

SOUTHERN
MIDLANDS
COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

Wednesday, 9th December 2020
2.00 p.m.

Oatlands Ex-Services & Community Club
1 Albert Street, Oatlands

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OPEN COUNCIL MINUTES

MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL
HELD ON WEDNESDAY, 9TH DECEMBER 2020 AT THE OATLANDS EX-SERVICES
AND COMMUNITY CLUB COMMENCING AT 2:00 P.M.

1. PRAYERS

Rev. Dennis Cousens recited prayers.

2. ATTENDANCE

Deputy Mayor E Batt, Cllr A Bantick, Cllr A Bisdee OAM, Cllr K Dudgeon, Cllr D Fish, Cllr R McDougall.

Mr T Kirkwood (General Manager), Mr J Lyall (Manager, Infrastructure & Works), Mr D Cundall (Manager, Development & Environmental Services), Ms E Lang (Executive Assistant)

3. APOLOGIES

Mayor A O Green

DECISION

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

THAT the apology from Mayor A O Green be accepted.

CARRIED

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

4. MINUTES

4.1 ORDINARY COUNCIL MINUTES

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

DECISION

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

THAT the Minutes (Open Council Minutes) of the previous meeting of Council held on the 25th November 2020, as circulated, be confirmed.

CARRIED

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

4.2 SPECIAL COMMITTEES OF COUNCIL MINUTES

4.2.1 SPECIAL COMMITTEES OF COUNCIL - RECEIPT OF MINUTES

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

- Oatlands Community Shed - 16th November 2020.

RECOMMENDATION

THAT the minutes of the above special committee of Council be received.

DECISION

Moved by Clr D Fish, seconded by Clr K Dudgeon

THAT the minutes of the above special committee of Council be received.

CARRIED

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

4.2.2 SPECIAL COMMITTEES OF COUNCIL - ENDORSEMENT OF RECOMMENDATIONS

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

- Oatlands Community Shed - 16th November 2020.

RECOMMENDATION

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

DECISION

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

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

CARRIED

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

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

4.3.1 JOINT AUTHORITIES - RECEIPT OF MINUTES

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

- Southern Tasmanian Councils Authority – Nil.

DECISION NOT REQUIRED

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

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

- Southern Tasmanian Councils Authority – Nil.
- Southern Tasmanian Councils Authority – Nil.

DECISION NOT REQUIRED

5. NOTIFICATION OF COUNCIL WORKSHOPS

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

No workshops have been held since the last ordinary meeting of Council.

RECOMMENDATION

THAT the information be received.

DECISION

Moved by Clr K Dudgeon, seconded by Clr R McDougall

THAT the information be received.

CARRIED

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

6. COUNCILLORS – QUESTION TIME

6.1 QUESTIONS (ON NOTICE)

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

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

Nil.

6.2 QUESTIONS WITHOUT NOTICE

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

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

Clr McDougall – question regarding expenditure on the Aquatic Centre project to date? (including designs; decontamination costs; purchase of CT Fish building etc).

The General Manager advised that this question is taken on notice and details will be circulated by the end of the week.

Clr Bantick – question regarding the footpath at Midland Highway, Bagdad (near the Community Club) and he believes work is to commence shortly? Members of community are using the closed off footpath as it is too dangerous to walk on the side of the road/highway.

The General Manager advised that there was a severe flood event in October 2020; and this section of footpath was washed out. It was advised that interim repair works will commence this week with the intention of installing a raised footpath (in the short-term) at this location to prevent any further washouts.

Clr Bantick – it was raised at the last meeting (in closed session) that a monthly report on the Aquatic Centre expenses be provided going forward.

It was agreed to provide this information in the agenda from January 2021 onwards as a separate page within the financial report each month. This report will also include details as requested by Clr McDougall above.

Clr Dudgeon – statement advising that Dr Myrle Gray recently had a retirement function at Campbell Town and is Council going to acknowledge Dr Gray's contribution to the community in the near future?

It was advised that an invitation would be extended to Dr Gray to join Council for morning tea at the February 2021 meeting at Tunbridge.

Deputy Mayor E Batt – question regarding the appointment of pool supervisor(s) for the Otlands Pool?

The General Manager advised that two people have been appointed to this position on a job-sharing basis this season. A roster system is in place and other trained people are available if required.

7. DECLARATIONS OF PECUNIARY INTEREST

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

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

Nil.

8. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

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

The General Manager reported that the following items need to be included on the Agenda. The matter is urgent, and the necessary advice is provided where applicable:-

- 1. **PROPERTY MATTER –OATLANDS (CLOSED SESSION)**
- 2. **PROPERTY MATTER – BAGDAD (CLOSED SESSION)**

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 Cllr R McDougall, seconded by Cllr A Bisdee OAM

THAT the Council resolve by absolute majority to deal with the above listed 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

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

9. PUBLIC QUESTION TIME (SCHEDULED FOR 2.30 P.M.)

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

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

There were two (2) members of the public in attendance.

PETER LE FEVRE – OATLANDS

Mr LeFevre advised that he has recently moved to Oatlands and noticed a shortage of rental properties/low cost housing options that are available in Oatlands and surrounding areas.

Question regarding whether Council has approached the State Government to alleviate some of these issues surrounding housing? The Federal and State Governments are putting money out for affordable housing and perhaps Council could find a role in attracting these properties/people to the area while also trying to retain younger people in our towns. There is a real need to retain the younger population in our towns and this is difficult if there is nowhere to live.

The General Manager advised that Council has not played a significant role in low cost/community housing and has relied on the Oatlands District Homes Association for elderly residents in the community. It was advised that a number of years ago, discussions were held within Council to consider low cost housing options; noting that the need to attract supporting government services and amenities is also a factor for consideration; along with the availability of land; how it is funded etc.

Council can also consider ensuring that sufficient land is zoned residential within the Planning Scheme and the promotion of available land for development in Oatlands and surrounding areas.

Clr Dudgeon provided an overview of the Homes Association and the service they provide to Southern Midlands residents (currently own 20 units that are rented out to residents over 60 years of age from within the Southern Midlands; 2 additional units being built at present).

The General Manager, along with Councillors present agreed that this is an important issue for future planning and that it will be included as a discussion topic for further consideration at a Council workshop early in the new year.

9.1 Permission to Address Council

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

- Nil.

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

Nil.

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

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

11.1 DEVELOPMENT APPLICATIONS

Nil.

11.2 SUBDIVISIONS

Nil.

11.3 MUNICIPAL SEAL (Planning Authority)

Nil.

11.4 PLANNING (OTHER)

Nil.

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

12. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)

12.1 Roads

Strategic Plan Reference 1.1

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

Nil.

12.2 Bridges

Strategic Plan Reference 1.2

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

Nil.

12.3 Walkways, Cycle ways and Trails

Strategic Plan Reference 1.3

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

Nil.

12.4 Lighting

Strategic Plan Reference 1.4

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

Nil.

12.5 Buildings

Strategic Plan Reference 1.5

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

12.6 Sewers / Water

Strategic Plan Reference(s) 1.6

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

Nil.

12.7 Drainage

Strategic Plan Reference 1.7

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

Nil.

12.8 Waste

Strategic Plan Reference 1.8

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

Nil.

12.9 Information, Communication Technology

Strategic Plan Reference 1.9

Improve access to modern communications infrastructure.

Nil.

12.10 Officer Reports – Infrastructure & Works

12.10.1 MANAGER – INFRASTRUCTURE & WORKS REPORT

Author: MANAGER INFRASTRUCTURE & WORKS (JACK LYALL)

Date: 4 DECEMBER 2020

Roads Program

Graders are working in the Oatlands and Kempton/Dysart areas.

Culvert cleaning is continuing in all areas.

Roadside mowing has been undertaken in the Mangalore, Bagdad, Campania and Tunbridge areas.

Roadside mowing is also occurring in the Lemont area.

Rhyndaston Road pre-sealing works are being undertaken at present (drainage and embankment works).

Town and General Maintenance

A casual employee has commenced to assist with mowing in all areas due to the high demand.

Waste Management Program

Operating arrangements at the Waste Transfer Stations are working well.

QUESTIONS WITHOUT NOTICE TO MANAGER, INFRASTRUCTURE & WORKS

Clr Fish – question regarding grass in vicinity of 14 High Street; fire hazard abatement to be addressed as soon as possible. *To be followed up with Compliance Officer.*

Clr McDougall – advice that the footpath on High Street, Oatlands (between J Hansen and Scottish Shop properties) there is a silver birch in the roadway where the footpath has lifted; someone fell and tripped on it recently. *To be investigated/actioned.*

Clr McDougall - Old Depot site has extremely high thistles that need to be slashed. *To be actioned.*

Clr Dudgeon – advice of tree root issues in Anstey Court (near units 18 & 20) which is starting to lift the asphalt. *To be investigated/actioned.*

Clr Dudgeon – extremely long and unsightly weeds in the vicinity of the roadside stopover area at Lake Dulverton. *To be actioned.*

Clr Bisdee – question regarding roadside mowing/slashing? *Advised that Contractor is progressing well with 4-5 tractors slashers working.*

Clr Bisdee – when will works commence on the new seals in the summer months? *Advised that Ballyhooly Road and Huntington Tier will be carried out by Council. Rhyndaston, Eldon and Woodsdale Road will all be carried out by contractors during*

February/March 2021. Tenders for engagement of road reconstruction and re-seal program close 14th December 2020.

Clr Bantick – has Council officially taken over the section of road near the Pontville roundabout? *Advised that this section is still owned by the Department of State Growth.*

Deputy Mayor – have drainage issues on Main Road/Erskine Street, Kempton been progressed? *To be followed up.*

Deputy Mayor – What is the progress of the new footpath near Kempton Primary School and request for tree plantings along Louisa Street. *Advised that the new footpath on Louisa Street was poured yesterday and the section on the corner of Old Huntingground Road to be completed in the coming week.*

RECOMMENDATION

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

DECISION

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

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

CARRIED

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

13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

13.1 Residential

Strategic Plan Reference 2.1

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

Nil.

