

SOUTHERN
MIDLANDS
COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

Wednesday, 22nd April 2020
10.00 a.m.

INDEX

1. PRAYERS	4
2. ATTENDANCE	4
3. APOLOGIES	4
4. MINUTES	4
4.1 Ordinary Council Minutes.....	4
4.2 Special Committees of Council Minutes	5
4.2.1 Special Committees of Council - Receipt of Minutes.....	5
4.2.2 Special Committees of Council - Endorsement of Recommendations	5
4.3 Joint Authorities (Established Under Division 4 Of The Local Government Act 1993) ...	5
4.3.1 Joint authorities - Receipt of Minutes.....	5
4.3.2 Joint Authorities - Receipt of Reports (Annual & Quarterly)	5
5. NOTIFICATION OF COUNCIL WORKSHOPS	6
6. COUNCILLORS – QUESTION TIME	7
6.1 QUESTIONS (ON NOTICE).....	7
6.2 QUESTIONS WITHOUT NOTICE	8
7. DECLARATIONS OF PECUNIARY INTEREST	10
8. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA	11
9. PUBLIC QUESTION TIME (SCHEDULED FOR 10.30 A.M.)	12
9.1 PERMISSION TO ADDRESS COUNCIL	13
10. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN UNDER REGULATION 16 (5) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2015	14
10.1 Council affirmation of Nil (0%) Percent Rate Increase for 2020/2021	14
11. COUNCIL ACTING AS A PLANNING AUTHORITY PURSUANT TO THE LAND USE PLANNING AND APPROVALS ACT 1993 AND COUNCIL’S STATUTORY LAND USE PLANNING SCHEME	17
11.1 DEVELOPMENT APPLICATIONS	17
11.2 SUBDIVISIONS	17
11.3 MUNICIPAL SEAL (PLANNING AUTHORITY)	17
11.4 PLANNING (OTHER)	18
11.4.1 Planning Scheme Amendment (RZ2020/01) for bushfire prone areas overlay.....	18
12. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE) ..	24
12.1 ROADS.....	24
12.1.1 Henrietta Street, Oatlands (Crown Reserved Road) – G Pennicott – Request for Council to take on maintenance responsibility and ownership	24
12.2 BRIDGES	30
12.3 WALKWAYS, CYCLE WAYS AND TRAILS.....	30
12.4 LIGHTING.....	30
12.5 BUILDINGS.....	30
12.6 SEWERS / WATER	30
12.7 DRAINAGE	30
12.8 WASTE	31
12.9 INFORMATION, COMMUNICATION TECHNOLOGY	31
12.10 OFFICER REPORTS – INFRASTRUCTURE & WORKS.....	32
12.10.1 Manager – Infrastructure & Works Report.....	32
13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)	33
13.1 RESIDENTIAL	33
13.2 TOURISM.....	33
13.3 BUSINESS.....	33
13.4 INDUSTRY.....	33
14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME –LANDSCAPES).....	34

14.1	HERITAGE	34
14.1.1	<i>Heritage Project Program Report</i>	34
14.2	NATURAL.....	37
14.2.1	<i>NRM Unit – General Report</i>	37
14.3	CULTURAL	38
14.4	REGULATORY (OTHER THAN PLANNING AUTHORITY AGENDA ITEMS)	38
14.5	CLIMATE CHANGE	38
15.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LIFESTYLE)	39
15.1	COMMUNITY HEALTH AND WELLBEING	39
15.2	YOUTH	39
15.3	SENIORS	39
15.4	CHILDREN AND FAMILIES	39
15.5	VOLUNTEERS.....	39
15.6	ACCESS	39
15.7	PUBLIC HEALTH	39
15.8	RECREATION	40
15.9	ANIMALS.....	41
15.9.1	<i>2020/21 Animal Management Fees (including dog registration)</i>	41
15.10	EDUCATION	45
16.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)	46
16.1	CAPACITY.....	46
16.2	SAFETY	46
16.3	CONSULTATION & COMMUNICATION.....	46
17.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION).....	47
17.1	IMPROVEMENT	47
17.2	SUSTAINABILITY	47
17.2.1	<i>Local Government Shared Services update (Standing Item – Information Only)</i>	47
17.2.2	<i>Tabling of Documents</i>	53
17.2.3	<i>Elected Member Statements</i>	54
17.3	FINANCES.....	55
17.3.1	<i>Monthly Financial Statement (period ending 31 March 2020)</i>	55
17.3.2	<i>Financial Hardship Assistance Policy (Draft)</i>	65
18.	MUNICIPAL SEAL	75
19.	CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA.....	76
20.	BUSINESS IN “CLOSED SESSION”	78
20.1	<i>Closed Council Minutes - Confirmation</i>	78
20.2	<i>Applications for Leave of Absence</i>	78
20.3	<i>Audit Panel Minutes - Confirmation</i>	78
20.4	<i>General Manager Contract</i>	78
21.	CLOSURE	80

OPEN COUNCIL MINUTES

MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD ON WEDNESDAY, 22nd APRIL 2020 COMMENCING AT 10:00 A.M.

Note: this meeting was held remotely via WebEx

1. PRAYERS

Rev Dennis Cousens recited prayers.

2. ATTENDANCE

Mayor A O Green (remotely); Deputy Mayor E Batt, Clr A Bantick and Clr A Bisdee OAM (Kempton Council Chambers); Clr K Dudgeon and Clr D Fish (Oatlands Council Chambers); Clr R McDougall (remotely).

Mr T Kirkwood (General Manager), Mr A Benson (Deputy General Manager), Mr N Wilson (Senior Admin/IT Officer), Mrs W Young (Corporate Compliance Officer), Miss E Lang (Executive Assistant)

3. APOLOGIES

Nil.

4. MINUTES

4.1 ORDINARY COUNCIL MINUTES

The Minutes (Open Council Minutes) of the previous meeting of Council held on the 25th March 2020, as circulated, are submitted for confirmation.

DECISION

Moved by Clr D Fish, seconded by Clr R McDougall

THAT the Minutes of the previous meeting of Council held on the 25th March 2020, as circulated, be confirmed.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A Green	√	
Deputy Mayor E Batt	√	
Clr A Bantick	√	
Clr A E Bisdee OAM	√	
Clr K Dudgeon	√	
Clr D Fish	√	
Clr R McDougall	√	

4.2 SPECIAL COMMITTEES OF COUNCIL MINUTES

4.2.1 SPECIAL COMMITTEES OF COUNCIL - RECEIPT OF MINUTES

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

- Nil.

DECISION NOT REQUIRED

4.2.2 SPECIAL COMMITTEES OF COUNCIL - ENDORSEMENT OF RECOMMENDATIONS

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

- Nil.

DECISION NOT REQUIRED

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

4.3.1 JOINT AUTHORITIES - RECEIPT OF MINUTES

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

- Southern Tasmanian Councils Authority – Nil.
- Southern Tasmanian Councils Authority (Waste Strategy South) – Nil.

DECISION NOT REQUIRED

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

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

- Southern Tasmanian Councils Authority – Nil.

DECISION NOT REQUIRED

5. NOTIFICATION OF COUNCIL WORKSHOPS

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

No workshops have been held since the last Ordinary Meeting.

RECOMMENDATION

THAT the information be received.

DECISION

Moved by Cllr K Dudgeon, seconded by Cllr A Bisdee OAM

THAT the information be received.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A Green	√	
Deputy Mayor E Batt	√	
Cllr A Bantick	√	
Cllr A E Bisdee OAM	√	
Cllr K Dudgeon	√	
Cllr D Fish	√	
Cllr R McDougall	√	

6. COUNCILLORS – QUESTION TIME

6.1 QUESTIONS (ON NOTICE)

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

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

Nil.

6.2 QUESTIONS WITHOUT NOTICE

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

Clr McDougall – question regarding development of a Business Plan for the Oatlands Pool? Where is this at?

The General Manager advised the Business Planning process has been put on hold pending receipt of information relating to key expenditure items (i.e. capital costs and energy expenses). These are the main inputs into the Business Plan. The process will be re-commenced when this information comes to hand. The decision to defer the tender process means that there is additional time to progress the Business Plan.

What is happening with the tender process?

The General Manager advised that a decision was made at the last Council meeting to defer the tender process due to current economic circumstances surrounding Covid-19. A full update/plan will be provided to Council within the next week.

Deputy Mayor E Batt – question regarding a number of Capital Works projects that have been carried forward and if we have sufficient manpower to complete these jobs?

The General Manager advised that this was discussed at the last Audit Panel meeting and an attachment is included that details all Works projects and the status of these projects to date. The majority of projects are in-hand and scheduled to proceed.

Clr A Bisdee OAM – should the budget be reviewed in light of the current circumstances with a view to cut back on some of the expenditure in 2019/20 to assist in 2020/21 budget?

Mayor A Green – advice that the State Government has increased loan facilities for Local Government and the State Government wish Councils to increase and continue works on capital expenditure projects due to the importance of maintaining work for local communities. Council are receiving a briefing today from the Local Government Minister and will be in a position to provide additional information following this meeting.

The General Manager advised that Council is in a relatively fortunate financial position where it can certainly shoulder some unforeseen financial impacts. Due to Council's strong financial position we can ride out some likely impacts e.g. reduction in TasWater dividends; deferral of penalty and interest etc. In terms of a budget review, a timetable for upcoming budget workshops will be circulated.

Deputy Mayor E Batt – question regarding Melton Mowbray streetscape works and concerns about manpower to complete these projects (red line through budget?).

The General Manager advised that a legend at the end of the spreadsheet explains this and it means that the project will be carried forward. In the case of the Melton Mowbray project, the project will be carried forward given the inability to meet with the community based advisory committee and seek direction from that group.

Deputy Mayor E Batt – question regarding paddocks next to the Kempton Recreation Ground and if it could be utilised as a 'dog off-leash' park area and what would be required for this to occur?

The General Manager advised that 'on-lead' areas are specified in Councils Dog Management Policy. Generally if it is not specified as an 'on-lead' area, then everywhere else is an 'off-lead' area. There are currently sheep located in this paddock and if removed Council would then need to mow/slash the area.

The Deputy Mayor requested that some form of community consultation should occur prior to pursuing this further.

Mayor A Green – question regarding Covid-19 Action Document and any general information to be included in this document for Councillors; noting that restrictions will be in place until at least the 15th May 2020.

The General Manager advised that the Local Government Association are providing daily email updates from the Premiers briefing and this can be forwarded to Councillors on a daily basis. In terms of Councils Action Plan, there have been no additional changes that impact on Council over the past week that require this document to be updated.

7. DECLARATIONS OF PECUNIARY INTEREST

0

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.

8. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

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

Nil.

DECISION

Moved by Cllr R McDougall, seconded by Cllr A Bisdee OAM

THAT the information be received.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A Green	√	
Deputy Mayor E Batt	√	
Cllr A Bantick	√	
Cllr A E Bisdee OAM	√	
Cllr K Dudgeon	√	
Cllr D Fish	√	
Cllr R McDougall	√	

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

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

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

No members of the Public were permitted to attend the meeting. The public has been advised to submit questions by 1.00 p.m. on Tuesday 21st April 2020.

The following questions were submitted by Southern Midlands Regional News on the 20th April 2020.

1. Can you please provide an update on the tenders for the Oatlands Aquatic Centre?

Council response: *The tender process for the Oatlands Aquatic Centre development has been deferred due to the current economic circumstances. Based on the current economic climate due to Covid-19, and recognising that the majority of services/equipment are sourced internationally or nationally, it was recommended that the tender process be deferred. It is envisaged that proceeding to tender would result in substantially loaded tenders to include the range of risk factors.*

2. Can you please provide an update on the building of the bus shelter in High Street opposite the Kentish Hotel? Winter is coming.

Council response: *Council have engaged a contractor to complete this project. It is anticipated that the bus shelter will be completed by May 2020.*

The following questions were received from the Australian Services Union on the 21st April 2020.

1. Can the General Manager provide assurances to Southern Midlands Council's employees that no employees will have their employment terminated as a result of COVID-19 and that Council will prioritise the maintenance of employment of each of their employees in any budgetary decisions moving forward?

Council response: *Whilst Council do not see any need (at the present time) to terminate any employees as a result of COVID-19, the future is unknown and no assurances can be given.*

Can the General Manager assure employees of Southern Midlands Council that the management team will enter into consultation before any major changes are implemented in the workplace?

Council response: *Council can assure all employees that any major workplace changes would go through a consultation process as required under the Southern Midlands Council's Enterprise Agreement.*

Can the General Manager provide a guarantee that all possible alternate duties will be explored before considering standing employees down, including things that are usually outside of Council's core business but which assist the community with getting through, and recovering from, COVID-19?

Council response: *Council can provide assurances that council would certainly look at any alternative duties for employees prior to standing them down as termination would be a last option.*

9.1 Permission to Address Council

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

- Nil.

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

10.1 COUNCIL AFFIRMATION OF NIL (0%) PERCENT RATE INCREASE FOR 2020/2021

Mayor Alex Green has submitted the following Notice of Motion:

THAT Council, as a means of providing local community economic support, develop the 2020/2021 Annual Budget based on a Nil percent rate increase for the forthcoming financial year.

BACKGROUND (Comments provided by Mayor A O Green)

Reference is made to the attached letter written by the Premier of Tasmania and Mark Shelton MP, (Minister for Local Government) addressed to all Tasmanian Councils.

In particular, Paragraph 4 is brought to Council's attention whereby the State Government is strongly encouraging all Councils to consider individual packages and provide support to their community as a matter of urgency. Specific mention is made of including rate freezes as one measure.

General Manager's Comments:

The intent of the Motion is self-explanatory.

In terms of financial implications, a firm decision (or direction) regarding an acceptable (or nil) percentage increase for 2020/21 would certainly assist in framing the 2020/21 Budget. Whilst it could be argued that this should be considered as part of the Budget process, essentially the decision has to be made at some point and a decision now would enable the implications to be factored into the Budget planning.

DECISION

Moved by Deputy Mayor E Batt, seconded by Clr R McDougall

THAT Council, as a means of providing local community economic support, develop the 2020/2021 Annual Budget based on a Nil percent rate increase for the forthcoming financial year.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A Green	√	
Deputy Mayor E Batt	√	
Clr A Bantick	√	
Clr A E Bisdee OAM	√	
Clr K Dudgeon	√	
Clr D Fish	√	
Clr R McDougall	√	

ENCLOSURE
Agenda Item 10.1



16 April 2020

A letter to all Tasmanian Councils

Dear Mayors and General Managers

Our State, like the rest of the world, has been upended by the impact of the novel coronavirus (COVID-19) pandemic. This pandemic has rapidly covered the globe. It has spread suffering, disrupted billions of lives and endangered the global economy.

