmanian parliament, as he would fight for the battlers."*

In terms of naming parks and/or reserve areas, with the possible exception of the Chauncy Vale Wildlife Sanctuary, Council does not have a particular Policy or procedure in terms of process or methodology. However based on my past knowledge of this area, and taking into account all circumstances, there is no other more deserved person from this locality to assign Mr C L Batt OAM's name to this Park.

If approved, a name Plate would be erected to recognise the naming and it is an option to be included at the base of the Interpretation Signage (as per attached), noting that this can be determined going forward.

**Human Resources & Financial Implications** – the actual cost to fabricate and install would be minimal.

**Community Consultation & Public Relations Implications** – to be considered, however Council is best placed to make a decision based on the information presented. If there was a desire to consult broader, then this could be undertaken in the immediate Melton Mowbray district through a letter issued to local residents.

**Policy Implications** – Not applicable in this instance.

**Priority - Implementation Time Frame** – To be installed at the completion of works.

## RECOMMENDATION

**THAT Council:**

- a. Agree to allocate a 'Place Name' for the park area being developed on the corner of Highland Lakes Road and Blackwell Road, Melton Mowbray; and
- b. Subject to point (a), approve the naming of the Park as the 'C L Batt OAM Park' in recognition of the above service and achievements.

## DECISION

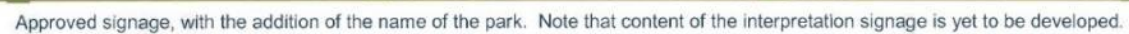
*Moved by Deputy Mayor K Dudgeon, seconded by Cllr D Fish*

**THAT Council:**

- a. Agree to allocate a 'Place Name' for the park area being developed on the corner of Highland Lakes Road and Blackwell Road, Melton Mowbray; and
- b. Subject to point (a), approve the naming of the Park as the 'C L Batt OAM Park' in recognition of the above service and achievements.

## CARRIED

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



## 16.8 Safety

### Strategic Plan Reference 4.8

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

Nil.

## 16.9 Consultation & Communication

### Strategic Plan Reference 4.8

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

Nil.

## 17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

### 17.1 Improvement

#### Strategic Plan Reference 5.1

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

#### 17.1.2 Local Government Association of Tasmania – ‘Lift the Tone’ Campaign

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

**Date:** 17 APRIL 2025

#### ISSUE

To inform Council that the Local Government Association of Tasmania has formally launched it's ‘*Lift the Tone*’ Campaign. The community awareness campaign aims to:

- Promote a culture of respectful communication and interaction with council members and staff.
- Reduce harassment and abuse by encouraging constructive and solution-oriented public discourse.
- Emphasise shared responsibility in improving the tone of community engagement, fostering stronger community connections and better local governance.

#### BACKGROUND

This campaign is focussed on the growing abuse and intimidation directed towards local government representatives and staff by community members. *Lift the Tone* promotes a culture of respectful communication and recognises the impact toxic behaviour has on democracy.

To a large extent this campaign has been prepared following a survey of elected members conducted by the LGAT in September 2024. The Association surveyed elected members about their experiences over the last two years.

Amongst other findings, 78% of elected representatives reported facing abuse, harassment, intimidation from community members. This was a frequent occurrence for 11.6% of survey respondents.

#### DETAIL

The ‘*Lift the Tone*’ campaign includes a toolkit which contains:

- Graphics and text for social media posts.
- An example of Social Media Rules of Engagement guidelines.
- A model motion asking your council to commit to lifting the tone of debate.
- Media release template.
- List of the key campaign messages.
- List of frequently asked questions with detailed responses.

- A4 posters.
- Virtual meeting backgrounds.
- Email signature banner.

Access to the full toolkit can be provided on request.

As mentioned, part of this campaign includes a pledge where councils, organisations and individuals can commit to lifting the tone of debate.

The model motion has been included as part of the recommendation at the conclusion of this report.

**Human Resources & Financial Implications** – Not applicable.

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

**Policy Implications** – N/A.

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

## **RECOMMENDATION**

### **THAT:**

- a) The information be received;
- b) Council resolves to challenge the normalisation of abuse against elected members and officers and uphold exemplary standards of public and political debate in all it does; and
- c) Council further resolves to pledge support for the Local Government Association of Tasmania's Lift the Tone campaign. In supporting the pledge Council commits to:
  - Promoting civility in public debate.
  - Refraining from abusive language and behaviour online or in person.
  - Encouraging others to engage respectfully.

## **DECISION**

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

- a) **THAT The information be received;**
- b) **Council resolves to challenge the normalisation of abuse against elected members and officers and uphold exemplary standards of public and political debate in all it does; and**
- c) **Council further resolves to pledge support for the Local Government Association of Tasmania's Lift the Tone campaign. In supporting the pledge Council commits to:**
  - **Promoting civility in public debate.**
  - **Refraining from abusive language and behaviour online or in person.**
  - **Encouraging others to engage respectfully.**

## **CARRIED**

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

## 17.2 Sustainability

### Strategic Plan Reference 5.2

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

### 17.2.1 Tabling of Documents

Nil.

### 17.2.2 Elected Member Statements

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

**Mayor E Batt** – provided feedback to the meeting following his attendance at the Local Government Association of Tasmania General Meeting held 2<sup>nd</sup> April 2025. In relation to the Motions considered at the meeting, the Mayor advised:

1. City of Hobart – Adoption of 7 star energy efficiency requirements - **Motion Lost.**
2. City of Hobart – Funding for line marking on local government roads - **Motion carried.**
3. Brighton Council – Public Open Space Contributions - **Motion carried.**
4. Waratah-Wynyard Council – Proposed offshore oil and gas development in Tasmania **Motion lost.**

Each of these outcomes were consistent with Council's position and voting.

**Clr D Fish** – expressed concern about the number of horses being kept at the property at Parattah.

*Manager Development & Environmental Services did provide clarification and comment following attendance at the property and discussion with the owner. Satisfied that there are no issues that require further action from either a land-use planning or animal welfare perspective.*

**Clr B Campbell** – Parattah – provided comment that the residents of Parattah would like to see the existing Walking Track from Oatlands to Parattah extended to the township.

**Clr D Blackwell** – Broadmarsh Community Hall – fully operational following replacement of the water pump that was stolen.



### **17.2.3 Local Government Shared Services – Quarterly Update – Information Only**

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

**Date:** 11 APRIL 2025

**Enclosure(s):**

*2024/2025 Shared Services to 31 March 2025*

#### **ISSUE**

To inform Council of the Common Services Joint Venture activities for the period January – March 2025.