13.2 Tourism

Strategic Plan Reference 2.2

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

Nil.

13.3 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.

13.4 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.

14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)

14.1 Heritage

Strategic Plan Reference 3.1

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

14.1.1 HERITAGE PROJECT PROGRAM REPORT

Author: MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)

Date: 3 DECEMBER 2020

ISSUE

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

DETAIL

With the conclusion of 2020, it is timely to note the valuable contribution made by volunteers to the Southern Midlands Council Heritage Projects Program.

Linda Clark has been volunteering with the program for several years now and has a strong background in museums and conservation, having previously worked for the Queen Victoria Museum and Art Gallery and the National Trust of Australia (Tasmania). She was one of the first female archaeological conservators in Australia and now works as a freelance objects conservator. Linda is volunteering with SMC providing valuable assistance in researching and conserving council's architectural samples collection, managing the Tasmanian Decorated Interiors database and is working on a publication with Alan Townsend on the colonial interiors of the Southern Midlands.

Caroline Heine has just returned to volunteering with SMC, having volunteered with us in previous years and she has also been involved with the Convict Archaeology in the Southern Midlands as a consultant engaged by UTas. Caroline is an archaeologist and specialises in archaeological illustration (i.e. sites, artifacts etc.). Caroline has been working with Deborah Baldwin on further work populating and refining Council's archaeological artefact collection.

Margaret and Madalyne Smith Margaret has a Masters in Cultural Materials Conservation and has experience in museum and collections management at Army Museum of Tasmania. Her daughter Madalyne is currently studying history at a tertiary level. Margaret and Madalyne are working with Deborah Baldwin for the installation of a permanent exhibition of archaeological finds at the Oatlands Commissariat (items deriving from the restoration program) and a temporary exhibition in the Oatlands Supreme Court House.

RECOMMENDATION

THAT

1. The Heritage Projects Report be received and the information noted; and
2. That a letter be sent by the Mayor thanking each of the volunteers for their contribution during 2020.

DECISION

Moved by Clr R McDougall, seconded by Clr K Dudgeon

THAT

1. **The Heritage Projects Report be received and the information noted; and**
2. **That a letter be sent by the Mayor thanking each of the volunteers for their contribution during 2020.**

CARRIED

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

14.2 Natural

Strategic Plan Reference 3.2

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

14.2.1 NRM UNIT – GENERAL REPORT

Author: NRM PROGRAMS MANAGER (MARIA WEEDING)

Date: 2 DECEMBER 2020

ISSUE:

Southern Midlands Landcare Unit Monthly Report.

DETAIL

- Callington Park playground upgrade works and surrounding ground underground watering system works have been completed and the re-sown turf area is now available for public use as of 1st December 2020. There will be works to control the broad leaf weeds undertaken in January. Three new rubbish bins have been installed at the site. New seating still to be completed, two sets in the playground and two in the out area in shaded sites. The official opening date for the new playground area is Monday, 14th December 2020. Some works on playground signage and BBQ hut bins are underway. A drinking fountain is also being investigated.
- Mt Pleasant Recreation Ground Club Rooms - toilet block extension. Construction works continue to progress well. Toilets and hand basins installed. Final tiling scheduled for 7th & 8th December 2020. Vinyl floor covering at the entrance is scheduled for Monday, 14th December 2020. Laminex partitions and other minor fit out works to be done in next two week. Works on track to be all finished by mid December.
- Works for the Victoria Hall at Kempton have been awarded to Heritage Building Solutions. A meeting with Councils Works Department and HBS was organised to discuss the project in more detail. The Works Department will undertake curb and channelling works and minor changes to the road surface adjacent to the hall. HBS will undertake the majority of works associated with the hall porch and the pavement and seating area at the front of the hall.
- Helen Geard and Maria Weeding have spent some time undertaking weed control on three of the most recently planted banks around the Lake foreshore. The very wet spring season has seen an incredible amount of growth for all vegetation, including weeds. It is hoped that a couple more areas will be tidied up prior to the Christmas break.

WEEDS REPORT

Weeds Officer Ruth Hall has provided the following report for the three weeks to 2nd December 2020.

Site visits and roadside weed control

- Paterson's curse: roadside hand removal of isolated plants – Kempton, Lower Marshes.
- Paterson's curse at Dysart Waste Transfer Station inspected and scheduled for control.
- Quarry on Sugarloaf Rd Kempton inspected. No Paterson's curse observed at the time. The site has been added to our records to ensure ongoing monitoring and control as required.
- Spear Thistle (not a declared weed) at Kempton on Council land behind the Council Chambers inspected and control scheduled (reported by ratepayer).
- Known Zone A thistle sites (Nodding and Cotton Thistles) inspected to ensure timely control measures are undertaken prior to seeding.

Projects

- Drought Weed project – The Steering Committee met on 2nd December and recommended funding for projects on 14 properties totalling \$23,000. Weeds scheduled for control are Chilean Needle Grass (Zone A – for eradication), Gorse and Broom (Zone B – containment). There are still funds available. Applications will continue to be assessed on an ongoing basis until funds are expended.

Communication

- Weed notifications regarding Paterson's curse issued as required.
- Landholders with known Nodding Thistle sites contacted in order to update Council records and to ensure timely control. Nodding Thistle occurs in very few known locations in the Municipality. It is classified as Zone A – for eradication.
- Correspondence back from a number of landholders outlining their Paterson's Curse control measures. Most landholders contacted are actively controlling this weed.

Enquiries

- Reporting of weeds – Paterson's curse – numerous calls. Landholders at all sites reported have been notified and encouraged to apply active control measures. The majority are complying.
- Several plant specimens brought in by the public successfully identified and information regarding weed potential provided.

RECOMMENDATION

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

DECISION

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

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

CARRIED

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

14.3 Cultural

Strategic Plan Reference 3.3

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

Nil.

14.4 Regulatory (Development)

Strategic Plan Reference 3.4

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

Nil.

14.5 Regulatory (Public Health)

Strategic Plan Reference 3.5

Monitor and maintain a safe and healthy public environment.

Nil.

14.6 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

14.6.1 ANIMAL MANAGEMENT REPORT

Author: ANIMAL MANAGEMENT OFFICER (RACHEL COLLIS)

Date: 3 DECEMBER 2020

Enclosure:

Animal Management Statement – November/December 2020

ISSUE

Consideration of the Animal Management/Compliance Officer's report for November/December 2020.

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 November/December; *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

3/12/2020 - Campania area "Dog at large"

RECOMMENDATION

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

DECISION

Moved by Clr K Dudgeon, seconded by Clr D Fish

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

CARRIED

Southern Midlands CouncilMinutes – 9 December 2020

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

ENCLOSURE(S)
Agenda Item 14.6.1

SOUTHERN
MIDLANDS
COUNCIL



YTD ANIMAL MANAGEMENT STATEMENT

January to November 2020

DOG IMPOUNDS	RECLAIMED	ADOPTED	EUTHANISED
34	26	4 (Dogs Home)	4
OTHER IMPOUNDS	RECLAIMED		
Ewe & Lamb	0		

JOBS ATTENDED
October/November 2020

DOGS AT LARGE	DOG ATTACKS	DOG BARKING	DOG GENERAL
1	0	3	3
Central Highlands 0	Central Highlands 0	Central Highlands 0	Central Highlands 0
NEW KENNEL INSPECT	WELFARE	STOCK	OTHER
Three active kennel licences	0	3	8
Central Highlands 0	Central Highlands 0	Central Highlands 0	Central Highlands 5 (Kennel Licence Inspections)

REGISTERED DOGS: 1677

KENNEL LICENCES: 50

INFRINGEMENTS ISSUED: 1

DECISION

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

THAT the meeting be adjourned for afternoon tea at 3.00 p.m.

CARRIED

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

DECISION

Moved by Clr D Fish, seconded by Clr K Dudgeon

THAT the meeting reconvene at 3.33 p.m.

CARRIED

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

14.7 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.

15. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

15.1 Community Health and Wellbeing

Strategic Plan Reference 4.1

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

Nil.

15.2 Recreation

Strategic Plan Reference 4.2

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

Nil.

15.3 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.

15.4 Volunteers

Strategic Plan Reference 4.4

Encourage community members to volunteer.

Nil.

15.5 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.

15.6 Education

Strategic Plan Reference 4.6

Increase the educational and employment opportunities available within the Southern Midlands

Nil.

15.7 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.

15.8 Safety

Strategic Plan Reference 4.8

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

Nil.

15.9 Consultation & Communication

Strategic Plan Reference 4.8

Improve the effectiveness of consultation & communication with the community.

Nil.

16. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

16.1 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

16.1.1 POLICY REVIEW – DEVELOPMENT ASSESSMENT COMMITTEE POLICY 2020

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

Date: 4 DECEMBER 2020

Enclosure:

Draft Development Assessment Committee Policy 2020 (with tracked changes)

ISSUE

To review the Development Assessment Committee Policy.

Note: Due to the short timeframe between the first reading of this policy at the November Council meeting and to allow Councillors sufficient time to consider the policy, it is recommended that this be adopted (subject to any amendments) in January 2021.

BACKGROUND

Council's Development Assessment Committee has the following delegations:

- To approve a compliant application for a permitted development or use.
- To approve a compliant application for a discretionary development or use where no representations have been received objecting to the proposal.
- To forward certified planning scheme amendments to the Tasmanian Planning Commission in cases where no representations were received and no changes are otherwise considered necessary.
- To refuse a planning permit in cases where an application must go before full Council for determination, the timeframe for which is outside the statutory timeframe for Council to determine the application and the applicant has refused to grant an extension of time after being requested to do so.
- To approve Minor Amendments under Section 56 (1) of the *Land Use Planning & Approvals Act 1993*, a request for a 'minor amendment' to a planning permit.

The Policy is scheduled for review every four (4) years. The policy is due for scheduled review.

