

SOUTHERN
MIDLANDS
COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

Wednesday, 24th August 2022
10.00 a.m.

Oatlands Municipal Offices
71 High Street, Oatlands

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OPEN COUNCIL MINUTES

MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD
ON WEDNESDAY 24th AUGUST 2022 AT OATLANDS MUNICIPAL OFFICES
COMMENCING AT 10.01 A.M.

1. PRAYERS

Reverend Dennis Cousens recited prayers.

2. ACKNOWLEDGEMENT OF COUNTRY

Mayor A O Green recited acknowledgement of country.

3. ATTENDANCE

Mayor A O Green, Deputy Mayor E Batt, Clr A E Bisdee OAM, Clr A Bantick, Clr K Dudgeon, Clr D Fish and Clr R McDougall.

Mr T Kirkwood (General Manager), Mr D Richardson (Manager, Infrastructure & Works), Mrs W Young (Manager Community & Corporate Development), Mr A Briggs (Oatlands Aquatic Centre Coordinator), Miss S Smith (Pool Attendant / Fitness Instructor), Mrs J Tyson (Senior Planning Officer), Mrs A Burbury (Finance Officer), Mrs J Crosswell (Executive Officer).

4. APOLOGIES

Mr A Benson (Deputy General Manager).

5. MINUTES

5.1 Ordinary Council meeting

The Minutes (Open Council Minutes) of the previous meeting of Council held on the 27th July 2022, as circulated, are submitted for confirmation.

DECISION

Moved by Clr R McDougall, seconded by Clr K Dudgeon

THAT the Minutes (Open Council Minutes) of the previous meeting of Council held on the 27th July 2022, as circulated, be confirmed.

CARRIED

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

5.2 Special Committees of Council Minutes

5.2.1 Special Committees of Council - Receipt of Minutes

Nil.

5.2.2 Special Committees of Council - Endorsement of Recommendations

Nil.

5.3 Joint Authorities (Established Under Division 4 of the *Local Government Act 1993*)

5.3.1 Joint Authorities - Receipt of Minutes

Nil.

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

Nil.

6. NOTIFICATION OF COUNCIL WORKSHOPS

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

One workshop has been held since the last Ordinary Meeting.

A workshop was held on the 15th August 2022 at the Council Chambers, Oatlands commencing at 9.30 a.m.

Attendance: Deputy Mayor E Batt, Clrs A Bantick, A E Bisdee OAM, K Dudgeon, D Fish and R McDougall.

Apologies: Mayor A O Green.

Also in Attendance: T Kirkwood, A Benson, D Richardson (part), and J Crosswell.

The purpose of the workshop was to consider and discuss the following issues:

- **Local Government Code of Conduct Framework**

The main changes proposed in the draft Bill are:

- A standard code of conduct for councils;
- A voluntary adoption of a behaviour standard policy for councillors;
- A mandatory local dispute resolution policy in councils;
- An improved process for the initial assessment of complaints; and
- the disclosure and management of interests by Panel members.

Councils will be required to adopt a dispute resolution policy within 12 months of the commencement of the amendments. The draft Bill provides that a dispute resolution policy is to contain the prescribed information and include the processes to be followed in respect of prescribed matters.

The Government has now released a draft Bill to enact improvements to the Code of Conduct Framework.

From a Council perspective, its main concern related to the costs associated with a Hearing and responsibility for payment.

The LGAT seeks any feedback by COB Wednesday 31st August 2022 to enable a whole of sector submission to be prepared.

- **Clr Bill Harvey (Hobart City Council) Re: Biochar**

Clr Bill Harvey (via Webex) provided information regarding the Hobart City Council's Biochar activities. He provided an overview of the reasoning and benefits; operation of the Unit; and future planned operations.

- **Consultation on the *Integrity Commission Act 2009* legislative reform discussion paper**

The Department of Justice has released a copy of a discussion paper prepared by the Department regarding legislative reform of the *Integrity Commission Act 2009*.

The Hon William Cox's report 'The Independent Review of the Integrity Commission Act 2009' was tabled in Parliament in 2016. The Government accepted the majority of Mr Cox's recommendations, in full or in principle, noting that some required further consideration and consultation.

A first tranche of amendments, to address technical and other relatively straightforward matters from the first six recommendations, commenced in 2017.

The Government has progressed consideration of outstanding recommendations. This discussion paper outlines the current position. Stakeholder views are sought in particular on recommendations that are under final analysis and consultation.

The Workshop concluded that the LAGT was best positioned to provide a 'whole of local government sector' response based on input from interested Councils.

- **Local Government Board Review**

To date, the Board has issued the following papers:

1. Future of Local Government Review Stage 1 – Interim Report (July 2022) - **attached**
2. Future of Local Government Review Stage 1 – Interim Report Executive Summary (July 2022)
3. Future of Local Government Review Stage 1 – Appendices (July 2022)
4. Future of Local Government Review Stage 1 – Community Update

The following research Reports have also been issued:

- Research Paper 1 – The history of Local Government in Tasmania
- Board Reflections on Research Paper 1
- Research Paper 2 – National and international trends in local government and their relevance to Tasmania
- Board Reflections on Research Paper 2
- Research Paper 3 – Place shaping and the future role of local government in Tasmania: evidence and options
- Board Reflections on Research Paper 3

The Board is seeking feedback and submissions in response to the Interim Report.

Council discussed each of the 'questions' (contained in the report) with a view to drafting a basic submission at this stage of the Review process.

- **Policy Development**

The following Policy issues were raised for discussion and input to their development:

1. Recognition of Councillor Services Policy – determine that a formal Policy was not warranted; and
2. Election Caretaker Period Policy

Background:

The Minister for Local Government recently wrote to all councils expressing his support for introducing caretaker periods for local government elections and strongly encouraging councils to voluntarily adopt caretaker policies in respect to the upcoming elections period. The adoption of a caretaker period for Local Government is an agreed reform from the Review of the Local Government Act 1993.

The caretaker period would commence on 3 September 2022.

Draft Policy to be submitted to the next Council Meeting scheduled for 24th August 2022.

The workshop concluded at approximately 12.20 p.m.

RECOMMENDATION

THAT the information be received.

DECISION

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

THAT the information be received.

CARRIED

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

7. COUNCILLORS – QUESTION TIME

7.1 Questions (On Notice)

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

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

Nil.

7.2 Questions Without Notice

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

It states:

“29. Questions without notice

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

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

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

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

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

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

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

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

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

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

Clr A Bantick – Has any correspondence been received regarding the disposal of the Levendale Community Centre (ex Primary School)?

General Manager confirmed that advice of Council’s decision has been provided to the State Government (Parks). The Department has advised that that the option for Council to dispose of the property (following boundary adjustment with the Levendale Community Hall) is not feasible, however a Licence arrangement (or similar) over the ‘tennis/netball court and playground area’ will be investigated.

Clr R McDougall – Oatlands Aquatic Centre – Footpath (southern side of building) - queried the purpose of this pathway.

Further advice to be provided following confirmation of location etc.

Clr K Dudgeon – Have re received an engineer report on the Woodsdale Recreation Ground?

General Manager – The report has now been received and will be progressed.

Clr K Dudgeon – South Parade – upgrade and ‘one-way’ traffic.

It was confirmed that a budget allocation has been provided for the construction of a kerb/footpath in South Parade. Works will be commenced following completion of the major civil works associated with the Aquatic Centre. Council has previously determined that South Parade will not be changed to ‘one-way’ at this point of time but can be reviewed in the future if necessary.

Deputy Mayor E Batt - Kempton Council Chambers – Clock – acknowledged that the Clock is now operational.

Deputy Mayor E Batt – Kempton Recreation Ground – Ground Lighting – Update

General Manager advised that an alternative quotation has been sought from an Electrician to undertake the works. This project will be progressed as a priority.

Deputy Mayor E Batt – Midland Highway / Mood Food – any update from the Department of State Growth?

General Manager informed Council that the latest communication relating to this issue was dated 13th July 2022 where it was advised that a report and briefing was being prepared for the Minister and that it was most likely that a response will be provided by the ITAS division as they are responsible for the Traffic Engineers – no further report since that date.

Deputy Mayor E Batt – Bagdad Community Club Precinct Master Plan – general update and discussion on the community consultation process to date. It was note that the period for feedback ends August 2022. Summary of feedback received will be prepared.

Deputy Mayor E Batt – October 2022 Local Government Elections – the Deputy Mayor sought confirmation that preparations were being made for any newly elected members to be provided with a current “Policy Manual” etc.

General Manager confirmed that similar to the 2018 Elections, all the required information will be provided as part of an Induction process.

Deputy Mayor E Batt – Enquired as to whether Council will provide an information session for potential elected members?

General Manager confirmed that an Information Session is to be held with details currently being finalised (i.e. date/location).

8. DECLARATIONS OF PECUNIARY INTEREST

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

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

Nil.

9. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

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

1. Condolence motion for Mrs Patricia Rodgers. Patricia was a long serving member of the Chauncy Vale Reserve Management Committee.

RECOMMENDATION

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

DECISION

Moved by Clr D Fish, seconded by Clr R McDougall

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

CARRIED

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

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

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

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

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

Councillors are advised that, at the time of issuing the Agenda, four (4) questions have been received from Julia Jabour – Southern Midlands Regional News.

1. Is there a plan to revegetate and make good the Maher's Point area where the pine trees were removed? If so, what timeframe is Council working to for this work to be completed?

This question will need to be referred to the Lake Dulverton and Callington Park Management Committee for response.

2. There is a significant amount of 'hooning' going on at the Maher's Point hill just beyond where the trees were removed. Is Council able to install a 'NO VEHICLES BEYOND THIS POINT' sign on the track leading to the top of the hill? I was under the impression the track was not actually a road.

As an immediate response, it is suggested that there would be no issues with the erection of such a Sign. The exact location will be referred to the Lake Dulverton and Callington Park Management Committee for advice, together with a request to consider whether there are any other measures that can be taken to address this issue.

3. Can Council inform the public about invoking the penalty clause for non-performance for the delay in completion of the Aquatic Centre, and how much compensation Council might be owed?

It is confirmed that penalties and compensation will be payable by VOS Construction for non-compliance and failure to meet the Practical Completion Date (as amended the project construction phase based on approved variations). In terms of the amount of compensation, this is 'commercial-in-confident' and an amount yet to be finalised, however it will reflect direct costs (and loss of revenue) borne by Council associated with the delay.

4. SMRN would like to publicise which of the current Councillors are standing for re-election? Are the Councillors prepared to state whether they are or are not standing again?

Submitted for individual Councillor response.

- Mayor A O Mayor – Following 16 years of service has decided to leave local government. Would like to thank everyone for their support over the years and believes our community is very fortunate to have such a dedicated council.
- Deputy Mayor E Batt – seeking re-election as a Council and standing for the position of Mayor.
- Clr A Bantick – not seeking re-election
- Clr A Bisdee OAM – will be seeking re-election
- Clr K Dudgeon - seeking re-election as a Councillor and considering standing for the position of Deputy Mayor
- Clr D Fish – will be seeking re-election
- Clr R MCDougall – seeking re-election as a Councillor and considering standing for the position of Deputy Mayor

Julia Jabour – Southern Midlands Regional News

Is the pool opening date confirmed?

General Manager – Unable to confirm an exact date but the works program is still scheduling mid-late September 2022.

10.1 Permission to Address Council

Pat Birchall and Nan Bray, representing the Oatlands Community Association, have sought permission to address Council to provide an end of year report on the Association's activities.

Mary-Ann Orchard, as the representative of the Oatlands Community Hub, will also attend to provide a brief presentation as part of the address.

Pat Birchall – Oatlands Community Association

I am President of the Oatlands Community Association.

First I would like to thank the council staff for the assistance we receive. Also the monetary help as well.

Since becoming President and with Nan Brays assistance we have been able to work on making the Oatlands Community Association a true community association.

The art group, the meals Tuesday evening and the sewing group on Wednesday. Tressa Lodge from the Community Health Centre is working with us to assist older residents. Covid-19 stopped our casual rentals but the rentals are picking up again the two permanent rentals are the Southern Midland Regional News and the Bargain Centre. As a long term Bargain Centre volunteer I am well aware of the communities needs

Mary-Ann Orchard – Oatlands Community Hub

I work for Hobart City Mission and my role as Community Development Officer is funded by them and partly by Salvo's Community for Children program.

HCM was the first City Mission in Australia and is the third oldest Mission in the world, and we are about to celebrate our 170th birthday this year. Our main business is to assist community by providing emotion, physical and financial support and guidance.

Our vision is 'creating compassionate, resilient and connected local communities.

One of our values is innovation. We seek to find solutions where none seem to exist, to assist those in need.

It was these two statements in mind that the board decided to pilot a program in the Oatlands area, due to the small number of services available.

The Oatlands Community Hub started here in January this year and is housed in the Commissariat building, thank you to Council for this privilege. I spent the first couple of months having conversations with community members and leaders along with other services with operate locally, trying to find the gaps in services, build partnerships and map the community need. We are very mindful that to be an effective service it must listen to and be driven by the community.

These conversations have brought about services such as:

- *The Mill Patch (run by volunteers for provision of ER vegetables);*
- *Let's Go Shopping (monthly bus trips to Hobart to enable locals to shop for items no longer available in Oatlands);*
- *Digital Drop In Sessions (fortnightly provided by Bridgewater Library);*
- *Legal Information session (thank you to Clr Batt);*
- *COTA peer pressure education sessions (monthly).*

The core of HCM service has always been Emergency Relief provision. Which helps ppeople by providing food packs, food vouchers, and other support. The aim is to identify the underlying causes of hardship and homelessness to break the cycle.

One of my initial conversations was with Nan and Pat from OCA and we were all excited to learn that we were on the same page regarding ER provision. We now partner together to deliver a greater range of ER, including fire wood, frozen meals, toiletries and clothing through the Bargain Centre.

More things happening on the horizon are:

- *Partnering with Reclink to provide exercise and sport options for the whole community;*
- *Partnering with Community Radio 97.1 to bring Bingo to Oatlands;*
- *After school activities targeting children ages 8-13 in need of pastoral care.*

My role is not to do everything for the community but to build on resources, make connections, empowering locals and develop sustainable programs/services.

DECISION

Moved by Clr D Fish, seconded by Clr K Dudgeon

THAT the meeting be adjourned for morning tea at 11.01 a.m.

CARRIED

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

DECISION

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

THAT the meeting reconvene at 11.22 a.m.

CARRIED

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

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

Nil.

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

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

12.1 Development Applications

12.1.1 Development Application (DA2021/180) 475 Sugarloaf Road, Dysart Extractive Industry Level 2 Quarry

AUTHOR: PLANNING OFFICER (LOUISA BROWN)

Report Presented by Jacqui Tyson.

DATE: 19 AUGUST 2022

Attachment(s):

Development Application

Attachment 1 – Development Application Documents

Attachment 2 – EER Supplement

EPA Assessment

Attachment 3 – Environment Protection Authority - Environmental Assessment Report

Attachment 4 – Environment Protection Authority - Permit

Representations

Attachment 5 – Representation

PROPOSAL

The Land Owners K Noble and A Wedd have submitted a Development Application to the Southern Midlands Council seeking a Permit to develop and use land at 475 Sugarloaf Road, Dysart for a Level 2 quarry defined as Extractive Industry under the *Southern Midlands Interim Planning Scheme 2015*. The Application is to produce and cart up to 11,000 cubic metres of dolerite rock per annum from the site. The dolerite rock will be crushed and screened on site to varying sizes of aggregate.

A Level 2 quarry is a 'Level 2 Activity' as defined by Schedule 2 of the *Environmental Management and Pollution Control Act 1994* ("EMPCA") as the extraction of any rock or gravel producing 5000 cubic metres or more of rock or gravel per year and the crushing of 1,000 cubic metres or more per year.

The environmental effects of a 'Level 2 Activity' are assessed by the Environmental Protection Authority ("EPA"). Accordingly the Council are required to receive the Development Application and refer the Application to the EPA for assessment and a decision by the EPA Board ("the Board"). This is a requirement of the EMPCA.

The Application was advertised for a 14 day period and received one (1) representation.

On the 3 August 2022 the Board approved the quarry. The Board determined that if a permit is issued by Council then the quarry must be operated subject to conditions. These

conditions primarily relate to controlling the impacts of the quarry on the environment and on persons in the area. The conditions include ongoing compliance by the quarry operator. These conditions must be included in any permit issued by the Council.