#### **BACKGROUND**

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

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

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

#### **DETAIL**

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

#### **RECOMMENDATION**

**THAT the information be received.**

#### **DECISION**

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

**THAT the information be received**

#### **CARRIED**

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

**ENCLOSURE**  
*Agenda Item 17.2.3*

**2024/25 Shared Services Report  
to 31 March 2025**

PROVIDED BY SOUTHERN MIDLANDS COUNCIL					Total Hours Mar 2025 Quarter	Total Hours Dec 2024 Quarter	Total Hours Sep 2024 Quarter	Total Hours 2024/25
Council	Fortnight Ending	Officer	Service Provided	Hours				
Central Highlands	12/01/2025	D Mackey	Regulatory	3.00				
		G Finn	Regulatory	4.00				
		R Collis	Animal Management	4.50				
		D Dwyer	Animal Management	4.50				
	26/01/2025	D Mackey	Regulatory	11.00				
		L Brown	Regulatory	13.00				
		R Collis	Animal Management	3.00				
	9/02/2025	D Mackey	Regulatory	22.50				
		L Brown	Regulatory	14.50				
	23/02/2025	R Collis	Animal Management	1.00				
		D Mackey	Regulatory	17.50				
		L Brown	Regulatory	16.00				
	9/03/2025	D Mackey	Regulatory	14.00				
		L Brown	Regulatory	14.00				
	23/03/2025	R Collis	Animal Management	8.50				
		D Dwyer	Animal Management	5.00				
		D Mackey	Regulatory	7.00				
		G Finn	Regulatory	2.00				
		L Brown	Regulatory	27.00				
		R Collis	Animal Management	3.50				
				195.50	216.00	180.00	591.50	
Derwent Valley	9/03/2025	D Mackey	Regulatory	5.00				
	23/03/2025	D Mackey	Regulatory	9.00				
				14.00	31.00	2.00	47.00	
Tasman	26/01/2025	P Krause	Plumbing Surveying	13.25				
	9/02/2025	D Mackey	Regulatory	2.50				
		P Krause	Plumbing Surveying	8.25				
	23/02/2025	D Mackey	Regulatory	3.00				
		P Krause	Plumbing Surveying	8.25				
	9/03/2025	D Mackey	Regulatory	2.00				
		P Krause	Plumbing Surveying	6.50				
	23/03/2025	D Mackey	Regulatory	1.00				
		P Krause	Plumbing Surveying	8.25				
Total Hours Provided by Southern Midlands					262.50	364.50	281.50	908.50
PROVIDED TO SOUTHERN MIDLANDS COUNCIL					Total Hours Mar 2024 Quarter	Total Hours Dec 2024 Quarter	Total Hours Sep 2024 Quarter	Total Hours 2023/24
Council	Period Ending	Officer	Service Provided	Hours				
Brighton	19/01/2025	L Wighton	Development Engineering	4.75				
	2/02/2025	L Wighton	Development Engineering	1.25				
	16/02/2025	L Wighton	Development Engineering	4.75				
	2/03/2025	L Wighton	Development Engineering	5.50				
	16/03/2025	L Wighton	Development Engineering	4.25				
	30/03/2025	L Wighton	Development Engineering	1.00				
				21.50	13.50	14.50	49.50	
Glenorchy	15/12/2024		EHO Services	6.00				
	22/12/2024		EHO Services	8.00				
	3/01/2025		EHO Services	2.00				
	12/01/2025		EHO Services	6.00				
	19/01/2025		EHO Services	6.00				
	26/01/2025		EHO Services	23.50				
	2/02/2025		EHO Services	1.00				
	9/02/2025		EHO Services	7.00				
	16/02/2025		EHO Services	15.00				
	23/02/2025		EHO Services	12.00				
	2/03/2025		EHO Services	16.00				
	9/03/2025		EHO Services	18.50				
	16/03/2025		EHO Services	22.75				
Total Hours Provided to Southern Midlands					165.25	76.00	148.50	389.75

#### **17.2.4 Policy Review – Unreasonable Complainant Conduct Policy**

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

**Date:** 16 APRIL 2025

**Enclosure(s):**

*Unreasonable Complainant Conduct Policy ver 02*

#### **ISSUE**

Review of the Unreasonable Complainant Conduct Policy.

#### **BACKGROUND**

Unreasonable complainant conduct (UCC) has been an on-going problem for public sector organisations for many years. Local Government have been dealing with this issue (in some form) since it was first established, over 150 years ago.

The issue was highlighted more than 25 years ago in a speech by the former High Court Justice Kirby, who observed that: One of the universal problems for the Ombudsman is the chronic complainer; people who feel passionately about their own cause and are uncompromising in their reaction to a negative conclusion on the part of the Ombudsman. Such people can sometimes cause a great deal of disproportionate disruption to the work of the Ombudsman and his staff. He continued: Of course, the Ombudsman already can decline to investigate matters. But vexatious complainants can cause a great deal of time loss.

The obvious point here is that Local Government is the first “port of call” in the complaints process and indeed it is only when all reasonable responses have been exhausted by Council Officers, that the Complainant takes the issue to the Ombudsman.

A policy in respect of this matter is a cost minimisation matter as well as a health, welfare and safety issue for both officers and the complainant alike.

Research for the original policy was undertaken by the Deputy General Manager and it was found that the combined Ombudsman’s Offices around Australia had produced a draft policy as well as a Practice Manual on the subject. The original policy was adapted to the Southern Midlands requirements, whilst not losing the rigour and intent of the Ombudsman’s draft policy.

It was important that a *Practice Manual* be adopted as a companion resource for the policy as it provides valuable support information for Managers and Officers alike to manage unreasonable complainant conduct in a professional and sensitive manner. This *Practice Manual* is up dated from time to time and is currently date 2021.

The Council policy itself divides Unreasonable Complainant Conduct into five categories of conduct:

- Unreasonable persistence
- Unreasonable demands
- Unreasonable lack of cooperation
- Unreasonable arguments
- Unreasonable behaviours

It is noted that this matter is covered to some extent in other Council policies/documents, namely SMC Customer Service Charter, Development & Environmental Services Regulatory Complaints Policy, Dog Management Policy, SMC Enforcement Policy, along with the general Complaints Management System.

The first SMC Unreasonable Complainant Conduct Policy was developed in 2015. A desktop review has been completed by the Deputy General Manager of the current policy and it has been confirmed that no changes are necessary at this time.

The policy is enclosed and will be reviewed in 2027.

## **RECOMMENDATION**

**THAT the Unreasonable Complainant Conduct Policy (without amendment) be endorsed.**

## **DECISION**

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

**THAT the Unreasonable Complainant Conduct Policy (without amendment) be endorsed.**

## **CARRIED**

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

## 17.3 Finances

### Strategic Plan Reference 5.3

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

### 17.3.1 Monthly Financial Statement (Period ending 31 March 2025)

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

**Date:** 9 APRIL 2025

#### ISSUE

Provide the Financial Report for the period ending 31<sup>st</sup> March 2025.

#### BACKGROUND

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

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

#### DETAIL

The enclosed Report incorporates the following: -

- Statement of Comprehensive Income – 1 July 2024 to 31 Mar 2025.
- Operating Expenditure Report – 1 July 2024 to 31 Mar 2025.
- Capital Expenditure Report – 1 July 2024 to 31 Mar 2025.
- Cash Flow Statement – 1 July 2024 to 31 Mar 2025.