It has also impacted and changed the lives of all Tasmanian – school children now learn online, our most vulnerable must stay indoors, parents and caregivers are out of work and our borders have been closed. Throughout this crisis the Government has held to one simple principle – that the health, wellbeing and safety of Tasmanians is our highest priority. We are all facing these unprecedented circumstances together, but together we can rise to these new challenges and help each other.

During this time, we need to ensure Tasmania keeps functioning and where we can we need to keep Tasmanians in business and in jobs. The contribution of Local Government to these efforts will be critical to our success and it has been heartening to see so many councils stepping up to play their part in recent weeks. But we need to do more.

Local Governments, like State and Federal Governments are in a unique position to use their balance sheets to support the economy and the community during this time. Local Governments also have a number of tools to hand that can help with local community economic support and we are now seeing a range of these community care packages being released. We strongly encourage all councils to consider their individual packages and provide support to their community as a matter of urgency. It is vital that all councils agree to measures including rate increase freezes and generous hardship policies. These measures will provide much needed relief to Tasmania's local businesses and rate payers and send a strong message that all levels of government are playing their part to support the community at this unprecedented time.

It is our expectation that councils should endeavour to retain as many employees as possible during this challenging period and that to do this councils will need to adopt different budget and financial positioning strategies than have traditionally been required. Where appropriate, councils should also redirect staff to support their COVID-19 response measures and community relief and recovery initiatives.

To support councils, the Tasmanian Government has extended the \$50 million interest free loan scheme for Local Government to \$150 million. The program provides for loan interest rebates for three years to local government authorities to encourage investment in and employment of more Tasmanians to undertake upgrades, renovations and necessary maintenance to improve existing Local Government infrastructure. To ensure the program is flexible and able to more broadly assist councils, we have expanded the criteria of the program to include all measures taken by councils as a response to, or as a result of, the impacts of COVID-19. Our commitment is to work with each council on an individual basis if necessary to ensure that all councils can access this program.

In addition, we have ensured that councils with payrolls less than \$5 million per annum that have been impacted by coronavirus will pay no payroll taxes for the entire 2019-20 year. The Government has also frozen, waived or capped fees and charges for small businesses, which includes some councils. These measures mean that:

- o Water and electricity bills will be waived for the first quarterly bill received after 1 April this year for small business customers on Tariff 22, 94, 82 or 75, including those small businesses on market contracts that could access those tariffs.
- o Electricity prices will be capped, and water prices will be frozen next financial year.

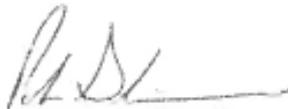
National Cabinet recently announced the adoption of a Commercial Tenancy Code of Conduct. The State Government is currently considering options for implementing the Code and it will be important that councils are involved in this process. The Department of Justice will reach out to the Local Government Association of Tasmania (LGAT) to engage on this matter further.

The State Government is committed to working collaboratively and supportively with the Local Government sector throughout the COVID-19 pandemic and beyond, and we must make it clear that the State Government's capacity to provide financial support going forward is now very constrained. We do not envisage any additional direct funding support to councils beyond what has already been offered.

We are aware that councils are currently considering their budget processes for 2020-21 and that this presents a challenge in the current fiscal environment. One of the issues that has arisen is the need for certainty around the Australian Government's Federal Financial Assistance Grant allocations for 2020-21. We will assist the sector by advocating to the Australian Government for clarity in relation to this matter.

Finally, thank you for everything you and your councils have done thus far to assist in supporting Tasmania's local communities to adjust and respond to the COVID-19 pandemic. We are all in this together and our shared efforts going forward will stand us in good stead to recover from this extraordinary challenge.

Yours sincerely



Peter Gutwein MP
Premier



Mark Shelton MP
Minister for Local Government

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

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

11.1 DEVELOPMENT APPLICATIONS

Nil.

11.2 SUBDIVISIONS

Nil.

11.3 MUNICIPAL SEAL (Planning Authority)

Nil.

11.4 PLANNING (OTHER)

11.4.1 PLANNING SCHEME AMENDMENT (RZ2020/01) FOR BUSHFIRE PRONE AREAS OVERLAY

Author: SENIOR PLANNING OFFICER (JACQUI TYSON)

Date: 17 APRIL 2020

Attachment(s):

TasWater submission

BACKGROUND

At the Council Meeting held on 19th February 2020, Council resolved to initiate and certify the Planning Scheme Amendment RZ2020/01.

The draft amendment and associated documents were placed on public exhibition between 29th February 2020 and the 31st March 2020, in accordance with Section 38 of the *Land Use Planning and Approvals Act 1993* (the Act).

During the advertising period no representations were received from members of the public.

The draft amendment was been referred to TasWater, who provided a brief submission (detailed below).

PROPOSAL

The proposal is for an amendment to the *Southern Midlands Interim Planning Scheme 2015* (“the Scheme”) to insert the Bushfire Prone Areas Overlay maps, as recommended by the Tasmanian Fire Service (“TFS”).

Under the current Scheme bushfire prone areas are defined by the following terms in section E1.3 of the Bushfire Prone Areas Code:

Bushfire- prone area

- (a) *land that is within the boundary of a bushfire-prone area shown on an overlay on a planning scheme map; or*
- (b) *where there is no overlay on a planning scheme map, land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1ha.*

Bushfire- prone vegetation

means contiguous vegetation including grasses and shrubs but not including maintained lawns, parks and gardens, nature strips, plant nurseries, golf courses, vineyards, orchards or vegetation on land that is used for horticultural purposes.

The proposed amendment does not change whether or not land is considered bushfire prone, it simply provides a map of all the land that is described by the current definition.

This will provide greater certainty for Council, property owners and practitioners in the application of the Bushfire-Prone Area Code under the Scheme and the *Building Act 2016*.

LEGISLATIVE REQUIREMENTS

In accordance with sections 39(2) and 43F(6) of the Act, Council must, within 35 days after the exhibition period, forward to the Tasmanian Planning Commission a report considering representations received (if any) and any recommendations regarding the draft amendment and planning permit it considers necessary.

Council are reminded that references to the provisions of the Act are references to the former provisions of the Act as defined in Schedule 6 – Savings and transitional provisions of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The former provisions apply to an interim planning scheme that was in force prior to the commencement day of the Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Act) 2015. The commencement day was 17 December 2015. The former provisions of the Act remain in force until the Local Provisions Schedule comes into effect.

PUBLIC NOTIFICATION

Section 38 of the Act sets out that after making a decision to initiate a planning scheme amendment it is to be publicly advertised for a period of at least 28 days.

In this case the draft amendment was placed on public exhibition as required by the Act between 29th February 2020 and the 31st March 2020.

No representations were received, other than a brief submission from TasWater, detailed below.

TasWater	<i>Officer comment</i>
Taswater has provided the following response: TasWater does not object to the draft amendment to the Interim Planning Scheme and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings.	<i>Noted.</i> <i>No change to draft amendment required.</i>

CONCLUSION

This report has provided an assessment of the representations received in relation to the proposed amendment to the *Southern Midlands Interim Planning Scheme 2015* to introduce Bushfire Prone Areas mapping into the Bushfire Prone Areas Code.

It is recommended that Council continues to support the planning scheme amendment with no change and provide this report together with the representations to the Tasmanian Planning Commission.

It is noted that if Council decide not to continue to support the proposal the final assessment and determination will still be undertaken by the Tasmanian Planning Commission.

RECOMMENDATION

THAT Council:

1. Consider the submissions received in regard to the draft Planning Scheme Amendment RZ2020/01, together with the responses provided above; and
2. Advise the Tasmanian Planning Commission that zero (0) representations were received from the public and one (1) representation received from Taswater, in accordance with Section 39(2) of the *Land Use Planning & Approvals Act 1993* (under Schedule 6 Savings and Transitional Provisions); and
3. A copy of this report be forwarded to the Tasmanian Planning Commission being Council's assessment of the merit of the representations in accordance with Section 39(2)(b) of the *Land Use Planning & Approvals Act 1993* (under Schedule 6 Savings and Transitional Provisions); and
4. Pursuant to Section 39(2) of the *Land Use Planning & Approvals Act 1993* (under Schedule 6 Savings and Transitional Provisions), the Council recommend to the Tasmanian Planning Commission that no modification to the draft Planning Scheme Amendment RZ2020/01 is required.

DECISION

Moved by Cllr R McDougall, seconded by Cllr K Dudgeon

THAT Council:

1. Consider the submissions received in regard to the draft Planning Scheme Amendment RZ2020/01, together with the responses provided above; and
2. Advise the Tasmanian Planning Commission that zero (0) representations were received from the public and one (1) representation received from Taswater, in accordance with Section 39(2) of the *Land Use Planning & Approvals Act 1993* (under Schedule 6 Savings and Transitional Provisions); and
3. A copy of this report be forwarded to the Tasmanian Planning Commission being Council's assessment of the merit of the representations in accordance with Section 39(2)(b) of the *Land Use Planning & Approvals Act 1993* (under Schedule 6 Savings and Transitional Provisions); and
4. Pursuant to Section 39(2) of the *Land Use Planning & Approvals Act 1993* (under Schedule 6 Savings and Transitional Provisions), the Council recommend to the Tasmanian Planning Commission that no modification to the draft Planning Scheme Amendment RZ2020/01 is required.

CARRIED

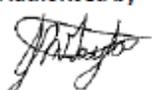
Councillor	Vote FOR	Vote AGAINST
Mayor A Green	√	
Deputy Mayor E Batt	√	
Clr A Bantick	√	
Clr A E Bisdee OAM	√	
Clr K Dudgeon	√	
Clr D Fish	√	
Clr R McDougall	√	

ENCLOSURE

Agenda Item 11.4.1



Submission to Planning Authority Notice

Council Planning Permit No.	RZ2020-01	Council notice date	27/03/2020
TasWater details			
TasWater Reference No.	TWDA 2020/00402-STM	Date of response	01/04/2020
TasWater Contact	Sam Bryant	Phone No.	(03) 6237 8642
Response issued to			
Council name	SOUTHERN MIDLANDS COUNCIL		
Contact details	mail@southernmidlands.tas.gov.au		
Development details			
Address	99 HIGH ST, OATLANDS	Property ID (PID)	5842397
Description of development	Southern Midlands Interim Planning Scheme 2015 - Bushfire Prone Areas		
Schedule of drawings/documents			
Prepared by	Drawing/document No.	Revision No.	Date of Issue
Tasmania Fire Service	Planning Report - Bushfire-Prone Areas Overlay Southern Midlands LGA	--	December 2019
Conditions			
SUBMISSION TO PLANNING AUTHORITY NOTICE OF DRAFT AMENDMENT TO PLANNING SCHEME REFERRAL			
Pursuant to the <i>Water and Sewerage Industry Act 2008 (TAS)</i> Section 56S(2) TasWater makes the following submission(s):			
1. TasWater does not object and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings.			
Advice			
Nil			
Declaration			
The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.			
Authorised by			
 Jason Taylor Development Assessment Manager			
TasWater Contact Details			
Email	development@taswater.com.au	Web	www.taswater.com.au
Mail	GPO Box 1393 Hobart TAS 7001		

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

DECISION

Moved by Clr K Dudgeon, seconded by Clr D Fish

THAT the meeting be suspended for a break at 10.46 a.m.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A Green	√	
Deputy Mayor E Batt	√	
Clr A Bantick	√	
Clr A E Bisdee OAM	√	
Clr K Dudgeon	√	
Clr D Fish	√	
Clr R McDougall	√	

DECISION

Moved by Deputy Mayor E Batt, seconded by Clr A Bisdee OAM

THAT the meeting be reconvened at 11.05 a.m.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A Green	√	
Deputy Mayor E Batt	√	
Clr A Bantick	√	
Clr A E Bisdee OAM	√	
Clr K Dudgeon	√	
Clr D Fish	√	
Clr R McDougall	√	

12. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)

12.1 Roads

Strategic Plan Reference 1.1.1

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

12.1.1 HENRIETTA STREET, OATLANDS (CROWN RESERVED ROAD) – G PENNICOTT – REQUEST FOR COUNCIL TO TAKE ON MAINTENANCE RESPONSIBILITY AND OWNERSHIP

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 16 APRIL 2020

Enclosure(s):

Oatlands – Location Map

Crown Reserved Roads – Unmade Roads Policy

ISSUE

Council to consider taking on maintenance responsibly for an additional 200 metres of Henrietta Street, Oatlands.

BACKGROUND

Henrietta Street, Oatlands is a Council maintained road for a distance of 500 metres. It commences at the junction with Birmingham Arms Road and extends through to the entry gate which provides access to the property owned by D Robson.

Beyond that point it becomes a Crown Reserved Road that is not maintained by Council. It follows, that any request for Council to take on maintenance responsibility and future ownership of the Road would need to be in accordance with Council's 'Crown Reserved Roads (Unmade Roads): Public Initiated Request to Construct - Policy and Procedures'.

DETAIL

A location map is included as an enclosure.

A Development/Building Application has been submitted for the construction of a new shed (including fit-out) on CT 114778/4 (part of PID 278935). Entry to the development is 200 metres beyond the section of Henrietta Street which is maintained by Council.

In order to avoid the need to secure a Licence from the Crown to travel across the Crown Reserved Road, the proponent has offered to construct the road to the required standard, following which this section of Road would become maintainable by Council.

The section of Henrietta Street, which is the subject of this request is marked in 'Blue' on the attached Plan.

In reference to Council's Policy, and in particular the procedures detailed in the Policy, the following comments are provided:

- a) It is confirmed that the status of the Road is Crown Reserved Road and there are no existing Leases or Licences which would prevent construction.
- b) Construction of 200 metres of roadway would provide access to this property; provide full road frontage for the properties owned by D Robson and M & K Jones; and provide frontage (part) for the property owned by J Pennicott.
- c) Preliminary investigations indicate that there is no private infrastructure within the road reservation that would require relocation or adversely impact on construction of the road.
- d) Whilst 'in-principle' approval has not been sought from the Crown (pending confirmation of proposed financing arrangements), there are no apparent issues which would prevent construction.
- e) Based on the existing formation, construction of the road would be relatively straight forward, noting that the Road would be classified as a U3 Road, being the lowest category of unsealed roads. This is based on limited traffic movements and recognition that it would be a 'No-Through' Road post construction.

The following cost estimate is provided:

- Construct approximately 200 metres of unsealed roadway, commencing from the end of the Council maintained section of Henrietta Street.

Total Cost of \$3,835 (excluding GST).

- Cost includes; 1 set of culvert pipes and heads (\$480); 64m³ of gravel @\$22.50 - \$1,440; 32m³ Base Course @ \$9.00 - \$288; Cartage \$607; Excavator Hire \$1,080; Grader Hire \$300). The price is reduced by \$360 to allow for Council clean-up of materials that have been dumped within the road reserve.
 - Council's contribution would be \$767 (i.e. 20%), leaving a balance of \$3,068 to be apportioned between the property owners under whatever shared arrangements that can be negotiated.
- f) As mentioned, there are potentially four properties that would benefit from construction of the road.