The Application is considered at the discretion of Council pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* (“the Act”). Council may approve the quarry with conditions or refuse to grant a permit.

In determining the application the Planning Authority must, in addition to the matters required by Section 51(2) of the Act, take into consideration:

- a) all applicable standards and requirements in the planning scheme; and
- b) any representations received pursuant to and in conformity with Section 57(5) of the Act;
- c) the purpose of the applicable zone;
- d) any relevant local area objective or desired future character statement for the applicable zone;
- e) the purpose of any applicable code; and
- f) the purpose of any applicable specific area plan.

The Planning Scheme specifies that, in addition to those matters required by Section 51(2) of the Act, the Planning Authority must only exercise discretion, insofar as each such matter is relevant to the particular discretion being exercised.

Those matters required by Section 51(2) of the Act are, the Planning Authority:

- (a) must seek to further the objectives set out in Schedule 1 (objectives of the Resource Management and Planning System); and
- (b) must take into consideration such of the prescribed matters as are relevant to the use or development the subject of the application; and
- (c) must take into consideration the matters set out in representations relating to the application that were made during the period referred to in section 57(5); and
- (d) must accept –
 - i. any relevant bushfire hazard management plan, or other prescribed management plan relating to environmental hazards or natural hazards, that has been certified as acceptable by an accredited person or a State Service Agency; or
 - ii. any certificate issued by an accredited person or a State Service Agency and stating that the proposed use or development will result in an insufficient increase in risk from the environmental hazard or natural hazard to warrant any specific protection measures.

It is recommended that Council grant a permit for this proposal subject to conditions. The recommended conditions for the permit are provided in the recommendations of this report.

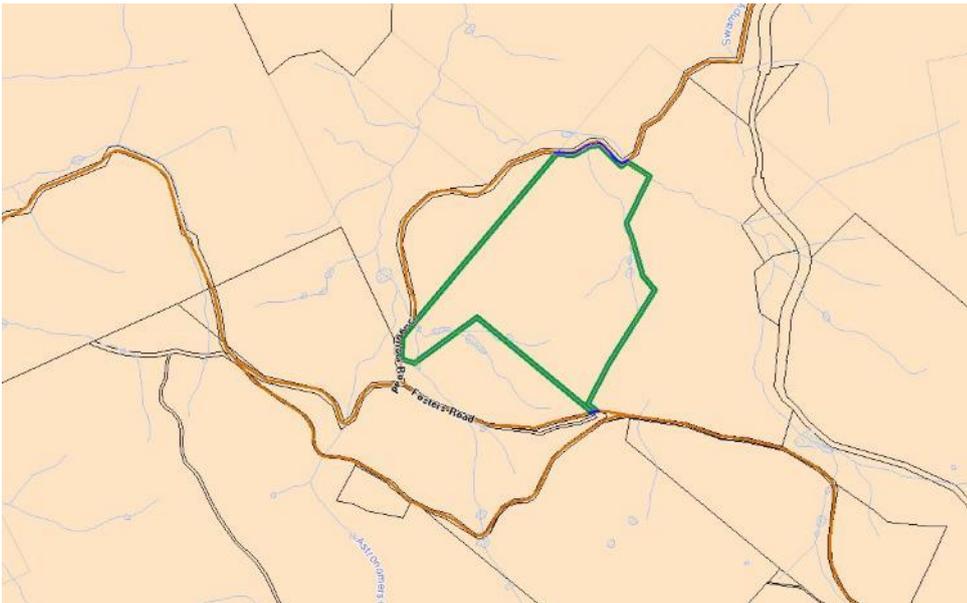
THE SITE

475 Sugarloaf Road, Dysart is in the Rural Resource Zone of the Southern Midlands Interim Planning Scheme 2015. The property is currently used for livestock grazing and contains a single dwelling. Adjacent land use is also predominantly agriculture livestock grazing and occasional dwellings.

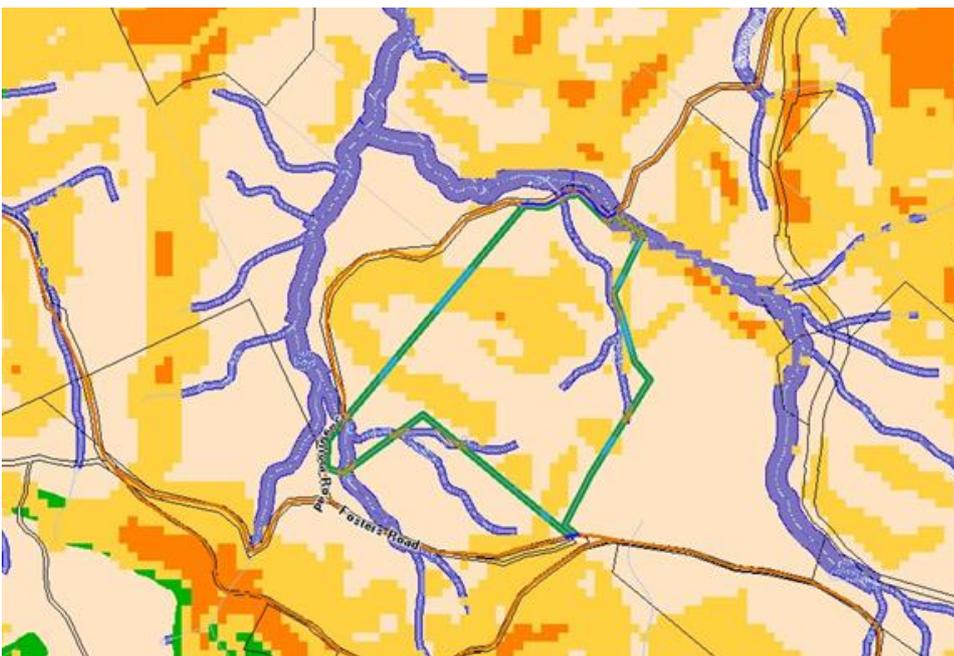
The site is highly modified agricultural land (TASVEG 4.0 – FAG) and no threatened flora or fauna have been recorded on the property. Several declared weed species of significance are present on site.

A minor tributary of the nearby Astronomers Creek is located to the northern boundary of the property and is outside of the maximum quarrying area.

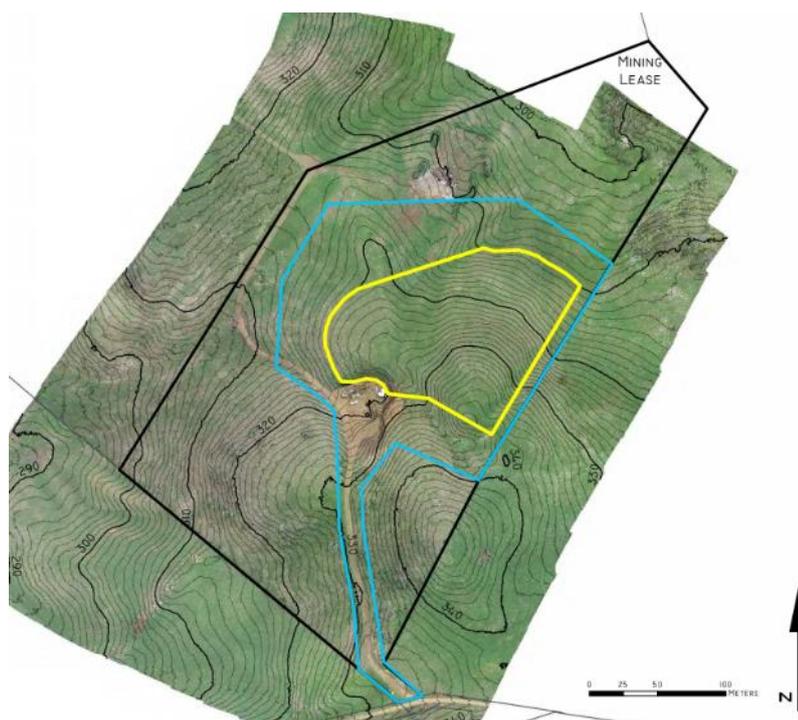
The access to the proposed quarry will be from an existing point of vehicular access on Fosters Road. This is a Council maintained road. The Road Authority is the Southern Midlands Council.



Map 1_ The land is in the Rural Resource Zone, as shown by the cream colour on the map. The site boundary is highlighted in a green line. Source: Exponare Enquiry 5.6 August 2022



Map 2_ Waterway & Coastal Protect Area are identified as blue, Landslide Hazard Area (low) are shown as yellow on the above image. The site boundary is highlighted in a green line. Source: Exponare Enquiry 5.6 August 2022



Map 3 The property boundary is highlighted in a black line. The blue line represents the maximum operating area and the yellow line is the maximum quarrying area. Source: Van Diemen Consulting, March 2022.

THE APPLICATION

The Application and supporting documents has been prepared by Van Diemen Consulting.

The Development Application consists of the Environmental Effects Report (EER) (Dated 10/05/2022), a Supplement to EER (Dated 20/07/2022), together with the Development Application form and title documents. The EER forms the application before Council and the EPA.

There is sufficient information within these documents, to assess the proposal against the standards of the Scheme, the requirements of the Act and for Council Officers to make a recommendation to the Council.

USE/DEVELOPMENT DEFINITION

In accordance with Part 8.2 of the Planning Scheme, 'Categorising Use or Development', the proposal is defined as an 'Extractive Industry':

Extractive Industry

use of land for extracting or removing material from the ground, other than Resource development, and includes the treatment or processing of those materials by crushing, grinding, milling or screening on, or adjoining the land from which it is extracted. Examples include mining, quarrying, and sand mining.

Use Development/Status under the Planning Scheme

Under the Scheme, a permit to use and develop land for an 'Extractive Industry' in the Rural Resource Zone must be considered at the discretion of Council.

A discretionary use or development must be advertised per Section 57 of the Land Use Planning and Approvals act 1993.

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised on the 27th May 2022 for fourteen (14) days.

During this period Council received one (1) representation opposed to the quarry.

The representation is enclosed to this report for the Council’s information (Enclosure, Attachment 5 – Representation). All names and personal details (of the person that lodged the representation) have otherwise been excluded from this report.

Council Officers have provided comments regarding the key issues raised in the representation in this section of the report. The concerns are further considered as part of the detailed assessment of the proposal against the relevant provisions of the Planning Scheme. The Officer comments appear in *Italics* in the table below:

<i>Representation 1</i>	<i>Council Officer Comment</i>
<p>PLANNING AND ZONING</p> <p>The applicant has submitted a document with the incorrect planning scheme and zone for the property location.</p> <p>The planning scheme used to prepare the document for submission was the Southern Midlands Interim Planning Scheme 2015, but the scheme that should have underpinned the application should be the Tasmanian Planning Scheme – Rural and Agriculture.</p>	<p><i>The development application was received by Council on 21 December 2021. The Planning Scheme in operation at the time the application was lodged, is the Southern Midlands Interim Planning Scheme 2015. Therefore, the application is assessed against the Standards of the Interim Scheme 2015.</i></p> <p><i>In the Interim Scheme, the property is zoned Rural Resource, extractive industry is a discretionary land use and development in this zone.</i></p> <p><i>The proposal must satisfy the requirements of the relevant provisions of the Rural Resource Zone, these are discussed within this report.</i></p>
<p>IMPACT ON ROADS</p> <p>The current condition of the roads that the trucks servicing the proposed quarry will use are narrow with no hard verges only grassed verges and culverts or drains. Concerned about possible corrugation and damage to the gravel surface and the impact on local road users of Fosters Road and Sugarloaf Road.</p> <p>Fosters Road at the access point to the proposed quarry would be unlikely to allow a vehicle and heavy truck to pass if they interact in this area.</p>	<p><i>It is estimated in the EER that truck movements at peak times will be four trucks per hour on average, this equates to two loaded and two unloaded, when the quarry is being worked at maximum capacity, which will predominately be in the spring and summer months, coinciding with peak demand.</i></p> <p><i>The amount of material to be carted is relatively low, therefore the proposed traffic volumes as stated within the application documents are also low and this will minimise potential risk of incidents.</i></p>

<p>The impact of heavy vehicles moving onto the verges to allow for passing would degrade the already delicate and deteriorated roads even further creating an unstable and unsafe surface for the local vehicle traffic.</p> <p>For the safety of the public and community using the roads it would be necessary to install signage to warn of possible interaction with slow moving heavy vehicles, this would be a further cost to the ratepayer.</p>	<p><i>In addition, the EER states that 90% of the truck movements will be within daylight hours, therefore reducing the risk of road incidents outside of daylight.</i></p> <p><i>Trucks will access the proposed quarry from Fosters Road, via Clifton Vale Road which is a sealed road. Both Roads are Council maintained roads.</i></p> <p><i>There are existing pull-over sections along the road which will facilitate the passing of vehicles.</i></p> <p><i>Council considers that signage should be provided and has conditioned this as a part of the recommended planning permit conditions.</i></p>
<p>SIGNAGE AND LINE OF SIGHT</p> <p>The applicant has stated that there will be no signage installed which is of great concern as the safety of the junction at Clifton Vale Road and Fosters Road is already known to be questionable.</p> <p>The steep gradient and drop off from Clifton Vale to Fosters Road has a very poor line of sight. There is also very little opportunity to assess any oncoming traffic travelling along Clifton Vale Road at 80km.</p> <p>Concerns regarding existing access gates to a property in close proximity to road junctions and property access.</p> <p>This adds to the safety concerns as the possibility of negative interactions between vehicles is more likely to occur as landowners open and close gates to access their property and livestock.</p>	<p><i>Council considers that signage should be provided and has conditioned this as a part of the recommended planning permit conditions below.</i></p> <p><i>Council has taken into consideration the concerns raised, however the requirements for sight lines and distances, meets the standards of the planning scheme.</i></p> <p><i>As mentioned above, the proposed truck movements are low, this will minimise potential risk of incidents.</i></p>
<p>ECONOMIC VALUE TO THE COMMUNITY</p> <p>The proposed development does not offer any economic benefit to the community in terms of employment or value adding to the area, in fact we would argue that the impact is a negative one in that the trucks used to cart product from the quarry are unlikely to be local operators.</p> <p>The cost to ratepayers to enable the council to maintain the roads in a safe condition and install adequate signage</p>	<p><i>Council, is acting as Planning Authority, and must consider the objectives of the Planning Scheme against the proposed development. The Planning Scheme does not provide an avenue to assess the proposed quarry against the economic benefit to the community. However, in consideration of the representation, Council notes the point raised.</i></p>

<p>for safety purposes should this proposed development be allowed to go ahead would inevitably be significant and ongoing due to the already ageing and deteriorated condition of the roads to be used.</p>	<p><i>As already addressed in the above Council Officer Comments, signage will be provided on Fosters Road and Clifton Vale Road upon approach to the quarry access.</i></p>
<p>ENVIRONMENTAL IMPACT AND POLLUTION</p> <p>We have prepared a document which addresses all of our concerns relating to the EER and the environmental impact that the proposed development would have on the surrounding properties and environment, which has been submitted to council in conjunction with this document.</p> <p>The applicant has clearly stated that there is no intention to install or build any amenities, buildings or septic tanks, therefore it is of great concern as to where truck drivers and the machinery operator will be going to the toilet without any onsite facilities.</p> <p>Noise pollution to the environment is also of great concern, currently the noise levels relating to traffic and heavy machinery from agricultural undertakings in the area is minimal, this will change significantly if the proposed development is approved.</p> <p>The impact of excessive prolonged loud vibratory and machinery noise will have a detrimental negative impact on the community surrounding the proposed development and it will most certainly impede on the health, well being and lifestyle of the members of the community in the area surrounding the quarry. The noise pollution generated is likely to impact the occupants of nine houses in the direct area of the proposed development.</p>	<p><i>Council are in receipt of a copy of the representation made to the Environmental Protection Agency in regards to the proposed quarry and the concerns raised by the representor regarding the potential environmental impact of the activity. The EPA will address these concerns directly with the representor.</i></p> <p><i>The provision of onsite facilities for truck drivers is not a requirement for the issuing of a Planning Permit. However, Council has taken into consideration the comment made and notes that there are suitable amenities nearby on the Midland Highway.</i></p> <p><i>Noise attenuation bunds constructed from soil will be installed on the property and will extend at least 3m horizontally beyond noise generating equipment and are 3m above each noise source height. The construction and location of the bunds will assist in reducing noise created by the quarrying activity.</i></p> <p><i>Access tracks within the property will be maintained to assist in reducing noise levels from vehicular movements.</i></p> <p><i>In addition, Conditions N1-N7 of the Permit granted by the EPA specifically address Noise Control and include noise emission limits and operating times. The owner will also be required to undertake a noise survey within the first 12 months of a permit being granted.</i></p> <p><i>Council acknowledges that the quarry will include activities which have the potential to cause noise and vibration.</i></p> <p><i>The EER includes information regarding management of noise emissions, these include:</i></p>