### OPERATING EXPENDITURE (OPERATING BUDGET)

Overall operating expenditure to end of March was \$7,341,222 which represents 92.7% of the Year to Date Budget.

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

#### ***Strategic Theme - Infrastructure***

**Sub-Program – Public Toilets** - expenditure to date (\$88,560 – 121.52%). Employee and contractor expenses are higher than anticipated due to an increase in vandalism and associated maintenance required.

#### ***Strategic Theme – Growth***

Nil.

### **Strategic Theme – Landscapes**

**Sub-Program – Regulatory (Animals)** - expenditure to date (\$110,034 – 126.98%). Additional expenditure relates to increased resources required to address non-compliance issues.

### **Strategic Theme – Community**

**Sub-Program – Capacity & Sustainability** - expenditure to date (\$49,066 – 115.16%). Increased expenditure is due to costs relating to the Heritage and Bullock Festival.

### **Strategic Theme – Organisation**

**Sub-Program – Sustainability** - expenditure to date (\$1,976,671 – 109.48%). The year to date variance is related to increased costs associated with annual software fees, and the timing of payments. We will continue to monitor expenditure against this Sub-Program.

## **CAPITAL EXPENDITURE PROGRAM**

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

### **Legend – Source and completion deadlines for grant funded projects**

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

## **RECOMMENDATION**

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

### **DECISION**

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

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

### **CARRIED**

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

**STATEMENT OF COMPREHENSIVE INCOME**  
**for the period 1 July 2024 to 31 March 2025**

	Annual Budget \$	Year to Date Actual \$	%	Comments
<b>Income</b>				
Rates	7,375,148	7,468,546	101.3%	Includes Interest & Penalties on rates
User Fees (refer Note 1)	1,304,313	956,518	73.3%	Includes Private Works
Interest	486,000	408,012	84.0%	
Government Subsidies	11,700	0	0.0%	Heavy Vehicle Licence Fees
Other (refer Note 2)	247,400	435,548	176.1%	Includes TasWater Distributions
<b>Sub-Total</b>	<b>9,424,561</b>	<b>9,268,625</b>	<b>98.3%</b>	
Grants - Operating	4,562,388	590,918	13.0%	
<b>Total Income</b>	<b>13,986,949</b>	<b>9,859,542</b>	<b>70.5%</b>	
<b>Expenses</b>				
Employee benefits	-5,770,244	-3,536,911	61.3%	Less Roads - Resheeting (Capitalised) / inc. \$35K increase to Budget 12/2024
Materials and contracts	-3,996,965	-3,506,588	87.7%	Less Roads - Resheeting (Capitalised), Includes Land Tax & Private Works
Depreciation and amortisation	-4,120,000	-3,092,822	75.1%	Percentage Calculation (based on year-to-date)
Finance costs	-4,979	-4,979	100.0%	Interest
Contributions	-287,371	-143,686	50.0%	Fire Service Levies
Other	-173,993	-137,703	79.1%	Audit Fees and Councillor Allowances
<b>Total expenses</b>	<b>-14,353,552</b>	<b>-10,422,688</b>	<b>72.6%</b>	
<b>Surplus (deficit) from operations</b>	<b>-366,603</b>	<b>-563,146</b>	<b>153.6%</b>	
Grants - Capital (refer Note 3)	4,219,950	4,659,970	110.4%	
Sale Proceeds (Plant & Machinery)	0	66,591		
Sale Proceeds (Land & Buildings)	145,000	145,000		Formal amendment to Budget 12/2024 - Church Street Oatlands
Sale Proceeds (Other Assets)	0	614		
Net gain / (loss on disposal of non-current assets)	0	0		
<b>Surplus / (Deficit)</b>	<b>3,998,347</b>	<b>4,309,028</b>	<b>107.8%</b>	

**STATEMENT OF COMPREHENSIVE INCOME**  
**for the period 1 July 2024 to 31 March 2025**

	Annual Budget \$	Year to Date Actual \$	%	Comments
<b>NOTES</b>				
1. Income - User Fees				
- All other Programs	919,613	753,766	82.0%	
- Private Works	384,700	202,752	52.7%	
	<u>1,304,313</u>	<u>956,518</u>	73.3%	
2. Income - Other				
- TasWater Distributions	182,400	114,000	62.50%	
- Public Open Space Contributions	50,000	42,700	85.40%	
- Committee Contribution for Campania Hall - Painting	15,000	0.00		
- Landholder contributions to White Kangaroo Rivulet Road	0	7,273		
- Regional Community Learning Centre Levendale Contribution	0	776		
- Insurance Recoveries	0	9,348		Includes Premium Recoveries and JLB Trust Interest Distribution
- MMPHC Community Advisory Committee Cont. to GP Units	0	50,000		
- MMPHC Auxiliary Contribution to GP Units	0	49,999		
- TasWater Contribution to OAC Sculpture	0	5,000		
- Blue Gum Rovers donation to Tunnack Rec. Ground	0	365		
- Committee Contribution for Broadmarsh Hall Variations	0	85,708		
- Broadmarsh Hall Loan - as approved by Council	0	70,000		Included in assets as a Sundry Debtor
- Transfer from HBS	0	379		
	<u>247,400</u>	<u>435,548</u>	176.1%	



**STATEMENT OF COMPREHENSIVE INCOME**  
**for the period 1 July 2024 to 31 March 2025**

	Annual Budget \$	Year to Date Actual \$	%	Comments
<b>3. Grants - Capital</b>				
- Aust Govt (Roads To Recovery)	819,906	865,193	105.52%	Formal amendment to Budget 12/2024 - \$154,375 increase
- Aust Govt (Rural & Remote Roads Program)	2,673,090	2,673,090	100.00%	Interlaken Road Project (\$1,069,236 in 2022-23 budget)
- Aust Govt (LRCI - Phase 4)	397,584	0	0.00%	
- Tas Govt (State Growth) - VRUP Campania Footpaths	130,124	0	0.00%	
- Tas Govt (Bus Stop Program) - Oatlands & Campania	39,246	19,623	50.00%	2nd Instalment (1st instalment received 05/24)
- Tas Govt (Election Commitment) - Kempton Rec. Ground	80,000	80,000	100.00%	Formal amendment to Budget 12/2024
- Tas Govt (Election Commitment) - Chauncy Vale	80,000	0	0.00%	Formal amendment to Budget 12/2024
- Aust Govt - BS Bushfire Recovery Grant - The Haven	0	155,000		Broadmarsh/Elderslie Progress Association Inc Grant
- Aust Govt - DVA Saluting their Service	0	6,680		
- Tas Govt (Election Commitment) - Bagdad Walkway	0	150,000		
- Tas Govt (Election Commitment) - Campania Rec. Ground	0	253,000		Electronic Scoreboard, Tiered Seated & All Abilities Carpark
- Tas Govt (Election Commitment) - Callington Park Toilet	0	45,000		
- Tas Govt (Better Active Transport) - Kempton Pathway	0	278,000		
- Tas Govt (Dept Health) - Oatlands Medical Accom	0	50,000		
- Tas Govt (DPAC) - Isolated Communities Resilience Grant	0	9,384		Equipment for The Haven Recovery Centre
- Tas Govt (SES) - NDRGP Bagdad/Mangalore Hydraulic Asses	0	20,000		Final Instalment
- Tas Govt (State Growth) - Safer Rural Roads	0	55,000		2023-24 Projects - Woodsdale & Green Valley Rds Guard Rail
	<b>4,219,950</b>	<b>4,659,970</b>	<b>110.43%</b>	
<b>4. Grants - Operating</b>				
- FAGS 2024/25	4,562,388	583,646	12.79%	Formal amendment to Budget 12/2024 - \$135,588 increase
- Navigate Family Services (School Holiday Program)	0	2,559		
- Australia Day Grant	0	364		
- NRM - Serrated Tussock Survey	0	4,350		
	<b>4,562,388</b>	<b>590,918</b>	<b>13.0%</b>	