DISCUSSION

Per the attached there are no policy implications or changes to the roles and functions of the Committee.

The edits to the document are summarised as follows:

- Modification to version numbering and dates
- Change reference to “Resource Planning Development Commission” to the current “Tasmanian Planning Commission”
- Change references to the *Building Act 2000* to the current *Building Act 2016*
- Include under Functions:
 - Consideration and discussion of Licence Applications under Section 51 of the *Dog Control Act 2000* for Kennel Licences.
 - Consideration and co-ordination of building, plumbing, and planning enforcement matters,
- Minor edits to Officer titles and specified inclusion of the “Animal Management/Compliance Officer”

The alterations to the functions i.e. Licence for Kennels or enforcement matters does not alter the delegated authorities nor decision making functions of Council. The changes merely reflects the practices of the Committee over the past 5 plus years in discussing and coordinating ordinary functions of the Development and Environmental Services Department in a practical manner i.e. it is a good opportunity to discuss and coordinate matters whilst the relevant Officers are gathered for a meeting.

Human Resources & Financial Implications - Nil.

Community Consultation & Public Relations Implications - Nil.

Policy Implications - Nil.

RECOMMENDATION

THAT Council consider the changes to the Development Assessment Committee Policy and consider for adoption at the January 2021 Council meeting.

DECISION

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

THAT Council consider the changes to the Development Assessment Committee Policy and consider for adoption at the January 2021 Council meeting.

CARRIED

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

ENCLOSURE(S)
Agenda Item 16.1.1



Council Policy
**DEVELOPMENT ASSESSMENT COMMITTEE
DELEGATIONS POLICY**

Approved by: Council
Approved date: ~~26 August 2019~~ [20 November 2020](#)
Review date: ~~August 2019~~ [November 2024](#)

1. PURPOSE

The Southern Midlands Council, in accordance with Section 24 of the *Local Government Act 1993*, has established a Special Committee to be known as the Development Assessment Committee.

2. OBJECTIVE

The roles, functions and responsibilities; delegation; membership; and other operating procedures of the Special Committee are detailed in the committee's Terms of Reference (Attachment 1).

3. POLICY

Delegation to the Development Assessment Committee:

3.1 Granting of Planning Permits

Pursuant to Section 22 of the *Local Government Act 1993* Council delegates to the Development Assessment Committee the authority to grant a planning permit under the *Land Use Planning & Approvals Act 1993*, with or without conditions, in relation to applications for a use or development for which:

- (a) under the provisions of the planning scheme, Council is bound to grant a permit, (ref: Permitted Uses - Section 58 *Land Use Planning & Approval Act 1993*); or
- (b) under the provisions of the planning scheme, Council has a discretion to refuse or permit and no representations in the form of objections have been received during the statutory public notification period, (ref: Discretionary Uses - Section 57 *Land Use Planning & Approvals Act 1993*); and
- (c) are assessed as being in conformity with the development standards and other relevant provisions of the planning scheme.

3.2 Forwarding of Certified Planning Scheme Amendments

Pursuant to Section 22 of the *Local Government Act 1993* Council delegates to the Development Assessment Committee the authority to forward certified planning scheme amendments to the [Resource Planning and Development/Tasmanian Planning](#) Commission in cases where:

- (a) no representations in the form of objections have been received within the statutory public notification period; and
- (b) no amendments are otherwise considered necessary.



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Approved by: Council
Approved date: ~~26 August 2019~~ 20 November 2020
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3.3 Approval of Minor Amendments

Pursuant to Section 22 of the *Local Government Act 1993* Council delegates to the Development Assessment Committee the authority to approve applications for minor amendments to planning permits in cases where:

- (a) the planning permit is for a use or development that is permitted under the planning scheme; or
- (b) the planning permit is for a use or development that is discretionary under the planning scheme and no representations were received during the initial public notification period; and
- (c) the Development Assessment Committee is satisfied that the minor amendment complies with the requirements of S.56(2) of the *Land Use Planning & Approvals Act 1993*.

3.4 Nullification of 3.1, 3.2 and 3.3

Delegation under points 3.1, 3.2 and 3.3 above, only has effect for cases where a Councillor has not, prior to the issuing of a Planning Permit or prior to the forwarding of the amendment, requested that the application or amendment be referred to full Council for determination.

3.5 Refusing Planning Permits where Applicant Refuses to Grant Extension of Time

Pursuant to Section 22 of the *Local Government Act 1993* Council delegates to the Development Assessment Committee the authority to refuse a planning permit under the *Land Use Planning & Approvals Act 1993* in the following circumstances:

- (a) The application is not one for which the Development Assessment Committee has delegation to grant a permit under 2.1 and therefore should be determined by full Council, and
- (b) The applicant has been requested to provide Council with an extension of time pursuant to Sections 57(6)(b)(i), 57(6)(b)(ii) and/or 57(6A) of the *Land Use Planning & Approvals Act 1993* in order that full Council may determine the application at the next available ordinary Council meeting, and
- (c) The applicant has refused to grant an extension of time or has not provided a response, after being requested to do so.



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Approved date: ~~26 August 2019~~ 26 August 2020
Review date: ~~August 2019~~ November 2024

Notes:

In reference to the *Building Act 2016*, a **permit authority** means a person or body authorised for that purpose by the council of the municipal area in which the relevant building work, building, plumbing work or plumbing installation is located or, if the council has not made such an authorisation, the general manager of the council.

~~Through separate delegation, the Southern Midlands Council General Manager, pursuant to Section 1124 (2) of the Building Act 2016, has authorised and appointed the Senior Administration Officer (Development & Environmental Services) to act as the "Permit Authority" for Building works – Building.~~

~~The General Manager, pursuant to Section 24 (2) of the Building Act 2016, has Through separate delegation, the Southern Midlands Council, pursuant to Section 11 of the Building Act 2000, has authorised and appointed the Building Compliance Officer / Plumbing Inspector to act as the "Permit Authority" for Plumbing works.~~

In terms of backup provisions, in the absence of either officers, the General Manager will appoint a person as a permit authority under Section 24 (2) if the person holds a licence under the Occupational Licensing Act 2005 that authorises the person to perform the functions and exercise the powers of a permit authority. This appointment extends to either a private Licenced contractor or Licenced employee of another Council is authorised to act as both the "Permit Authority – Building" and "Permit Authority – Plumbing", and may delegate this authority to another officer accordingly.

4. RELATED DOCUMENTS

Development Assessment Committee Terms of Reference (attachment 1)

5. DOCUMENT ADMINISTRATION

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

This document is Version 1.19 effective ~~26th August~~ 26th August of ~~November 2019~~ November 2020. The document is maintained by the Manager, Development & Environment Services for the Southern Midlands Council.



Council Policy
**DEVELOPMENT ASSESSMENT COMMITTEE
DELEGATIONS POLICY**

Approved by: Council
Approved date: ~~26 August 2014~~ [November 2020](#)
Review date: ~~August 2019~~ [November 2024](#)

ATTACHMENT 1

Committee Name	Development Assessment Committee
Decision No.	C/13/07/065/19408
File Reference.	6/061
Type	THAT in accordance with the provisions of Section 24 of the Local Government Act 1993 a Council Committee be established to be known as the Development Assessment Committee.
Roles, Functions & Responsibilities	<p>(1) <u>Decision Making:</u></p> <p>(i) The Chair will ensure that the Committee does not decide on the granting of a permit unless the appropriate professional advice has been obtained.</p> <p>(ii) The Development Assessment Committee has the authority, with the consent of the General Manager, to seek external professional advice as considered necessary.</p> <p>(iii) In cases where there is not unanimous support at a meeting for the granting of a permit, the application is to be referred to full Council for determination.</p> <p>(iv) The Development Assessment Committee has the authority to refer applications to any Access Advisory Committee established by Council under the DDA Act, for determination in regard to access provisions.</p> <p>(2) <u>Functions:</u></p> <p>(i) A forum for the joint consideration and discussion of <u>the following:</u></p> <ul style="list-style-type: none"> • All <u>All development applications under the Land Use Planning and Approvals Act 1993</u> • All <u>Licence applications under Section 51 of the Dog Control Act 2000</u> • <u>All Planning Scheme Amendments under the Land Use Planning and Approvals Act 1993</u> • <u>Consideration and co-ordination of building, plumbing, planning enforcement matters</u> • received by Council with view to <u>Co-ordination, e-coordinating assessment, inspections, agenda preparation and processing of applications and enforcement matters between the relevant Officers.</u> <p>(ii) Determination of certain applications and other matters in accordance with powers delegated from Council.</p> <p>(3) <u>Councillor Involvement:</u></p> <p>(i) Councillors are permitted to attend meetings of the Development Assessment Committee.</p>



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Approved by: Council
Approved date: ~~26 August 2019~~ ~~2019~~ November 2020
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	<p>(ii) A summary of the <i>register of applications</i> is to be forwarded to all Councillors fortnightly.</p> <p>(4) Delegation</p> <p>4.1 Pursuant to Section 22 of the <i>Local Government Act 1993</i> Council delegates to the Development Assessment Committee the authority to grant a planning permit under the <i>Land Use Planning & Approvals Act 1993</i>, with or without conditions, in relation to applications for a use or development for which:</p> <ul style="list-style-type: none">(a) under the provisions of the planning scheme, Council is bound to grant a permit, (ref: Permitted Uses - Section 58 <i>Land Use Planning & Approval Act 1993</i>); or(b) under the provisions of the planning scheme, Council has a discretion to refuse or permit and no representations in the form of objections have been received during the statutory public notification period, (ref: Discretionary Uses - Section 57 <i>Land Use Planning & Approvals Act 1993</i>); and(c) are assessed as being in conformity with the development standards and other relevant provisions of the planning scheme. <p>4.2 Pursuant to Section 22 of the <i>Local Government Act 1993</i> Council delegates to the Development Assessment Committee the authority to forward certified planning scheme amendments to the Resource Planning and Development Commission in cases where:</p> <ul style="list-style-type: none">(a) no representations in the form of objections have been received within the statutory public notification period; and(b) no amendments are otherwise considered necessary. <p>4.3 Pursuant to Section 22 of the <i>Local Government Act 1993</i> Council delegates to the Development Assessment Committee the authority to approve applications for minor amendments to planning permits in cases where:</p> <ul style="list-style-type: none">(a) the planning permit is for a use or development that is permitted under the planning scheme; or(b) the planning permit is for a use or development that is discretionary under the planning scheme and no representations were received during the initial public notification period; and(c) the Development Assessment Committee is satisfied that the minor amendment complies with the requirements of S.56(2) of the <i>Land Use Planning & Approvals Act 1993</i>. <p>4.4 Delegation under points 4.1 and 4.2 and 4.3 above, only has effect for cases where a Councillors has not, prior the issuing of a Planning Permit or prior to the forwarding of the amendment, requested that the application or amendment be referred to full Council for determination.</p>
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Council Policy
**DEVELOPMENT ASSESSMENT COMMITTEE
DELEGATIONS POLICY**