Owners:

- G & L Pennicott
- J Pennicott
- M & K Jones
- D Robson

Human Resources & Financial Implications – Refer above detail.

Community Consultation & Public Relations Implications – Refer comment above.

Policy Implications – Consistent with Council Policy.

Priority - Implementation Time Frame – N/A.

RECOMMENDATION

THAT:

- a) the information be received;
- b) subject to the property owners being prepared to finance the balance of \$3,068, Council confirm the merits of the proposal and be prepared to allocate an amount of \$767 as its contribution towards construction of the road; and
- c) following construction of the road to the required standard, Council be prepared to resolve in accordance with section 12 of the *Local Government (Highways) Act 1982* that the constructed section of Henrietta Street, Oatlands be declared as a highway maintainable by the corporation and it be gazetted accordingly.

DECISION

Moved by Cllr A Bisdee OAM, seconded by Deputy Mayor E Batt

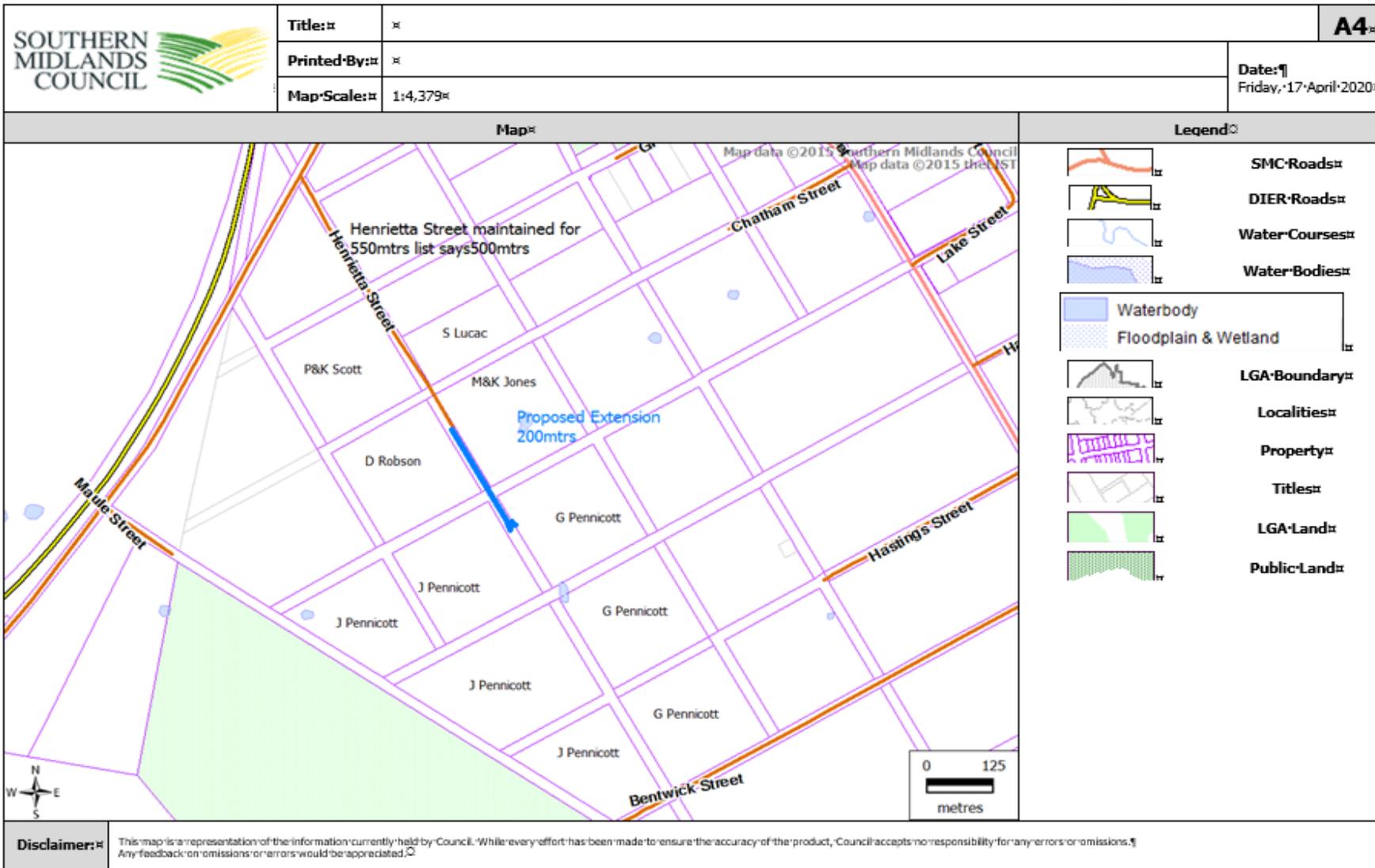
THAT

- a) the information be received;
- b) subject to the property owners being prepared to finance the balance of \$3,068, Council confirm the merits of the proposal and be prepared to allocate an amount of \$767 as its contribution towards construction of the road; and
- c) following construction of the road to the required standard, Council be prepared to resolve in accordance with section 12 of the *Local Government (Highways) Act 1982* that the constructed section of Henrietta Street, Oatlands be declared as a highway maintainable by the corporation and it be gazetted accordingly.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A Green	√	
Deputy Mayor E Batt	√	
Cllr A Bantick	√	
Cllr A E Bisdee OAM	√	
Cllr K Dudgeon	√	
Cllr D Fish	√	
Cllr R McDougall	√	

ENCLOSURE
Agenda Item 12.1.1



1.1	ROADS & BRIDGES
------------	----------------------------

1.1.5.2 CROWN RESERVED ROADS (UNMADE ROADS): PUBLIC INITIATED REQUEST TO CONSTRUCT – POLICY AND PROCEDURES

<i>First Council Meeting Date:</i>	<i>11th Oct. 2006</i>	<i>Decision No.</i>	<i>C/06/10/078/8500</i>
<i>Final Council Meeting Date:</i>	<i>1st Nov. 2006</i>	<i>Decision No.</i>	<i>C/06/11/069/8541</i>
<i>Repealed Council Meeting Date:</i>		<i>Decision No.</i>	
<i>Updated Council Meeting Date:</i>		<i>Decision No.</i>	

POLICY AND PROCEDURE

POLICY STATEMENT

Council will construct a Crown Reserved Road, and accept ongoing maintenance responsibility, where the following procedure is adhered to and all conditions / pre-requisites have been complied with.

In all cases, Council will be responsible for constructing the road to the required standard determined by Council.

PROCEDURE

Upon receipt of a request for Council to construct a Crown Reserved Road, Council will:

- (a) undertake research to confirm the status of the Road as Crown Reserved Road, and identify any existing Leases / Licences (which may prevent construction);
- (b) Assess and consider the merits of the proposal based on economic and social benefit for the broader municipal area and community (This is an additional consideration to justify Council investment in the development of additional road infrastructure, and the associated budget implications);
- (c) determine whether there is any private infrastructure within the road reservation which may require relocation to enable construction of the road. This will be undertaken at the owners expense, although it may be undertaken during the construction process;
- (d) seek approval 'in-principle' from the Crown to construct the Road;
- (e) prepare a cost estimate for constructing the road, which will include costs associated with acquiring necessary drainage easements (if applicable) and any other related infrastructure;
- (f) identify the affected property owners and determine the apportionment of costs based on the principles detailed below; and
- (g) inform the applicant(s) accordingly.

The applicant(s) must then:

- (a) seek formal consent from each of the landowners fronting the section of the Crown Reserved Road to be constructed, which will include confirmation of financial contribution. A separate apportionment of the construction costs may be agreed between the affected landowners;
- (b) identify if there is a need to negotiate any separate repayment arrangements, with all or any of the parties, and notify Council accordingly. In this regard, it is considered appropriate that any repayment arrangement would not exceed five (5) years. Each to be considered on a 'case by case' basis;
- (c) Seek formal approval from any persons that may have private infrastructure within the road reservation that they are prepared to relocate the infrastructure at their own expense.

There must be full agreement from all affected landowners for the project to proceed.

Funding Contributions – Apportionment principles:

Unless determined otherwise, Council will contribute an amount equivalent to twenty percent (20%) of the total estimated cost of construction.

The remaining (80%) of the total cost will, in the first instance, be apportioned based on the length of the road frontage to the section of the road to be constructed.

Any Council owned property will be excluded for the purpose of calculating road frontage and the end apportionment.

12.2 Bridges

Strategic Plan Reference 1.2.1

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

Nil.

12.3 Walkways, Cycle ways and Trails

Strategic Plan Reference 1.3.1

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

Nil.

12.4 Lighting

Strategic Plan Reference 1.4.1a & 1.4.1b

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

Nil.

12.5 Buildings

Strategic Plan Reference 1.5.1

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

Nil.

12.6 Sewers / Water

Strategic Plan Reference(s) 1.6.1 & 1.6.2

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

Nil.

12.7 Drainage

Strategic Plan Reference 1.7.1

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

Nil.

12.8 Waste

Strategic Plan Reference 1.8.1

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

Nil.

12.9 Information, Communication Technology

Strategic Plan Reference 1.9.1

Improve access to modern communications infrastructure.

Nil.

12.10 Officer Reports – Infrastructure & Works

12.10.1 MANAGER – INFRASTRUCTURE & WORKS REPORT

Author: MANAGER INFRASTRUCTURE & WORKS (JACK LYALL)

Date: 17 APRIL 2020

QUESTIONS WITHOUT NOTICE TO MANAGER, INFRASTRUCTURE & WORKS

Clr McDougall - Buckland Road/Springvale Road – this road has been graded but it is still very rough and requires further attention – particularly the uphill section approaching Springvale Road. *Noted and to be actioned.*

RECOMMENDATION

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

DECISION

Moved by Clr K Dudgeon, seconded by Clr R McDougall

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

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A Green	√	
Deputy Mayor E Batt	√	
Clr A Bantick	√	
Clr A E Bisdee OAM	√	
Clr K Dudgeon	√	
Clr D Fish	√	
Clr R McDougall	√	

13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

13.1 Residential

Strategic Plan Reference 2.1.1

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

Nil.

13.2 Tourism

Strategic Plan Reference 2.2.1

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

Nil.

13.3 Business

Strategic Plan Reference 2.3.1a, 2.3.1b & 2.3.1c

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

Nil.

13.4 Industry

Strategic Plan Reference 2.4.1 & 2.4.2

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

Nil.

14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)

14.1 Heritage

Strategic Plan Reference 3.1.1, 3.1.2 & 3.1.3

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

14.1.1 HERITAGE PROJECT PROGRAM REPORT

Author: MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)

Date: 17 APRIL 2020

ISSUE

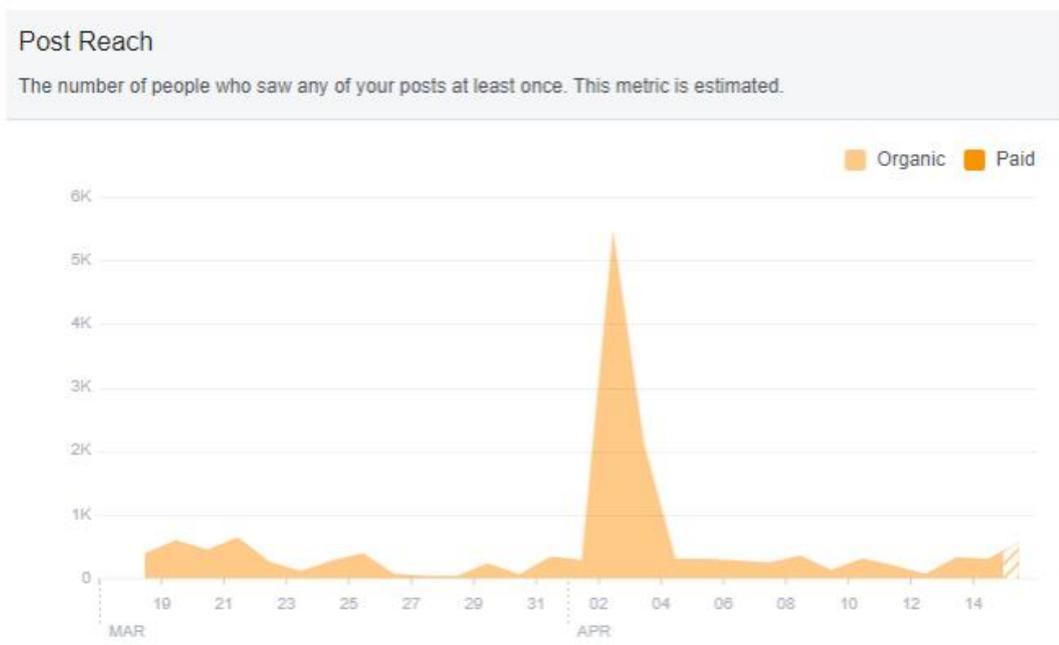
Report from the Manager, Heritage Projects on various Southern Midlands Heritage Projects.

DETAIL

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

- Input into the Strategic Plan review.
- Auditing the Callington Mill heritage and archaeological collection ahead of loan negotiations for display in the new initiative.
- Progressing a scoping document for a major review of the heritage collections store.
- Temporarily closed down the Heritage Hub including arranging the return or safe storage of items on consignment, finances & inventory.
- Installation of blinds at the Heritage Hub for security (& future use to prevent stock/items from being sun damaged).
- A revised application has been made to the Tasmanian Community Fund for further interpretive works at the Oatlands Commissariat.
- An article has been submitted to 'Imprint' magazine for promotion of future Artist in Residence programs.
- Started the transcription of letters from the Weeding letters collection. A donated series of letters to the SMC Heritage Collection by the Griffiths & Goold families about 2011. When they were researching their own family history, they unearthed letters written between siblings of the Weeding family living between Van Diemens Land, England & Bombay between 1834-1838. This will become a feature project on social media & through the SMC website portal once the transcription of letters reveals the sequence & timeline of correspondence.
- Social media posts. Up until last month we had averaged a couple of posts per week but have made an effort since Coronavirus restrictions have been in place to increase our posts & variety of subject matter. Since the 1st April 2020 we have had 13 posts so far, averaging almost one a day (at the time of writing this). We have

increased our page followers by 30 people since the 1st April, the post reach has been between 156 people to over 8,036 depending on the post content. The post that reached over 8,000 people was a shared one from the Producers of Restoration Australia who are looking for more heritage properties in Tasmania to feature on the tv show. We also provided content including 'how to recreate famous artworks using household items, 'They found a Cave' movie, free online study through Yale University, Museum from home – watercolour restoration, this day in 1895 in Oatlands, part 2 of the Richard "Long Mick' Ennis story as part of the "if the Walls could talk" series, Recipes & household tips from Oatlands ladies of 1903, Estates of Broadmarsh, Kempton mystery building, Parattah, Oatlands Railway timetable, Thursday mystery photo – picnic at Tiger Hut along with our regular wallpaper collection features. The following metrics are demonstrative of the upward trend:



RECOMMENDATION

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

DECISION

Moved by Cllr D Fish, seconded by Cllr K Dudgeon

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

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A Green	√	
Deputy Mayor E Batt	√	
Cllr A Bantick	√	
Cllr A E Bisdee OAM	√	
Cllr K Dudgeon	√	
Cllr D Fish	√	
Cllr R McDougall	√	

14.2 Natural

Strategic Plan Reference 3.2.1 & 3.2.2

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

14.2.1 NRM UNIT – GENERAL REPORT

Author: NRM PROGRAMS MANAGER (MARIA WEEDING)

Date: 20 APRIL 2020

ISSUE: Southern Midlands Landcare Unit Monthly Report.