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

PROGRAM	ACTUAL (to 31 Mar 25)	BUDGET (to 31 Mar 25)	YTD VARIANCE	YTD %	FULL YEAR BUDGET - INC. GRANTS & OTHER
<b>INFRASTRUCTURE</b>					
Roads	1,107,449	1,142,244	34,796	96.95%	3,856,649
Bridges	11,140	55,299	44,158	20.15%	543,731
Walkways	189,937	194,017	4,080	97.90%	261,470
Lighting	43,846	70,452	26,606	62.24%	93,936
Public Toilets	88,560	72,880	-15,681	121.52%	98,945
Sewer/Water	-	-	-	-	-
Stormwater	15,849	24,387	8,538	64.99%	87,850
Waste	1,104,032	1,124,586	20,555	98.17%	1,526,949
Information, Communication	-	15,000	15,000	0.00%	20,000
<b>INFRASTRUCTURE TOTAL:</b>	<b>2,560,814</b>	<b>2,698,866</b>	<b>138,052</b>	<b>94.88%</b>	<b>6,489,530</b>
<b>GROWTH</b>					
Residential	-	-	-	-	-
Tourism	20,705	35,747	15,042	57.92%	41,102
Business	256,430	253,266	-3,164	101.25%	337,689
Industry	-	-	-	-	-
<b>GROWTH TOTAL:</b>	<b>277,136</b>	<b>289,014</b>	<b>11,878</b>	<b>95.89%</b>	<b>378,790</b>
<b>LANDSCAPES</b>					
Heritage	200,197	381,357	181,160	52.50%	503,706
Natural	164,741	194,556	29,816	84.68%	251,075
Cultural	2,558	15,000	12,442	17.06%	20,000
Regulatory - Development	601,836	805,942	204,107	74.67%	1,098,105
Regulatory - Public Health	12,653	15,210	2,557	83.19%	20,280
Regulatory - Animals	110,034	86,654	-23,381	126.98%	118,340
Environmental Sustainability	152	3,750	3,598	4.06%	5,000
<b>LANDSCAPES TOTAL:</b>	<b>1,092,172</b>	<b>1,502,469</b>	<b>410,298</b>	<b>72.69%</b>	<b>2,016,506</b>
<b>COMMUNITY</b>					
Community Health & Wellbeing	196,282	263,904	67,621	74.38%	351,872
Recreation	923,033	932,925	9,892	98.94%	1,185,900
Access	-	-	-	-	-
Volunteers	22,743	36,250	13,507	62.74%	40,000
Families	908	4,500	3,592	20.17%	6,000
Education	-	-	-	-	-
Capacity & Sustainability	49,066	42,609	-6,458	115.16%	51,645
Safety	7,879	25,548	17,670	30.84%	34,064
Consultation & Communication	5,176	27,975	22,799	18.50%	37,300
<b>LIFESTYLE TOTAL:</b>	<b>1,205,087</b>	<b>1,333,711</b>	<b>128,624</b>	<b>90.36%</b>	<b>1,706,781</b>
<b>ORGANISATION</b>					
Improvement	1,961	62,252	60,291	3.15%	83,002
Sustainability	1,976,671	1,805,443	-171,228	109.48%	3,295,271
Finances	227,383	229,111	1,727	99.25%	383,671
<b>ORGANISATION TOTAL:</b>	<b>2,206,015</b>	<b>2,096,805</b>	<b>-109,209</b>	<b>105.21%</b>	<b>3,761,944</b>
<b>TOTALS</b>	<b>\$7,341,222</b>	<b>\$7,920,865</b>	<b>\$579,643</b>	<b>92.7%</b>	<b>\$14,353,552</b>