Approved by: Council
Approved date: ~~26 August 2019~~ November 2020
Review date: ~~August 2019~~ November 2024

	<p>4.5 Pursuant to Section 22 of the <i>Local Government Act 1993</i> Council delegates to the Development Assessment Committee the authority to refuse a planning permit under the <i>Land Use Planning & Approvals Act 1993</i> in the following circumstances:</p> <p>(a) The application is not one for which the Development Assessment Committee has delegation to grant a permit under 4.1 and therefore should be determined by full Council, and</p> <p>(b) The applicant has been requested to provide Council with an extension of time pursuant to Sections 57(6)(b)(i), 57(6)(b)(ii) and/or 57(6A) of the <i>Land Use Planning & Approvals Act 1993</i> in order that full Council may determine the application at the next available ordinary Council meeting, and</p> <p>(c) The applicant has refused to grant an extension of time or has not provided a response, after being requested to do so.</p>
Membership Structure	<ul style="list-style-type: none"> ▪ Chair: Manager Development & Environmental Services (Proxy: General Manager) ▪ Development Control Planning Officer ▪ Permit Authority (Building) ▪ Permit Authority (Plumbing) ▪ Manager – Works & Technical Services (Proxy: Works Coordinator – W&TS) ▪ Environmental Health Officer ▪ <u>Animal Management / Compliance Officer</u> ▪ Other Council officers to be in attendance as appropriate
Chairperson	<ul style="list-style-type: none"> ▪ Chair: Manager, Development & Environmental Services ▪ Proxy: General Manager
Term of Appointment	No term
Quorum	A quorum for the Development Assessment Committee is three (3) members.
Proxies	See under membership structure
Meetings Frequency & Minutes	<ol style="list-style-type: none"> 1. Meetings are to be held on a weekly basis. 2. Minutes of meetings are to be prepared in accordance with a proforma. 3. The minutes will constitute a <i>register of applications</i> under consideration by the Development Assessment Committee and is to indicate applicable



Council Policy
**DEVELOPMENT ASSESSMENT COMMITTEE
DELEGATIONS POLICY**

Approved by: Council
Approved date: ~~26 August 2019~~ [November 2020](#)
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	assessment and determination timeframes and whether delegation of approval applies.
Pecuniary Interest Members & Recording	<p>Committee Members (ref: Part 5 <i>Local Government Act 1993</i>)</p> <p>Committee members with a direct or indirect pecuniary interest in a matter before the Committee must declare that interest before any discussion on that matter commences. On declaring an interest the member is to leave the meeting room.</p> <p>Recording Any declaration of pecuniary interest shall be recorded in the minutes of the Committee meetings.</p>
Spokesperson Protocol	As per policy
Working Groups (under Committee)	Not applicable
Admin/Sec Support	Administration Officer (Development Services)
Annual Budget	Not applicable

16.1.2 POLICY REVIEW – BULLYING, HARASSMENT & VIOLENCE POLICY

Author: MANAGER, COMMUNITY AND CORPORATE DEVELOPMENT (WENDY YOUNG)

Date: 19 NOVEMBER 2020

Enclosure:
Bullying, Harassment & Violence Policy

ISSUE

The Bullying, Harassment & Violence Policy (as amended) has been updated.

Note: Due to the short timeframe between the first reading of this policy at the November Council meeting and to allow Councillors sufficient time to consider the policy, it is recommended that this be adopted (subject to any amendments) in January 2021.

The following sections have been amended:-

- Section 4.1 (Definitions) – updated definitions
- Section 4.3 (Roles and Responsibilities) - details employee's, managers and human resources.
- Section 4.5 (Reporting) – all employees have a responsibility to report inappropriate behaviour and whom to report to.

RECOMMENDATION

THAT Council consider the changes to the Bullying, Harassment & Violence Policy and consider for adoption at the January 2021 Council meeting.

DECISION

Moved by Clr R McDougall, seconded by Clr K Dudgeon

THAT Council consider the changes to the Bullying, Harassment & Violence Policy and consider for adoption at the January 2021 Council meeting.

CARRIED

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

ENCLOSURE(S)
Agenda Item 16.1.2



Council Policy
BULLYING, HARASSMENT AND VIOLENCE POLICY

Approved by: Council
Approved date:
Review date: Review November 2020

1. PURPOSE

The Southern Midlands Council's is commitment to providing a respectful workplace that is completely free of workplace bullying and harassment. Workplace bullying and harassment is unacceptable and a risk to health and safety because it may affect the mental and physical health of employees.

2. OBJECTIVE

To outline the approach to preventing and addressing unreasonable behaviour and unlawful conduct, including:

- Promoting a work environment that sustains respectful relationships;
- Providing clear pathways for reporting incidents and resolving complaints, both formally & informally; and
- The consequences of breaching this policy.

3. SCOPE

This policy covers all workers including employees, volunteers and contractors.

4. POLICY

4.1 Definitions

Workplace Bullying:

Is repeated, unreasonable behaviour towards a worker or a group of workers that creates a risk to health & safety.

Workplace Harassment:

Includes offensive, belittling or threatening behaviour towards an individual or group of employees. The behaviour is unwelcome, unsolicited, usually unreciprocated, and often repeated.

Workplace Discrimination:

Occurs when an employer takes an adverse action against an employee or prospective employee because of the person's race, colour, sex, sexual preference, age, physical or mental disability, marital status, family or carer's responsibilities, pregnancy, religion, political opinion or national extraction or social origin.

Repeated Behaviour:

Refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

Unreasonable Behaviour:

Means behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.



Council Policy
BULLYING, HARASSMENT AND VIOLENCE POLICY

Approved by: Council
Approved date:
Review date: Review November 2020

4.2 Standards of Appropriate Behaviour

Southern Midlands Council encourages a harmonious workplace where workers demonstrate respect for each other and value diversity, equity, equality, fairness and inclusion.

Unreasonable behaviour and unlawful conduct will not be tolerated.

The Code of Conduct captures the professional standards, behaviours and underlying ethics which workers are expected to use to guide their conduct, including the requirement to comply with all relevant legislation.

Further guidance on expected standards of behaviour is provided in documents such as the Enterprise Agreement, Position Descriptions and Workplace Policies and Procedures. Copies of these documents are available from your manager.

4.3 Roles and Responsibilities

Employee's responsibilities

Employees are equally responsible for creating positive, harassment-free workplace by:

- Adhering the Code of Conduct and incorporating these values in performance agreements
- Embracing diversity and supporting an inclusive workplace
- Recognising and appreciating different working styles and/or perspectives
- Contributing to open communication and information sharing
- Taking seriously any incidents of bullying or harassment both for yourself and other employees, by reporting them promptly.

Manager's responsibilities

In addition to employee responsibilities, managers are equally responsible for creating a positive, harassment-free workplace by:

- Promoting open communication, sharing information
- Being approachable and supporting others when required
- Not diminishing or seeking to excuse reported instances of harassment or bullying
- Providing constructive, regular, reasonable performance guidance
- Embracing diversity and supporting an inclusive workplace
- Recognising and appreciating different working styles and perspectives
- Fostering teamwork and rewarding collaborative behaviour
- Allocating duties fairly, setting clear expectations and realistic deadlines
- Ensuring employees have the knowledge and skills to perform their role
- Providing access to flexible working arrangements
- Encouraging a work-life balance
- Understanding the potential impact of witnessing and reporting an incident of harassment on the broader work area.
- Monitoring potential for, and acting promptly on bullying or harassing behaviour.



Council Policy
BULLYING, HARASSMENT AND VIOLENCE POLICY

Approved by: Council
Approved date:
Review date: Review November 2020

Human Resources

Human Resources will:

- Take any complaint of bullying or harassment seriously
- Undertake prompt action to ensure all employees concerned feel safe in the workplace
- Conduct informal/formal investigations into any matter reported.
- Protect the confidentiality of those who report and/or experienced harassment or bullying to the extent possible
- Afford principles of natural justice to all relevant practise
- Facilitate mediation or professional counselling where appropriate
- For formal investigations engage an external investigator where required
- Make recommendations to facilitate prompt resolution of all complaints of bullying and/or harassment.

4.4 Be Alert to the Risks

Employees should be mindful that this policy extends beyond the physical workplace and fellow workers. Any worker engaging in or encouraging unreasonable behaviour directed at an individual or group related to the workplace is in breach of this policy, regardless of where or when it occurs.

This includes:

- Work-related functions, on or off site;
- Social websites, eg Facebook, Twitter, etc; and
- Conduct towards clients, councillors and members of the public.

4.5 Reporting

All employees have a responsibility to report inappropriate behaviour informally or formally by email or face to face to a direct Manager and/or Deputy General Manager.

The matter must be reported to Deputy General Manager when a staff member makes a complaint to a Manager that meets the following criteria:

- Is serious or has the potential to be a serious matter
- Is affecting the staff members health and/or well-being
- Is affecting the staff members ability to attend work, or
- Is affecting other staff.