Report circulated but with insufficient time to review.

DECISION

Moved by Cllr A Bisdee OAM, seconded by Cllr D Fish

THAT consideration of the Landcare Unit Report be deferred to May 2020.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A Green	√	
Deputy Mayor E Batt	√	
Cllr A Bantick	√	
Cllr A E Bisdee OAM	√	
Cllr K Dudgeon	√	
Cllr D Fish	√	
Cllr R McDougall	√	

14.3 Cultural

Strategic Plan Reference 3.3.1

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

Nil.

14.4 Regulatory (Other than Planning Authority Agenda Items)

Strategic Plan Reference 3.4.1

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

Nil.

14.5 Climate Change

Strategic Plan Reference 3.5.1

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

Nil.

15. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LIFESTYLE)

15.1 Community Health and Wellbeing

Strategic Plan Reference 4.1.1

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

Nil.

15.2 Youth

Strategic Plan Reference 4.2.1

Increase the retention of young people in the municipality.

Nil.

15.3 Seniors

Strategic Plan Reference 4.3.1

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

Nil.

15.4 Children and Families

Strategic Plan Reference 4.4.1

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

Nil.

15.5 Volunteers

Strategic Plan Reference 4.5.1

Encourage community members to volunteer.

Nil.

15.6 Access

Strategic Plan Reference 4.6.1a & 4.6.1b

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

Nil.

15.7 Public Health

Strategic Plan Reference 4.7.1

Monitor and maintain a safe and healthy public environment.

Nil.

15.8 Recreation

Strategic Plan Reference 4.8.1

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

Nil.

15.9 Animals

Strategic Plan Reference 4.9.1

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

15.9.1 2020/21 ANIMAL MANAGEMENT FEES (INCLUDING DOG REGISTRATION)

Author: MANAGER DEVELOPMENT AND ENVIRONMENTAL SERVICES (DAVID CUNDALL)

Date: 16 APRIL 2020

ISSUE

Adoption of the 2020-2021 Animal Management Fees.

BACKGROUND

Dog Registration fees are to be adopted in accordance with Council's *Dog Management Policy* and the *Dog Control Act 2000*.

DETAIL

For information, the following is a list of the fees and charges that were adopted for the current financial year (i.e. 2019/20):

CLASS	EVIDENCE REQUIRED	AMOUNT
Dog (<i>desexed</i>)	<i>Vet Certificate or Stat Dec required</i>	\$30.00
Dog (<i>non-desexed</i>)		\$40.00
Greyhound/Working Dog/Purbreed (<i>for showing/breeding</i>)	<i>Certificate required, TCA or GRT membership or ABN</i>	\$30.00
Dangerous Dog/Restricted Breed/Guard Dog	<i>Declared by General Manager</i>	\$90.00
Guide Dogs/Hearing Dogs		No Charge
Pensioner	<i>Pension Concession Card / Health Care Card</i>	50% discount off scheduled fee (<i>one dog only</i>)
Replacement Tag (<i>metal lifetime tag</i>)		\$10.00
Formal Notice of Complaint		\$60.00
Kennel Licence Application		\$120.00
Kennel Licence Renewal		\$50.00
Impound fee (<i>per animal</i>)		\$30.00
Feed/care fee (<i>daily charge per animal</i>)		\$10.00

Dogs Home of Tasmania Impound Fee	<i>Paid directly to Dogs Home</i>	Refer Dogs Home
-----------------------------------	-----------------------------------	-----------------

Councillors may recall that:

- a) all fees were increased marginally in 2017/2018 to offset the cost of improved animal management services;
- b) a reduced fee was introduced for desexed dogs which provides an incentive and encouragement for responsible dog ownership;
- c) the higher fee payable after the 31st July was deleted as all dogs should be registered prior to that date; and
- d) a separate charge was introduced for declared dangerous dogs/restricted breed dogs/guard dogs. This is consistent with other Council practices.

In reference to Council's *Dog Management Policy*, refund of registration fees will only be provided for dogs that have died in the current year of registration. Refunds are only available on completion of the appropriate form lodged with Council by the owner of the dog subject of the claim. Any refund provided is on a pro-rata basis as at the time of application.

The Southern Midlands Council will transfer dog registrations from other Tasmanian Councils at no cost to the dog owner, provided the registration is for the same registration period.

Amendments

Council's fees are still comparable and reasonable in relation to surrounding and similar Local Government Areas. No increase in fees is recommended for this financial year 2020-2021.

Human Resources & Financial Implications – In reference to the draft 2020/21 Budget, the same level of fees would achieve approximately 55% cost recovery for the Animal Management Service. Acknowledging that animal management involves the management of all other animal related complaints and issues, this is considered reasonable. For this reason, fees could be kept at the same level for this coming financing financial year.

Community Consultation & Public Relations Implications – Nil

Southern Midlands Council Website - The adopted fees will be displayed on the website.

Policy Implications - Policy position.

Priority - Implementation Time Frame – It is normal practice for reminder Notices to be issued in late May of each year. Registration fees are due on 1st July.

RECOMMENDATION

THAT Council adopt the following Animal Management Fees for the 2020-21 period:

CLASS	EVIDENCE REQUIRED	AMOUNT
Dog (<i>desexed</i>)	<i>Vet Certificate or Stat Dec required</i>	\$30.00
Dog (<i>non-desexed</i>)		\$40.00
Greyhound/Working Dog/Purbreed (<i>for showing/breeding</i>)	<i>Certificate required, TCA or GRT membership or ABN</i>	\$30.00
Dangerous Dog/Restricted Breed/Guard Dog	<i>Declared by General Manager</i>	\$90.00
Guide Dogs/Hearing Dogs		No Charge
Pensioner	<i>Pension Concession Card / Health Care Card</i>	50% discount off scheduled fee (<i>one dog only</i>)
Replacement Tag (<i>metal lifetime tag</i>)		\$10.00
Formal Notice of Complaint		\$60.00
Kennel Licence Application		\$120.00
Kennel Licence Renewal		\$50.00
Impound fee (<i>per animal</i>)		\$30.00
Feed/care fee (<i>daily charge per animal</i>)		\$10.00
Dogs Home of Tasmania Impound Fee	<i>Paid directly to Dogs Home</i>	Refer Dogs Home

DECISION

Moved by Clr A Bisdee OAM, seconded by Clr A Bantick

THAT Council adopt the following Animal Management Fees for the 2020-21 period:

CLASS	EVIDENCE REQUIRED	AMOUNT
Dog (<i>desexed</i>)	<i>Vet Certificate or Stat Dec required</i>	\$30.00
Dog (<i>non-desexed</i>)		\$40.00
Greyhound/Working Dog/Purbreed (<i>for showing/breeding</i>)	<i>Certificate required, TCA or GRT membership or ABN</i>	\$30.00
Dangerous Dog/Restricted Breed/Guard Dog	<i>Declared by General Manager</i>	\$90.00
Guide Dogs/Hearing Dogs		No Charge
Pensioner	<i>Pension Concession Card / Health Care Card</i>	50% discount off scheduled fee (<i>one dog only</i>)
Replacement Tag (<i>metal lifetime tag</i>)		\$10.00
Formal Notice of Complaint		\$60.00
Kennel Licence Application		\$120.00
Kennel Licence Renewal		\$50.00
Impound fee (<i>per animal</i>)		\$30.00
Feed/care fee (<i>daily charge per animal</i>)		\$10.00
Dogs Home of Tasmania Impound Fee	<i>Paid directly to Dogs Home</i>	Refer Dogs Home

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A Green	√	
Deputy Mayor E Batt	√	
Clr A Bantick	√	
Clr A E Bisdee OAM	√	
Clr K Dudgeon	√	
Clr D Fish	√	
Clr R McDougall	√	

15.10 Education

Strategic Plan Reference 4.10.1

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

Nil.

16. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

16.1 Capacity

Strategic Plan Reference 5.1.1 & 5.1.2

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

Nil.

16.2 Safety

Strategic Plan Reference 5.2.1

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

Nil.

16.3 Consultation & Communication

Strategic Plan Reference 5.3.1

Improve the effectiveness of consultation and communication with the community.

Nil.

17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

17.1 Improvement

Strategic Plan Reference(s) 6.1.1, 6.1.2, 6.1.3, 6.1.4 & 6.1.5

Improve the level of responsiveness to Community needs / Improve communication within Council / Improve the accuracy, comprehensiveness and user friendliness of the Council asset management system / Increase the effectiveness, efficiency and use-ability of Council IT systems / Develop an overall Continuous Improvement Strategy and framework.

Nil.

17.2 Sustainability

Strategic Plan Reference(s) 6.2.1, 6.2.2, 6.2.3, 6.2.4, 6.2.5, 6.2.6, 6.2.7 & 6.2.8

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

17.2.1 LOCAL GOVERNMENT SHARED SERVICES UPDATE (STANDING ITEM – INFORMATION ONLY)

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 17 APRIL 2020

Enclosure(s):

Local Government Shared Services Update – February 2020

Local Government Shared Services – Council Update – February 2020

ISSUE

To inform Council of the Common Services Joint Venture activities for the month of February 2020.

BACKGROUND

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

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

DETAIL

Refer to the enclosed 'Local Government Shared Services – Council Update'.

Human Resources & Financial Implications – Refer comment provided in the update.

Councillors will note that the Southern Midlands Council provided 102 hours of service to other Councils and received 7 hours of services from other Councils during the month.

Details of services provided are included in the enclosures.

Community Consultation & Public Relations Implications – Nil

Policy Implications – N/A

Priority - Implementation Time Frame – Ongoing.

RECOMMENDATION

THAT the information be received.

DECISION

Moved by Clr K Dudgeon, seconded by Clr A Bisdee OAM

THAT the information be received.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A Green	√	
Deputy Mayor E Batt	√	
Clr A Bantick	√	
Clr A E Bisdee OAM	√	
Clr K Dudgeon	√	
Clr D Fish	√	
Clr R McDougall	√	

ENCLOSURE
Agenda Item 17.2.1

LG Shared Services Update

February 2020

Summary of Recent Shared Services Activity

359 hours of Shared Services were exchanged between Councils in February 2020, which is an increase of 19% when compared to hours exchanged in January 2020 (301 hours) and is above the three-month average of 318 hours per month.

Fig 1 - Shared Service Exchange Hours in Recent Months

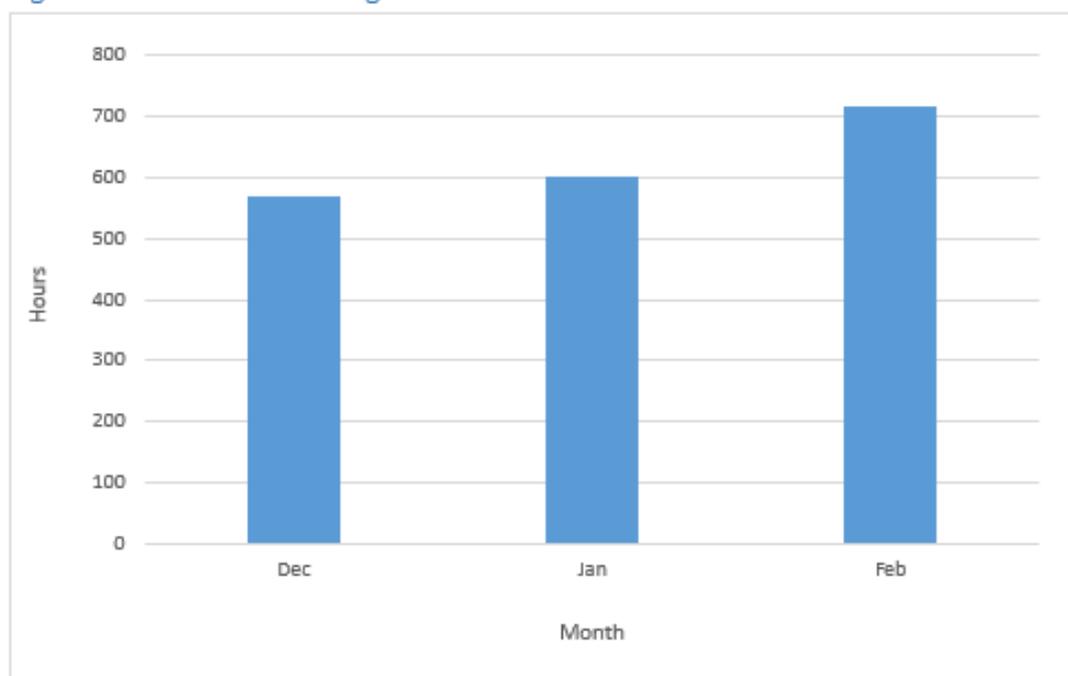
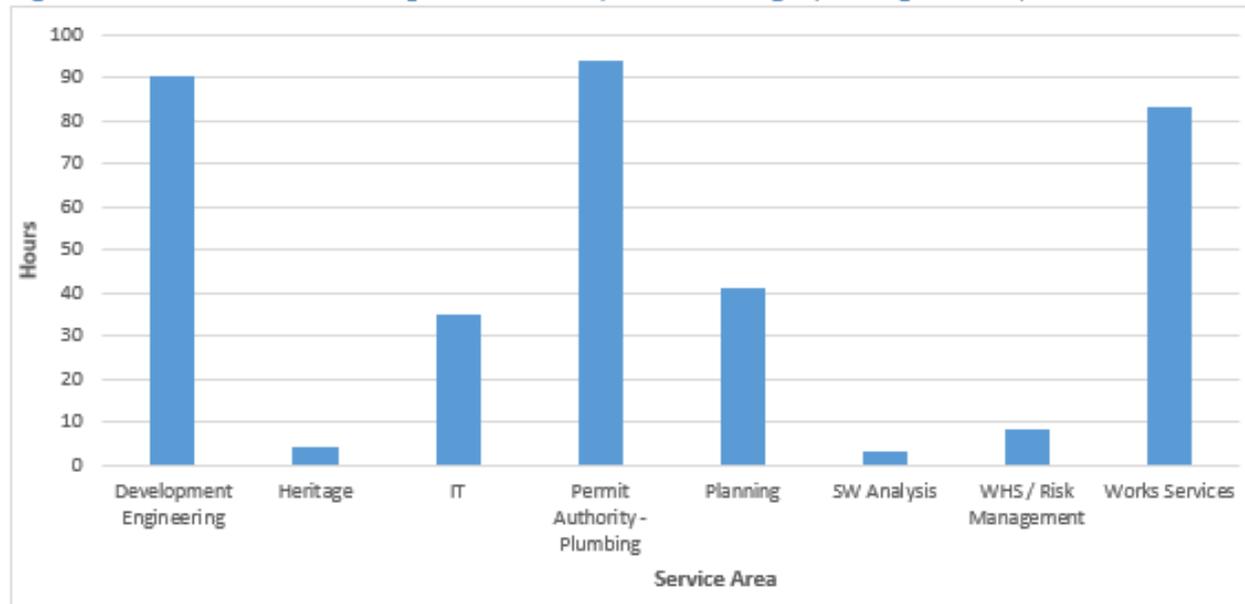


Fig 2 - Details of Current Exchange of Services by Council during February 2020

Provider Council	Client / Organisation							
	Brighton	Central Highlands	Derwent Valley	GCC	GSB	Sorell	SMC	Tasman
Brighton		0.25			85		5.25	123.5
Central Highlands	2					2	2	2
GSB								
Glenorchy								
Huon Valley								
Sorell					22			13
Southern Midlands		41.25	60.25					
Tasman								

* Council/Organisation not currently a member of the Shared Services Joint Venture Agreement

Fig 3 - Details of Current Exchange of Services by Service Category during February 2020



Savings to Local Government

A total of 359 hours of shared services were exchanged between Councils last month. Analysis of Shared Services provision has indicated that both the Provider Council and the Client Council save money through the exchange of Shared Services at an approximate ratio of 50%.