	<ul style="list-style-type: none"> • <i>restricted hours of operation;</i> • <i>bund walls;</i> • <i>maintained internal roads; and</i> • <i>all machinery will be well maintained.</i> <p><i>The Environmental Assessment Report prepared by the EPA includes standard conditions to reinforce the proposed management measures to assist in managing noise levels.</i></p>
<p>EXISTING ON FARM QUARRY PIT There has been a quarrying operation previously undertaken by the applicant illegally. It raises concerns that the quarry operation would not be run in accordance with the Quarry Code of Practice guidelines as the applicant has shown no regard or respect for legislation and proper planning and procedure required to operate a mining lease and extraction business.</p>	<p><i>Council notes that there is an existing small borrow pit associated with the agricultural use on the property.</i></p> <p><i>In addition, a Mining Lease is also pending for the Quarry.</i></p> <p><i>The purpose of the Quarry Code of Practice is to document acceptable safety and environmental guidelines for quarrying. The environmental management and rehabilitation sections of the code are intended to encourage operators to achieve good environmental performance.</i></p> <p><i>The provisions of the Quarry Code will be enforced as Permit Conditions issued by Council and the EPA.</i></p> <p><i>In addition, there are legislative enforcement mechanisms via the EPA.</i></p>
<p>LOSS OF AGRICULTURAL LAND The Midlands Economic Development and Land Use strategy published by SGS Economics and Planning stated that <i>“The economy of the Southern Midland relies heavily on the agriculture.”</i> <i>“Compared to Tasmania’s economy, the Southern Midlands economy is strongly specialised in agriculture.”</i> <i>“The agriculture sector is by far the most important industry in terms of employment.”</i></p> <p>The report found fourteen initiatives for economic development and number one was <i>“effective planning provisions for agricultural land.”</i></p>	<p><i>As addressed in the Council Officer Comment above, at the time the Development Application was lodged, the Southern Midlands interim planning scheme 2015 was in operation. The scheme zoning for the property is Rural Resource, within which extractive industry is a discretionary use and development.</i></p> <p><i>In the Scheme, Discretionary non-agricultural use must not conflict with or fetter agricultural use on the property or adjoining land. This is addressed in the following sections of the scheme below.</i></p>

<p>The information and data contained in the report supports preserving agricultural land for agricultural purposes and the finding that effective planning would play an integral part in successfully undertaking protection of agricultural land.</p> <p>The Tasmanian Planning Scheme – Rural and Agriculture recognises that the Rural Zone provides for the protection of agricultural land and agricultural uses by ensuring that discretionary uses minimise the conversion of agricultural land and are compatible with agricultural use.</p> <p>Given that the proposed development is on land zoned specifically for agriculture we are asking the council to decline the application for the proposed development as the use of the land, regardless of its size should be protected and limited to an agricultural undertaking.</p>	
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ASSESSMENT - THE SOUTHERN MIDLANDS INTERIM PLANNING SCHEME 2015

Rural Resource Zone

The land is in the Rural Resource Zone. The proposal is a discretionary land use and development in this zone. The proposal must satisfy the requirements of the following relevant provisions of this zone:

26.3.3 Discretionary Use		
Objective: To ensure that discretionary non-agricultural uses do not unreasonably confine or restrain the agricultural use of agricultural land.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 No acceptable solution.	P1 A discretionary non-agricultural use must not conflict with or fetter agricultural use on the site or adjoining land having regard to all of the following: a) the characteristics of the proposed non-agricultural use; b) the characteristics of the existing or likely agricultural use;	<i>The proposal is not an agricultural land use and is assessed against the Performance Criteria.</i> <i>The characteristics of a quarry are activities that generate dust, vibration and noise.</i> <i>The predominant agricultural use on lands adjacent to the quarry is grazing.</i>

	<p>c) setback to site boundaries and separation distance between the proposed non-agricultural use and existing or likely agricultural use;</p> <p>d) any characteristics of the site and adjoining land that would buffer the proposed non-agricultural use from the adverse impacts on amenity from existing or likely agricultural use.</p>	<p><i>The nearest residences to the proposed quarry are located approximately 385m to the south-west, 650m and 700m to the south east.</i></p> <p><i>Quarrying activities will be located on the northern facing slopes, the topography will offer significant screening of the activity to properties to the south and east. The proposed 3m bunds will also offer attenuation to residences to the south west.</i></p> <p><i>As mentioned, the quarry will be limited to the maximum extraction quantities and therefore will not be in continuous operation.</i></p> <p><i>The quarry operations area has an approximate 10m setback from the eastern property boundary. This area will include a 3m high bund to screen quarry operations and noise.</i></p> <p><i>The front setback is 200m from the quarry area to the property boundary at the road, and a similar distance to the rear boundary</i></p> <p><i>The land immediately adjacent to the eastern and northern boundary is agricultural land, predominantly used for grazing. Likewise for properties to the west, which includes the dwelling to the property.</i></p> <p><i>The proposed setbacks from boundaries, coupled with the conditions of the EPA in the Permit, gives</i></p>
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		<p><i>some certainty that current or future agricultural land use on the adjoining lands will not be fettered by this proposal.</i></p> <p><i>The Performance Criteria is met.</i></p>
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26.4 Development Standards for Buildings & Works		
26.4.2 Setback		
<p>To minimise land use conflict and fettering of use of rural land from residential use, maintain desirable characteristics of the rural landscape and protect environmental values in adjoining land zoned Environmental Management.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1 Building setback from frontage must be no less than: 20 m.</p>	<p>P1 Building setback from frontages must maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following: (a) the topography of the site; (b) the size and shape of the site; (c) the prevailing setbacks of existing buildings on nearby lots; (d) the location of existing buildings on the site; (e) the proposed colours and external materials of the building; (f) the visual impact of the building when viewed from an adjoining road; (g) retention of vegetation.</p>	<p><i>No buildings are proposed as a part of the quarry development.</i></p>
<p>A2 Building setback from side and rear boundaries must be no less than: 40 m.</p>	<p>P2 Building setback from side and rear boundaries must maintain the character of the surrounding rural landscape, having regard to all of the following:</p>	<p><i>No buildings are proposed as a part of the quarry development.</i></p>

	<p>(a) the topography of the site; (b) the size and shape of the site; (c) the location of existing buildings on the site; (d) the proposed colours and external materials of the building; (e) visual impact on skylines and prominent ridgelines; (f) impact on native vegetation.</p>	
<p>A3 Building setback for buildings for sensitive use must comply with all of the following: (a) be sufficient to provide a separation distance from a plantation forest, Private Timber Reserve or State Forest of 100 m; (b) be sufficient to provide a separation distance from land zoned Significant Agriculture of 200 m.</p>	<p>P3 Building setback for buildings for sensitive use (including residential use) must prevent conflict or fettering of primary industry uses on adjoining land, having regard to all of the following: (a) the topography of the site; (b) the prevailing setbacks of existing buildings on nearby lots; (c) the location of existing buildings on the site; (d) retention of vegetation; (e) the zoning of adjoining and immediately opposite land; (f) the existing use on adjoining and immediately opposite sites; (g) the nature, frequency and intensity of emissions produced by primary industry uses on adjoining and immediately opposite lots; (h) any proposed attenuation measures; (i) any buffers created by natural or other features.</p>	<p><i>No buildings are proposed as a part of the quarry development.</i></p>
<p>A4 Buildings and works must be setback from land</p>	<p>P4 Buildings and works must be setback from</p>	<p><i>There is no land zoned Environmental Management in the Interim</i></p>

<p>zoned Environmental Management no less than: 50 m.</p>	<p>land zoned Environmental Management to minimise unreasonable impact from development on environmental values, having regard to all of the following: (a) the size of the site; (b) the potential for the spread of weeds or soil pathogens; (c) the potential for contamination or sedimentation from water runoff; (d) any alternatives for development.</p>	<p><i>planning scheme within 50m of the proposed quarry.</i></p>
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26.4.3 Design		
To ensure that the location and appearance of buildings and works minimises adverse impact on the rural landscape.		
Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1 The location of buildings and works must comply with any of the following: (a) be located within a building area, if provided on the title; (b) be an addition or alteration to an existing building; (c) be located in an area not requiring the clearing of native vegetation and not on a skyline or ridgeline.</p>	<p>P1 The location of buildings and works must satisfy all of the following: (a) be located on a skyline or ridgeline only if: (i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure; (ii) significant impacts on the rural landscape are minimised through the height of the structure, landscaping and use of colours with a light reflectance value not greater than 40 percent for all exterior building surfaces; (b) be consistent with any Desired Future Character</p>	<p><i>The clearing of native vegetation for the quarry is not required. This is because there is no native vegetation on the property.</i></p> <p><i>The predominant vegetation on site is highly modified agricultural land (TASVEG 4.0 – FAG). The quarry is not located on a ridge line.</i></p> <p><i>The acceptable solution is met.</i></p>

	<p>Statements provided for the area;</p> <p>(c) be located in an area requiring the clearing of native vegetation only if:</p> <p>(i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;</p> <p>(ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures;</p>	
<p>A2 Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.</p>	<p>P2 The appearance of external finishes of buildings must not be incompatible with the rural landscape.</p>	<p><i>There are no buildings proposed as a part of the quarrying activities.</i></p>
<p>A3 The depth of any fill or excavation must be no more than 2 m from natural ground level, except where required for building foundations.</p>	<p>P3 The depth of any fill or excavation must be kept to a minimum so that the development satisfies all of the following:</p> <p>(a) does not have significant impact on the rural landscape of the area;</p> <p>(b) does not unreasonably impact upon the privacy of adjoining properties;</p> <p>(c) does not affect land stability on the lot or adjoining areas.</p>	<p><i>The Permit issued by the EPA establishes a limit of 11,000 cubic metres per year to be extracted. This is considered to be a relatively low volume and it is not expected that with such volumes proposed, the quarry will operate all year.</i></p> <p><i>The privacy of adjoining properties will not be directly impacted, as dwellings are located some distance away from the quarry extraction area. Noise impacts and other potential environmental impacts are addressed in the EAR, the Quarry Code of Practice and conditions of this permit.</i></p>

		<p><i>The requirements of Mineral Resources Tasmania to rehabilitate the site will assist in reducing any visual impact on the rural landscape.</i></p>
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E3.0 Landslide Code

The purpose of this provision is to ensure that use and development is appropriately designed, located, serviced, constructed or managed to reduce to within tolerable limits the risk to human life and property and the cost to the community, caused by landslides.

At the time of assessment (19 August 2022) the mining lease was pending, subject to approval. Once the lease is granted, the proposed quarry will be exempt from the code per E3.4 (g):

- (g) *use or development of land for Extractive industry where a mining lease under the Mineral Resources Development Act 1995 is in force, excluding a hazardous use.*

E5.0 Road and Railway Assets Code

The purpose of this provision is to:

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

This code applies to the proposal as the quarry will intensify the use of an existing access.

E5.5.1 Existing road accesses and junctions		
<p>To ensure that the safety and efficiency of roads is not reduced by increased use of existing accesses and junctions.</p>		
Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1 The annual average daily traffic (AADT) of vehicle movements, to and from a site, onto a category 1 or category 2 road, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.</p>	<p>P1 Any increase in vehicle traffic to a category 1 or category 2 road in an area subject to a speed limit of more than 60km/h must be safe and minimise any adverse impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature of the road; 	<p><i>There is no proposed access to a Category 1 or Category 2 road.</i></p>

	<p>(d) the speed limit and traffic flow of the road; (e) any alternative access to a road; (f) the need for the use; (g) any traffic impact assessment; and (h) any written advice received from the road authority.</p>	
<p>A2 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of more than 60km/h, must not increase by more than 10% or 10 vehicle movements per day, whichever is the greater.</p>	<p>P2 Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of more than 60km/h must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <p>(a) the increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature and efficiency of the access or the junction; (d) the nature and category of the road; (e) the speed limit and traffic flow of the road; (f) any alternative access to a road; (g) the need for the use; (h) any traffic impact assessment; and (i) any written advice received from the road authority.</p>	<p><i>An increase in vehicular movements will occur when the quarry is operating. However, as previously discussed in this report, it is not expected that the quarry will operate daily, due to the amount of maximum extraction quantity issued in the permit. The proposed truck movements are relatively low, this will minimise potential risk of incidents.</i></p> <p><i>The proposed access into the quarry from Fosters Road is existing and is compliant.</i></p> <p><i>Council considers that signage should be provided and has conditioned this as a part of the recommended planning permit conditions below.</i></p> <p><i>The requirements for sight lines and distances, meets the standards of the planning scheme.</i></p>
<p>A3 The annual average daily traffic (AADT) of vehicle movements, to and from a site, using an existing access or junction, in an area subject to a speed limit of 60km/h or less, must not increase by more than 20% or 40 vehicle</p>	<p>P3 Any increase in vehicle traffic at an existing access or junction in an area subject to a speed limit of 60km/h or less, must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p>	<p><i>The speed limit of Fosters Road is 80km/h and therefore more than 60km/h. The standard therefore does not apply.</i></p>

<p>movements per day, whichever is the greater.</p>	<p>(a) the increase in traffic caused by the use; (b) the nature of the traffic generated by the use; (c) the nature and efficiency of the access or the junction; (d) the nature and category of the road; (e) the speed limit and traffic flow of the road; (f) any alternative access to a road; (g) the need for the use; (h) any traffic impact assessment; and (i) any written advice received from the road authority.</p>	
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E5.6.2 Road accesses and junctions		
To ensure that the safety and efficiency of roads is not reduced by the creation of new accesses and junctions.		
Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1 No new access or junction to roads in an area subject to a speed limit of more than 60km/h.</p>	<p>P1 For roads in an area subject to a speed limit of more than 60km/h, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to: (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority.</p>	<p><i>An existing property access will be used for the Quarry on Fosters Road. The Acceptable Solutions are met.</i></p>

<p>A2 No more than one access providing both entry and exit, or two accesses providing separate entry and exit, to roads in an area subject to a speed limit of 60km/h or less.</p>	<p>P2 For roads in an area subject to a speed limit of 60km/h or less, accesses and junctions must be safe and not unreasonably impact on the efficiency of the road, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and frequency of the traffic generated by the use; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) any alternative access to a road; (e) the need for the access or junction; (f) any traffic impact assessment; and (g) any written advice received from the road authority. 	<p><i>The land and access has a speed limit of 80km/h. The standard is not applicable.</i></p>
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<p>E5.6.4 Sight distance at accesses, junctions and level crossings To ensure that accesses, junctions and level crossings provide sufficient sight distance between vehicles and between vehicles and trains to enable safe movement of traffic.</p>		
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>	<p>Officer Comment</p>
<p>A1 Sight distances at: (a) an access or junction must comply with the Safe Intersection Sight Distance shown in Table E5.1; and (b) rail level crossings must comply with AS1742.7 Manual of uniform traffic control devices - Railway crossings, Standards Association of Australia.</p>	<p>P1 The design, layout and location of an access, junction or rail level crossing must provide adequate sight distances to ensure the safe movement of vehicles, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and frequency of the traffic generated by the use; (b) the frequency of use of the road or rail network; (c) any alternative access; (d) the need for the access, junction or level crossing; (e) any traffic impact assessment; 	<p><i>The proposed Quarry vehicular access will be via an existing point of access on the property at Fosters Road. The existing access complies with the Safe Intersection Sight Distance shown in Table E5.1.</i></p> <p><i>The proposal meets the Acceptable Solution.</i></p>

	(f) any measures to improve or maintain sight distance; and (g) any written advice received from the road or rail authority	
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E6.0 Parking and Access Code

The purpose of this provision is to:

- a) ensure safe and efficient access to the road network for all users, including drivers, passengers, pedestrians and cyclists;
- b) ensure enough parking is provided for a use or development to meet the reasonable requirements of users, including people with disabilities;
- c) ensure sufficient parking is provided on site to minimise on-street parking and maximise the efficiency of the road network;
- d) ensure parking areas are designed and located in conformity with recognised standards to enable safe, easy and efficient use and contribute to the creation of vibrant and liveable places;
- e) ensure access and parking areas are designed and located to be safe for users by minimising the potential for conflicts involving pedestrians, cyclists and vehicles; and by reducing opportunities for crime or anti-social behaviour;
- f) ensure that vehicle access and parking areas do not adversely impact on amenity, site characteristics or hazards;
- g) recognise the complementary use and benefit of public transport and non-motorised modes of transport such as bicycles and walking;
- h) provide for safe servicing of use or development by commercial vehicles.