**CAPITAL EXPENDITURE PROGRAM 2024-25**

As at 31 March 2025

		BUDGET \$	EXPENDITURE \$	BALANCE \$	COMMENTS	COMPLETION DEADLINE
<b>INFRASTRUCTURE</b>						
<b>ROAD ASSETS</b>						
Resheeting Program	Roads Resheeting	586,107	348,300	237,807		
	Dysart - Clifton Vale Road Resheeting	113,893	96,840	17,053	LRCI - \$113,893	30 June 2025
Reseal Program	Roads Reseal Program (as below)	456,787	-	367,135		
	Bagdad - Green Valley Road (towards Huntingdon Tier Rd Jnct) - 2200m2		10,583			
	Campania - Estate Road (370m from Reeve St to bridge) - 7000m2		18,837			
	Colebrook - Station Street - 400m2 - 2 Coat Seal				Originally Reconstruct & Seal	
	Kempton - Sugarloaf Road (Main Street to Bridge) - 8800m2 (150m)		8,416		Originally Reconstruct & Seal	
	Kempton - Council Office (Rear Carpark) - 470m2 - 2 Coat Seal					
	Oatlands - High Street (Wellington Street to Barrack Street) - 9400m2		8,620			
	Oatlands - Stanley Street (Midland Hwy to Marlborough Street) - 6000m2		28,970			
	Tunnack - Tunnack Road Parking Area Reseal		14,226			
	Orielton - Aldridge Road (off Tasman Highway) - 3300m2	80,000	12,443	67,557	Roads to Recovery - \$70,000	30 June 2025
	Pontville - Brighton Road - 6000m2	60,000	3,790	56,210	Roads to Recovery - \$56,687	30 June 2025
	Sealed Roads - Edge Breaks (as below)	300,000		195,050		
	Woodsdale Road		104,950			
	York Plains Road		-			
Minor Seals (New)	Oatlands - Bentwick Street	20,000	-	20,000	Budget c/f	
Reconstruct & Seal	Elderslie - Pelham Road (1km)	160,000	186,976	- 26,976	Funded from Projects moved to Reseal / RTR	30 June 2025
	York Plains - Vicinity of 'Handroyd' - 800 metres	130,000	135,029	- 5,029	Roads to Recovery - \$130,000 (originally \$168K)	30 June 2025
	Woodsdale - Woodsdale Road (2.4 kims) Cricket Ground towards Quarry	370,000	395,583	- 25,583	Roads to Recovery - \$370,000 (originally \$288,750)	30 June 2025
	Tunnack - Eldon Road	100,000	97,877	2,123	LRCI P4 (funding previously Campania Rec.)	30 June 2025
	Colebrook - Station Street (includes drainage)	25,000	21,564	3,436	Seal component moved to Reseal Program	
Construct & Seal	Oatlands - Interlaken Road	5,746,180	6,107,774	- 361,594	23/24 WIP - \$2,983,324	28 February 2025
Junction / Road Realignment	Andover - Nala Road Junction with Inglewood Road (Asphalt junction)	30,000	325	29,675		
Other	Campania - Car Park Improvements	67,600	171	67,429	LRCI - \$65,816	30 June 2025
	Campania - Estate Road (vicinity Mallow property)	31,830	14,974	16,856	Budget c/f WIP \$14,974 (\$17K budget to Stonehouse Rd)	
	Campania - Structure Plan - Town Gateway and Streetscape	40,000	-	40,000		
	Campania - White Kangaroo Rvt Road (Construct)	-	19,718	- 19,718	Partially offset land owner contributions \$7272.72	
	Elderslie - Cliftonvale Road (Guard Rail) - 600 metres	90,000	-	90,000	Roads to Recovery - \$78,506	30 June 2025
	Lemont - Stonehouse Road Corner Realignment	17,170	17,170	-	Budget tranferred from Campania - Estate Road	
	Oatlands - Hasting Street Junction	15,000	959	14,041	Budget c/f - WIP \$959	
	Oatlands - Stanley Street (from Midland Highway junction to Nelson Street)	35,000	32,354	2,646	Shoulder Repairs & Drainage (i.e. piping)	
	Oatlands - William Street (from Wellington Street towards Stanley Street)	13,500	16,475	- 2,975	Approx. 100 metres - Shoulder Repairs & Drainage (i.e. piping)	
	Tunbridge - Main Street (Kerb & Gutter Renewal)	40,000	4,186	35,814		
	Tunnack - Link Road Landslip	25,000	107	24,893	Budget c/f - WIP \$107	
	York Plains Road (vicinity of Rooney's Road) - Guard Rail - approx. 50 metres	7,250	-	7,250		
		<b>8,560,317</b>	<b>7,707,216</b>	<b>853,101</b>		
<b>BRIDGE ASSETS</b>						
	Nil	-	-	-		
		-	-	-		

**CAPITAL EXPENDITURE PROGRAM 2024-25**

As at 31 March 2025

		BUDGET \$	EXPENDITURE \$	BALANCE \$	COMMENTS	COMPLETION DEADLINE
<b>WALKWAYS</b>	Footpaths - General Streetscapes	40,000	-	40,000		
	Bagdad - Midland Highway Pathway (Primary School north to Community Club)	240,000	754	239,246	Election Commitment - \$150,000	
	Bagdad - Midland Highway Pathway (north of Bagdad Community Club)	645,840	627,222	18,618	Better Active Transport in Tas - \$370K; LRCI - \$145	31 December 2024
	Campania - Climie Street (Across Railway)	41,250	44,879	3,629	VRUP Grant - \$35,250	30 June 2025
	Campania - Reeve Street (West - adjacent to Flour Mill Park)	100,209	1,893	98,316	VRUP Grant - \$58,616	30 June 2025
	Campania - Reeve Street (East - Rec Ground entrance to Villeneuve Street)	51,158	655	50,503	VRUP Grant - \$36,258	30 June 2025
	Campania - Reeve Street - Footpath through to Hall	30,000	746	29,254	Budget c/f	
	Campania - Reeve Street Bus Stop - All Access All Weather Bus Stop Upgrade Progn	40,696	245	40,451	Bus Stops Grant - \$26,246	30 June 2025
	Kempton - Burnett Street to Mood Food	425,565	5,332	420,233	\$147,565 Budget c/f Better Active Transport \$278K	30 June 2025
	Oatlands - High Street Bus Stop - All Access All Weather Bus Stop Upgrade Program	28,300	243	28,057	2024-25 budget project	30 June 2025
	Oatlands - Stanley Street (High Street to Nelson - 280 metres - kerb & footpath)	75,000	114,945	39,945	LRCI P4 - \$75,000	30 June 2025
	Oatlands - Campbell Street (scope of works expanded to include kerb/gutter)	85,000	85,074	74	LRCI P4 - \$85,000	30 June 2025
	Oatlands - Church Street (Sth Parade to William St - north, side - Footpath - 130 m)	30,000	-	30,000		
		<b>1,833,018</b>	<b>881,988</b>	<b>951,030</b>		
<b>PUBLIC TOILETS</b>	Oatlands - Callington Park Toilet	203,000	176,952	26,048	Election Commitment - \$45,000 & 23/24 Budget c/f of \$158,000	
	General Public Toilets - Upgrade Program	20,000	-	20,000	Budget c/f	
	Kempton Public Toilets - below Hall		3,103	3,103		
	Oatlands Public Toilets - rear of Town Hall		1,056	1,056		
		<b>223,000</b>	<b>181,111</b>	<b>41,889</b>		
<b>DRAINAGE</b>	Stormwater System Management Plans ( <i>Urban Drainage Act 2013</i> )	50,000	456	49,544		
	Bagdad / Mangalore - Hydraulic Assessment (Flood Mapping)	221,460	159,835	61,625	Grant Funding \$80,830 WIP \$127,285	31 December 2024
		<b>271,460</b>	<b>160,292</b>	<b>111,168</b>		
<b>WASTE</b>	Wheeie Bins and Crates	5,000	10,270	5,270		
	WTS Safety & Operational Improvements	25,000	-	25,000		
		<b>30,000</b>	<b>10,270</b>	<b>19,730</b>		
<b>GROWTH TOURISM</b>	Oatlands - Heritage Interpretation Panel renewal	2,000	-	2,000		
	Oatlands Accommodation Facility	-	42,283	42,283	WIP \$42,283 (Offset by Barrack Street Property)	
		<b>2,000</b>	<b>42,283</b>	<b>40,283</b>		