Due to this, it is estimated that the provision of shared services between Councils saved participating Councils and Local Government as a whole \$23,900 for the month of February. This was a result of increasing the utilisation of current Council Staff at Councils providing services and from Client Councils utilising Shared services from within Local Government as opposed to external consultants (on average LG Shared Services rates can be procured at significant discount to external consultant fees).

Local Government Shared Services - Council Update

Council

Southern Midlands

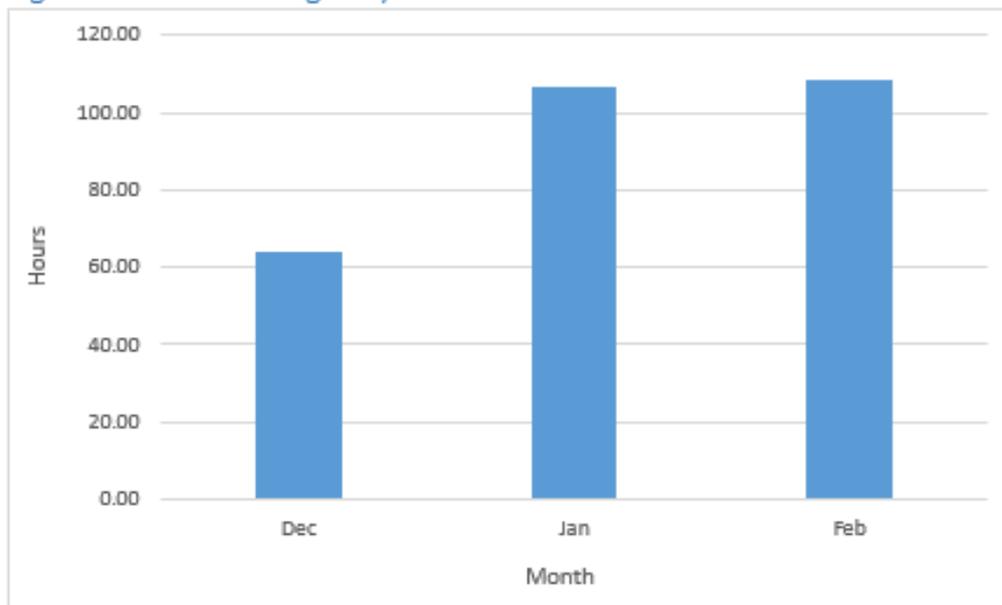
Shared Service Participation in February 2020

109 hours

Summary

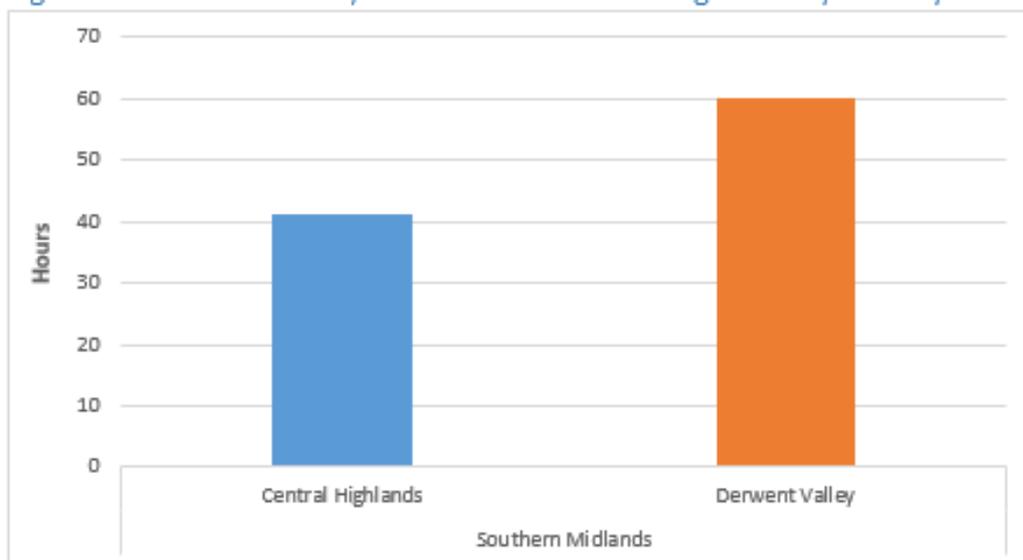
In February 2020, 109 hours of shared services were exchanged by the Southern Midlands Council. From this total, Southern Midlands provided 102 hours to other Councils and received 7 hours of services from other Councils. Total hours of exchange increased by 2% when compared to January (107) and were above the three-month average of 93 hours per month.

Fig 1 – Services Exchanged by Southern Midlands Council in Recent Months



Services Provided by Southern Midlands Council

Fig 2 - Services Provided by Southern Midlands during February 2020 by Council



* Council is not currently a member of LG Shared Services

Fig 3 - Services Provided by Southern Midlands during February 2020 by Service Category

Southern Midlands	102	Summary of Services Provided
Central Highlands	41	
Planning	41	Regulatory and Strategic Planning
Derwent Valley	60	
Permit Authority - Plumbing	56	Plumbing Inspections and Admin
Heritage	4	Heritage Planning

* Council is not currently a member of LG Shared Services

Services Received by Southern Midlands Council

Fig 4 - Services Received by Southern Midlands during February 2020 by Council

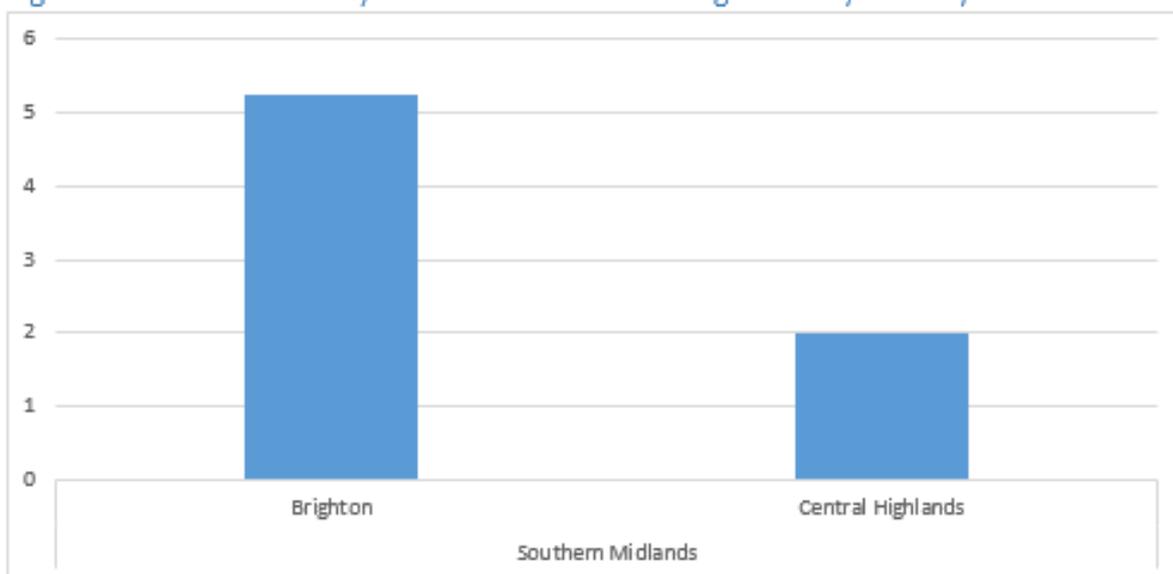


Fig 5 - Services Received by Southern Midlands during February 2020 by Service Category

Southern Midlands	7	Summary of Services Received
Brighton	5	
Development Engineering	5	Development Engineering
Central Highlands	2	
WHS / Risk Management	2	Online Contractor Inductions

17.2.2 TABLING OF DOCUMENTS

Nil.

17.2.3 ELECTED MEMBER STATEMENTS

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

Clr Dudgeon

- Appreciation to Nick Wilson (ICT Officer) for all of his work arranging video conference facilities/upgrades over the past few weeks.

Mayor A Green

- ANZAC Day Services have been cancelled due to Covid-19 but all Councils are supportive of residents to stand at the end of their driveway at 6.00 a.m to commemorate ANZAC Day. A post has also been uploaded to Councils Facebook page.

17.3 Finances

Strategic Plan Reference(s) 6.3.1, 6.3.2 & 6.3.3

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

17.3.1 MONTHLY FINANCIAL STATEMENT (PERIOD ENDING 31 MARCH 2020)

Author: FINANCE OFFICER (MANDY BURBURY)

Date: 17 APRIL 2020

ISSUE

Provide the Financial Report for the period ending 31st March 2020.

BACKGROUND

The format of the Operating Expenditure Report has been amended to include a Year To Date (YTD) Budget Column, with variations (and percentage) based on YTD Budgets – as opposed to total annual Budget.

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

DETAIL

The enclosed Report incorporates the following: -

- Statement of Comprehensive Income – 1 July 2019 to 31 March 2020.
- Operating Expenditure Budget Report – 1 July 2019 to 31 March 2020.
- Capital Expenditure Estimates – as at 31 March 2020.
- Cash Flow Statement – 1 July 2019 to 31 March 2020.
- Rates & Charges – as at 10 April 2020.

OPERATING EXPENDITURE ESTIMATES (OPERATING BUDGET)

Overall, operating expenditure to end of February was \$5,390,410 which represents 87.17% of YTD Budget.

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

Strategic Theme - Infrastructure

Sub-Program – Public Toilets – expenditure to date (\$60,726 – 119.69%). Expenditure relates to additional cleaning hours and cleaning products due to COVID-19.

Sub-Program – Signage – expenditure to date (\$6,393 – 118.06%). Expenditure relates to purchasing and replacing stolen road signs. This is a relatively minor budget and will be monitored.

Strategic Theme – Growth

Nil.

Strategic Theme – Landscapes

Nil.

Strategic Theme – Lifestyle

Sub-Program – Aged – expenditure to date (\$2,186 – 145.7%). Expenditure relates to the cost of hiring the Kempton Community Bus for Community Walks.

Strategic Theme – Community

Sub-Program – Capacity – expenditure to date (\$46,633 – 132.03%). Expenditure relates to costs associated with the Heritage Bullock Festival, Arts Committee Events and donations provided for sporting representations.

Sub-Program – Safety – expenditure to date (\$56,001 – 154.91%). Expenditure relates to Salaries, On Costs and Plant associated with firefighting and recovery following the Pelham Fire.

Strategic Theme – Organisation

Nil.

RECOMMENDATION

THAT the Financial Report be received and the information noted.

DECISION

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

THAT the Financial Report be received and the information noted.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A Green	√	
Deputy Mayor E Batt	√	
Clr A Bantick	√	
Clr A E Bisdee OAM	√	
Clr K Dudgeon	√	
Clr D Fish	√	
Clr R McDougall	√	

STATEMENT OF COMPREHENSIVE INCOME
FOR THE PERIOD
1st JULY 2019 to 31st MARCH 2020

	Annual Budget	Year to Date as at 30th March	%	Comments
Income				
General rates	\$ 5,724,701	\$ 5,696,344	99.5%	Budget includes Interest & Penalties to be imposed to end of June 2020
User Fees (refer Note 1)	\$ 694,036	\$ 499,628	72.0%	
Interest	\$ 180,000	\$ 120,976	67.2%	
Government Subsidies	\$ 19,250	\$ 11,655	60.5%	Heavy Vehicle Licence Fees & Road Rescue MAIB reimbursements
Contract Income	\$ 0	\$ 0	0.0%	
Other (refer Note 2)	\$ 162,000	\$ 167,743	103.5%	
Sub-Total	\$ 6,779,987	\$ 6,496,346	95.8%	
Grants - Operating	\$ 3,470,832	\$ 1,311,077	37.8%	
Total Income	\$ 10,250,819	\$ 7,807,423	76.2%	
Expenses				
Employee benefits	\$ (3,905,753)	\$ (2,557,046)	65.5%	Less Roads - Resheeting Capitalised
Materials and contracts	\$ (3,063,277)	\$ (2,517,546)	82.2%	Less Roads - Resheeting Capitalised, Includes Land Tax
Depreciation and amortisation	\$ (3,061,160)	\$ (2,298,931)	75.1%	Percentage Calculation (based on year-to-date)
Finance costs	\$ (27,088)	\$ (18,015)	66.5%	
Contributions	\$ (233,907)	\$ (116,954)	50.0%	Fire Service Levies
Other	\$ (133,944)	\$ (158,391)	118.3%	Incls Rate Discounts
Total expenses	\$ (10,425,129)	\$ (7,666,883)	73.5%	
Surplus (deficit) from operations	\$ (174,310)	\$ 140,540	-80.6%	
Grants - Capital (refer Note 3)	\$ 4,526,481	\$ 1,440,623	31.8%	
Sale Proceeds (Plant & Machinery)	\$ 0	\$ 331,856	0.0%	
Net gain / (loss on disposal of non-current assets)	\$ (108,182)	\$ 0	0.0%	
Surplus / (Deficit)	\$ 4,243,989	\$ 1,913,019	45.1%	