There is sufficient land available for onsite vehicle parking associated with the proposed quarry.

The proposal complies with parking standards E6.6.1 Number of car parking spaces of the Scheme.

E6.7.2 Design of Vehicular Accesses		
To ensure safe and efficient access for all users, including drivers, passengers, pedestrians and cyclists by locating, designing and constructing vehicle access points safely relative to the road network.		
Acceptable Solutions	Performance Criteria	Officer Comment
A1 Design of vehicle access points must comply with all of the following: (a) in the case of non-commercial vehicle access; the location, sight distance, width and gradient of an access must be designed and constructed to comply with section 3 – “Access	P1 Design of vehicle access points must be safe, efficient and convenient, having regard to all of the following: (a) avoidance of conflicts between users including vehicles, cyclists and pedestrians; (b) avoidance of unreasonable interference	<i>The proposed Quarry vehicular access will be via an existing point of access on the property at Fosters Road. The existing access complies with the standard. The proposal meets the Acceptable Solution.</i>

<p>Facilities to Off-street Parking Areas and Queuing Areas” of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-street car parking;</p> <p>(b) in the case of commercial vehicle access; the location, sight distance, geometry and gradient of an access must be designed and constructed to comply with all access driveway provisions in section 3 “Access Driveways and Circulation Roadways” of AS2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities.</p>	<p>with the flow of traffic on adjoining roads;</p> <p>(c) suitability for the type and volume of traffic likely to be generated by the use or development;</p> <p>(d) ease of accessibility and recognition for users.</p>	
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E6.7.3 Vehicular Passing Areas Along an Access		
<p>(a) the design and location of access and parking areas creates a safe environment for users by minimising the potential for conflicts involving vehicles, pedestrians and cyclists;</p> <p>(b) use or development does not adversely impact on the safety or efficiency of the road network as a result of delayed turning movements into a site.</p>		
Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1</p> <p>Vehicular passing areas must:</p> <p>(a) be provided if any of the following applies to an access:</p> <p>(i) it serves more than 5 car parking spaces;</p> <p>(ii) is more than 50 m long;</p> <p>(iii) it meets a road serving more than 6000 vehicles per day;</p> <p>(b) be 6 m long, 5.5 m wide, and taper to the width of the driveway;</p> <p>(c) have the first passing area constructed at the kerb;</p> <p>(d) be at intervals of no more than 50 m along the access.</p>	<p>P1</p> <p>Vehicular passing areas must be provided in sufficient number, dimension and siting so that the access is safe, efficient and convenient, having regard to all of the following:</p> <p>(a) avoidance of conflicts between users including vehicles, cyclists and pedestrians;</p> <p>(b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;</p> <p>(c) suitability for the type and volume of traffic likely to be generated by the use or development;</p> <p>(d) ease of accessibility and recognition for users.</p>	<p><i>Areas for passing are existing within the road network of the proposed route.</i></p> <p><i>The acceptable solution is met.</i></p>

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E6.7.4 On-Site Turning		
Objective: To ensure safe, efficient and convenient access for all users, including drivers, passengers, pedestrians and cyclists, by generally requiring vehicles to enter and exit in a forward direction.		
Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1 On-site turning must be provided to enable vehicles to exit a site in a forward direction, except where the access complies with any of the following:</p> <p>(a) it serves no more than two dwelling units;</p> <p>(b) it meets a road carrying less than 6000 vehicles per day.</p>	<p>P1 On-site turning may not be required if access is safe, efficient and convenient, having regard to all of the following:</p> <p>(a) avoidance of conflicts between users including vehicles, cyclists, dwelling occupants and pedestrians;</p> <p>(b) avoidance of unreasonable interference with the flow of traffic on adjoining roads;</p> <p>(c) suitability for the type and volume of traffic likely to be generated by the use or development;</p> <p>(d) ease of accessibility and recognition for users;</p> <p>(e) suitability of the location of the access point and the traffic volumes on the road.</p>	<p><i>The proposal complies with the acceptable solution, as adequate space is provided on site for turning.</i></p>

E6.7.13 Facilities for Commercial Vehicles		
To ensure that facilities for commercial vehicles are provided on site, as appropriate.		
Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1 Commercial vehicle facilities for loading, unloading or manoeuvring must be provided on-site in accordance with Australian Standard for Off-street Parking, Part 2 : Commercial. Vehicle Facilities AS 2890.2:2002, unless:</p> <p>(a) the delivery of all inward bound goods is by a single person from a vehicle parked in a</p>	<p>P1 Commercial vehicle arrangements for loading, unloading or manoeuvring must not compromise the safety and convenience of vehicular traffic, cyclists, pedestrians and other road users.</p>	<p><i>There is sufficient room on the land to allow for the load, unloading and manoeuvring of heavy vehicles and commercial vehicles on the land. The proposal complies with the acceptable solution.</i></p>

dedicated loading zone within 50 m of the site; (b) the use is not primarily dependent on outward delivery of goods from the site.		
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E6.7.14 Access to a Road		
To ensure that access to the road network is provided appropriately.		
Acceptable Solutions	Performance Criteria	Officer Comment
A1 Access to a road must be in accordance with the requirements of the road authority.	P1 No Performance Criteria.	<i>The proposal complies with the Acceptable Solution. Council's Road Authority has considered and assessed the location and the access design as acceptable.</i>

Stormwater Management Code

The purpose of this provision is to ensure that stormwater disposal is managed in a way that furthers the objectives of the State Stormwater Strategy.

E7.7.1 Stormwater Drainage and Disposal		
To ensure that stormwater quality and quantity is managed appropriately.		
Acceptable Solutions	Performance Criteria	Officer Comment
A1 Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.	P1 Stormwater from new impervious surfaces must be managed by any of the following: (a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles (b) collected for re-use on the site; (c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.	<i>The proposal is likely to comply with the performance criteria and will be further monitored by the EPA with regard to settling ponds and erosion/sediment control.</i>
A2 A stormwater system for a new development must	P2 A stormwater system for a new development must	<i>The proposal is likely to comply with the performance criteria and</i>

<p>incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:</p> <p>(a) the size of new impervious area is more than 600 m²;</p> <p>(b) new car parking is provided for more than 6 cars;</p> <p>(c) a subdivision is for more than 5 lots.</p>	<p>incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 unless it is not feasible to do so.</p>	<p><i>will be further monitored by the EPA with regard to settling ponds and erosion/sediment control.</i></p>
<p>A3 A minor stormwater drainage system must be designed to comply with all of the following:</p> <p>(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;</p> <p>(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.</p>	<p>P3 No Performance Criteria.</p>	<p><i>The EER provided with the development application address Water quality. In addition the QCP provides acceptable standards for water quality, sediment control and drainage.</i></p> <p><i>The proposal is likely to comply with the Acceptable Solution.</i></p>

Attenuation Code

The Planning Scheme stipulates that use or development described below is exempt from this code if any of the following apply:

- a) activities requiring assessment under the Environmental Management and Pollution Control Act 1994 by the Board of the Tasmanian Environment Protection Authority;
- b) additions or alterations to an existing building used for sensitive use provided that the gross floor area does not increase by more than 50% or 100 m² whichever is the greater.

As the proposal must be assessed by the Board as a Level 2 activity the Council is not required to assess the proposal against the objectives of this code. In other words it is the role of the EPA to assess any potential environmental harm posed by a Level 2 quarry.

CONCLUSION

This report has assessed a Development Application for a Level 2 quarry at 475 Sugarloaf Road, Dysart. This is a discretionary application.

One (1) representation was received during the statutory notification of the application.

The Application was referred to the Board for assessment of matters prescribed in the EMPCA. The EPA Board approved the quarry subject to conditions on 3 August 2022.

It is recommended Council grant a permit for the proposed Level 2 quarry subject to the conditions provided in the recommendation.

RECOMMENDATION

THAT, in accordance with the provisions of the *Southern Midlands Interim Planning Scheme 2015* and Section 57 of the *Land Use Planning & Approvals Act 1993*, Council approve the application for a Level 2 Gravel Quarry defined as an Industry (Extractive) at 475 Sugarloaf road, Dysart and that a permit be issued with the following conditions:

Concordance with the application and permit conditions:

1. The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and reports and with the conditions of this permit and must not be altered or extended without the further written approval of Council or, as necessary, the Environmental Protection Authority.
2. This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, whichever is later, and it is clear that an appeal has not been lodged, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

Environmental Protection Authority – Conditions of Approval:

3. The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B No.11112 dated 3 August 2022, which the Board of the Environmental Protection Authority (EPA) has required the planning authority to include in the permit, pursuant to section 25(5)(a)(i) of the *Environmental Management and Pollution Control Act 1994*.

Parking and Access:

4. The internal access road, parking and associated turning, loading and unloading areas servicing the development must be designed and constructed to the satisfaction of Council's Manager Infrastructure & Works and must include:
 - a. Adequate turning space on site to allow that vehicles enter and leave the site in a forward direction;
 - b. An all-weather pavement constructed and surfaced to the satisfaction of the Council's Manager Infrastructure & Works;
 - c. Passing bays: and
 - d. Stormwater drainage to the satisfaction of the Council's Manager Infrastructure & Works.

5. The internal driveway accessing the quarry is to be constructed and maintained to avoid erosion and sediment transfer or de-stabilisation of the soil on site, or on adjacent properties, to the standard required by Council's Manager Infrastructure & Works.
6. All areas set-aside for parking and associated turning, loading and unloading areas and access must be completed prior to cartage of any product extracted from the quarry and must continue to be maintained to the satisfaction of the Council's General Manager.
7. The access must be located, designed and constructed in accordance with LGAT Standard Drawing TSD-R05-v1 "Truck Access to Rural Properties 'Type A'" (including new culvert and headwalls).
8. Truck turning signs shall be installed on either side of the junction of Clifton Vale Road and Fosters Road with exact locations to be confirmed on-site with the Manager Infrastructure & Works.
9. Any damage to Council's infrastructure, as a consequence of any of the works associated with this development, shall be repaired by the applicant / developer at the applicant / developer's expense.

Existing services:

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

The following advice applies to this permit:

- A. This Planning Permit does not imply that any other approval required under any other legislation has been granted.
- B. The developer is to contact the Council's Manager Infrastructure & Works prior to any works commencing in Council's road reserve and to arrange final approvals of the access works.
- C. If you notify Council that you intend to commence the use or development before the date specified above you forfeit your right of appeal in relation to this permit.

* Permit Part B, Permit Conditions – Environmental N0.11112, issued by the Board of the Environment Protection Authority are included in this Permit (Enclosure, Attachment 4 – EPA Permit of this report).

DECISION

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

THAT, in accordance with the provisions of the *Southern Midlands Interim Planning Scheme 2015* and Section 57 of the *Land Use Planning & Approvals Act 1993*, Council approve the application for a Level 2 Gravel Quarry defined as an Industry (Extractive) at 475 Sugarloaf road, Dysart and that a permit be issued with the following conditions:

Concordance with the application and permit conditions:

1. The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and reports and with the conditions of this permit and must not be altered or extended without the further written approval of Council or, as necessary, the Environmental Protection Authority.
2. This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, whichever is later, and it is clear that an appeal has not been lodged, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

Environmental Protection Authority – Conditions of Approval:

3. The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B No.11112 dated 3 August 2022, which the Board of the Environmental Protection Authority (EPA) has required the planning authority to include in the permit, pursuant to section 25(5)(a)(i) of the *Environmental Management and Pollution Control Act 1994*.

Parking and Access:

4. The internal access road, parking and associated turning, loading and unloading areas servicing the development must be designed and constructed to the satisfaction of Council's Manager Infrastructure & Works and must include:
 - a. Adequate turning space on site to allow that vehicles enter and leave the site in a forward direction;
 - b. An all-weather pavement constructed and surfaced to the satisfaction of the Council's Manager Infrastructure & Works;
 - c. Passing bays: and
 - d. Stormwater drainage to the satisfaction of the Council's Manager Infrastructure & Works.
5. The internal driveway accessing the quarry is to be constructed and maintained to avoid erosion and sediment transfer or de-stabilisation of the soil on site, or on adjacent properties, to the standard required by Council's Manager Infrastructure & Works.
6. All areas set-aside for parking and associated turning, loading and unloading areas and access must be completed prior to cartage of any product extracted from the quarry and must continue to be maintained to the satisfaction of the Council's General Manager.
7. The access must be located, designed and constructed in accordance with LGAT Standard Drawing TSD-R05-v1 "Truck Access to Rural Properties 'Type A'" (including new culvert and headwalls).
8. Truck turning signs shall be installed on either side of the junction of Clifton Vale Road and Fosters Road with exact locations to be confirmed on-site with the Manager Infrastructure & Works.

9. Any damage to Council's infrastructure, as a consequence of any of the works associated with this development, shall be repaired by the applicant / developer at the applicant / developer's expense.

Existing services:

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

The following advice applies to this permit:

- A. This Planning Permit does not imply that any other approval required under any other legislation has been granted.
- B. The developer is to contact the Council's Manager Infrastructure & Works prior to any works commencing in Council's road reserve and to arrange final approvals of the access works.
- C. If you notify Council that you intend to commence the use or development before the date specified above you forfeit your right of appeal in relation to this permit.

* Permit Part B, Permit Conditions – Environmental N0.11112, issued by the Board of the Environment Protection Authority are included in this Permit (Enclosure, Attachment 4 – EPA Permit of this report).

CARRIED

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

12.2 Subdivisions

Nil.

12.3 Municipal Seal (Planning Authority)

Nil.

12.4 Planning (Other)

Nil.

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

13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)

13.1 Roads

Strategic Plan Reference 1.1

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

Nil.

13.2 Bridges

Strategic Plan Reference 1.2

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

Nil.

13.3 Walkways, Cycle ways and Trails

Strategic Plan Reference 1.3

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

Nil.

13.4 Lighting

Strategic Plan Reference 1.4

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

Nil.

13.5 Buildings

Strategic Plan Reference 1.5

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

Nil.

13.6 Sewers / Water

Strategic Plan Reference(s) 1.6

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

13.6.1 TasWater – Bagdad Sewerage Scheme Upgrade / Extension (Information Only)

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 19 AUGUST 2022

ISSUE

To inform Council that a letter has been sent to TasWater in relation to the Bagdad Sewerage Scheme and seeking its advice regarding the status of any assessment to upgrade the existing Sewerage treatment facility, or alternatively, consider an extension to the Scheme by installing a pipeline that would extend from Bagdad through to the Brighton township.

BACKGROUND

Nil.

DETAIL

TasWater is aware of the extensive growth that is occurring in the Bagdad district, both within that section of Bagdad serviced by the existing Sewerage Scheme, but also in the southern area of Bagdad and Mangalore which is presently not serviced.

Through past discussions with TasWater representatives, it has been indicated that TasWater either plan to, or have commenced, an assessment to upgrade the existing Sewerage treatment facility, or alternatively (and more importantly), consider an extension to the Scheme by installing a pipeline that would extend from Bagdad through to the Brighton township.

In summary (from a Council perspective), the need to extend a reticulated system to service the southern area of Bagdad and Mangalore, has become a high priority for the following reasons:

- The extent of development that is occurring within Bagdad that is serviced by the existing Bagdad Sewerage Scheme and the current capacity of the Scheme to facilitate this ongoing development;
- Bagdad Community Club Property – the ability to manage effluent on-site has become extremely challenging due to the increased patronage and development of this community owned property. Council, in conjunction with the Bagdad Community Club Management Committee, has recently prepared a Master Plan for the property which is focussed on meeting the needs and aspirations of the community in the medium to long-term. Development of this property will be stalled indefinitely given the lack of sewerage infrastructure;

- Bagdad Primary School – the School has basically outgrown its capacity to effectively manage effluent on-site, to the extent, that the recreational spaces (i.e. oval) are now being used for disposal of effluent from the School's on-site treatment;
- Bagdad and Mangalore are included in the Outer Hobart Councils Residential Demand & Supply Study, funded by the State Planning Office. This project has commenced and is expected to enable a better understanding of demand and supply of land and housing at a regional level to inform regional and sub-regional policy and strategy, including a future review of the Southern Tasmanian Regional Land Use Strategy and to eventually support amendments to planning schemes.
- Council expects to undertake further strategic planning work to update the Structure plan for Bagdad/Mangalore once the RDSS is finalised, with a view to rezoning of additional residential land as necessary. Understanding the limitations of sewer and water infrastructure will be essential to this work.