**CAPITAL EXPENDITURE PROGRAM 2024-25**  
**As at 31 March 2025**

		BUDGET \$	EXPENDITURE \$	BALANCE \$	COMMENTS	COMPLETION DEADLINE
LANDSCAPES						
HERITAGE	Jericho - Memorial Avenue - Plaques	20,000	4,300	15,700	Budget c/f WIP \$4,300	
	Kempton - Memorial Avenue Park - Interps	19,545	374	19,171	Budget c/f WIP \$155	
	Melton Mowbray - Recognition plaque JH Bisdee VC OBE (DVA Grant)	8,480	240	8,240	Saluting Their Service Grant \$7,480	30 April 2025
	Oatlands - Callington Mill - Structural Repair & External painting	40,000	-	40,000		
	Oatlands - Council Chambers - Internal Toilets & Access Upgrade	100,000	9,357	90,643	Budget c/f WIP \$9,357	
	Oatlands - Court House (Wall Stabilisation)	15,000	4,764	10,236	WIP \$1,187	
	Oatlands - Gaoiers Residence (Chimney Capping & Fireplace Repairs)	5,000	-	5,000		
	Oatlands Gaoiers Residence (Wingwall)	23,000	-	23,000	Budget \$15K c/f	
	Oatlands - Heritage Buildings (Security Upgrades)	10,000	-	10,000		
	Oatlands - Heritage Collections Store	10,000	3,700	6,300	Budget c/f WIP \$3,700	
	Oatlands - Roche Hall (Building Improvements)	90,000	-	90,000		
	Oatlands - Roche Hall Forecourt (Interps - Planning Condition of Approval)	40,000	7,820	32,180	Budget c/f WIP \$7,820	
	Parattah - Railway Station -Shed for Gangers Trolley	2,000	11,771	-	9,771	Budget c/f
		<b>383,025</b>	<b>42,326</b>	<b>340,699</b>		
NATURAL	Campania - Bush Reserve / Cemetery	300,000	96,403	203,597	WIP \$93,346	
	Chauncy Vale - Day Dawn Cottage Improvements	12,000	8,557	3,443	WIP \$8,557	
	Chauncy Vale - Toilet & Interps Upgrade	80,000	1,109	78,891	Election Commitment \$80,000	
		<b>392,000</b>	<b>106,068</b>	<b>285,932</b>		
CULTURAL	Oatlands - Aquatic Centre (Forecourt - Art Installation)	20,000	24,083	-	4,083	TasWater Contribution \$5,000
		<b>20,000</b>	<b>24,083</b>	<b>-</b>	<b>4,083</b>	
LANDSCAPES						
REGULATORY						
- DEVELOPMENT	Master / Structure Plans (Bagdad / Mangalore / Campania)	50,000	76,119	-	26,119	Includes Flour Mill Park Master Plan
	Kempton Council Chambers - Office Furniture & Equipment	7,500	2,958	4,542		
	Kempton Council Chambers - Structural Damage	-	2,748	-		External Contractor Liable for damage
	Property Purchase - 10 Barrack Street, Oatlands (Police Residence)	530,000	-	530,000		
	Oatlands - Stanley Street Master Plan	20,000	172	19,828	Budget c/f WIP \$172	
	Oatlands - MMPC Church Street Sub-Division	-	7,307	-	7,307	WIP \$4,988 Offset by sale of property
		<b>607,500</b>	<b>89,304</b>	<b>520,944</b>		
REGULATORY	Oatlands - GP Accommodation Units	500,000	463,976	36,024	Council Commitment \$100K (grant funded)	
- PUBLIC HEALTH	Woodsdale - Cemetery	-	3,264	-	3,264	
		<b>500,000</b>	<b>467,240</b>	<b>32,760</b>		
ANIMAL CONTROL	Oatlands - Off-Lead Dog Park	35,000	1,193	33,807	Previously LRCI P4, now SMC funded	
		<b>35,000</b>	<b>1,193</b>	<b>33,807</b>		



**CAPITAL EXPENDITURE PROGRAM 2024-25**  
**As at 31 March 2025**

		BUDGET \$	EXPENDITURE \$	BALANCE \$	COMMENTS	COMPLETION DEADLINE
COMMUNITY RECREATION	Facilities & Recreation Committee	44,600	-	44,600	Includes \$6400 previously allocated to Mangalore Rec (Horse Arena) \$1800 to Colebrook Hall - Stage Flooring Budget c/f WIP \$17,416.55	
	Bagdad - Bagdad Community Club (Precinct Plan)	25,000	17,417	7,583		
	Bagdad - Bagdad Community Club (Redevelopment)	-	46,057	46,057		
	Bagdad - Bagdad Community Club (Sports Pavilion)	-	166,164	166,164	WIP \$6400 Subject to Funding	
	Bagdad - Bagdad Community Club (Multi-purpose Sports Hall)	-	211,900	211,900	Subject to Funding	
	Bagdad - Bagdad Community Club (Oval Relocation)	-	23,000	23,000	Subject to Funding	
	Bagdad - Iden Road Park Development	75,000	-	75,000		
	Broadmarsh - Broadmarsh Hall "The Haven"	1,737,247	1,737,247	-	Administration of Progress Assoc. Grant (incl SMC Cont \$30K)	
	Campania - Justitia Court POS - Shelter Hut	16,000	15,516	484	LRCI P4 - WIP \$15,516	30 June 2025
	Campania - War Memorial Hall (External Repainting)	10,600	10,867	267		
	Campania - Hall (External Painting)	36,800	1,721	35,079	LRCI P4 \$15K, Committee 15K, SMC \$6,800	30 June 2025
	Campania - Recreation Ground (Electronic Scoreboard)	47,875	20,375	27,500	Election Commitment - \$35K & LRCI - \$12,875	30 June 2025
	Campania - Recreation Ground (Landscaping & Tiered Seating)	270,000	374	269,626	Election Commitment - \$200K & LRCI - \$70K	30 June 2025
	Campania - Recreation Ground (All abilities Car Parking)	26,750	-	26,750	Election Commitment - \$18K	30 June 2026
	Campania - Recreation Ground (Upgrade Change rooms)	1,100,000	27,251	1,072,749	LGAT Open Space - \$40K & SMC - \$700K	
	Colebrook - Hall Improvements (Resurface Timber Flooring)	1,800	9,000	7,200	\$7,200 reimb by Tas Electoral Commission	
	Kempton - Acquisition 160 Main Street	187,900	188,068	168	Off-set by sale of land - Erskine Street	
	Kempton - Memorial Avenue Park (Land Acquisition Fees)	-	4,028	4,028		
	Kempton - Recreation Ground (Irrigation)	80,000	78,974	1,026		30 June 2025
	Kempton - Recreation Ground (Site Dev) (Boundary Fence)	24,250	14,118	10,132	Budget c/f	
	Kempton - Recreation Ground (Cricket Net, basket ball / pickle ball court)	80,000	2,886	77,114	Active Tasmania - Election Commitment	30 June 2026
	Melton Mowbray - Streetscape Works (Trough / Shelter etc)	60,000	35,131	24,869	WIP \$16,322.72	
	Oatlands - Aquatic Centre (Courtyard Development - Shelter / BBQ)	30,000	45,006	15,006		
	Oatlands - Aquatic Centre (Gymnasium - Mirror & Equipment)	16,400	11,903	4,498		
	Oatlands - Aquatic Centre (Replace pump)	-	2,360	2,360		
	Oatlands - Gay Street, Hall (Air Lock & Heating)	30,000	-	30,000		
	Oatlands - Midlands Community Centre (External Painting - Front of Building)	8,000	-	8,000		
	Oatlands - Old Swimming Pool (Staged demolition)	200,000	109,355	90,645	WIP \$26,081.22	
	Oatlands Recreation Ground (Redevelopment)	-	147,558	147,558	Subject to Funding	
	Woodsdale Recreation Ground	45,000	-	45,000		
	Water Bottle Refill Stations	7,980	-	7,980	Budget c/f	
		<b>4,161,202</b>	<b>2,926,275</b>	<b>1,234,927</b>		
CAPACITY & SUSTAINABILITY	Property Purchase - 9 Barrack Street, Oatlands (Police Residence)	73,248	50,009	23,238	Budget \$519,490 less \$446K spent in 22/23	
	Levendale Community Centre - Dept. Natural Resources & Env. Trf Fees	45,000	40,826		Formal amendment to Budget 12/2024	
		<b>118,248</b>	<b>90,835</b>	<b>23,238</b>		
SAFETY	Tas Govt (DPAC) - Isolated Communities Resilience Grant	9,384	819	8,565	Equipment for The Haven recovery centre	
		<b>9,384</b>	<b>819</b>	<b>8,565</b>		