NOTES

1. Income - User Fees (Budget \$730,602) includes:

- All other Programs	\$	471,579	\$	311,997	66.2%	Actual Income Received (i.e. excluding Debtors)
- Private Works	\$	222,457	\$	184,062	82.7%	
- Callington Mill	\$	-	\$	3,569	0.0%	
	\$	694,036	\$	499,628		

2. Income - Other (Budget \$162,000) includes:

- Tas Water Distributions	\$	152,000	\$	76,000	50.00%	
- HBS Dividend	\$	10,000	\$	-	0.00%	
- Other			\$	58,450		\$58,450 received from the Tunbridge Hall Management Comm - Toilet Project.
- Other			\$	29,336		\$29,336 received from the Mt Pleasant Rec Ground Man Comm - Toilet Project
- Other	\$	-	\$	3,957		
	\$	162,000	\$	167,743	103.5%	

3. Grant - Capital (Budget \$1,669,375) includes:

- Aus Gov Election Commit'	\$	1,930,000	\$	-	0.0%	
- Swimming Pool	\$	1,900,000	\$	800,000	0.0%	
- Roads To Recovery Grant	\$	665,531	\$	574,531	86.3%	To be received March 2020
- Twin Equestrian Arenas	\$	-	\$	-	0.0%	
- Runnymede Cricket Ground			\$	35,142		
- Commissariat NSRF Grant	\$	30,950	\$	30,950	100.0%	
	\$	4,526,481	\$	1,440,623	31.8%	

4. Grant - Operating (Budget \$1,669,375) includes:

Operating Grants

- FAGS	\$		\$	1,306,382		
- Court House	\$		\$	150		
- Weed Control Grant	\$		\$	4,545		
	\$	-	\$	1,311,077		

CAPITAL EXPENDITURE PROGRAM 2019-20
AS AT 31 MARCH 2020

			BUDGET	EXPENDITURE	VARIANCE	COMMENTS
INFRASTRUCTURE						
ROAD ASSETS						
Resheeting Program	Various	Roads Resheeting	\$ 500,000	\$ 137,498	\$ 362,502	
Reseal Program		Roads Resealing (as per agreed program)	\$ 280,000	\$ -	\$ 280,000	
	C1020033	Yarlington Road (Smarts Hill - 150 metres)	\$ 15,000	\$ -	\$ 15,000	\$15K Budget c/fwd
Reconstruct & Seal		Green Valley Road, Bagdad (300metres off Swan Street)	\$ 54,000	\$ -	\$ 54,000	
	C1020025	Shene Road, Mangalore (850metres)	\$ 97,500	\$ 44,898	\$ 52,602	
	C1010089	Woodsdale Road (1km Reconstruction)	\$ 165,000	\$ 164,225	\$ 775	
Construct & Seal (Unsealed Roads)		Huntington Tier (300 metres new seal)	\$ 63,000	\$ -	\$ 63,000	
	C1020069	Roberts Road (350m new seal incl. stormwater)	\$ 59,000	\$ 2,183	\$ 56,817	
		Main Intersection/Carpark Campania - Design Concept	\$ 50,000	\$ -	\$ 50,000	
	C1020067	Eldon Road (800 metres new seal)	\$ 154,000	\$ 11,869	\$ 142,331	RTR
	C1020072	Banticks Road (1klm new seal from Junction with Blackbrush)	\$ 27,500	\$ 1,894	\$ 25,606	
	C1020071	Blackbrush Road (1klm new seal from existing to Banticks)	\$ 210,000	\$ -	\$ 210,000	RTR
	C1020055	Yarlington Road (construct & Seal)	\$ -	\$ 2,984	\$ (2,984)	RTR
Minor Seals (New)		Dust Suppressant Seal	\$ 20,000	\$ -	\$ 20,000	
		Junctions - Various Locations (incl. Greggs Road)	\$ 20,000	\$ -	\$ 20,000	
	C1020032	Hasting Street Junction	\$ 15,000	\$ 959	\$ 14,041	\$15K Budget c/fwd WIP 30/6/19 \$959
Unsealed Rds - Road Widening		Clifton Vale Road - (Cliff Section)	\$ 20,128	\$ 17,410	\$ 2,717	
	C1020061	Native Corners Road (Far end, Widening/Guard Rail)	\$ 9,000	\$ 3,277	\$ 5,723	\$9K Budget c/fwd
Junction / Road Realignment / Other		Campania - Reeve St / Clime Street (includes Footpath)	\$ 70,000	\$ 9,504	\$ 60,496	\$70K Budget c/fwd WIP 30/6/19 \$2,617
	C1020070	Elderslie - Bluff Road Intersection Upgrade	\$ -	\$ 138	\$ (138)	
		Water Lane (Minor Widening/drainage - V drain)	\$ 23,500	\$ -	\$ 23,500	
Drainage Component - \$42,900		Reeve St - Hall Street to Rec Ground (K&G)	\$ 94,915	\$ 46,864	\$ 48,051	\$20k Budget c/fwd WIP 30/06/19 \$6,887
	C1020047	Lovely Banks Road (vicinity of Carnes)	\$ 25,000	\$ 1,621	\$ 23,379	Extend Culverts/ tree removal / realign
		Rhyndaston Road - Guard Rail	\$ 20,000	\$ -	\$ 20,000	
	C1020066	Stonor Road - Guard Rail	\$ 30,000	\$ 8,657	\$ 21,343	
		Woodsdale Road (Vicinity of Dean Property)	\$ 15,000	\$ -	\$ 15,000	
	C1010088	Bagdad Primary School - Car Park (contribution)	\$ 25,000	\$ 33,550	\$ (8,550)	\$25k Budget c/fwd WIP 30/06/19 \$6,036
			\$ 2,062,543	\$ 487,132	\$ 1,575,411	
BRIDGE ASSETS						
	C1030058	Hardings Road (White Kangaroo Rivulet- B1096)	\$ 180,400	\$ 79,514	\$ 100,886	RTR
	C1030059	Woodsdale Road (Nutting Garden Rivulet- B3968))	\$ 210,390	\$ 186,465	\$ 23,925	RTR
			\$ 390,790	\$ 265,979	\$ 124,811	
WALKWAYS						
	C1040003	Footpaths - General Streetscapes	\$ 20,000	\$ -	\$ 20,000	
		Bagdad Township				
	C1040014	- East Bagdad Road	\$ 105,000	\$ 3,488	\$ 101,514	WIP 30/6/19
		Broadmarsh Township				
		- Streetscape Works	\$ 230,000	\$ -	\$ 230,000	Funds \$230k subject to finalising Grant Deeds (Federal Gov.)
		Campania Township				
		- Review Management Plan (Site Plan) / Walking Tracks (Bush Reserv	\$ 5,000	\$ -	\$ 5,000	\$5K Budget c/fwd
		- Reeve Street - Footpath through to Hall	\$ 30,000	\$ -	\$ 30,000	
		- Climie Street/Water Lane (incl. footpath)				
		- Climie Street to Kandara Court Footpath				
		Kempton Township				
		- Midlands Highway/Mood Food	\$ 70,150	\$ -	\$ 70,150	
	C1040027	- Memorial Avenue (complete drainage/other site works)	\$ 25,000	\$ 16,245	\$ 8,755	
		- Streetscape Plan (Review & Implementation)	\$ 110,000	\$ 31,825	\$ 78,175	Footpath renewal Component - Funds \$75k subject to finalising Grant Deeds (Federal Gov.)
	C1040004	Melton Mowbray Township				
	G2020002	- Streetscape Works (Trough / Shelter etc)	\$ 30,000	\$ 5,318	\$ 24,682	
		Oatlands Township				
	C1040016	- High Street (Footpath Renewal)	\$ 33,000	\$ 1,252	\$ 31,748	
	C1040026	- Church Street (Footpath Renewal)	\$ 17,000	\$ 16,714	\$ 286	
		Tunbridge Township				
		- Maint Street Kerb & Gutter (Vicinity of Hall)	\$ 30,000	\$ -	\$ 30,000	
		Tunnack Township				

			BUDGET	EXPENDITURE	VARIANCE	COMMENTS
		- Streetscape concept Plan	\$ 5,000	\$ -	\$ 5,000	
			\$ 710,150	\$ 74,840	\$ 635,310	
LIGHTING	C1050001	Esplanade Project (Total Project Cost \$128k year 1-2)	\$ 134,000	\$ 21,327	\$ 112,673	\$64k Budget c/fwd WIP 30/6/19 \$21,251 - Funds \$250k subject to finalising Grant Deeds (Federal Gov.)
			\$ 134,000	\$ 21,327	\$ 112,673	
BUILDINGS	C1110002	Campania Flour Mill Park - Concrete Pathways/drainage/remove pavers Tunbridge Hall Toilets	\$ 15,000 \$ 77,500	\$ - \$ 84,864	\$ 15,000 \$ (7,364)	WIP 30/6/19 \$18,288 - Budget incl. Grants
			\$ 92,500	\$ 84,864	\$ 7,636	
DRAINAGE		Bagdad				
		- Lyndon Road	\$ 15,000	\$ -	\$ 15,000	\$15K Budget c/fwd
	C1090013	- Midland Highway/Swan Street Drainage	\$ 50,000	\$ 8,178	\$ 41,822	
		Campania				
		- Estate Road (School Farm)	\$ 10,000	\$ -	\$ 10,000	
		Oatlands				
		- Barrack Street (towards Mason Street)	\$ 10,000	\$ -	\$ 10,000	\$10K Budget c/fwd
		- High St/Wellington Street Junction	\$ 5,000	\$ -	\$ 5,000	\$5K Budget c/fwd
		- Queen Anne Street	\$ 7,500	\$ -	\$ 7,500	\$7.5K Budget c/fwd
		Kempton				
		- Erskine Street	\$ -	\$ 4,668	\$ (4,668)	WIP 30/6/19
			\$ 97,500	\$ 12,846	\$ 84,654	
WASTE	C110001	Wheelie Bins and Crates	\$ 8,000	\$ -	\$ 8,000	
		Oatlands WTS - Concrete Pad(s)	\$ 25,000	\$ -	\$ 25,000	\$25K Budget c/fwd
	C110002	Dysart WTS - General Improvements	\$ 20,000	\$ 4,060	\$ 15,940	\$20K Budget c/fwd
			\$ 53,000	\$ 4,060	\$ 48,940	
GROWTH HERITAGE	C3010003	Callington Mill (Asset Renewals)	\$ 10,000	\$ 51,533	\$ (41,533)	
		Callington Mill (Mill Tower - Fire Detection System & Exit Lighting)	\$ 6,500	\$ 6,500	\$ -	Budget c/fwd
		Oatlands Court House (Stabilisation & Gaol Cell)	\$ 8,000	\$ -	\$ 8,000	\$8K Budget c/fwd
	C3010002	Oatlands Gaol - Wingwall Completion	\$ 15,000	\$ 3,938	\$ 11,062	\$15K Budget c/fwd
		Oatlands Gaol - Aluminum Temporary Steps (Entrance)	\$ 3,500	\$ -	\$ 3,500	\$3.5K Budget c/fwd
		Kempton Watch House (Fitout)	\$ 4,000	\$ -	\$ 4,000	\$7.5K Budget c/fwd
	C3010011	Roche Hall Forecourt (Interps - Planning Condition of Approval)	\$ 40,000	\$ 38,895	\$ 1,105	WIP 30/6/19 \$3,845 - Budget c/fwd
	C3010011	Roche Hall - Internal & External Painting (excl. Gutters; Fascias & Soffits)	\$ 80,000	\$ -	\$ 80,000	\$15K Budget c/fwd
			\$ 167,000	\$ 100,866	\$ 66,134	
NATURAL		Campania Bush Reserve (Walking/Riding Path)	\$ 100,000	\$ -	\$ 100,000	Funds \$100k subject to finalising Grant Deeds (Federal Gov.)
	C3020013	Chauncy Vale - Sanctuary Bridge	\$ 55,000	\$ 1,714	\$ 53,286	Funds \$55k subject to finalising Grant Deeds (Federal Gov.)
	C3020008	Mahers Point - Lanscape Plan	\$ 22,404	\$ -	\$ 22,404	Budget c/fwd
	C1040019	Lake Dulverton Walkway (Section 1)	\$ 135,000	\$ -	\$ 135,000	Funds \$135k subject to finalising Grant Deeds (Federal Gov.)
	C1040028	Lake Dulverton Walkway (Section 2)	\$ 85,000	\$ -	\$ 85,000	Funds \$85k subject to finalising Grant Deeds (Federal Gov.)
			\$ 397,404	\$ 1,714	\$ 395,690	
CULTURAL		Heritage HUB - Internal fitout	\$ 10,000	\$ -	\$ 10,000	
			\$ 10,000	\$ -	\$ 10,000	
REGULATORY	C3040001	Kempton Council Chambers - Restoration Works	\$ 5,000	\$ 13,425	\$ (8,425)	
	C9990001	Kempton Council Chambers - Office Furniture & Equipment	\$ 5,000	\$ 2,003	\$ 2,997	
			\$ 10,000	\$ 15,428	\$ (5,428)	
LIFESTYLE COMMUNITY HEALTH & WELLBEING	C4070035	Oatlands Bus Shelter	\$ 14,000	\$ -	\$ 14,000	
			\$ 14,000	\$ -	\$ 14,000	
ACCESS	C4070035	All Buildings (Priority Approach - Year 4 of 5)	\$ 40,000	\$ -	\$ 40,000	