A letter has been forwarded to seek an update in relation to the status of any investigations that may have commenced, or in the absence of any detailed work being undertaken, seek to have this issue prioritised as part of a forward planning project.

An opportunity to meet with TasWater representatives has been requested to expand on the above issues with the intent of confirming a way forward which takes into account these development challenges and opportunities.

Human Resources & Financial Implications – Not applicable at this stage pending the outcome of consultation with TasWater.

Community Consultation & Public Relations Implications – N/A.

Priority - Implementation Time Frame – As soon as practicable.

RECOMMENDATION

THAT the information be received and noted.

DECISION

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

THAT the information be received and noted.

CARRIED

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

13.7 Drainage

Strategic Plan Reference 1.7

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

Nil.

13.8 Waste

Strategic Plan Reference 1.8

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

Nil.

13.9 Information, Communication Technology

Strategic Plan Reference 1.9

Improve access to modern communications infrastructure.

Nil.

13.10 Officer Reports – Infrastructure & Works

13.10.1 Manager – Infrastructure & Works Report

AUTHOR: MANAGER INFRASTRUCTURE & WORKS (DAVID RICHARDSON)

DATE: 18 AUGUST 2022

Roads Program

Council's graders have been working on various roads with the bus routes being the priority roads for grading as required. The focus has been to prioritise the higher traffic usage areas of roads. General road maintenance and repairs will continue, including works on pavement repairs and table drain clearing. A number of roads have again been affected by the recent rain event and council's crews are working to repair the roads on a priority basis.

Road Rehabilitation programme 2021/22

Drainage works and road repair works continue throughout the municipality as required. A minor landslip has been rectified on Eldon Road.

Native Corners and Howlett Road are having some major drainage and pavement repairs completed prior to stabilization works commencing.

Flooding Event

Council has received a number of representations relating to the flooding of Horfield Creek at Bagdad over the recent period. Council has been active in pursuing external funding to enable the proposal for a study and implementation plan to be completed. The difficulty with this process is a bi - partisan approach to the funding is required as the primary landholders are a mixture of Crown Land Services, private property owners, Council and any other stakeholders that are identified through the study process.

The Manager Infrastructure and Works has been active in pursuing all avenues for funding including engagement with Crown Land Services.

Current Capital Work.

Oatlands Aquatic Centre

A storm water main has been installed connecting High Street to South Parade. Car park construction works have commenced including the installation of kerb and gutter on the northern side. Car park area excavation and reconstruction works have commenced and are on-going. The water recycling project is almost completed that is associated with the Aquatic Centre.

Bagdad

Two retaining walls have been completed on East Bagdad Road as part of the footpath works completed earlier in the year further driveway crossover works are planned.

Parks and Reserves

General maintenance of parks and reserves will continue with a focus on ensuring growth is maintained at an acceptable level. The Kempton Skate Park is completed with only some minor topdressing remedial works required.

Parks crews have been focusing on undertaking winter pruning works of street trees and playground area maintenance throughout the municipality.

Bridge Works

A number of bridges will require some minor rectification works over the coming period.

Planned Works

The following capital works are planned for the coming period

- Oatlands Aquatic Centre car-park construction;
- Repair various road pavements and drainage;
- Drainage and pavement repairs Woodsdale Road;
- Installation of school crossing Kempton;
- Undertake various bridge maintenance repairs;
- Storm water drainage works Campania;
- Preparation Works for Council insitu - road stabilization programme.

QUESTIONS WITHOUT NOTICE TO MANAGER, INFRASTRUCTURE & WORKS

Clr R McDougall – Wildlife signs still to be installed at Eldon Road?

Manager Works and Infrastructure to address

Clr D Fish – corner of High and Stanley Streets, Oatlands – Water seepage (sandstone retaining wall)

Manager Works and Infrastructure to address.

Clr A E Bisdee OAM – East Bagdad Road - Large tree lodged against the bridge which may cause issues for the bridge. Are we able to remove tree?

Manager Works and Infrastructure - Yes we can undertake works in order to protect our infrastructure. Has informed the resident he will investigate onsite.

Clr K Dudgeon – Nala Road, Bridge – ‘pothole’ approach to Bridge.

Manager Works and Infrastructure to address.

Deputy Mayor E Batt - Dysart Drive drainage – roadside drainage system requires investigation and maintenance. Ely and Church Streets, Dysart – pavement damage to both sections of road. Evidence of a water leak – assumed responsibility of TasWater.

Manager Infrastructure and Works advised that the area will be inspected and program of works to be prepared, including a referral to TasWater.

Mayor A O Green – Enquired whether a representative from Tas Irrigation spoken to us regarding the new pipeline north of Campania. Tas Fire are keen to install a ‘filler-point’ on the Brown Mountain Road (adjacent to the Bridge).

Manager Infrastructure and Works - Has had previous discussions with the project manager so will make contact.

RECOMMENDATION

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

DECISION

Moved by Clr AE Bisdee OAM, seconded by Clr R Mc Dougall

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

CARRIED

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

14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

14.1 Residential

Strategic Plan Reference 2.1

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

Nil.

14.2 Tourism

Strategic Plan Reference 2.2

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

Nil.

14.3 Business

Strategic Plan Reference 2.3

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

Nil.

14.4 Industry

Strategic Plan Reference 2.4

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

Nil.

15. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)

15.1 Heritage

Strategic Plan Reference – Page 22

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

15.1.1 Heritage Project Program Report

AUTHOR: MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)

DATE: 18 AUGUST 2022

Attachment(s):

Planning Submission by Tasmanian Council Heritage Officers

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:

- Support & administration of the Artist in Residence Program. We have now had 113 enquires since registrations opened (up 3 from last month), with 54 applications received so far. We now have Artists booked in until August 2023 & 40 people on the waiting list. We have not renewed the advertisement on Artshub at this stage & will look at readvertising again mid 2023 for a new round.
- The current Artist in Residence is Lee-Anne Peters. Lee-Anne is a self-taught Artist who has written & self-published several books, printed materials, creates jewellery, draws, paints & sculpts with ceramics. Lee-Anne brought in a range of her products for the Heritage & Bullock Festival, opening the space for the weekend while she painted. For her residency, Lee-Anne has been inspired by the swans on Lake Dulverton & created a themed series of paintings. Lee-Anne's Black Swan Art Exhibition is on from Saturday 27th August 10am-6pm to Sunday 28th August 10am – 3pm
- Continued working on the Heritage & Bullock Festival preparations & during the festival on 13th-14th August. Brad provided lime washing demonstrations at the Commissariat. Alan & Deb put together an exhibition at the Gaoler's Residence called 'Glory Box' featuring wallpapers, costumes & artefacts from the mid 1800's through to the mid 1900's. And from the Southern Midlands, Archaeology Collection, a display of the recently restored whalebone walking cane that was discovered during the 2019 archaeological excavation of the former Oatlands Commissariat Guard House. Alan & Michelle provided the 'Collectors Roadshow' both days of the festival, with experts

Warwick Oakman & Gordon Brown providing historical information, stories & possible values of treasures brought in by members of the public.

- Participation in Grand Designs filming for Stanley Street Cottage (Alan Townsend).
- Ongoing media involvement with MidFM, SMRN and Tasmanian Historical Research Association.
- Provision of an officer level submission to the Tasmanian Government's 5-year review of the State Planning Provisions. A copy of the submission is provided for Councillors Information here.

RECOMMENDATION

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

DECISION

Moved by Clr R McDougall, seconded by Clr K Dudgeon

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

CARRIED

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

15.2 Natural

Strategic Plan Reference – page 23/24

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

15.2.1 NRM Unit – General Report

AUTHOR: NRM PROGRAMS MANAGER (MARIA WEEDING)

DATE: 15 AUGUST 2022

ISSUE: Southern Midlands NRM Unit Monthly Report.

DETAIL

- Helen and Maria continue working on an information brochure for Lake Dulverton. An initial draft will be ready from the graphic designer next week for preliminary viewing, prior to the draft brochure going to the Lake Committee for comment.
- Helen, Maria and Mary spent time at the Kempton Recreation Ground replanting some native trees at the rear of the Ground. Additional work included weed control including an extensive effort to remove boxthorn that had managed to establish amongst the tree plantings. Most of the boxthorn has been removed – but there is still a small section remaining that requires further work. Site overall is progressing well.
- Maria and Helen sent off some detailed information to help with planning and species selection for two revegetation sites on a farm property at Jericho.
- Tas Irrigation met with Maria and Helen to conduct a Farm Water Assessment audit (modified for the lake environment) in regard to the Tas Irrigation Lake Dulverton water. Currently awaiting the results and outcome of that assessment from Tas Irrigation.
- Maria continues to be busy with sorting Building and Plumbing approvals for the Mt Pleasant Recreation Ground change room upgrade project. A Bushfire Hazard Management Plan and an Emergency Management Plan approved by the Tas Fire Service is required. Meeting with the builder in the next week or two to go over the project.
- Maria has been in discussions with the Planning officers and Heritage officers re the proposed toilet at Callington Park.
- Helen was away on Covid leave and Maria was away on annual leave for some of the August month.

The report from the new Weeds Officer for the period Tuesday 19th July – Monday 15th August 2022 is as follows:

Enquiries

1 (Ragwort)

Site visits

Total = 6

Mounds at the rear of Kempton Recreation Ground; weeding and planting native tubestock (replacements) with HG. Watered in these plants a few days later in my own time.
Second visit to Kempton RG to begin boxthorn control on the mounds (with MW & HG).

Hand pulled a number of individual mustard weed plants along a section of Stonor Road; returned the following day to spray out a localized infestation. This weed appears to have been brought in in fill used in culvert works.

Met with a landholder on Lovely Banks Road, to view and chat about Stemless thistle plants on the property. This is the only known location of this particular thistle and so far it has not spread beyond the property. The landholder and his son are diligent in eradicating any plants that come up each year. It was also mentioned that they had almost eradicated Saffron and Cotton thistles on the property.

Training

Attended a Chilean needle grass identification session facilitated by Adam Muyt (Invasive Grasses Project Officer, Biosecurity Tasmania) at Back Tea Tree Road. Participants were also shown some training of 'Fonzie' the working line German shepherd weed detector dog (owned by Mel Kelly). Steve Austin was the trainer and 3 other dog handlers were also being trained. Fascinating. Fonzie has already been trained to detect Orange hawkweed and Serrated tussock; Chilean needle grass will be his next weed to learn.

Related extra-curricular activities

Swapped a Tuesday work day for a Wednesday so I could attend NRM North's final "Enhancing your remnant vegetation" workshop. This was held at 'Kingston' Conara, a low-input small-frame fine merino operation where the focus is on maintaining native grasslands. It was amazing to see native pastures without weeds! With biodiversity of around 60 plants per square meter, it was a real eye-opener.

Research

Following up on historical records of African lovegrass out Glen Morey Road way, and Chilean needle grass potential on a property with links to a CNG hotspot at Tea Tree.

Planning

Working on an updated template for reminder letters (Spanish heath & Paterson's curse).

Roadside weeds data base

Met with Graham Green twice to upload data. This will all eventually be available in the new Spectrum Spatial data base.

Another couple of sessions of Garmin GPS work netted 164 waypoints (Stonor Rd, Wattle Hill Rd, Blackgate Rd, top half of Rhyndaston Rd, Tiberius Rd, Osborne's Rd, Forest Rd, Brown's Rd, lower section of Woodsdale Rd, Sugarloaf Road and Cockatoo Gully Rd. 94 of these waypoints have been uploaded by Graham. Weeds mapped include gorse, broom (2 types), blackberry, tree lupin, Spanish heath and boxthorn.

RECOMMENDATION

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

DECISION

Moved by Cllr D Fish, seconded by Cllr R McDougall

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

CARRIED

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

15.3 Cultural

Strategic Plan Reference 3.3

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

Nil.

15.4 Regulatory (Development)

Strategic Plan Reference 3.4

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

Nil.

15.5 Regulatory (Public Health)

Strategic Plan Reference 3.5

Monitor and maintain a safe and healthy public environment.

Nil.

15.6 Regulatory (Animals)

Strategic Plan Reference 3.6

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

15.6.1 Animal Management Report

AUTHOR: ANIMAL MANAGEMENT OFFICER (RACHEL COLLIS)

DATE: 16 August 2022

Enclosure:

Animal Management Statement 2022

ISSUE

Consideration of the Animal Management/Compliance Officer's report for August 2022

The purpose of the report is twofold:

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

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

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

Resource Sharing

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

INFRINGEMENT DETAILS:

28/7/2022 – Dog attacking causing non-serious injury – Oatlands area

5/8/2022 – Dog attacking causing serious injury or death – Native Corners area

ATTACK DETAILS:

31/7/22 – Attack on sheep, Native Corners area – Infringement issued

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

DECISION

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

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

CARRIED

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

ENCLOSURE
Agenda Item 15.6.1

YTD ANIMAL MANAGEMENT STATEMENT
August 2022

DOG IMPOUNDS	RECLAIMED	ADOPTED/DOGS HOME	EUTHANISED	OTHER IMPOUNDS
22	17	4	1	

JOBS ATTENDED
August 2022

DOGS AT LARGE	DOG ATTACKS	DOG BARKING	DOG GENERAL
2	1	1	6
NEW KENNEL LICENCES	WELFARE	STOCK	OTHER
1 active licences	2	2	

REGISTERED DOGS: 1460 Registered - 319 pending
KENNEL LICENCES: 58
INFRINGEMENTS ISSUED: 2

15.7 Environmental Sustainability

Strategic Plan Reference 3.7

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

Nil.

16. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

16.1 Community Health and Wellbeing

Strategic Plan Reference 4.1

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

Nil.

16.2 Recreation

Strategic Plan Reference 4.2

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

16.2.1 Schedule of Fees for the New Oatlands Aquatic (Fitness Centre)

AUTHOR: OATLANDS AQUATIC CENTRE COORDINATOR (ADAM BRIGGS)

DATE: 24 AUGUST 2022

ISSUE

Consideration of the proposed schedule of fees for the Oatlands Aquatic Fitness Centre.

BACKGROUND

With the construction of the new Oatlands Aquatic Centre nearing completion, it is appropriate for Council to consider the schedule of fees for the new Fitness facility. This will enable Council to market the new facility as well as pre-selling memberships in conjunction with the pool memberships.

DETAIL

The following fee schedule is submitted for consideration. It follows a comprehensive review and analysis of the fee structures (and membership options) for other facilities.

Fitness Centre Class Purchase Options		
Type	Description	Price
Casual Pass	16 Years & Under	\$10.00
	17 Years & Over	\$15.00
Concession Casual Pass	Health Care/Pensioner Concession	\$10.00
Pass Card (17 Years & Over)	5 Sessions (6 months expiry from date of purchase)	\$65.00
Pass Card (17 Years & Over)	10 Sessions (6 months expiry from date of purchase)	\$120.00
Concession Pass Card	10 Sessions (6 months expiry from date of purchase)	\$80.00
Personal Training	30 minute Personal Training Session	\$25.00
	60 minute Personal Training Session	\$45.00
Fitness Centre GYM Only Purchase Options		
Type	Description	Price
Casual Visit	17 Years & Over	\$6.50
Concession Casual Visit	Health Care/Pensioner Concession	\$5.00
Casual Pool & GYM Visit	17 Years & Over	\$10.00
Direct Debit Purchase Options		
Type	Description	Price
Class & GYM Access	17 Years & Over (3 months minimum)	\$30.00 (fortnightly direct debit)
Pool, Class & GYM Access	17 Years & Over (3 months minimum)	\$60.00 (fortnightly direct debit)

Human Resources & Financial Implications – N/A

Community Consultation & Public Relations Implications – Issues to be considered.

Policy Implications – N/A

Priority - Implementation Time Frame – At the earliest convenience.

RECOMMENDATION

THAT, in accordance with section 205 of the *Local Government Act 1993 (Fees and Charges)*, Council adopt the recommended Fee Schedule for the Fitness Centre components.

DECISION

Moved by Clr R McDougall, seconded by Clr K Dudgeon

THAT in accordance with section 205 of the *Local Government Act 1993 (Fees and Charges)*, Council adopt the recommended Fee Schedule for the Fitness Centre components.