**CAPITAL EXPENDITURE PROGRAM 2024-25**  
**As at 31 March 2025**

		BUDGET \$	EXPENDITURE \$	BALANCE \$	COMMENTS	COMPLETION DEADLINE
<b>ORGANISATION</b>						
<b>SUSTAINABILITY</b>						
	Monitors; PC's; Keyboards & UPS's	7,500	-	7,500		
	Communications Link (possible transfer to Tasmanet)	16,000	-	16,000		
	WiFi Equipment	7,000	-	7,000		
	Asset Management Software	-	2,680	-	2,680	
	Council Website - Upgrade	25,000	-	25,000		
	New Phone System	-	10,836	-	10,836	
	Oatlands - Town Hall (General - Incl. Office Equip/Furniture)	7,500	2,495	5,005		
	Oatlands - Town Hall (Replacement Heat Pumps x3)	-	8,009	-	8,009	
	Oatlands - Town Hall (Access and Toilet Upgrade)	-	1,122	-	1,122	
	Oatlands - Town Hall (External Painting Doors & Window Frames)	7,600	7,605	-	5 Formal amendment to Budget 12/2024	
		<b>70,600</b>	<b>32,747</b>	<b>37,853</b>		
<b>WORKS</b>						
	Minor Plant Purchases	12,000	4,089	7,911		
	Survey Equipment (Road Layout & Stormwater Projects)	25,000	21,342	3,658		
	Variable Message Board	20,000	-	20,000		
	Radio System	5,000	-	5,000		
	<b>Plant Replacement Program</b>					
	Heavy Vehicles - Refer separate Schedule (Trade Allowance - \$227)	1,044,800	270,038	774,762		
	Light Vehicles (Net Changeover) (Trade Allowance - \$178)	340,257	74,194	266,063		
		<b>1,447,057</b>	<b>369,662</b>	<b>1,077,395</b>		
	<b>GRAND TOTALS</b>	<b>18,663,811</b>	<b>13,133,715</b>	<b>5,528,669</b>		

<b>CASH FLOW 2024/2025</b>	INFLOWS (OUTFLOWS) July 2024 \$	INFLOWS (OUTFLOWS) Aug 2024 \$	INFLOWS (OUTFLOWS) Sep 2024 \$	INFLOWS (OUTFLOWS) Oct 2024 \$	INFLOWS (OUTFLOWS) Nov 2024 \$	INFLOWS (OUTFLOWS) Dec 2024 \$	INFLOWS (OUTFLOWS) Jan 2025 \$	INFLOWS (OUTFLOWS) Feb 2025 \$	INFLOWS (OUTFLOWS) Mar 2025 \$	INFLOWS (OUTFLOWS) Apr 2025 \$	INFLOWS (OUTFLOWS) May 2025 \$	INFLOWS (OUTFLOWS) Jun 2025 \$	INFLOWS (OUTFLOWS) (Total 2024/25) \$
<b>Cash flows from operating activities</b>													
<b>Payments</b>													
Employee costs	(407,267)	(381,825)	(373,541)	(379,639)	(366,412)	(623,132)	(317,004)	(352,122)	(370,328)				(3,571,269)
Materials and contracts	(1,634,717)	(331,633)	(234,312)	(258,485)	(697,068)	(422,275)	(506,853)	(478,014)	(411,835)				(4,975,191)
Interest	(2,577)	0	0	0	0	0	(2,402)	0	0				(4,979)
Other	(23,300)	(43,531)	(152,853)	(79,383)	(29,523)	(40,910)	(105,573)	(26,938)	(56,198)				(558,209)
	(2,067,861)	(756,988)	(760,706)	(717,507)	(1,093,003)	(1,086,317)	(931,832)	(857,074)	(838,360)	0	0	0	(9,109,648)
<b>Receipts</b>													
Rates	387,766	855,775	2,038,182	705,240	766,534	355,488	709,154	406,590	655,349				6,880,079
User charges	67,092	198,531	47,643	159,883	(14,486)	30,612	81,711	(87,790)	387,167				870,363
Interest received	53,664	54,327	15,409	67,608	43,991	44,851	58,162	39,608	30,392				408,012
Subsidies	0	0	0	0	0	0	0	0	0				0
Other revenue grants	0	197,107	0	364	194,549	308,350	0	194,549	0				894,918
Other	86,726	112,946	232,743	41,435	(176,485)	309,782	11,481	40,470	407,678				1,066,775
	595,249	1,418,685	2,333,976	974,531	814,102	1,049,082	860,509	593,428	1,480,586	0	0	0	10,120,147
<b>Net cash from operating activities</b>	(1,472,612)	661,698	1,573,270	257,023	(278,901)	(37,235)	(71,323)	(263,646)	642,226	0	0	0	1,010,499
<b>Cash flows from investing activities</b>													
Payments for property, plant & equipment	(211,844)	(830,072)	(956,248)	(463,891)	(1,071,099)	(1,363,791)	(938,774)	(787,298)	(520,378)				(7,143,396)
Proceeds from sale of property, plant & equipment	159	0	0	36,000	300,000	26,500	4,545	0	0				367,205
Proceeds from Capital grants	61,680	0	0	0	328,000	80,000	29,384	472,623	278,884				1,250,571
Proceeds from Investments	0	0	0	0	0	0	0	0	0				0
Payment for Investments	0	0	0	0	0	0	0	0	0				0
<b>Net cash used in investing activities</b>	(150,005)	(830,072)	(956,248)	(427,891)	(443,099)	(1,257,291)	(904,844)	(314,675)	(241,494)	0	0	0	(5,525,620)
<b>Cash flows from financing activities</b>													
Repayment of borrowings	(8,632)	0	0	0	0	0	(8,807)	0	0				(17,438)
Proceeds from borrowings	0	0	0	0	0	0	0	0	0				0
<b>Net cash from (used in) financing activities</b>	(8,632)	0	0	0	0	0	(8,807)	0	0	0	0	0	(17,438)
Net increase/(decrease) in cash held	(1,631,248)	(168,375)	617,021	(170,868)	(722,000)	(1,294,526)	(984,974)	(578,322)	400,732	0	0	0	(4,532,559)
Cash at beginning of reporting month	14,547,299	12,916,051	12,747,676	13,364,697	13,193,829	12,471,829	11,177,303	10,192,329	9,614,008	10,014,740	10,014,740	10,014,740	14,547,299
<b>Cash at end of reporting period</b>	<b>12,916,051</b>	<b>12,747,676</b>	<b>13,364,697</b>	<b>13,193,829</b>	<b>12,471,829</b>	<b>11,177,303</b>	<b>10,192,329</b>	<b>9,614,008</b>	<b>10,014,740</b>	<b>10,014,740</b>	<b>10,014,740</b>	<b>10,014,740</b>	<b>10,014,740</b>