Reports of this nature should include as much information as possible with the name of the complainant and the person who is displaying the alleged behaviour.

Some employees may be concerned that they will be victimised, or discriminated against, for reporting suspected misconduct. For this reason, they may make reports anonymously or request that their identity is kept confidential.



Council Policy
BULLYING, HARASSMENT AND VIOLENCE POLICY

Approved by: Council
Approved date:
Review date: Review November 2020

All reports of unreasonable behaviour must be taken seriously and dealt with in a sensitive, confidential, fair and timely manner.

Either a formal or informal process may be appropriate, depending on the nature of the incident. For full procedures on grievance reporting and handling, refer to the separate documents, *Complaints and Grievance Policy*, *Discipline and Counselling Procedures*.

Consequences of Breaching this Policy

Breaches of this policy will not be tolerated and may have significant consequences.

Internally

Disciplinary action may be taken and determined as part of the grievance reporting process and may include counselling, behavioural training or in some instances; dismissal. Anyone who victimises a complainant may also be subject to disciplinary action.

Externally

Bullying, harassment, discrimination and violence are prohibited under a number of laws, including:

- Sexual harassment and victimisation are unlawful under the *Sex Discrimination Act 1984 (Cth)* as well as anti-discrimination legislation operating in every State and Territory.
- Workers have duty of care responsibilities under the *Work Health and Safety Act 2012*, as well as the *Fair Work Act 2009*. Bullying, harassment and violence are a workplace hazard.
- Certain violence-related behaviour is prohibited under criminal law. When appropriate, Southern Midlands Council will refer such cases for prosecution.

Individuals may be held personally liable for their own unlawful conduct or for contributing to the unlawful conduct of others. Southern Midlands Council may also be held vicariously liable for the unlawful conduct of its workers.

5. LEGISLATION

Work Health and Safety Act 2012 (Tas)
Work Health and Safety Regulations 2012 (Tas)
Fair Work Act 2009 (Cth)
Anti-Discrimination Act 1998 (Tas)
Sex Discrimination Act 1984 (Cth)

6. DOCUMENT ADMINISTRATION

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

This document is Version 1.1 effective XX-XX-2020. This document is maintained by Community & Corporate Development, for the Southern Midlands Council.

16.2.3 POLICY REVIEW – UNIFORM & PROTECTIVE CLOTHING POLICY

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 2 DECEMBER 2020

Enclosure:

Draft Uniform and Protective Clothing Policy

ISSUE

The enclosed Uniform and Protective Clothing Policy (as amended) has been reviewed and includes the following sections that have been updated:-

- Deletion of reference to Callington Mill Business Precinct;
- Start up Allocations and Annual Allocation amounts have been indexed by 15% (noting that no increases to these amounts have been applied since 2013);
- Inclusion of new uniform supplier – RSEA;
- Inclusion of Principles for uniform use;
- Inclusion of clauses for Outdoor Casual Employees.

RECOMMENDATION

THAT Council consider the review of the Uniform & Protective Clothing Policy and consider for adoption at the January 2021 Council meeting.

DECISION

Moved by Clr K Dudgeon, seconded by Clr D Fish

THAT Council consider the review of the Uniform & Protective Clothing Policy and consider for adoption at the January 2021 Council meeting.

CARRIED

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

ENCLOSURE(S)
Agenda Item 16.2.3



Council Policy
UNIFORM & PROTECTIVE CLOTHING POLICY

Approved by: Council
Approved date:
Review date: November 2020

1. PURPOSE

The purpose of this policy is to ensure a standard of dress code for employees, whilst representing Southern Midlands Council (SMC).

To establish guidelines for the purchasing and wearing of uniform items.

2. SCOPE

This policy applies to all staff of SMC (indoor and outdoor).

Personal Protective Equipment (PPE) is in addition to, and not part of the Uniform Policy. (Employees must comply with all Work Health and Safety standards in relation to wearing of PPE.)

3. PRINCIPLES

- All clothing purchases are to have the SMC logo, and must be worn during work hours.
- Employees are responsible for all fitting alterations, repair and cleaning requirements.
- Uniforms must only be worn whilst on official duty, including travel to and from work.
- Any employee leaving the employment of SMC will be required to return or destroy any items of clothing issued with the SMC logo.
- Any portion of the uniform allowance which is unused in any financial year, will not be carried forward to the next financial year.
- Employees who would like to purchase uniform in excess of their allocation can do so at their own expense.

4. UNIFORM ALLOCATION

4.1 Administrative Positions

The uniform is to be purchased from a predetermined range from RSEA. The uniform is a mix and match format comprised of shirts, skirts, cardigans, jackets, pants, trousers, tops and ties. Purchases outside this company will not be reimbursed by SMC.

The start-up allocation table is for an employee's first allocation of uniform purchase. The uniform is to be purchased on completion of the probation period.



Council Policy
UNIFORM & PROTECTIVE CLOTHING POLICY

Approved by: Council
Approved date:
Review date: November 2020

START-UP ALLOCATION			
FTE hours of position	57 - 75	100%	\$517.00
	38 - 56	75%	\$388.00
	20 – 37.5	50%	\$258.00
	0 - 19	25%	\$129.00

The annual allocation table is for employee's continuous uniform purchases.

ANNUAL ALLOCATION			
FTE hours of position	57 - 75	100%	\$345.00
	38 - 56	75%	\$258.00
	20 – 37.5	50%	\$172.00
	0 - 19	25%	\$86.00

4.2 Outdoor Permanent Employees

The uniform is to be purchased from a predetermined range from RSEA. The uniform is a mixture of items listed below. Purchases outside this company will not be reimbursed by SMC.

Annual allocation:

- 2 shirts or 2 polo tops
- 2 pairs of trousers or jeans
- 2 items – half zip polo fleece jumpers / windcheaters rugby tops / polar fleece vest
- 1 pair boots

Replacement/Initial issue:

Wet weather gear, Hi-Vis 3 in 1 jackets, sunhats and beanies will only be issued to new employees who have not previously been issued with one. Any of these items previously issued will be replaced upon production of the unserviceable item.

Sun Protection:

Council encourages all outdoor workers to use a combination of sun protection measures.

Council will provide the following sun protection equipment:

- broad brimmed hats
- broad spectrum 15+ sunscreen
- lip balm
- sunglasses to Australian Standard AS1067



Council Policy
UNIFORM & PROTECTIVE CLOTHING POLICY

Approved by: Council
Approved date:
Review date: November 2020

4.3 Outdoor Casual Employees

4.3.1 Casual Employment – Likely to exceed 3 continuous months

A condition of employment will be the requirement for the casual employee to supply and wear appropriate safety footwear. Council will purchase 2 pairs of trousers, 2 hi-vis shirts, 2 hi-vis windcheaters. The clothing will not be embroidered with the SMC logo.

Note: Where a person has been employed previously as a casual, they will not be entitled to any further issue until a cumulative total of 12 months service has been completed.

4.3.2 Casual Employment – Appointment less than 3 continuous months

A condition of employment will be the requirement for the casual employee to supply and wear appropriate safety footwear and clothing (not including safety vest).

Items may be purchased through Council, but on a full recharge basis. The clothing will not be embroidered with the SMC logo.

There may be circumstances where a short-term casual employee needs to display the SMC logo on clothing (for identification purposes). The relevant manager will have the discretion to authorise the supply of clothing (with SMC logo), however this must be returned at the time of termination of casual employment.

5. RELATED POLICIES AND LEGISLATION

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

SMC Workplace Health and Safety Policy
Work Health and Safety Act 2012

6. DOCUMENT ADMINISTRATION

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

This document is Version 2.0 effective XX-XX-XXXX. The document is maintained by Corporate Services, for the Southern Midlands Council.

16.2 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

Nil.

16.3 TABLING OF DOCUMENTS

Nil.

16.4 ELECTED MEMBER STATEMENTS

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

Clr Dudgeon

- Statement made regarding Dr Myrle Gray's retirement and if Council should acknowledge this at a future Council meeting.
Resolved to invite Dr Gray to a future Council meeting (February 2021 at Tunbridge).

Clr Bisdee

- Noted that at the last Midlands Multi-Purpose Health Centre Community Advisory Committee; the Chairman (Athol Bennett) expressed appreciation for the assistance and support provided by Elisa Lang from Council.

DECISION

Moved by Clr D Fish, seconded by Clr K Dudgeon

THAT the information be received.

CARRIED

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

16.3 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.

16.3.1 MONTHLY FINANCIAL STATEMENT (PERIOD ENDING 30 NOVEMBER 2020)

Author: FINANCE OFFICER (MANDY BURBURY)

Date: 2 DECEMBER 2020

ISSUE

Provide the Financial Report for the period ending 30th November 2020.

BACKGROUND

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

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

DETAIL

The enclosed Report incorporates the following: -

- Statement of Comprehensive Income – 1 July 2020 to 30 November 2020.
- Operating Expenditure Budget Report – 1 July 2020 to 30 November 2020.
- Capital Expenditure Estimates – as at 30 November 2020.
- Cash Flow Statement – 1 July 2020 to 30 November 2020
- Rates & Charges – as at 1st December 2020.

OPERATING EXPENDITURE ESTIMATES (OPERATING BUDGET)

Overall operating expenditure to end of October was \$3,276,502, which represents 99.1% of the Year to Date Budget.

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

Strategic Theme - Infrastructure

Sub-Program – Drainage – expenditure to date (\$18,872 – 166.1%). Additional expenditure relates to ongoing repairs to flood damage.

Strategic Theme – Growth

Sub-Program – Business – expenditure to date (\$121,375 – 134.9%). Additional expenditure relates to Private Works, including wages and gravel. There will be an increase in income to offset the additional expense.

Strategic Theme – Landscapes

Sub-Program – Natural - .expenditure to date (\$94,699 – 118.93%). Additional expenditure of \$9651.35 relates to the fixed costs of irrigation scheme water for Lake Dulverton for 2019-20, not invoiced until October 2020 due to an administrative error by Tasmanian Irrigation. We also received grant funds of \$4,884 in 2019/20, expended in July 2020, for spraying thistles in Woodbury.