CARRIED

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

16.2.2 Schedule of Fees for the New Oatlands Aquatic Centre (Learn To Swim Program)

AUTHOR: OATLANDS AQUATIC CENTRE COORDINATOR (ADAM BRIGGS)

DATE: 24 AUGUST 2022

ISSUE

Consideration of the proposed schedule of fees for the Learn to Swim Program for the Oatlands Aquatic Centre.

BACKGROUND

With the construction of the new Oatlands Aquatic Centre nearing completion, it is appropriate for Council to consider the schedule of fees for the new Learn to Swim Program. This will enable Council to market the new facility as well as begin an expression of interest for Learn to Swim enrolments in conjunction with all other memberships on offer at the facility.

DETAIL

The following fee schedule is submitted for consideration. It follows a comprehensive review and analysis of the fee structures (and membership options) for other facilities.

Learn to Swim Program Fee		
Type	Price	Total Program Price
Learn to Swim: Lesson	\$15.00 per lesson / per student	The total program price is determined by the amount of lessons during a School Term or School Holiday period.
<i>Example;</i> Term Program: 10 weeks @ \$15.00 per lesson = \$150.00 (1 lesson a week) Holiday Program: 1 week @ \$15.00 per lesson = \$75.00 (5 lessons in a week)		
Learn to Swim lessons will not operate on Public Holidays and this will be reflected in the total overall price for the enrolled program.		

Through the Premier's Fund for Children & Young People Grant the Oatlands Aquatic Centre submitted and received, we have a total of \$30,000 to put towards free Learn to Swim lessons for Southern Midlands Local Government area students. This funding will be applied to the first full School Term of lessons once the Oatlands Aquatic Centre has commence operations.

Human Resources & Financial Implications – N/A

Community Consultation & Public Relations Implications – Issues to be considered.

Policy Implications – N/A

Priority - Implementation Time Frame – At the earliest convenience.

RECOMMENDATION

THAT, in accordance with section 205 of the *Local Government Act 1993 (Fees and Charges)*, Council adopt the recommended Fee Schedule for the Learn to Swim component.

DECISION

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

THAT in accordance with section 205 of the *Local Government Act 1993 (Fees and Charges)*, Council adopt the recommended Fee Schedule for the Learn to Swim components.

CARRIED

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

16.3 Access

Strategic Plan Reference 4.3

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

Nil.

16.4 Volunteers

Strategic Plan Reference 4.4

Encourage community members to volunteer.

Nil.

16.5 Families

Strategic Plan Reference 4.5

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

Nil.

16.6 Education

Strategic Plan Reference 4.6

Increase the educational and employment opportunities available within the Southern Midlands

Nil.

16.7 Capacity & Sustainability

Strategic Plan Reference 4.7

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

Nil.

16.8 Safety

Strategic Plan Reference 4.8

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

Nil.

16.9 Consultation & Communication

Strategic Plan Reference 4.8

Improve the effectiveness of consultation & communication with the community.

Nil.

17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

17.1 Improvement

Strategic Plan Reference 5.1

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

17.1.1 Policy – ‘Election Caretaker Period’ Policy

AUTHOR: GENRAL MANAGER (TIM KIRKWOOD)

DATE: 15 AUGUST 2021

Enclosure(s):

Draft Policy – ‘Election Caretaker Period’ Policy

ISSUE

Council to consider the draft Policy entitled ‘Election Caretaker Period’ Policy.

BACKGROUND

The Minister for Local Government recently wrote to all councils expressing his support for introducing caretaker periods for local government elections and strongly encouraging councils to voluntarily adopt caretaker policies in respect to the upcoming elections period.

The adoption of a caretaker period for Local Government is an agreed reform from the Review of the *Local Government Act 1993*.

DETAIL

In reference to the attached Policy, Council reviewed a draft at its most recent workshop and did not identify the need for amendment.

Based on the 2022 Local Government Election Timetable, the Policy would take effect from 3rd September 2022 (Notice of Election to be published) and remain in place until the close of the Polls (25th October 2022).

Human Resources & Financial Implications – Nil

Community Consultation & Public Relations Implications – N/A.

Priority - Implementation Time Frame – The Caretaker Period is the period from the writ of election through until the close of polls of the relevant local government election – refer relevant dates above for the 2022 Local Government Election.

RECOMMENDATION

THAT Council receive and endorse the ‘Election Caretaker Period’ Policy (noting that it will come into effect from 3rd September 2022).

DECISION

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

THAT Council receive and endorse the ‘Election Caretaker Period’ Policy (noting that it will come into effect from 3rd September 2022).

CARRIED

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

ENCLOSURE
Agenda Item 17.1.1



Council Policy
ELECTION CARETAKER PERIOD POLICY

Approved by: Council
Approved date:
Review date:

1. PURPOSE

Council is committed to the application of good governance principles and high standards of integrity. It is an established democratic principle that elected bodies should not unnecessarily bind an incoming government during an election period. Council commits to the principle that it will make every endeavour to avoid making major policy decisions that bind an incoming Council.

This policy establishes clear guidelines for the conduct of Councillors and staff in the lead up to a local government general election involving the Southern Midlands Council and ensures that the ordinary business of Council continues in a responsible, transparent and legally compliant manner in the period leading up to an election.

2. DEFINITIONS

“**By-Election**” is an election to replace a councillor after the councillor’s office becomes vacant.

“**Candidate**” is a person standing for election.

“**Council**” means the Southern Midlands Council.

“**Caretaker Period**” is the period from the writ of election through until the close of the polls of the relevant local government general election.

“**Electoral Material**” means any advertisement, handbill, pamphlet, notice, flyer, letter or article that is intended or calculated to affect the result of an election.

“**Election Campaign**” refers to the activities of candidates to win voter support in the period preceding an election and includes activities such as door knocking, bulk emails, production of signs and flyers, telephone canvassing, social media campaigns and advertising.

“**Local Government Act**” means the Tasmanian *Local Government Act 1993*.

“**Major Policy Decision**” refers to the appointment, remuneration or termination of the General Manager, approval of contracts greater than 1% of Council’s net revenue, adoption or renewal of policies, making, amending or repealing of planning schemes and establishment of By-Laws.

3. OBJECTIVE

The purpose of this policy is to ensure that:

- Major policy decisions are not made by Council in the lead-up to an election that would prove binding for an incoming Council.
- Council resources are not used for the advantage of a candidate in a local government general election.
- The requirement to act impartially in relation to all candidates standing for election is clearly understood.

4. SCOPE

This policy applies to elected members and employees of the Southern Midlands Council for duration of the caretaker period for a local government general election.

This policy does not apply to local government by-elections.



Council Policy
ELECTION CARETAKER PERIOD POLICY

Approved by: Council
Approved date:
Review date:

5. PROCEDURE (POLICY DETAIL)

During the Caretaker Period the following provisions shall apply:

- Tenure of General Manager – Council shall not appoint, dismiss or renew the contract of a General Manager during the Caretaker Period. An Acting General Manager may be appointed in accordance with Section 61B of the Local Government Act, if required.
- Tenders and Contracts – no tender or contract shall be approved by Council for which the total sum exceeds 1% of the Council's revenue as proposed in the forward estimates for the financial year in which the election is to be held.
- Planning Instruments – Council will not make, amend or repeal a local planning instrument under the *Land Use Planning and Approvals Act 1993* (i.e. a planning scheme, a temporary local planning instrument or a planning scheme policy);
- By-Laws – Council will not make a new By-Law during the Caretaker Period.
- Policies – Council will not approve or renew any Council policies during the Caretaker Period.
- Distribution of Electoral Material – no electoral material shall be permitted to be displayed or distributed on any Council owned or managed property.
- Use of Council Equipment and Stationery – Council supplied equipment and Council branded material shall not be used by Councillors or staff in any manner that supports a candidate's election campaign. Councillors may continue to use Council equipment and branded material throughout the course of the Caretaker Period to carry out their regular functions as described in Section 28 of the Local Government Act.
- Media - Councillors will not use their position as an elected representative, or their access to employees or resources, to gain media attention in support of their, or any other candidate's election campaign.
- Council Committees and Groups – a Councillor shall not use their membership of a Council Advisory Committee or appointment as a member of an external group to disseminate information or promote their, or any other candidate's election campaign.

6. GUIDELINES

- Nothing in this policy prevents the Mayor, Councillors and staff from carrying on the business of the Council during the caretaker period.
- Council meetings shall continue to be held during the Caretaker Period and will consider Agenda items that relate to the ordinary business of Council other than those matters identified in Section 5 of this policy.
- The General Manager may still exercise all delegations provided by Council during the Caretaker Period, including the appointment of staff.
- Capital works as approved by Council as part of the annual budget process and subsequently approved by the awarding of a tender, can proceed during the Caretaker



Council Policy
ELECTION CARETAKER PERIOD POLICY

Approved by: Council
Approved date:
Review date:

Period, regardless of their scale.

- The Mayor and Councillors will continue to accept invitations to attend community functions and may continue to correspond with constituents on matters related to Council business during the Caretaker Period.
- The Mayor shall be the spokesperson for Council in accordance with Section 27 of the Local Government Act and shall carry out the civic and ceremonial functions of the mayoral office during the Caretaker Period.
- Individual Councillors may continue to represent the community and facilitate communication between Council and the community for the duration of the Caretaker Period. In fulfilling these duties during this period, Councillors may continue to claim allowances and expenses.
- Council employees shall maintain the normal business activities of Council during the Caretaker Period. Employees shall undertake their duties in an appropriate way and take all steps to avoid any real or perceived support for a candidate in order to protect the organisation's ability to impartially serve any incoming Council following an election.

7. COMMUNICATION

This policy will be made available to staff, Councillors and members of the public on Councils website www.southernmidlands.tas.gov.au

17.2 Sustainability

Strategic Plan Reference 5.2

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

17.2.1 Tabling of Documents

Nil.

17.2.2 Elected Member Statements

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

Deputy Mayor E Batt / Cllr K Dudgeon – acknowledged the organisers (i.e. Committee/sub-groups and Council staff) of the highly successful ‘Heritage and Bullock Festival’, and in particular congratulated Brian Fish and (Dr) Ras Simpson. Thoroughly enjoyed by members of the public.

Deputy Mayor E Batt – foreshadowed a proposal to establish a ‘Junior Council’ – one responsibility being the management and oversight of the Skate Park at Kempton. Terms of Reference are being prepared with the aim of getting youth involved in civic affairs.

Deputy Mayor E Batt – Advised council that four young people (gymnasts) from within the Southern Midlands Council area would be competing on the Gold Coast in the near future. Asked about the availability of Council financial support to assist the participants. Written requests to be submitted by the participants which can then be considered by Council.

Cllr K Dudgeon – Informed Council that approx. 45 persons will be attending Agfest as part of a ‘Seniors activity’ which has been organised by Council officers.

Cllr K Dudgeon – ODFA Grand Final this Saturday 27th August 2022 between Campbell Town and Bothwell at Oatlands Recreation Ground.

Cllr R McDougall – Advised Council of upcoming tree planning at Tunnack - 10am on Tuesday 7th September 2022 as part of the streetscape program. Members of the public are invited to come along help out.

Cllr R McDougall – Chauncy Vale Management Committee meeting was held Monday 22nd August 2022. An Activity Day is planned for Sunday 25th September at 10 a.m. There will be activities for children (Discovery Ranger Program, Wombat Woodland Walk), and the Day Dawn Cottage Museum will be open for inspection. All welcome.

17.3 Finances

Strategic Plan Reference 5.3

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

17.3.1 Monthly Financial Statement (Period ending 31 July 2022)

AUTHOR: FINANCE OFFICER (MANDY BURBURY)

DATE: 16 AUGUST 2022

ISSUE

Provide the Financial Report for the period ending 31st July 2022.

BACKGROUND

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

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

DETAIL

The enclosed Report incorporates the following: -

- Statement of Comprehensive Income – 1 July 2022 to 31 July 2022.
- Operating Expenditure Report – 1 July 2022 to 31 July 2022.
- Capital Expenditure Report – 1 July 2022 to 31 July 2022.
- Cash Flow Statement – 1 July 2022 to 31 July 2022.
- Rates & Charges – as at 15 August 2022.

OPERATING EXPENDITURE (OPERATING BUDGET)

Overall operating expenditure to end of July was \$655,058 which represents 82.3% of the Year to Date Budget.

Expenditure is consistent with the Budget.

Strategic Theme - Infrastructure

Nil.

Strategic Theme – Growth

Sub-Program – Business - expenditure to date (\$44,139 – 194.69%). Additional expenditure relates to private works. The additional expense will be offset by an increase in private works income.

Strategic Theme – Landscapes

Nil.

Strategic Theme – Community

Nil.

Strategic Theme – Organisation

Nil.

CAPITAL EXPENDITURE PROGRAM

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

Legend – Completion Deadlines for Grant funded projects

Roads to Recovery	It is the Government's intention that the full allocation is budgeted and spent in the year allocated
Local Road and Community Infrastructure (LRCI) Phase 3	To be completed by 30 June 2023 (use or lose)
Other Specific Purpose Grants	Completion date as per grant deed or approved extension date

RECOMMENDATION

THAT the Financial Report be received and the information noted.

DECISION

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

THAT the Financial Report be received and the information noted.

CARRIED

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

STATEMENT OF COMPREHENSIVE INCOME
for the period 1 July 2022 to 31 July 2022

	Annual Budget \$	Year to Date as at 31 July \$	%	Comments
Income				
General rates	6,405,004	604	0.0%	Includes Interest & Penalties on rates
User Fees (refer Note 1)	1,094,687	70,775	6.5%	Includes Private Works
Interest	48,000	2,867	6.0%	
Government Subsidies	69,838	0	0.0%	Heavy Vehicle Licence Fees, Road Rescue MAIB reimbursements & Interest Subsidy
Contract Income	0	0		
Other (refer Note 2)	232,400	870	0.4%	Includes TasWater Distributions
Sub-Total	7,849,929	75,116	1.0%	
Grants - Operating	3,785,930	0	0.0%	
Total Income	11,635,859	75,116	0.6%	
Expenses				
Employee benefits	-4,802,251	-272,257	5.7%	Less Roads - Resheeting (Capitalised)
Materials and contracts	-3,432,747	-383,158	11.2%	Less Roads - Resheeting (Capitalised), Includes Land Tax
Depreciation and amortisation	-3,521,000	-298,227	8.5%	Percentage Calculation (based on year-to-date)
Finance costs	-58,919	-3,244	5.5%	Interest
Contributions	-258,156	0	0.0%	Fire Service Levies
Other	-154,951	-9,988	6.4%	Audit Fees and Councillor Allowances
Total expenses	-12,228,024	-966,873	7.9%	
Surplus (deficit) from operations	-592,165	-891,757	150.6%	
Grants - Capital (refer Note 3)	3,795,990	208,968	5.5%	
Contributions - Natural Disaster Relief Fund	80,000	0		
Sale Proceeds (Plant & Machinery)	0	0		
Sale Proceeds (Land)	0	0		
Sale Proceeds (Other Assets)	0	134		Includes used wheelie bins & sale of Mill assets
Net gain / (loss on disposal of non-current assets)	0	0		
Surplus / (Deficit)	3,283,825	-682,656	-20.8%	

**STATEMENT OF COMPREHENSIVE INCOME
for the period 1 July 2022 to 31 July 2022**

	Annual Budget \$	Year to Date as at 31 July \$	%	Comments
NOTES				
1. Income - User Fees (Budget \$681,158) includes:				
- All other Programs	795,241	55,004	6.9%	
- Private Works	299,446	15,772	5.3%	
	<u>1,094,687</u>	<u>70,775</u>	6.5%	
2. Income - Other (Budget \$86,000) includes:				
- Tas Water Distributions	182,400	0	0.00%	
- Public Open Space Contributions	50,000	0	0.00%	
- Donations for use of recreation facilities	0	175		
- Worker's Comp. Wage Reimbursement	0	695		
	<u>232,400</u>	<u>870</u>	0.4%	
3. Grants - Capital (Budget includes):				
- Roads To Recovery	665,531	0	0.00%	
- LRCI - Phase 3 (Total \$1,331,062)	1,088,402	0	0.00%	\$1,331,062 Projects to be completed by 30.06.23
- LRCI - Rural & Remote Roads (Total \$5,346,180)	1,069,236	0	0.00%	
- Comm Dev Grant - Oatlands Aquatic Centre (\$500K)	500,000	0	0.00%	
- Dept of Communities Tas (Levelling the Playing Field)	234,000	0	0.00%	
- Aust Govt - Black Summer Bushfire Recovery Grant	238,821	208,968	87.50%	
	<u>3,795,990</u>	<u>208,968</u>	5.50%	
4. Grant - Operating (Budget \$3,564,167) includes:				
Operating Grants				
- FAGS 2022/23	3,785,930	0	0.0%	
- FAGS 2023/24	0	0		2023/24 Payment in Advance
	<u>3,785,930</u>	<u>0</u>	0.0%	