## 18. MUNICIPAL SEAL

### 18.1 Signing & Sealing of Grant Deed – Department of Premier and Cabinet Supporting Council in the development and installation of the Chauncy Vale Wildlife Sanctuary – Accessibility and Interpretation Signage Project

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

**Date:** 16 APRIL 2025

**Attachment(s):**

*Grant Deed – Department of Premier and Cabinet*

#### ISSUE

Signing and Sealing a Grant Deed. This project is being funded through the Department of Premier and Cabinet.

#### DETAIL

The Approved Purpose of this Grant with the State Government is to provide support to Council towards the Chauncy Vale Wildlife Sanctuary – Accessibility and Interpretation Signage project. The Grant Deed provides \$80,000 ex GST, with the completion date being 30<sup>th</sup> June 2026.

This Grant Deed was required to be signed and returned before the scheduled Council meeting.

**Human Resources & Financial Implications** – The value of the Grant is \$80,000. The projects fits within the objectives of the Chauncy Vale Management Plan.

**Community Consultation & Public Relations Implications** – Extensive community consultation has been undertaken in respect of the Chauncy Vale Management Plan.

**Policy Implications** – Nil

**Priority - Implementation Time Frame** – completion date being 30<sup>th</sup> June 2026.

#### RECOMMENDATION

**That Council endorse the Signing and Sealing the Grant Deed for the funding agreement between the Tasmanian Government through the Department of Premier and Cabinet and the Southern Midlands Council for the amount of \$80,000.00 for the Chauncy Vale Wildlife Sanctuary – Accessibility and Interpretation Signage project.**

#### DECISION

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

**THAT Council endorse the Signing and Sealing the Grant Deed for the funding agreement between the Tasmanian Government through the Department of Premier and Cabinet and the Southern Midlands Council for the amount of \$80,000.00 for the Chauncy Vale Wildlife Sanctuary – Accessibility and Interpretation Signage project.**

**CARRIED**

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

**18.2 Adhesion of Titles – Oatlands Gaoler's Residence (3 Mason Street, Oatlands) and former Oatlands Pool Site (8 Campbell Street, Oatlands)**

**Author:** MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)

**Date:** 23 APRIL 2025

**Enclosure(s):**

*Tasmanian Lands Titles Office – Adhesion Order*

**ISSUE**

Application of Municipal Seal, adhesion of titles – Oatlands Gaoler's Residence and former Oatlands Pool site.

**DETAIL**

The former Oatlands Gaol is comprised of two titles:

- 152632/1, which includes the gaoler's residence and former outer yards of the gaol.
- 1523631/1, which is the former gaol yard and until recently housed the municipal swimming pool which was constructed in the early 1950s. The legal access for this title is via a right-of-way over the gaoler's residence title from Barrack Street.

Each of these titles were transferred to Council ownership from the State in 2007. Each title has separate service connections (Aurora and TasWater) for which there are dual service fees paid.

With the demolition of the pool and the intention of consolidating the two sites as a heritage interpretation space, it is logical that the titles be adhered to form a single property. With demolition of the pool there is no longer a need for dual servicing, therefore Council can apply to have the TasWater connection to the former pool removed (note that the Aurora connection has already been removed). This represents a considerable cost-saving going forward.

Pursuant to s.110 of the Local Government (Building and Miscellaneous Provisions) Act 1993 Council's Solicitor has prepared the adhesion instrument for the Municipal Seal which would have the effect of consolidating the titles. It also removes the right-of-way that the former pool site benefits from, as the need for such is redundant if the titles are adhered (note that no other property benefits from that right-of-way).

**RECOMMENDATION**

**THAT Council apply the Municipal Seal to the Adhesion Order (enclosed).**

**DECISION**

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

**THAT Council apply the Municipal Seal to the Adhesion Order (enclosed).**

**CARRIED**

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

## Agenda Item 18.2

Blank Instrument Form  
Land Titles Act 1980

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DESCRIPTION OF LAND			
Folio of the Register			
Volume	Folio	Volume	Folio
<b>152631</b>	<b>1</b>		
<b>152632</b>	<b>1</b>		

## ADHESION ORDER

Pursuant to the provisions of Section 110 of the *Local Government (Building and Miscellaneous Provisions) Act 1993* the Southern Midland Council do hereby order that the land comprised in folios of the Register Volume 152631 Folio 1 and Volume 152632 Folio 1, lodged herewith shall not be dealt with so that they come or may come into the possession of different persons for an estate of freehold at law or in equity or for a term at law or in equity for three years or more.

THE COMMON SEAL of THE )  
SOUTHERN MIDLAND COUNCIL )  
was affixed in the presence of )

Witness sign .....

Witness name .....

Witness position .....

Land Titles Office Use Only

### Version 1

THE BACK OF THIS FORM MUST NOT BE USED

## Stamp Duty

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

Nil.

## RECOMMENDATION

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

## DECISION

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

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

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
Closed Council Minutes - Confirmation	15(2)(g)
Applications for Leave of Absence	15(2)(h)
Sale of Property for Unpaid Rates & Charges	15(2)(f)
Audit Panel Minutes	15(2)(b)

## CARRIED

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

## RECOMMENDATION

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

## DECISION

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

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

## CARRIED

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

## **CLOSED COUNCIL MINUTES**

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

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

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

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

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

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

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

#### **20.3 Sale of Property for Unpaid Rates and Charges**

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

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

#### **20.4 Audit Panel Minutes**

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

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

##### **20.4.1 Audit Panel Receipt of Minutes**

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

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

##### **20.4.2 Audit Panel Endorsement of Recommendations**

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

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



## RECOMMENDATION

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

## DECISION

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

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

**CARRIED**

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

## **OPEN COUNCIL MINUTES**

### **21. CLOSURE**

The Meeting closed at 12.32 p.m.