Sub-Program – Regulatory - Animals - .expenditure to date (\$55,724 – 122.28%). Additional expenditure relates to reduced hours of resource sharing and a higher number of call-outs than budgeted.

Strategic Theme – Community

Nil.

Strategic Theme – Organisation

Nil.

RECOMMENDATION

THAT the Financial Report be received and the information noted.

DECISION

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

THAT the Financial Report be received and the information noted.

CARRIED

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

STATEMENT OF COMPREHENSIVE INCOME
for the period 1st July 2020 to 30 November 2020

	Annual Budget \$	Year to Date as at 30 November \$	%	Comments
Income				
General rates	5,797,406.00	5,726,036.51	98.8%	Budget includes Interest & Penalties to be imposed to 30 June 2021
User Fees (refer Note 1)	681,158.00	372,194.35	54.6%	
Interest	175,000.00	20,925.68	12.0%	
Government Subsidies	19,200.00	0.00	0.0%	Heavy Vehicle Licence Fees & Road Rescue MAIB reimbursements
Contract Income	0.00	0.00	0.0%	
Other (refer Note 2)	86,000.00	2,476.13	2.9%	
Sub-Total	\$6,758,764.00	\$6,121,632.67	90.6%	
Grants - Operating	3,564,167.00	846,369.36	23.7%	
Total Income	\$10,322,931.00	\$6,968,002.03	67.5%	
Expenses				
Employee benefits	-4,113,303.00	-1,543,892.46	37.5%	Less Roads - Resheeting (Capitalised)
Materials and contracts	-3,195,181.00	-1,581,753.66	49.5%	Less Roads - Resheeting (Capitalised), Includes Land Tax
Depreciation and amortisation	-3,003,866.00	-1,255,714.48	41.8%	Percentage Calculation (based on year-to-date)
Finance costs	-18,850.00	-6,299.48	33.4%	
Contributions	-233,907.00	-58,476.75	25.0%	Fire Service Levies
Other	-145,526.00	-110,585.56	76.0%	Includes Rate Discounts
Total expenses	-\$10,710,633.00	-\$4,556,722.39	42.5%	
Surplus (deficit) from operations	-\$387,702.00	\$2,411,279.64	-621.9%	
Grants - Capital (refer Note 3)	3,558,627.00	582,766.00	16.4%	
Sale Proceeds (Plant & Machinery)	0.00	47,873.64	0.0%	
Sale Proceeds (Other Assets)	0.00	6,141.82	0.0%	
Net gain / (loss on disposal of non-current assets)	5,818.00	0.00	0.0%	
Surplus / (Deficit)	\$3,176,743.00	\$3,048,061.10	95.9%	

STATEMENT OF COMPREHENSIVE INCOME
for the period 1st July 2020 to 30 November 2020

	Annual Budget \$	Year to Date as at 30 November \$	%	Comments
NOTES				
1. Income - User Fees (Budget \$681,158) includes:				
- All other Programs	454,975.00	240,768.60	52.9%	
- Private Works	226,183.00	131,425.75	58.1%	
	\$681,158.00	\$372,194.35	54.6%	
2. Income - Other (Budget \$86,000) includes:				
- Tas Water Distributions	76,000.00	0.00	0.00%	
- HBS Dividend	10,000.00	0.00	0.00%	
- Other	0.00	1,753.13		Public Open Spaces Contribution
- Other	0.00	723.00		Blue Gum Rovers
	\$86,000.00	\$2,476.13	2.9%	
3. Grant - Capital (Budget \$3,558,627) includes:				
- (CDGP) Oatlands Aquatic Centre	500,000.00	0.00	0.00%	
- (CDGP) Callington Park Playground	500,000.00	250,000.00	50.00%	
- (CDGP) Chauncy Vale Pedestrian Bridge	55,000.00	0.00	0.00%	
- (CDGP) Lake Dulverton Walkways	220,000.00	0.00	0.00%	
- (CDGP) Campania Bush Reserve	100,000.00	0.00	0.00%	
- (CDGP) Kempton Streetscape Project	75,000.00	0.00	0.00%	
- (CDGP) Broadmarsh Streetscape Project	230,000.00	0.00	0.00%	
- (CDGP) Oatlands Underground Lighting	250,000.00	0.00	0.00%	
- Midland Hway/ Mood Food Pathway	147,565.00	0.00	0.00%	
- Elderslie/Bluff Road Junction	150,000.00	0.00	0.00%	
- Roads To Recovery	665,531.00	0.00	0.00%	
- Local Roads and Community Infrastructure Prog	665,531.00	332,766.00	50.00%	
- Other	0.00	0.00	0.00%	
	\$3,558,627.00	\$582,766.00	16.38%	
4. Grant - Operating (Budget \$3,564,167) includes:				
Operating Grants				
- FAGS	3,564,167.00	844,508.00	23.7%	\$1,840,420 received in advance in 2019-20 Advised actual distribution for 2020-21 to be \$3,529,436
- Australia Day Branding Grant	0.00	1,000.00	0.0%	
- Hobart City Mission School Holiday Program Funding	0.00	861.36	0.0%	
	\$3,564,167.00	\$846,369.36	23.7%	

**CAPITAL EXPENDITURE PROGRAM 2020-21
AS AT 30 NOVEMBER 2020**

			BUDGET	EXPENDITURE	VARIANCE	COMMENTS
			\$	\$	\$	
INFRASTRUCTURE						
ROAD ASSETS						
Resheeting Program	Various	Roads Resheeting	500,000	301,597	198,403	
Reseal Program		Roads Resealing (as per agreed program)	300,000	0	300,000	
		Levendale - Woodsdale Road (300m reseal)	50,000	0	50,000	RTR (\$50K)
		Campania - Native Corners Road	50,000	0	50,000	RTR (\$50K)
Reconstruct & Seal		Woodsdale Road (1klm Reconstruction)	330,000	0	330,000	RTR (\$319K)
	C1010094	Woodsdale Road Reconstruct & Seal (800m + 430m)	122,141	111,068	11,073	RTR \$122,141 Budget c/fwd WIP 30/06/20 \$4478.95
Construct & Seal (Unsealed Roads)		Bagdad - Huntingdon Tier (350m new seal)	73,500	0	73,500	LRCI
		Campania - Native Corners Road (900m new seal)	173,250	0	173,250	RTR (\$152K)
		Mangalore - Ballyhooly Road (300m new seal)	57,750	0	57,750	
	C1020006	Rhyndaston - Rhyndaston Road (800m through township)	154,000	735	153,265	LRCI
		Tunnack - Eldon Road (1500m new seal)	288,750	0	288,750	LRCI
Minor Seals (New)		Dust Suppressant Seal	50,000	0	50,000	
		Elderslie - Cornish's Road Dust Suppressant	25,000	0	25,000	LRCI
		York Plains - York Plains Road Dust Suppressant	25,000	0	25,000	LRCI
Junction / Road Realignment / Other		Campania - Estate Road (vicinity Mallow property)	10,000	0	10,000	
		Campania - Main Intersection/Carpark Design Concept	50,000	0	50,000	\$50K c/fwd
	C1010037	Campania - Reeve St / Clime Street (includes Footpath)	70,000	11,419	58,581	\$70K Budget c/fwd WIP 30/6/20 \$11,418.84
	C1020047	Colebrook - Lovely Banks/Mudwalls Road Junction	0	5,013	-5,013	
		Dysart - Cliftonvale & Sugarloaf Rd Junction Improvements	50,000	16,884	33,116	WIP 30/06/20 \$16,884.46
	C1020070	Elderslie - Bluff Road Intersection Upgrade	150,000	2,138	147,862	WIP 30/06/20 \$138.38
		Elderslie - Elderslie Road Widening Investigation & Trial (Sth Blackbrush Rd)	40,000	0	40,000	
	C1010096	Elderslie - Elderslie Road Safety Railing (250m)	21,250	29,253	-8,003	
		Oatlands - Interlaken Road Preliminary Work (vicinity of Wallace)	25,000	0	25,000	
	C1020032	Oatlands - Hasting Street Junction	15,000	959	14,041	\$15K Budget c/fwd WIP 30/6/19 \$958.52
	C1020074	Oatlands - Henrietta Street 200m	0	736	-736	
		Mangalore - Roberts Road (additional culverts)	12,000	0	12,000	
		Tea Tree - Grices Road (Tree removal, set-back of embankment, drainage)	15,000	0	15,000	
		Woodsdale - Woodsdale Road (400m safety rail in two sections, The Cutting)	17,000	0	17,000	
			2,674,641	479,803	2,194,838	
BRIDGE ASSETS	c1030061	Woodsdale Road (Nutting Garden Rivulet - Bridge No 4084)	148,200	756	147,444	RTR (\$94,531)
	C1030060	Elderslie Road (Stonyhurst Creek B3280)	0	12,437	-12,437	Upgrade due to flood damage
			148,200	13,193	135,007	