		BUDGET	EXPENDITURE	VARIANCE	COMMENTS
		\$	\$	\$	
PUBLIC HEALTH		\$ 40,000	\$ -	\$ 40,000	
	C4060001	\$ 225,000	\$ 6,471	\$ 218,529	\$200K Budget c/fwd WIP 30/6/19 \$445
		\$ 225,000	\$ 6,471	\$ 218,529	
RECREATION					
	C4070005	\$ 20,000	\$ 12,974	\$ 7,026	Camp Rec Window & Cricket Pitch/ Oat Rec Lighting
		\$ 2,400,000	\$ -	\$ 2,400,000	Funds \$500k subject to finalising Grant Deeds (Federal Gov.)
	C4070034		\$ 532,686	\$ (532,686)	WIP 30/6/19 \$395,896
	C4070034		\$ 379,803	\$ (379,803)	WIP 30/6/18 \$379,803
		\$ 23,000	\$ -	\$ 23,000	
		\$ 10,000	\$ 8,400	\$ 1,600	
		\$ 16,000	\$ -	\$ 16,000	
	G4070024	\$ 51,784	\$ 66,370.33	\$ (14,586)	Grant of \$36,784 plus additional budget \$15k
		\$ 18,000	\$ -	\$ 18,000	
		\$ 500,000	\$ -	\$ 500,000	Incls. Revegetation and Watering System - Funds \$500k subject to finalising Grant Deeds (Federal Gov.)
		\$ 45,000	\$ -	\$ 45,000	\$45K Budget c/fwd
	C4070019	\$ 6,000	\$ -	\$ 6,000	\$6K Budget c/fwd
		\$ 10,000	\$ -	\$ 10,000	\$10K Budget c/fwd
		\$ 15,000	\$ -	\$ 15,000	
	G4070038	\$ 38,000	\$ 1,975	\$ 36,025	\$13K Budget c/fwd
		\$ 20,000	\$ -	\$ 20,000	
		\$ 30,000	\$ -	\$ 30,000	\$7.5K Budget c/fwd
		\$ 3,202,784	\$ 1,002,208	\$ 2,200,576	
COMMUNITY ANIMALS					
		\$ 20,000	\$ -	\$ 20,000	
		\$ 20,000	\$ -	\$ 20,000	
CAPACITY					
	C5020001	\$ 8,000	\$ -	\$ 8,000	\$8K Budget c/fwd
		\$ 25,000	\$ -	\$ 25,000	
		\$ 33,000	\$ -	\$ 33,000	
SAFETY					
		\$ 3,000	\$ -	\$ 3,000	
		\$ 3,000	\$ -	\$ 3,000	
ORGANISATION SUSTAINABILITY					
		\$ 60,000	\$ -	\$ 60,000	
	C6020007	\$ 15,000	\$ 1,124	\$ 13,876	\$15K Budget c/fwd
		\$ 5,000	\$ -	\$ 5,000	\$5K Budget c/fwd
	C9990001	\$ 5,540	\$ 2,058	\$ 3,482	
	C6020003	\$ 55,400	\$ 42,401	\$ 12,999	\$15K Budget c/fwd
		\$ 140,940	\$ 45,583	\$ 95,357	
WORKS					
	C6020011	\$ 50,000	\$ 178,497	\$ (128,497)	Total Project Cost - to be funded over 4 yrs (Yr 1 - \$50K)
		\$ 10,000	\$ -	\$ 10,000	\$10K Budget c/fwd
	C6020001	\$ 200,000	\$ 101,038	\$ 98,962	
		\$ 9,500	\$ 13,262	\$ (3,762)	
	C6020008	\$ 3,000	\$ -	\$ 3,000	
		\$ 935,000	\$ 499,215	\$ 435,785	
		\$ 210,000	\$ 222,916	\$ (12,916)	
		\$ 1,417,500	\$ 1,014,928	\$ 402,572	
	GRAND TOTALS	\$ 9,221,111	\$ 3,138,247	\$ 6,082,864	

CASH FLOW 2019/2020

	INFLOWS (OUTFLOWS) (July 2019)	INFLOWS (OUTFLOWS) (August 2019)	INFLOWS (OUTFLOWS) (September 2019)	INFLOWS (OUTFLOWS) (October 2019)	INFLOWS (OUTFLOWS) (November 2019)	INFLOWS (OUTFLOWS) (December 2019)	INFLOWS (OUTFLOWS) (January 2020)	INFLOWS (OUTFLOWS) (February 2020)	INFLOWS (OUTFLOWS) (March 2020)	INFLOWS (OUTFLOWS) (Year to Date)
Cash flows from operating activities										
Payments										
Employee costs	- 259,732.34	- 280,026.23	- 290,033.86	- 374,698.08	- 281,014.52	- 283,264.70	- 183,941.18	- 249,493.24	- 391,792.59	- 2,593,996.74
Materials and contracts	- 489,960.05	- 252,409.90	- 176,421.49	- 359,780.69	- 285,349.16	- 169,232.07	- 295,391.97	- 279,437.87	- 242,616.55	- 2,550,599.75
Interest	- 4,148.51	-	-	-	- 2,995.62	- 10,870.47	-	-	-	- 18,014.60
Other	- 29,966.89	- 69,054.75	- 52,617.77	- 80,824.91	- 23,849.60	- 32,135.15	- 78,377.51	- 22,844.93	- 45,045.02	- 434,716.53
	- 783,807.79	- 601,490.88	- 519,073.12	- 815,303.68	- 593,208.90	- 495,502.39	- 557,710.66	- 551,776.04	- 679,454.16	- 5,597,327.62
Receipts										
Rates	98,749.91	1,287,791.14	1,399,266.96	201,106.06	519,769.80	329,069.98	470,490.84	323,978.28	453,974.93	5,084,197.90
User charges	65,479.66	44,553.00	127,713.29	47,010.97	31,174.71	69,604.49	41,028.67	50,194.50	63,704.87	540,464.16
Interest received	18,471.63	6,408.06	16,386.98	20,750.03	8,083.13	15,117.45	15,370.55	7,308.60	13,079.12	120,975.55
Subsidies	-	-	11,655.00	-	-	-	-	-	-	11,655.00
Other revenue grants	150.00	435,460.50	-	-	466,410.50	4,545.45	-	435,460.50	-	1,342,026.95
GST Refunds from ATO	-	-	-	-	-	-	-	-	-	-
Other	34,923.65	94,315.16	66.01	- 17,193.20	- 31,632.04	70,015.89	- 60,943.56	21,247.64	134,604.56	245,404.11
	217,774.85	1,868,527.86	1,555,088.24	251,673.86	993,806.10	488,353.26	465,946.50	838,189.52	665,363.48	7,344,723.67
Net cash from operating activities	- 566,032.94	1,267,036.98	1,036,015.12	- 563,629.82	400,597.20	- 7,149.13	- 91,764.16	286,413.48	- 14,090.68	1,747,396.05
Cash flows from investing activities										
Payments for property, plant & equipment	- 66,086.49	- 82,224.34	- 450,270.92	- 360,407.41	- 92,140.02	- 184,331.75	- 12,334.95	- 509,157.14	- 353,278.60	- 2,110,231.62
Proceeds from sale of property, plant & equipment	30,840.90	15,054.55	147,996.46	32,540.91	54.55	381.82	122.73	88,927.27	15,936.36	331,855.55
Proceeds from Capital grants	-	-	-	-	-	800,000.00	-	35,142.00	574,531.00	1,409,673.00
Proceeds from Investments	-	-	-	-	-	-	-	-	-	-
Payment for Investments	-	-	-	-	-	-	-	-	-	-
Net cash used in investing activities	- 35,245.59	- 67,169.79	- 302,274.46	- 327,866.50	- 92,085.47	616,050.07	- 12,212.22	- 385,087.87	237,188.76	- 368,703.07
Cash flows from financing activities										
Repayment of borrowings	- 7,060.07	-	-	-	- 14,548.10	- 25,330.69	-	-	-	- 46,938.86
Proceeds from borrowings	-	-	-	-	-	-	-	-	-	-
Net cash from (used in) financing activities	- 7,060.07	-	-	-	- 14,548.10	- 25,330.69	-	-	-	- 46,938.86
Net increase/(decrease) in cash held	- 608,338.60	1,199,867.19	733,740.66	- 891,496.32	293,963.63	583,570.25	- 103,976.38	- 98,674.39	223,098.08	1,331,754.12
Cash at beginning of reporting year	12,368,944.95	11,760,606.35	12,960,473.54	13,694,214.20	12,802,717.88	13,096,681.51	13,680,251.76	13,576,275.38	13,477,600.99	12,368,944.95
Cash at end of reporting year	11,760,606.35	12,960,473.54	13,694,214.20	12,802,717.88	13,096,681.51	13,680,251.76	13,576,275.38	13,477,600.99	13,700,699.07	13,700,699.07

SOUTHERN MIDLANDS COUNCIL : OPERATING EXPENDITURE 2019/20

SUMMARY SHEET

PROGRAM	YTD ACTUAL (as at 31 March 20)	YTD BUDGET (as at 31 March 20)	YTD VARIANCE	YTD VARIANCE %	FULL YEAR BUDGET - REVISED INC. GRANTS & OTHER
INFRASTRUCTURE					
Roads	1,027,785	1,015,303	12,482	101.23%	3,205,738
Bridges	26,787	35,624	8,837	75.19%	383,498
Walkways	168,354	177,448	9,094	94.88%	214,930
Lighting	67,579	64,323	3,256	105.06%	85,764
Drainage	10,876	20,554	9,678	52.91%	78,072
Waste	680,153	660,662	19,491	102.95%	901,549
Public Toilets	60,726	50,736	9,990	119.69%	66,982
Communications	-	-	-	-	-
Signage	6,393	5,415	978	118.06%	7,020
INFRASTRUCTURE TOTAL:	2,048,653	2,030,065	-18,588	100.92%	4,943,553
GROWTH					
Residential	-	-	-	-	-
Tourism	47,198	51,535	4,337	91.58%	62,380
Business	154,257	159,748	5,491	96.56%	971,998
Agriculture	-	-	-	-	-
GROWTH TOTAL:	201,455	211,283	9,828	95.35%	1,034,378
LANDSCAPES					
Heritage	222,577	253,380	30,803	87.84%	335,907
Natural	140,329	148,347	8,018	94.59%	188,629
Cultural	6,546	30,321	23,775	21.59%	40,427
Regulatory	498,940	634,940	136,000	78.58%	846,586
Climate Change	-	-	-	-	-
LANDSCAPES TOTAL:	868,391	1,066,988	198,597	81.39%	1,411,549
LIFESTYLE					
Youth	227,158	198,240	28,918	114.59%	264,320
Aged	2,186	1,500	686	145.70%	1,500
Childcare	4,000	6,125	2,125	65.31%	6,500
Volunteers	21,139	37,500	16,361	56.37%	40,000
Access	-	-	-	-	-
Public Health	2,591	7,642	5,051	33.91%	10,189
Recreation	286,321	362,208	75,887	79.05%	462,022
Animals	76,674	82,603	5,929	92.82%	110,137
Education	-	-	-	-	-
LIFESTYLE TOTAL:	620,068	695,818	75,750	89.11%	894,668
COMMUNITY					
Retention	-	-	-	-	-
Capacity	46,633	35,319	11,314	132.03%	41,925
Safety	56,001	36,150	19,851	154.91%	51,200
Consultation	13,883	15,975	2,092	86.90%	21,300
COMMUNITY TOTAL:	116,517	87,444	29,073	133.25%	114,425
ORGANISATION					
Improvement	66,695	85,587	18,892	77.93%	114,116
Sustainability	1,306,711	1,823,349	516,638	71.67%	2,370,532
Finances	161,919	183,442	21,523	88.27%	306,907
ORGANISATION TOTAL:	1,535,325	2,092,378	557,053	73.38%	2,791,555
TOTALS	5,390,410	6,183,976	793,566	87.17%	11,190,128

SOUTHERN MIDLANDS COUNCIL				
SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED				
	This Financial Year		Last Financial Year	
	10th April 2020		10th April 2019	
Arrears brought forward as at July 1		\$ 429,240.71		\$ 419,894.17
ADD current rates and charges levied		\$ 5,625,849.95		\$ 5,297,178.42
ADD current interest and penalty		\$ 70,765.50		\$ 66,799.37
TOTAL rates and charges demanded	100.00%	\$ 6,125,856.16	100.00%	\$ 5,783,871.96
LESS rates and charges collected	82.43%	\$ 5,049,323.21	82.47%	\$ 4,770,118.03
LESS pensioner remissions	3.91%	\$ 239,678.39	3.95%	\$ 228,603.17
LESS other remissions and refunds	-0.17%	-\$ 10,240.93	0.37%	\$ 21,620.60
LESS discounts	0.48%	\$ 29,553.80	0.49%	\$ 28,524.85
TOTAL rates and charges collected and remitted	86.65%	\$ 5,308,314.47	87.29%	\$ 5,048,866.65
UNPAID RATES AND CHARGES	13.35%	\$ 817,541.69	12.71%	\$ 735,005.31

17.3.2 FINANCIAL HARDSHIP ASSISTANCE POLICY (DRAFT)

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 16 APRIL 2020

Enclosure:

Financial Hardship Assistance Policy (Draft)

ISSUE

Council to consider the draft Financial Hardship Assistance Policy.

BACKGROUND

Please refer to the attached draft Policy which has been based on a Model Policy prepared by the Local Government Association of Tasmania.

The following sections of the *Local Government Act 1993* are relevant:

“125. Postponement of payment

(1) A ratepayer may apply to the council for a postponement of payment of rates on the ground of hardship.

(2) An application is to be –

(a) made in writing; and

(b) lodged with the general manager.

126. Conditions of postponement

(1) A council may grant a postponement of the payment of rates for a specified period if satisfied that such payment would cause hardship.

(2) A council may grant a postponement of payment of rates –

(a) on the condition that the ratepayer pay interest on the amount of rates postponed at a rate fixed by the council; and

(b) on any other condition the council determines.

(3) Interest fixed under [subsection \(2\) \(a\)](#) is not to exceed the prescribed percentage as calculated in [section 128 \(2\)](#) .

127. Postponement ceases to operate

(1) A council may, at any time, revoke a postponement of payment of rates by giving 60 days notice in writing to the ratepayer of the date on which the postponement ceases to operate.

(2) A postponement of payment of rates ceases to operate on the date on which the ratepayer ceases to own or occupy the land in respect of which those rates are payable.

128. Late payments

(1) If any rates or instalments are not paid on or before the date they fall due, a council may –

(a) impose a penalty not exceeding 10% of the unpaid rate or instalment; or

(b) charge a daily interest not exceeding the prescribed percentage in respect of the unpaid rate or instalment for the period during which it is unpaid; or

(c) impose a penalty and charge interest as specified in [paragraphs \(a\) and \(b\)](#) .

(2)

129. Remission of rates

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

(2) An application is to be –

(a) made in writing; and

(b) lodged with the general manager.

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

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

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

DETAIL

In reference to the document, there are some key things that require comment:

- a) The Policy only relates to Council Rates (not the Fire Service Levy or other general fees and charges);
- b) The relief will only be provided to a person's primary place of residence (not investment properties);
- c) Clause 2.2 – the Act requires evidence to be provided. The examples provided are considered reasonable and not too onerous (noting that an applicant only needs to satisfy one as a minimum);
- d) There are three types of assistance:

1. ***Postpone Rates Payment (self-explanatory – they are still payable)***

2. ***Remission of late payment penalties or interest***

The draft Policy is based on Council not calculating interest for the remainder of the financial year. This means that interest would not be charged on prior arrears (as opposed to just the March instalment). Current interest calculates to approximately \$4,500 per month – meaning that a decision to not impose interest up until 30th June 2020 would be at a cost (or reduction in revenue) of \$18,000. (i.e. 4 months @\$4,500 per month).

The penalty is a 'one-off' thing imposed on each outstanding instalment. From a SMC perspective, the main issue relates to any penalty for the instalment due 31st March 2020. At this stage the Penalty for this instalment has not been applied pending a decision by Council. The average penalty amount applied for each of the three previous instalments this financial year was approximately \$10,500. The March penalty, if imposed, would be a similar amount.

Please note that Section 129 'Remission of Rates' permits a Council, by absolute majority, to grant a remission of any rates, penalty or interest paid or payable by a class of ratepayers.