**SOUTHERN MIDLANDS COUNCIL : OPERATING EXPENDITURE 2022/23
SUMMARY SHEET**

PROGRAM	YTD ACTUAL (as at 31 July 22)	YTD BUDGET (as at 31 July 22)	YTD VARIANCE	YTD %	FULL YEAR BUDGET - REVISED INC. GRANTS & OTHER
INFRASTRUCTURE					
Roads	83,656	98,108	14,452	85.27%	3,317,298
Bridges	101	1,874	1,773	5.37%	448,063
Walkways	10,541	17,884	7,343	58.94%	239,610
Lighting	6,446	6,792	346	94.90%	81,506
Public Toilets	5,817	6,707	889	86.74%	80,478
Sewer/Water	-	-	0	-	-
Stormwater	1,444	2,329	885	61.99%	81,948
Waste	24,962	26,683	1,721	93.55%	1,217,693
Information, Communication	-	-	-	-	-
INFRASTRUCTURE TOTAL:	132,967	160,377	27,410	82.91%	5,466,596
GROWTH					
Residential	-	-	-	-	-
Tourism	6,867	8,750	1,883	78.48%	42,200
Business	44,139	22,672	-21,467	194.69%	272,063
Industry	-	-	-	-	-
GROWTH TOTAL:	51,006	31,422	-19,584	162.33%	314,263
LANDSCAPES					
Heritage	30,319	44,194	13,875	68.60%	453,974
Natural	16,411	16,664	253	98.48%	201,271
Cultural	-	1,625	1,625	0.00%	19,500
Regulatory - Development	41,249	80,185	38,937	51.44%	962,224
Regulatory - Public Health	450	1,875	1,425	24.00%	22,500
Regulatory - Animals	7,864	9,432	1,568	83.37%	115,386
Environmental Sustainability	-	833	833	-	10,000
LANDSCAPES TOTAL:	96,292	154,809	58,517	62.20%	1,784,855
COMMUNITY					
Community Health & Wellbeing	24,484	27,265	2,781	89.80%	315,178
Recreation	52,226	55,445	3,219	94.19%	954,884
Access	-	-	0	-	-
Volunteers	-	1,250	1,250	0.00%	45,000
Families	998	1,542	543	64.75%	11,500
Education	-	-	0	-	-
Capacity & Sustainability	518	2,850	2,333	18.17%	54,405
Safety	223	3,308	3,086	6.73%	39,700
Consultation & Communication	627	1,200	573	52.24%	17,300
LIFESTYLE TOTAL:	79,075	92,860	13,785	85.16%	1,437,967
ORGANISATION					
Improvement	6,019	6,053	35	99.42%	72,642
Sustainability	288,621	347,326	58,705	83.10%	2,809,812
Finances	1,078	3,228	2,150	33.39%	341,888
ORGANISATION TOTAL:	295,717	356,607	60,890	82.93%	3,224,342
TOTALS	\$655,058	\$796,075	\$141,017	82.3%	\$12,228,023

CAPITAL EXPENDITURE PROGRAM 2022-23
As at 31 July 2022

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION
		\$	\$	\$		DEADLINE
INFRASTRUCTURE						
ROAD ASSETS						
Resheeting Program	Roads Resheeting	700,000	39,455	660,545	\$500K Council \$200,000 RTR	
Reseal Program	Roads Reseal Program	450,000	0	450,000	\$375K Council \$75K RTR	
		0				
Reconstruct & Seal	Campania - Native Corners Road (to complete section)	260,000	0	260,000	LRCI P3	30 June 2023
	Elderslie - Pelham Road (Stabilisation and drainage)	200,000	0	200,000	LRCI P3	30 June 2023
	Oatlands - South Parade (including Kerb, Channel and Footpath)	170,000	9,264	160,736	RTR 21/22 c/f WIP \$9,264 (RTR \$150,000)	30 June 2022
	Stonor - Stonor Road (stabilise - two sections)	245,000	0	245,000	LRCI P3	30 June 2023
	Woodsdale Road (Whitefoord Jct plus two other sections)	255,000	0	255,000		
	York Plains - York Plains Road (Starting 5km from Midland Hwy)	212,500	0	212,500	LRCI P3	30 June 2023
	York Plains - York Plains Road (pavement failures) (500 metres)	82,500	0	82,500	LRCI P3 c/f	30 June 2023
Construct & Seal (Unsealed Roads)	Campania - Hall Street (Seal and stormwater upgrade)	70,000	0	70,000	RTR	30 June 2023
	Mangalore - Ballyhooly Road (approx. 500 metres)	90,000	0	90,000	LRCI P3 - \$50K	30 June 2023
	Oatlands - Interlaken Road (Year 1/3 - Total contribution \$300K)	1,169,236	0	1,169,236	Remote Roads - \$1,069,236 of \$5,346,180 TBC	30 June 2026
Minor Seals (New)	Dust Suppressants	40,000		40,000		
	Oatlands - Bentwick Street	37,777		37,777	LRCI P3 - \$17,777	30 June 2023

CAPITAL EXPENDITURE PROGRAM 2022-23
As at 31 July 2022

		BUDGET \$	EXPENDITURE \$	BALANCE \$	COMMENTS	COMPLETION DEADLINE
		0		0		
Other	Campania Structure Plan - Town gateway and Streetscape	40,000	0	40,000		
	Campania - Estate Road (vicinity Mallow property)	49,000	13,544	35,456	Budget c/f WIP \$13,544	
	Campania - Main Intersection/Carpark Design Concept	50,000	0	50,000	Budget c/f	
	Campania - Reeve St / Clime Street (includes Footpath)	70,000	16,209	53,791	Budget c/f WIP 30/6/22 \$16,209	
	Campania - Reeve St Junction/footpath/kerb & channel	200,000	6,359	193,641	WIP \$16,209 Vulnerable Road Users	31 March 2023
	Colebrook - Junction Craighourne Road and Colebrook Road	24,000	0	24,000		
	Elderslie - Bluff Road Intersection Upgrade	150,000	131,103	18,897	WIP \$130,674 Black Spot	21 May 2022
	Elderslie - Elderslie Road Widening Investigation & Trial (Sth Blackbrush Rd)	40,000	6,777	33,223	Budget c/f WIP \$6,777	
	Elderslie - Pelham Rd / Clifton Vale Rd (junction upgrade)	65,000	0	65,000	RTR	30 June 2023
	Kempton - Grange Road (Retaining Wall)	30,000	0	30,000		
	Mt Seymour - Junction Blackgate Road and Tunnack Road	24,000	0	24,000		
	Oatlands - Hasting Street Junction	15,000	959	14,041	Budget c/f WIP \$959	
	Runnymede quarry - Rehabilitation	20,000	0	20,000		
	SMC Flood Mapping Project (subject to external Grant Funding)	40,000	0	40,000		
	Tea Tree - Grices Road (Tree removal, set-back of embankment, drainage)	15,000	0	15,000	Budget c/f	
	Tunnack - Link Road Landslip repairs	25,000	107	24,893	Budget c/f WIP \$107	
		4,839,013	223,777	4,615,236		
BRIDGE ASSETS	Interlaken Road (Duliv Rvlt - Bridge No 3861) - Widening	42,218	57,729	-15,511	Budget c/f WIP \$53525	
	Jones Road Broadmarsh (Jordan River - Bridge 5083) - Flood Damage	80,000	0	80,000		
	York Plains Road (Kitty's Rivulet - Bride No 457)	60,000	73,228	-13,228	Budget c/f WIP \$69,342	
		182,218	130,957	51,261		

CAPITAL EXPENDITURE PROGRAM 2022-23

As at 31 July 2022

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
		\$	\$	\$		
WALKWAYS	Footpaths - General Streetscapes	98,000	0	98,000	Budget \$84K c/f	
	Bagdad - East Bagdad Road	210,000	152,870	57,130	Budget c/f WIP \$151,524	
	Bagdad - Midland Highway - Walking Path Upgrade (500 metres)	100,000	0	100,000	Budget \$50K c/f	
	Campania - Reeve Street - Footpath through to Hall	30,000	0	30,000	Budget c/f	
	Kempton - Midlands Highway/Mood Food	147,565	0	147,565	\$147,565 Budget c/f	
	Kempton - Streetscape Plan - Footpath Renewal (southern end)	60,000	0	60,000	LRCI P3 c/f	30 June 2023
	Kempton - Main St, Sophia to Erskine (145m) - Footpath/kerb & gutter/stormwater	78,032	73,347	4,685	Budget c/f WIP \$56,404 /\$26K from General Streetscapes	
	Kempton - Old Huntingground Road (Footpath / School Crossing etc.)	80,000	8,391	71,609	Budget \$27K c/f WIP \$8,391	
	Melton Mowbray - Streetscape Works (Trough / Shelter etc)	30,000	5,318	24,682	Budget c/f WIP \$5318	
	Oatlands - Campbell Street (Footpath)	45,000	0	45,000		
	Oatlands - Stanley Street (Footpath -120 metre link)	25,000	0	25,000		
	Tunnack - Streetscape concept Plan	50,000	44,600	5,400	Budget c/f WIP \$42,970	
		953,597	284,527	669,070		
LIGHTING	Nil	0	0	0		
PUBLIC TOILETS	Colebrook - History Room Toilets (Tiling etc.)	10,000	0	10,000		
	Oatlands - Callington Park	140,000	0	140,000		
	Campania - Flour Mill Park - Concrete Pathways/drainage/remove pavers	15,000	0	15,000	Budget c/f	
	General Public Toilets - Upgrade Program	20,000	0	20,000	Budget c/f	
		185,000	0	185,000		
DRAINAGE	Kempton - Erskine Street - Stormwater Upgrade & Footpath	60,000		60,000		
		60,000	0	60,000		
WASTE	Wheeie Bins and Crates	5,000		5,000		
	WTS Safety & Operational Improvements	25,000		25,000		
		30,000	0	30,000		
GROWTH						
TOURISM	Jericho - Memorial Avenue - Plaques (Stage 1 of 2 - \$20K per year)	20,000	0	20,000	Budget c/f	
	Kempton - Memorial Avenue Park - Interps (Stage 1 of 2 - \$20K per year)	19,545	155	19,390	Budget c/f WIP \$155	
	Oatlands Accommodation Facility	0	40,707	-40,707	WIP \$40,373 (Offset by Barrack Street Property)	
		39,545	40,862	-1,317		
LANDSCAPES						
HERITAGE	Heritage Collections Store	10,000	3,700	6,300	Budget c/f WIP \$3,700	
	Oatlands - Commissariat (79 High Street) Boundary Fence	6,000	0	6,000	Budget c/f	

CAPITAL EXPENDITURE PROGRAM 2022-23
As at 31 July 2022

	BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
	\$	\$	\$		
Oatlands Court House (Wall Stabilisation)	15,000	0	15,000		
Oatlands - Gaol Aluminium Temporary Steps (Entrance)	3,500	0	3,500	Budget c/f	
Oatlands Gaolers Residence (Ceiling Reinstatement)	5,000	0	5,000		
Oatlands Gaolers Residence (Wingwall)	23,000	0	23,000	Budget \$15K c/f	
Oatlands - Barrack Street Police House (Year 2/2 Budget of \$110K)	55,000	0	55,000	Budget c/f	
Oatlands - Roche Hall Forecourt (Interps - Planning Condition of Approval)	40,000	0	40,000	Budget c/f	
Oatlands Swimming Pool (Staged demolition)	200,000	0	200,000		
Parattah - Railway Station - Shed for Gangers Trolley	2,000	0	2,000	Budget c/f	
	359,500	3,700	355,800		
NATURAL					
Chauncy Vale - Wombat Walk	39,250	27,048	12,202	Includes \$29,250 grant WIP 3\$24,547.59	31 Dec 2022
Chauncy Vale - Day Dawn Cottage Improvements	12,000	0	12,000		
Municipal Area - Preventing Roadkill (Signs)	5,000	1,980	3,020	Budget c/f WIP \$1,980	
	56,250	29,028	27,222		
CULTURAL					
Nil	0	0	0		
	0	0	0		
REGULATORY - DEVELOPMENT					
Kempton Council Chambers - Clock Restoration Works	10,672	727	9,946	Budget c/fwd WIP \$726.5	
Kempton Council Chambers - Office Furniture & Equipment	5,000	5,000	0		
	15,672	5,727	9,946		
REGULATORY - PUBLIC HEALTH					
Water Bottle Refill Stations	7,980	0	7,980	Budget c/f	
	7,980	0	7,980		
REGULATORY - ANIMAL CONTROL					
Nil	0	0	0		
	0	0	0		

CAPITAL EXPENDITURE PROGRAM 2022-23
As at 31 July 2022

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION
		\$	\$	\$		DEADLINE
COMMUNITY						
COMMUNITY HEALTH & WELLBEING	Nil					
		0	0	0		
RECREATION						
	Recreation Committee	25,000	0	25,000		
	Bagdad - Bagdad Community Club (Precinct Plan)	25,000	14,160	10,840	Budget c/f WIP \$14,160	
	Bagdad - Bagdad Community Club (Repair of Oval)	20,000	9,396	10,604		
	Bagdad - Iden Road Park Development	75,000	0	75,000		
	Campania - Recreation Ground Drainage	25,000	18,365	6,635		
	Campania - Public Open Space dev (Justitia Park)	6,375	0	6,375	Budget c/f	
	Kempton - Off-lead Dog Park	60,331	3,915	56,416	LRCI Phase 3 \$43,125 WIP \$3,915	30 June 2023
	Kempton - Recreation Ground (Lighting)	16,000	0	16,000	Budget c/f	
	Kempton - Recreation Ground (Site Dev and Play Equipment)	24,250	0	24,250	Budget c/f	
	Kempton - Recreation Ground (Irrigation)	60,000	0	60,000		
	Kempton - Skate Park (Council Commitment)	5,000	12,583	-7,583	WIP \$11,364.23	
	Mt Pleasant Rec Ground - Building Improvements	259,000	4,640	254,360	Department of Communities Grant	31 December 2023
	Oatlands - Aquatic Centre (New Pool) - WIP prior to 2020/21	941,987	941,987	0	WIP \$941,987	
	Oatlands - Aquatic Centre (New Pool) - Construction	9,678,126	6,551,981	3,126,145	WIP \$6,519,656	
	Oatlands - Aquatic Centre (Gymnasium Equipment)	15,000	0.00	15,000		
	Oatlands - Callington Park (Lighting & Surveillance)	14,000	0	14,000		
	Oatlands - Community Hall (Maintenance Program)	51,300	0	51,300	Budget c/f	
	Tunbridge - Park Perimeter Fence (Safety)	2,727	2,727	0	Budget c/f	
		11,301,369	7,557,027	3,744,342		
ACCESS						
	All Buildings (Priority Approach)	50,000	0	50,000	Budget c/f	
	Tunbridge Community Club (SMC Contribution Accessible Toilets)	20,000	200	19,800	Budget c/f WIP \$200	
		70,000	200	69,800		

CAPITAL EXPENDITURE PROGRAM 2022-23
As at 31 July 2022

		BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION
		\$	\$	\$		DEADLINE
CAPACITY & SUSTAINABILITY	Campania - Bush Reserve / Cemetery	300,000	15,267	284,733	WIP \$14,817	
	Kempton - Carriage Shed - Toilets	15,000	0	15,000		
	Oatlands - Church Street Sub-Division	0	33,227	-33,227	WIP \$32,471 (Offset by sale of properties)	
	Oatlands - Midlands Community Centre (External Painting - Front of Building)	5,000	0	5,000		
	Oatlands - Midlands Community Centre (Roof & Insulation)	39,000	468	38,532	Budget c/f WIP \$468	
	Oatlands - Stanley Street Master Plan	20,000	0	20,000	Budget c/f	
	Oatlands - Structure Plan	25,000	34,155	-9,155	\$25K Budget c/fwd WIP \$23,203	
		404,000	83,118	320,882		
SAFETY	Nil	0	0	0		
		0	0	0		
ORGANISATION SUSTAINABILITY	Oatlands - Council Chambers - Internal Toilets Upgrade	100,000	1,537	98,463	Budget c/fwd WIP \$1538	
	Oatlands - Council Chambers - Damp Issues & Stonemasonry	15,000	0	15,000	Budget c/fwd	
	Oatlands - Council Chambers - Works Office (floor coverings)	5,000	0	5,000	Budget c/fwd	
	Oatlands - Town Hall (General - Incl. Office Equip/Furniture)	5,000	1,250	3,750		
	Computer System (Hardware / Software) - includes CISCO 3 yrs	50,000	0	50,000		
	Ipads (2) (Animal & Building Control)	4,000	0	4,000		
	New Server - New Domain Controller/Main Server	20,000	0	20,000		
	Municipal Revaluation	0	40,250	-40,250	\$64,400 paid in 2021-22	
		199,000	43,037	155,963		