		BUDGET	EXPENDITURE	VARIANCE	COMMENTS
		\$	\$	\$	
WALKWAYS	Footpaths - General Streetscapes	170,906	0	170,906	
	C1040014 Bagdad - East Bagdad Road	230,000	10,962	219,038	\$105K Budget c/fwd WIP 30/6/20 \$4400.94
	G1040007 Broadmarsh - Streetscape Works	230,000	27,051	202,949	WIP 30/06/20 \$4119.85
	Campania - Review Manag. Plan (Site Plan) / Walking Tracks (Bush Reserve)	5,000	0	5,000	\$5K Budget c/fwd
	C1040005 Campania - Reeve Street - Footpath through to Hall	30,000	0	30,000	
	G1040008 Kempton - Louisa Street (from Huntingground Road)	38,000	9,857	28,143	LRCI
	Kempton - Midlands Highway/Mood Food	147,565	0	147,565	
	C1040004 Kempton - Streetscape Plan (Review & Implementation)	35,000	0	35,000	
	Kempton - Streetscape Plan - Footpath Renewal (Dysart House)	23,000	0	23,000	
	G1040006 Kempton - Streetscape Plan - Victoria Memorial Hall	110,000	12,275	97,725	WIP 30/06/20 \$3393.18
	G2020002 Melton Mowbray - Streetscape Works (Trough / Shelter etc)	30,000	5,318	24,682	WIP 30/06/20 \$5318.18
	C1040016 Oatlands - High Street (Footpath Renewal)	61,281	368	60,913	LRCI
	C1040022 Tunbridge - Main Street (Ongoing Kerb & Gutter Renewal)	20,000	0	20,000	
	C1040030 Tunnack - Streetscape concept Plan	45,000	27,808	17,192	
		1,175,752	93,639	1,082,113	
LIGHTING	C1050001 Oatlands - Esplanade Project (Total Project Cost \$128k year 2-2)	384,000	160,087	223,913	\$64k Budget c/fwd WIP 30/6/20 \$61053.34
		384,000	160,087	223,913	
PUBLIC TOILETS	C1110002 Campania - Flour Mill Park - Concrete Pathways/drainage/remove pavers	15,000	0	15,000	\$15 Budget c/fwd
	General Public Toilets - Upgrade Program	20,000	0	20,000	
		35,000	0	35,000	
DRAINAGE	Bagdad - Lyndon Road	15,000	0	15,000	\$15K Budget c/fwd
	C1090013 Bagdad - Midland Highway/Swan Street Drainage	50,000	8,178	41,822	\$50K Budget c/fwd WIP 30/06/20 \$8178.31
	C1090030 Broadmarsh - Elderslie Road	0	2,796	-2,796	
	Campania - Estate Road (School Farm)	10,000	0	10,000	\$10K Budget c/fwd
	Oatlands - High St/Wellington Street Junction	5,000	0	5,000	\$5K Budget c/fwd
		80,000	10,974	69,026	
WASTE	C110001 Wheelie Bins and Crates	5,000	0	5,000	
	C110002 Dysart WTS - General Improvements	15,000	0	15,000	\$15K Budget c/fwd
	Oatlands WTS - Concrete Pad(s)	25,000	0	25,000	\$25K Budget c/fwd
		45,000	0	45,000	
LANDSCAPES					
HERITAGE	Heritage Collections Store	10,000	0	10,000	
	Kempton - Watch House (Internal Fit out)	4,000	0	4,000	\$4K Budget c/fwd
	C3010003 Oatlands - Callington Mill (Asset Renewals)	20,000	0	20,000	
	Oatlands - Gaol Aluminium Temporary Steps (Entrance)	3,500	0	3,500	\$3.5K Budget c/fwd
	Oatlands - Commissariat (79 High Street) Boundary Fence	6,000	0	6,000	
	Oatlands - Roche Hall Forecourt (Interps - Planning Condition of Approval)	40,000	0	40,000	\$40K Budget c/fwd
		83,500	0	83,500	

			BUDGET	EXPENDITURE	VARIANCE	COMMENTS
			\$	\$	\$	
NATURAL	G3020015	Campania - Bush Reserve (Walking/Riding Path)	100,000	4,604	95,396	\$100K Budget c/fwd WIP 30/06/20 \$358
	G3020013	Chauncy Vale - Sanctuary Bridge	55,000	66,405	-11,405	\$55K Budget c/fwd WIP \$42698.10
		Chauncy Vale - Caves Loop	21,000	0	21,000	
	G3020014	Chauncy Vale - Erosion, Stabilisation & Revegetation	15,000	14,410	590	\$15K Budget c/fwd WIP \$8056.76
	C3020007	Chauncy Vale - Improvements	0	2,500	-2,500	Committee Funded Cast Wombat
	C3020008	Oatlands - Maher's Point Landscape Plan	22,404	9,465	12,939	\$22404 Budget c/fwd
	G3020006	Oatlands - Lake Dulverton Walkway (Grants \$135K + \$85K)	220,000	8,618	211,382	\$220K Budget c/fwd WIP \$6198.70
			433,404	106,002	327,402	
CULTURAL		Oatlands - Heritage HUB Internal fitout	10,000	0	10,000	\$10K Budget c/fwd
			10,000	0	10,000	
REGULATORY - DEVELOPMENT	C3040001	Kempton Council Chambers - Chambers Restoration Works	5,000	0	5,000	
	C3040002	Kempton Council Chambers - Clock Restoration Works	20,000	502	19,498	
	C9990001	Kempton Council Chambers - Office Furniture & Equipment	5,000	545	4,455	
			30,000	1,046	28,954	
REGULATORY - PUBLIC HEALTH		Water Bottle Refill Stations	7,980	0	7,980	\$20k Budget c/fwd
	C4060001	Kempton - Community Health Facility	400,000	305,098	94,902	\$225k Budget c/fwd WIP 30/06/20 \$27548.57
			407,980	305,098	102,882	
REGULATORY - ANIMAL CONTROL	C4080001	Kempton - Dog Pound(s)	35,000	468	34,532	\$20k Budget c/fwd
			35,000	468	34,532	
COMMUNITY RECREATION	C4070005	Recreation Committee	20,000	4,593	15,407	
	C4070025	Campania - Public Open Space dev (Play Equip Alexander Circle)	16,000	11,256	4,744	\$16K Budget c/fwd
		Campania - Public Open Space dev (Scaife Subdivision)	23,000	13,816	9,184	\$23K Budget c/fwd
		Campania - Recreation Ground (Internal Toilet Improvements)	40,000	0	40,000	
	C4070038	Campania - Recreation Ground (Nets)	45,000	47,040	-2,040	\$45K Budget c/fwd
	C4070036	Colebrook - Hall (Heating Upgrade)	24,000	24,000	0	
		Colebrook - Recreation Ground - New Pitch Cover	4,500	0	4,500	
		Kempton - Recreation Ground (Lighting)	16,000	0	16,000	\$16K Budget c/fwd
		Kempton - Recreation Ground (Roof Structure - Entry to Clubrooms)	15,000	0	15,000	\$15K Budget c/fwd
	C4070015	Kempton - Blue Place (Boundary adjustment SA2017/12)	0	1,036	-1,036	
		Mangalore - Hall (replace Gutters and Roofing)	18,000	0	18,000	\$18K Budget c/fwd
	G4070038	Mount Pleasant - Recreation Ground (Upgrade Toilets & Stabilisation)	115,336	88,698	26,638	\$36K Budget c/fwd WIP 30/06/20 \$7261.16 Total project budget \$115.336 including additional contributions of \$29,336 recvd 2019/20 from Mt Pleasant
	C4070034	Oatlands - Aquatic Centre (New Pool)	2,900,000	517,209	2,382,791	WIP 30/06/20 \$166,197.29
		Oatlands - Aquatic Centre (New Pool)	0	395,986	-395,986	WIP 30/6/19 \$395,986.00
		Oatlands - Aquatic Centre (New Pool)	0	379,803	-379,803	WIP 30/6/18 \$379,803.40
		Oatlands - Community Hall - Repointing & Crack Repairs	15,000	0	15,000	
	G4070040	Oatlands - Destination Playground Callington Park (inc. reveg & water system)	500,000	458,146	41,854	\$500 Budget c/fwd WIP 30/06/20 \$282200.25
	C4070001	Parattah - Rec Ground - External Toilet (linked to walkway)	12,000	6,192	5,808	\$12K Budget c/fwd
	G4070039	Runnymede - Recreation Ground (resurfacing & watering system)	45,000	99,505	-54,505	\$20K Budget c/fwd WIP 30/06/20 \$40,527
		Tunbridge Park - Perimeter Fence (Safety)	30,000	0	30,000	\$30K Budget c/fwd
			3,838,836	2,047,280	1,791,556	

			BUDGET \$	EXPENDITURE \$	VARIANCE \$	COMMENTS
ACCESS	C4070035	All Buildings (Priority Approach - Year 5 of 5 @ \$10K/year)	50,000	0	50,000	
			50,000	0	50,000	
CAPACITY & SUSTAINABILITY	C5020001	Levendale Community Centre	38,390	0	38,390	\$8K Budget c/fwd
		Oatlands - Midlands Memorial Community Centre - Double glazed windows	40,000	0	40,000	
	C5020002	Oatlands Structure Plan	25,000	9,063	15,937	\$25K Budget c/fwd
			103,390	9,063	94,327	
SAFETY		Road Accident Rescue Unit	3,000	0	3,000	
			3,000	0	3,000	
ORGANISATION SUSTAINABILITY		Oatlands - Council Chambers - Internal Toilets Upgrade	100,000	0	100,000	\$60K Budget c/fwd
	C6020007	Oatlands - Council Chambers - Damp Issues & Stonemasonry	15,000	0	15,000	\$15K Budget c/fwd
		Oatlands - Council Chambers - Works Office (floor coverings)	5,000	0	5,000	\$5K Budget c/fwd
	C6020007	Oatlands - Council chambers - Memorials - Forecourt	4,000	4,000	0	
	C9990001	Oatlands - Town Hall (General - Incl. Office Equip/Furniture)	5,500	359	5,141	
	C6020003	Computer System (Hardware / Software)	37,500	12,641	24,859	
			167,000	17,000	150,000	
WORKS	C6020011	Kempton Depot - Property Purchase (Year 1 Budget of \$180K)	45,000	0	45,000	Total Project Cost - to be funded over 4 yrs (Yr 2 - \$45K)
	C6020011	Kempton Depot - Internal Building Improvements	15,000	0	15,000	\$10K Budget c/fwd
		Kempton Depot - Storage Lockers	2,000	0	2,000	
	C6020001	Oatlands Depot - Solar Panels	16,000	0	16,000	
	C6020001	Oatlands Depot - Roof over containers	0	13,267	-13,267	
	C9990002	Minor Plant Purchases	9,500	1,454	8,046	
	C6020008	Radio System	3,000	0	3,000	
		Excavator (add Rock breaker) MP37/2020	12,800	12,200	600	
		Steam Weeder c/w Trailer	32,000	0	32,000	
		Plant Replacement Program				
		Heavy Vehicles	514,000	49,520	464,480	
		Light Vehicles	210,000	0	210,000	
		(Trade Allowance - \$280K)				
			859,300	76,440	782,860	
		GRAND TOTALS	10,564,003	3,320,093	7,243,910	