3. ***Remitting Rates – straight forward as per draft Policy***

In terms of assessing applications, the following limits are recommended for inclusion in the Policy:

- **Deferral Arrangements** – For amounts less than \$2,500 – Manager, Corporate Services
- **Deferral Arrangements** – For amounts greater than \$2,500 – General Manager

Remission of any rates; late penalties; or interest charges – felt that this should be a decision of Council, unless Council wants to consider delegation up to a certain amount.

DISCUSSION

Following circulation of the draft Policy, initial comments and feedback included:

- a) Is it possible to differentiate between the various sectors (i.e. agricultural/commercial/residential etc.) and consider each sector separately taking into account the effect of COVID-19 on that sector? This is aimed at ensuring that people not impacted qualifying for deferral or remittance.
- b) Can deferred payments be changed to total remittance in 6 or 8 months' time when the effects of the economic downturn can be reassessed?

Responses:

- a) This question is relevant to the proposed blanket remission of penalty (March 2020 instalment) and interest through to 30th June 2020.
To differentiate, each property would need to be coded individually which would be a considerable administrative process. The alternative is to remove the blanket emission and process each application on a case by case basis.
- b) The draft Policy stipulates that deferral of rate payments must be applied for and granted first, before an application for rates remission can be considered. After the applicant has entered into a deferral arrangement with Council, the applicant may apply for remission of rates (refer Clause 2.6).

Human Resources & Financial Implications – refer detail above.

Community Consultation & Public Relations Implications –The State Government is strongly encouraging all Councils to consider individual packages and provide support to their community as a matter of urgency. Specific mention is made of rate freezes and generous hardship policies.

Policy Implications – Policy position

Priority - Implementation Time Frame – Ongoing.

RECOMMENDATION

THAT the Financial Hardship Assistance Policy be adopted (subject to any amendments) and that it be implemented immediately (as opposed to the normal Policy approval process).

DECISION

Moved by Cllr A Bisdee OAM, seconded by Cllr R McDougall

THAT the Financial Hardship Assistance Policy be adopted (subject to the identified amendments relating to timeframes for decision making and review of decisions) and that it be implemented immediately.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A Green	√	
Deputy Mayor E Batt	√	
Cllr A Bantick	√	
Cllr A E Bisdee OAM	√	
Cllr K Dudgeon	√	
Cllr D Fish	√	
Cllr R McDougall	√	

ENCLOSURE
Agenda Item 17.3.2



Council Policy
FINANCIAL HARDSHIP ASSISTANCE POLICY

DRAFT

Approved by: Council - DRAFT
Approved date: Insert date
Review date: July 2021

1. INTRODUCTION

1.1 Purpose

The purpose of this policy is to enable Council to provide assistance to community members who are suffering financial hardship by providing an appropriate level of relief from Local Government rates.

1.2 Scope

This policy applies to ratepayers experiencing genuine and serious financial hardship and needing assistance to meet both their basic needs and their rate payment obligations to Council. It is not intended to be used to maintain financial positions for those who do not need it and are not genuinely impacted by serious financial hardship.

This policy applies only to Council rates and charges levied in accordance with Part 9 – Rates and Charges of the *Local Government Act 1993*. This policy does not apply to rates or fees collected on behalf of other authorities in accordance with section 88 of the *Local Government Act 1993*, such as fire service contributions collected pursuant to section 79B of the *Fire Service Act 1973*.

1.3 Background

This policy was developed and implemented during the 2020 COVID-19 coronavirus pandemic that is spreading across the world. To respond to the disease, governments around the world are shutting down social activities and interaction to prevent transmission, which is necessarily causing significant impacts on many economic activities and transactions. As a result, many people have lost jobs, their clients or their business, destroying incomes and spending. Council is determined to assist those most critically impacted by the economic slowdown caused by the pandemic with a robust and fair hardship policy.

Despite this, serious financial hardship can occur at any time, so this policy is designed to address a range of circumstances.

1.4 Principles

This policy will be applied in accordance with the following principles:

- (1) Consistent, equitable and respectful treatment of all residents and ratepayers that is sensitive to their specific circumstances.
- (2) Maintaining Council's ability to provide essential services to our community through appropriately applied rating.
- (3) Assisting ratepayers who are suffering serious financial hardship, so that they may overcome these circumstances and return to financial stability and contributing equitably to local services.
- (4) Ensuring that those able to contribute to local services, continue to do so.
- (5) Minimising the opportunity for misuse, exploitation or fraud by ensuring decisions made to provide special relief or assistance are supported by sufficient evidence.



Council Policy
FINANCIAL HARDSHIP ASSISTANCE POLICY

DRAFT

Approved by: Council - DRAFT
Approved date: Insert date
Review date: July 2021

- (6) Maintaining confidentiality and privacy of applicants and ratepayers, their applications and any information provided.

1.5 Related Policies and Legislation

This policy relates to and depends on other Council policies, as well as Tasmanian Government legislation, including:

- *Local Government Act 1993*, Part 9 – Rates and Charges¹, particularly:
 - Section 86A – General principles in relation to making or varying rates
 - Sections 125-127 – Postponement of payment
 - Section 128 – Late payments
 - Section 129 – Remission of rates
- *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*²
- Rates and Charges Policy (pursuant to section 86B of the *Local Government Act 1993*).

1.6 Policy Review and Update Cycle

This policy is to be reviewed initially in July or August 2021 and thereafter, every four years.

2. POLICY

2.1 Genuine Financial Hardship

According to the Australian Taxation Office (ATO)³, individuals are considered to be in serious hardship when they are unable to provide the following for themselves, their family or other dependants:

- (1) Food;
- (2) Accommodation;
- (3) Clothing;
- (4) Medical treatment;
- (5) Education;
- (6) Other basic necessities.

A number of factors can contribute to or trigger serious financial hardship, including:

- (1) Loss of employment of the property owner, family member or household primary income earner;
- (2) Serious illness, including physical incapacity, hospitalization, or mental illness of the property owner or family member;
- (3) A natural disaster;
- (4) A public health emergency or declared state of emergency;

¹ See: <https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-095#HP9@HD9@EN>

² See: <https://www.legislation.tas.gov.au/view/whole/html/inforce/current/act-2020-011>

³ See: <https://www.ato.gov.au/General/Financial-difficulties-and-serious-hardship/Individuals-with-serious-hardship/>



Council Policy
FINANCIAL HARDSHIP ASSISTANCE POLICY

DRAFT

Approved by: Council - DRAFT
Approved date: Insert date
Review date: July 2021

- (5) Family tragedy;
- (6) Family breakdown;
- (7) Financial misfortune;
- (8) Other serious or complicating circumstances.

Community wide issues and circumstances, such as the COVID-19 pandemic, may impact financial hardship, but hardship is always assessed at an individual level, and requires reviewing personal circumstances.

Serious financial hardship involves both low income/cash flow and a low asset base. Personal property portfolios beyond a primary residence can be employed to improve an applicant's cash flow and financial sustainability. Applications for assistance on residential investment properties will not be considered.

2.2 Evidence of Financial Hardship

Applicants will need to provide evidence of their circumstances of financial hardship to justify Council's special consideration of their case. The type of evidence required will depend on your circumstances and may include, for example, one or more of the following:

- Assessment by an independent accredited financial counsellor demonstrating an inability to both pay rates and to rearrange asset portfolios to facilitate payment;
- A statutory declaration from an appropriate and independent professional, familiar with the applicant's circumstances (e.g. a family doctor for health-related evidence, a bank official, insurance policy manager, etc.);
- Pending disconnection of essential services, like water, electricity, gas (does not include mobile phone or internet bills);
- Notice of impending legal action;
- Letter from charitable organisation regarding loss of employment or inability to provide for basic necessities;
- Bank notice for example, overdraft call or mortgaged property repossession;
- Employer notice of redundancy or termination of employment;
- Overdue medical bills;
- Letter from doctor verifying the inability to earn an income due to illness or caring for a sick family member;
- Final notice from school regarding payment of mandatory fees;
- Funeral expenses;
- Repossession notice of essential items, like a car or motorcycle.
- **Other – Please specify.**

2.3 How Council can Help

The *Local Government Act 1993* provides Council with three methods of rate relief:

- (1) Postponing rate payments (sections 125-127)
- (2) Remission of late payment penalties or interest (section 128)



Council Policy
FINANCIAL HARDSHIP ASSISTANCE POLICY

DRAFT

Approved by: Council - DRAFT
Approved date: Insert date
Review date: July 2021

(3) Remission of rates (section 129)

2.4 Postponing Rate Payments – Deferral Arrangements

In confirmed cases of financial hardship, Council may choose deferral of individual rates payments within a defined period, in whole or in part, to be paid back at a later date, subject to any conditions Council determines. The deferral arrangement applies to specified payments and other rate payments are not affected and continue to accrue as normal.

The terms of rate deferral arrangements will be proportionate to the applicant's demonstrated financial hardship circumstances, so supplying sufficient evidence of these circumstances is important for developing the appropriate terms.

Rate payment deferrals approved under this section are typically deferred by 3 months. However, rate deferral arrangements can only defer individual payments up to a maximum of two (2) years and only in the most serious circumstances.

In response to the COVID-19 pandemic, Council will approve deferral arrangements for 6 months for ratepayers meeting hardship requirements.

All deferred payments must be repaid as specified in accordance with the deferral arrangement, otherwise regular late payment penalties and/or interest will apply.

Ratepayers who are subject to a deferral arrangement who overcome their financial hardship circumstances are encouraged to begin repaying their deferred rates payments as early as they are able.

Note that Council may revoke any postponement of rates payments at any time, in accordance with section 127 of the *Local Government Act 1993*, by giving 60 days' notice in writing to the ratepayer.

2.5 Remitting Late Payment Penalties and Interest

For typical circumstances that are not of financial hardship, rates must be paid by the due date and Councils may charge a penalty or daily interest or both for each late payment. However, for confirmed cases of financial hardship, Council may waive either the applicable late payment penalties, or the interest accumulated, or both, for a specified period that relates to the period of financial hardship.

Council will not charge any late payment penalties or interest for late rate payments during the 2020 COVID-19 state of emergency until 30 June 2020.

2.6 Remitting Rates

Remission of any rates, late payment penalties or interest, in part or in full, is reserved only for the most serious and exceptional of financial hardship cases. Even in these cases, deferral of rate payments must be applied for and granted first, before an application for rates remission can be considered.



Council Policy
FINANCIAL HARDSHIP ASSISTANCE POLICY

DRAFT

Approved by: Council - DRAFT
Approved date: Insert date
Review date: July 2021

After the applicant has entered into a deferral arrangement with Council, the applicant may apply for remission of rates. The application must demonstrate:

- (1) Financial hardship;
- (2) Exceptional and serious circumstances;
- (3) How the applicant's exceptional financial hardship circumstances make the maximum term deferral arrangement under section 2.4 unfeasible and unreasonable to fulfil; and
- (4) How enforcing fulfilment of the maximum term deferral arrangement would only deepen the seriousness of applicant's financial hardship and critically impact their ability to provide for the basic living necessities (food, accommodation, clothing, medical treatment) of the applicant and dependents.

In the interests of community fairness and equity, wherever possible and appropriate in determining rates remission applications:

- (1) Deferral arrangements are preferable to rates remission;
- (2) Amounts or proportions of rates to be remitted are to be minimised, for example, below \$1000 or 50%; the remainder subject to payment arrangements;
- (3) Instances of rates remission are to be minimised to no more than one rates remission per applicant.

Note: Evidence of financial hardship does not automatically mean an entitlement to a remission.

3. APPLICATIONS

3.1 Applying for Financial Hardship Assistance

To seek financial hardship assistance from Council, an application must be made in writing, addressed to the General Manager, and submitted as follows:

- Submitted via online form at: www.southernmidlands.tas.gov.au
- Emailed to mail@southernmidlands.tas.gov.au; or
- Mailed to PO Box 21, Oatlands Tas 7120

Applications must:

- Demonstrate and provide evidence for financial hardship and circumstances (see section 2.2 Evidence of Financial Hardship);
- Describe the type of assistance sought, being:
 - Postponing rate payments (a deferral arrangement);
 - Postponing or waiving late payment penalties or interest;
 - Remitting rates, late payment penalties or interest, in part or in full;
- Address the requirements of the relevant subsections (see section 2.3 How Council can Help)



Council Policy
FINANCIAL HARDSHIP ASSISTANCE POLICY

DRAFT

Approved by: Council - DRAFT
Approved date: Insert date
Review date: July 2021

3.2 Assessing Applications

Applications for deferral arrangements must be decided by:

- (1) For amounts less than \$2,500 – the Manager, Corporate Services; or
- (2) For amounts of \$2,500 or greater – the General Manager.

Applications for remission of any rates or late payment penalties or interest charges must be decided by Council and require absolute majority to be approved.

4. DOCUMENT ADMINISTRATION

This Instruction is a managed document and is to be reviewed every four (4) years or as directed by the General Manager. Noting that this policy is to be reviewed initially in July 2021 and thereafter, every four years.

This document is Version 1.0 effective XX-XX-XXXX. The document is maintained by the General Manager's Unit, for the Southern Midlands Council.

18. MUNICIPAL SEAL

Nil.

19. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

Nil.

DECISION

Moved by Deputy Mayor E Batt, seconded by Clr R McDougall

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

Matter	Local Government (<i>Meeting Procedures</i>) Regulations 2015 Reference
Closed Council Minutes - Confirmation	15(2)
Applications for Leave of Absence	15(2)(h)
Audit Panel Minutes – Confirmation	15(2)
General Manager Contract	15(2)(a)

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A Green	√	
Deputy Mayor E Batt	√	
Clr A Bantick	√	
Clr A E Bisdee OAM	√	
Clr K Dudgeon	√	
Clr D Fish	√	
Clr R McDougall	√	

DECISION

Moved by Clr D Fish, seconded by Clr 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

Councillor	Vote FOR	Vote AGAINST
Mayor A Green	√	
Deputy Mayor E Batt	√	
Clr A Bantick	√	
Clr A E Bisdee OAM	√	
Clr K Dudgeon	√	
Clr D Fish	√	
Clr R McDougall	√	

CLOSED COUNCIL MINUTES

20. BUSINESS IN “CLOSED SESSION”

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.

20.1 CLOSED COUNCIL MINUTES - CONFIRMATION

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

20.2 APPLICATIONS FOR LEAVE OF ABSENCE

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

20.3 AUDIT PANEL MINUTES - CONFIRMATION

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

20.4 GENERAL MANAGER CONTRACT

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

DECISION

Moved by Cllr K Dudgeon, seconded by Deputy Mayor E Batt

THAT Council move out of “Closed Session”.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A Green	√	
Deputy Mayor E Batt	√	
Cllr A Bantick	√	
Cllr A E Bisdee OAM	√	
Cllr K Dudgeon	√	
Cllr D Fish	√	
Cllr R McDougall	√	

OPEN COUNCIL MINUTES

21. CLOSURE

The meeting closed at 12.06 p.m.