CAPITAL EXPENDITURE PROGRAM 2022-23
As at 31 July 2022

	BUDGET	EXPENDITURE	BALANCE	COMMENTS	COMPLETION DEADLINE
	\$	\$	\$		
WORKS					
Kempton Depot - Perimeter Fencing	25,000	0	25,000		
Kempton Depot - Property Purchase (Year 4/4 Budget of \$180K)	45,000	45,000	0	Total Project Cost - to be funded over 4 yrs (Yr 4 - \$45K)	
Kempton Depot - Storage Lockers	2,000	0	2,000	Budget c/w/d	
Oatlands Depot - General repairs & alterations	28,000	0	28,000	Budget c/w/d	
Minor Plant Purchases	9,500	0	9,500		
Second Hand MISU Screening Bucket	0	12,000	-12,000		
Radio System	3,000	0	3,000		
Plant Replacement Program					
Heavy Vehicles	714,199	0	714,199		
Light Vehicles	354,086	41,076	313,010		
(Trade Allowance - \$218K & \$229)					
	1,180,785	98,076	1,082,709		
GRAND TOTALS	19,883,929	8,500,035	11,383,894		

CASH FLOW	INFLOWS (OUTFLOWS)
2022/2023	July 2022
	\$
<i>Cash flows from operating activities</i>	
Payments	
Employee costs	(280,887)
Materials and contracts	(372,338)
Interest	(3,244)
Other	(48,103)
	<u>(704,572)</u>
Receipts	
Rates	90,401
User charges	94,343
Interest received	2,867
Subsidies	0
Other revenue grants	0
GST Refunds from ATO	0
Other	(36,958)
	<u>150,654</u>
Net cash from operating activities	<u>(553,918)</u>
<i>Cash flows from investing activities</i>	
Payments for property, plant & equipment	(198,831)
Proceeds from sale of property, plant & equipment	134
Proceeds from Capital grants	208,968
Proceeds from Investments	0
Payment for Investments	0
Net cash used in investing activities	<u>10,270</u>
<i>Cash flows from financing activities</i>	
Repayment of borrowings	(7,965)
Proceeds from borrowings	0
Net cash from (used in) financing activities	<u>(7,965)</u>
Net increase/(decrease) in cash held	(551,613)
Cash at beginning of reporting month	<u>14,355,848</u>
Cash at end of year to date	<u><u>13,804,235</u></u>

SOUTHERN MIDLANDS COUNCIL SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED				
	This Financial Year 13th August 2022		Last Financial Year 13th August 2021	
Arrears brought forward as at July 1		\$ 414,040.53		\$ 434,414.30
ADD current rates and charges levied		\$ 6,281,842.01		\$ 5,946,701.12
ADD current interest and penalty		\$ 4,205.84		\$ 4,507.36
TOTAL rates and charges demanded	100.00%	\$ 6,700,088.38	100.00%	\$ 6,385,622.78
LESS rates and charges collected	3.06%	\$ 205,079.54	3.97%	\$ 253,518.95
LESS pensioner remissions	3.69%	\$ 247,481.93	3.71%	\$ 237,203.28
LESS other remissions and refunds	-0.03%	-\$ 1,707.46	-0.01%	-\$ 481.62
LESS discounts	0.04%	\$ 2,449.99	0.05%	\$ 3,205.00
TOTAL rates and charges collected and remitted	6.77%	\$ 453,304.00	7.73%	\$ 493,445.61
UNPAID RATES AND CHARGES	93.23%	\$ 6,246,784.38	92.27%	\$ 5,892,177.17

**17.3.2 Monthly Oatlands Aquatic Centre Capital Expenditure Report
(Period ending 31 July 2022)**

AUTHOR: FINANCE OFFICER (MANDY BURBURY)

DATE: 15 AUGUST 2022

ISSUE

Provide the capital expenditure report for the Oatlands Aquatic Centre to 31st July 2022.

DETAIL

The enclosed Report includes all capital expenditure relating to the Oatlands Aquatic Centre prior to 2020/2021, and budget and expenditure for 2020/2021 and 2021/2022.

RECOMMENDATION

THAT the Financial Report be received and the information noted.

DECISION

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

THAT the Financial Report be received and the information noted.

CARRIED

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

**OATLANDS AQUATIC CENTRE CAPITAL EXPENDITURE RECONCILIATION
AS AT 31 JULY 2022**

	BUDGET \$	EXPENDITURE \$	BALANCE \$	COMMENTS
Total Expenditure to 31 July 2022		7,660,876		
Council Labour & On-costs		5,255		
Materials - Council		195		
External Plant Hire - Council		6,217		
SMC Planing / Building Permits		6,495		
SMC Planing / Building Permits - June 2020		6,868		
SMC - Other Contractor Costs		901		
August 2012 - Purchase of 70 High Street, Oatlands		166,908		Total Cost (includes legals etc.) Gov't Land Value - \$23,000
Bzowy Architecture & Other Consultants				
2016/17		27,056		Best described as Project Revival
Contract No 1 (part of \$107,660)		16,227		
2017/18				
Contract No 1 (part of \$107,660)		92,471		Includes Disbursements of \$1,038
Other Costs - Variations & Redesign		63,579		Additional Floor / Redesign etc.
Bio-Energy (review & assessment)		24,867		
Appeal Costs		140,153		Various
2018/19				
Bzowy - Other Costs - Variations & Redesign		108,611		Includes Survey & Legal
Engagement Agreements		21,470		
Formal Contract - Tenders / Design etc (part of \$379,960)		265,905		

2019/20

Bzowy - Other Costs - Variations & Redesign	96,779	Includes Survey & Legal
Bzowy - Formal Contract - Tenders / Design etc (part of \$379,960)	39,921	
Building Surveying	350	
Communications (Nylander)	180	
Legal (BMB)	18,488	

Construction Phase (to date) - July 2020 - to 31 July 2022

Legal (BMB)	0	15,996	-15,996	
Construction Contract (Vos)	7,783,604	5,473,711	2,309,893	10 progress claims (work to 30.05.22)
Consultants Fees (SMG)	581,712	551,665	30,047	
Furniture, Fittings and Equipment (SMG)	50,000	13,031	36,969	
Principal Supplied Goods (SMG)	62,284	2,284	60,000	
Principal Works (SMC)	300,000	203,949	96,051	
Contingency Sum (SMG)	400,000	13,777	386,223	
Demolition of CT Fish Building	10,000	24,673	-14,673	
Construction of Waste Water Holding Facility	490,526	252,896	237,630	Budget includes Grant (\$298,526)
Construction Budget and Expenditure	\$ 9,678,126	\$ 6,551,981	\$ 3,126,145	

Total Expenditure to 31 July 2022 **\$ 7,660,876**

Reconciliation to Capital Expenditure Report

Work in Progress (expenses prior to 2020/21)	941,987
2020/21 expenditure	1,741,641
2021/22 expenditure	4,810,340
2022/23 expenditure	0
Expenditure as per Capital Expenditure Report	6,551,981
add purchase of 70 High Street	166,908
	\$ 7,660,876

17.3.3 2021/2022 Southern Midlands Council – Complete set of financial Statements

AUTHOR: GENERAL MANAGER (TIM KIRKWOOD)

DATE: 17 AUGUST 2022

Enclosure(s):

Nil.

Attachment(s):

*Southern Midlands Council – Financial Statements - 2021/2022 Financial Year
Heritage Building Solutions Pty Ltd – Year Ended 30 June 2022 (Information Only)
Heritage Education & Skills Centre Ltd – Year Ended 30 June 2022 (Information Only)*

ISSUE

Tabling of Financial Statement(s) in accordance with section 84 of the *Local Government Act 1993*.

BACKGROUND

Section 84 of the *Local Government Act 1993* (the Act) requires the General Manager to prepare and forward to the Auditor-General a copy of the council's financial statements for each financial year in accordance with the *Audit Act 2008*.

The following is an extract from the *Local Government Act 1993*:

“84. Financial statements

(1) *The general manager is to prepare and forward to the Auditor-General a copy of the council's financial statements for each financial year in accordance with the [Audit Act 2008](#).*

(2) *Any financial statement for a financial year is to–*

(a)

(b) *specify any interests as notified to the general manager of any councillor in respect of any body or organisation with which the council has major financial dealings; and*

(c) *contain a comparison between the council's actual and estimated revenue and expenditure for that financial year; and*

(d) *contain a statement of any revenue and expenditure of a council committee, a special committee or a controlling authority; and*

(da) *contain a statement of the operating, capital and competitive neutrality costs in respect of each significant business activity undertaken by the council during that financial year together with a statement of the revenue associated with that activity; and*

(db) *contain financial management indicators, and asset management indicators, specified in an order under [subsection \(2A\)](#); and*

(e) *contain any other information the Minister determines.*

(2A) *The Minister, by order, may specify –*

(a) *financial management indicators; and*

(b) *asset management indicators –*

to be included in the financial statements of councils.

(2B) *The Minister is to consult with councils as to the matters to be included in an order under [subsection \(2A\)](#) .*

(3) *The general manager is to certify that, in accordance with this Act and any other relevant Act, the financial statements fairly represent –*

(a) the financial position of the council; and

(b) the results of the council's operations; and

(c) the cash flow of the council.

(4) *The general manager is to ensure that the certified financial statements are tabled at a meeting of the council as soon as practicable.*

(5) *In this section –*

competitive neutrality costs *means the costs required to be taken into account under the competitive neutrality principles.”*

The *Audit Act 2008* requires the statements to be lodged with 45 days after the end of each financial year.

DETAIL

Refer attached copy of the 2021/22 Financial Report.

In relation to Heritage Building Solutions Pty Ltd and Heritage Education and Skills Centre Ltd), the Board has signed the Financial Statements for the two entities on 15th August 2022 (i.e. They are provided for information purposes, noting that the figures are consolidated into the Southern Midlands Council Statements).

It is confirmed that the Southern Midlands Council's Statement(s) were lodged with the Auditor-General (Tasmanian Audit Office) on Monday 15th August 2022 which is within the legislative timeframe of 45 days as required by the *Audit Act 2008*.

The draft Statements, which are still subject to audit, will be presented to Council's Audit Panel's meeting to be held late August/early September 2022.

The following information details some of the more significant variances in the 'Consolidated Statement of Profit or Loss and Other Comprehensive Income':

	Budget \$	Actual \$	Variance \$	Comments
Consolidated Statement of Comprehensive Income				
RECURRENT INCOME				
User Fees	787	1,076	289	Volunteer Contributions of \$100K are not budgeted but recognised as Income – offset in Expenses Business Private Works – an additional \$166K An additional \$44K in Corporate Services income i.e. Property Certificates; Rental and Reimbursements
Grants - Recurrent	3,620	4,731	1,111	Commonwealth Financial Assistance Grant (FAGS) – The Commonwealth advanced an additional 25% from the 2022/23 Grant Allocation paid in advanced. Additional FGS Grant component equates to \$1,082K Other Operation Grants received which were unbudgeted amounted to \$30K
Interest on Investments	125	27	-98	Lower than budget due to extremely low interest rates.
Contract Income	765	529	-236	Consolidated revenue from Heritage Building Solutions Pty Ltd. HBS generated a profit of \$60K for 2021/22.
Other Income	82	431	349	Contribution of \$200K from Mt Pleasant Football Club – Football Club received a grant for Upgrade of Clubrooms – project to be managed by Council. Developer Contributions received totaling \$44K – not budgeted for. Insurance Recoveries received of \$56K – not budgeted
NET CAPITAL INCOME				
Grants - Capital	6,431	5,495	-936	Approved Grants either not received or partially received in 2021/22 – will be received in 2022/23.

	Budget \$	Actual \$	Variance \$	Comments
EXPENSES FROM CONTINUING OPERATIONS				
Employee Benefits	4,387	3,877	-510	Reduced employee costs in the Statement of Comprehensive Income due to focus on Capital Works during the reporting period.
Materials and Contracts	3,458	3,704	246	Volunteer Contributions of \$100K are not budgeted but recognised as an expense – offset in Income. Engagement of Contractors to support Council workforce engaged in Capital Works projects.
Depreciation	3,004	3,697	693	\$391K increase in Road Asset depreciation due to a revaluation of Roads as at 1/7/21. \$48K increase in Bridge Asset depreciation due to a revaluation of Bridges. \$297K increase in Building Asset depreciation (for the full 2021/22 period) due to a revaluation of Buildings.
Other Expenses	913	470	-443	Other Expenses includes consolidation of HBS expenses (excluding Wages). HBS income and expenses less than Budget. Includes Private works expenditure which was higher than budgeted but offset by additional income.
Consolidated Statement of Financial Position				
Trade & Other Receivables		3,017		Includes Commonwealth Grant Claim of \$1.50 million for Oatlands Aquatic Centre
Investment in Water Corporation		11,586		Council's equity share in TasWater increased by \$238K in 2021/22.

The General Manager and/or Finance Officer will provide any further explanation required and respond to any questions.

Human Resources & Financial Implications – Nil.

Community Consultation & Public Relations Implications – Not applicable.

Council Web Site Implications - A copy of the audited Statement will be included on the website as part of the 2021/22 Annual Report when completed.

Policy Implications – N/A.

Priority - Implementation Time Frame – Report completed and submitted to the Auditor General within the statutory timeframe.

RECOMMENDATION

THAT Council receive the following:

1. **Southern Midlands Council - Complete set of Financial Statements 2021/22;**
2. **Heritage Building Solutions Pty Ltd – Financial Statements for Year Ended 30 June 2022;**
3. **Heritage Education and Skills Centre Ltd - Financial Statements for Year Ended 30 June 2022.**

DECISION

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

THAT Council receive the following:

1. **Southern Midlands Council - Complete set of Financial Statements 2021/22;**
2. **Heritage Building Solutions Pty Ltd – Financial Statements for Year Ended 30 June 2022;**
3. **Heritage Education and Skills Centre Ltd - Financial Statements for Year Ended 30 June 2022**

CARRIED

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

18. MUNICIPAL SEAL

Nil.

19. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

1. Condolence motion for Mrs Patricia Rodgers. Patricia was a long serving member of the Chauncy Vale Reserve Management Committee.

DECISION

Moved by Cllr D Fish, seconded by Cllr R McDougall

THAT Council formally records its condolences following the passing of Mrs Patricia Rodgers. Mrs Rodgers was heavily involved with the Friends of Chauncy Vale from its beginning until the nineties. She was on the committee for many years and always helped at Chauncy Vale Sanctuary Open Days.

CARRIED

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

RECOMMENDATION

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

DECISION

Moved by Clr R McDougall, seconded by Clr A E Bisdee OAM

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

CARRIED

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

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

RECOMMENDATION

THAT in accordance with Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015*, Council move into Closed Session and the meeting be closed to members of the public.

DECISION

Moved by Clr R McDougall, seconded by Clr D Fish

THAT in accordance with Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015*, Council move into Closed Session and the meeting be closed to members of the public.

CARRIED

DECISION (MUST BE BY ABSOLUTE MAJORITY)		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green	✓	
Deputy Mayor E Batt	✓	
Clr A Bantick	✓	
Clr A E Bisdee OAM	✓	
Clr K Dudgeon	✓	
Clr D F Fish	✓	
Clr R McDougall	✓	

CLOSED COUNCIL MINUTES

20. BUSINESS IN “CLOSED SESSION”

20.1 Closed Council Minutes - Confirmation

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

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

20.2 Applications for Leave of Absence

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

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

20.3 Bagdad Child Care Centre – Expansion of Service (Council Funding)

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

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

OPEN COUNCIL MINUTES

21. CLOSURE

The meeting closed at 1.10 p.m.