CASH FLOW 2020/2021	INFLOWS (OUTFLOWS) (July 2020) \$	INFLOWS (OUTFLOWS) (August 2020) \$	INFLOWS (OUTFLOWS) (September 2020) \$	INFLOWS (OUTFLOWS) (October 2020) \$	INFLOWS (OUTFLOWS) (November 2020) \$	INFLOWS (OUTFLOWS) (Year to Date) \$
Cash flows from operating activities						
Payments						
Employee costs	- 280,287.76	- 286,704.71	- 433,171.67	- 273,782.78	- 302,995.11	- 1,576,942.03
Materials and contracts	- 383,806.48	- 268,732.24	- 478,736.40	- 363,328.17	- 241,573.69	- 1,736,176.98
Interest	- 3,858.96	-	-	-	- 2,440.52	- 6,299.48
Other	- 32,591.93	- 49,587.79	- 59,672.89	- 119,317.20	- 29,152.34	- 290,322.15
	- 700,545.13	- 605,024.74	- 971,580.96	- 756,428.15	- 576,161.66	- 3,609,740.64
Receipts						
Rates	112,384.27	1,497,162.58	1,454,076.61	173,386.59	425,010.56	3,662,020.61
User charges	78,429.45	97,821.67	191,691.47	346,810.89	85,445.84	416,816.38
Interest received	6,114.29	2,283.96	3,750.98	6,353.34	2,423.11	20,925.68
Subsidies	-	-	-	-	-	-
Other revenue grants	-	422,254.00	-	1,861.36	422,254.00	846,369.36
GST Refunds from ATO	-	-	-	-	-	-
Other	- 34,640.70	75,652.19	127,629.49	- 59,104.07	106,488.73	3,048.18
	162,287.31	2,095,174.40	1,393,765.61	469,308.11	828,644.78	4,949,180.21
Net cash from operating activities	- 538,257.82	1,490,149.66	422,184.65	- 287,120.04	252,483.12	1,339,439.57
Cash flows from investing activities						
Payments for property, plant & equipment	- 216,309.91	- 288,121.91	- 294,048.33	- 536,835.75	- 209,533.16	- 1,544,849.06
Proceeds from sale of property, plant & equipment	16,390.91	54.54	31,632.73	5,863.64	73.64	54,015.46
Proceeds from Capital grants	-	-	250,000.00	332,766.00	-	582,766.00
Proceeds from Investments	-	-	-	-	-	-
Payment for Investments	-	-	-	-	-	-
Net cash used in investing activities	- 199,919.00	- 288,067.37	- 12,415.60	- 198,206.11	- 209,459.52	- 908,067.60
Cash flows from financing activities						
Repayment of borrowings	- 7,349.62	-	-	-	- 15,103.20	- 22,452.82
Proceeds from borrowings	-	-	-	-	-	-
Net cash from (used in) financing activities	- 7,349.62	-	-	-	- 15,103.20	- 22,452.82
Net increase/(decrease) in cash held	- 745,526.44	1,202,082.29	409,769.05	- 485,326.15	27,920.40	408,919.15
Cash at beginning of reporting period	13,687,843.06	12,942,316.62	14,144,398.91	14,554,167.96	14,068,841.81	13,687,843.06
Cash at end of year-to-date	12,942,316.62	14,144,398.91	14,554,167.96	14,068,841.81	14,096,762.21	14,096,762.21

**SOUTHERN MIDLANDS COUNCIL : OPERATING EXPENDITURE 2020/21
SUMMARY SHEET**

PROGRAM	YTD ACTUAL (as at 30 Nov 20)	YTD BUDGET (as at 30 Nov 20)	YTD VARIANCE	YTD VARIANCE %	FULL YEAR BUDGET - REVISED INC. GRANTS & OTHER
INFRASTRUCTURE					
Roads	615,204	573,732	41,472	107.23%	3,228,957
Bridges	14,795	13,808	987	107.15%	399,239
Walkways	95,829	92,583	3,246	103.53%	223,152
Lighting	27,902	38,000	10,098	73.43%	91,200
Public Toilets	31,055	34,223	3,168	90.74%	76,938
Sewer/Water	-	-	-	-	-
Drainage	18,872	11,362	7,510	166.10%	79,269
Waste	361,609	430,743	69,134	83.95%	1,055,682
Information, Communication	-	-	-	-	-
INFRASTRUCTURE TOTAL:	1,165,265	1,194,431	29,166	97.56%	5,154,435
GROWTH					
Residential	-	-	-	-	-
Tourism	18,773	22,209	3,436	84.53%	55,502
Business	121,375	89,972	31,402	134.90%	980,933
Industry	-	-	-	-	-
GROWTH TOTAL:	140,148	112,181	27,966	124.93%	1,036,435
LANDSCAPES					
Heritage	136,698	159,791	23,092	85.55%	373,938
Natural	94,699	79,628	15,071	118.93%	186,633
Cultural	-	6,875	6,875	0.00%	16,500
Regulatory - Development	352,467	365,493	13,026	96.44%	877,183
Regulatory - Public Health	3,148	6,777	3,629	46.44%	16,265
Regulatory - Animals	55,724	45,570	10,154	122.26%	100,867
Environmental Sustainability	-	-	-	-	-
LANDSCAPES TOTAL:	642,736	664,134	21,398	96.78%	1,571,386
COMMUNITY					
Community Health & Wellbeing	125,202	119,736	5,466	104.57%	283,366
Recreation	158,968	196,427	37,461	80.93%	511,239
Access	-	-	-	-	-
Volunteers	16,946	34,167	17,221	49.60%	50,000
Families	4,967	6,083	1,116	81.65%	9,000
Education	-	-	-	-	-
Capacity & Sustainability	5,766	16,294	10,527	35.39%	37,405
Safety	7,825	17,538	9,713	44.62%	45,091
Consultation & Communication	7,004	8,500	1,496	82.40%	19,800
LIFESTYLE TOTAL:	326,676	398,744	72,068	81.93%	955,901
ORGANISATION					
Improvement	49,992	48,523	1,469	103.03%	116,455
Sustainability	842,052	785,606	56,446	107.19%	2,331,117
Finances	109,633	103,477	6,157	105.95%	309,907
ORGANISATION TOTAL:	1,001,677	937,606	64,071	106.83%	2,757,479
TOTALS	3,276,502	3,307,096	30,594	99.1%	11,475,636

SOUTHERN MIDLANDS COUNCIL SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED				
	This Financial Year 1st December 2020		Last Financial Year 30th November 2019	
Arrears brought forward as at July 1		\$ 527,651.89		\$ 429,240.71
ADD current rates and charges levied		\$ 5,726,036.51		\$ 5,622,808.75
ADD current interest and penalty		\$ -		\$ 30,742.44
TOTAL rates and charges demanded	100.00%	\$ 6,253,688.40	100.00%	\$ 6,082,791.90
LESS rates and charges collected	56.75%	\$ 3,548,690.02	55.08%	\$ 3,350,433.62
LESS pensioner remissions	3.96%	\$ 247,399.63	3.90%	\$ 237,329.54
LESS other remissions and refunds	-0.07%	-\$ 4,428.00	-0.18%	-\$ 11,071.48
LESS discounts	0.53%	\$ 33,081.51	0.49%	\$ 29,518.35
TOTAL rates and charges collected and remitted	61.16%	\$ 3,824,743.16	59.29%	\$ 3,606,210.03
UNPAID RATES AND CHARGES	38.84%	\$ 2,428,945.24	40.71%	\$ 2,476,581.87

16.3.2 FINANCIAL HARDSHIP ASSISTANCE POLICY (PENALTY & INTEREST)

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 9 DECEMBER 2020

Enclosure:

Financial Hardship Assistance Policy

BACKGROUND

Council adopted the Financial Hardship Assistance Policy on the 22nd April 2020. This policy formally endorsed not charging any late payments penalties or interest for late rate payments during the 2020 Covid-19 state of emergency until the 30th June 2020.

At the June 2020 Council meeting, this position was reviewed and Council agreed to extend clause 2.5 (remitting late payment penalties and interest) within the policy until the 30th September 2020.

Council's position was reviewed again in August 2020 and a decision was made not to impose penalty and interest through until 31st March 2021.

The decision also included a requirement to provide an update at the December 2020 Council meeting detailing the financial impacts of not charging penalty and interest on late rate payments.

[EXTRACT – AUGUST 2020 COUNCIL MINUTES]

DECISION

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

THAT

- a) **Clause 2.5 within the Financial Hardship Assistance Policy relating to charging penalty and interest for late rate payments be extended until the 31st March 2021; and**
- b) **An update be provided at the December 2020 Council meeting detailing the financial impacts of not charging penalty and interest on late rate payments.**

CARRIED

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

[END EXTRACT – AUGUST 2020 COUNCIL MINUTES]

DETAIL

In terms of financial impact, it needs to be assumed that there is a similar level of unpaid rates and charges as the previous financial year.

As at the end of November 2019, penalties of \$10,983 had been applied for non-payment of the first instalment. \$16,529 had also been charged in interest through to the end of November.

The penalty applied for non-payment of the second instalment (as at 9/12/19) was \$10,475.

The penalty applied for non-payment of the third instalment (as at 12/2/20) was \$10,533.

Total interest charged through to the end of March 2020 was \$38,503.

In summary, it is estimated that the total loss of revenue from non-imposition of penalty and interest through to the end of March 2021 will be in the vicinity of \$68,000.

RECOMMENDATION

THAT the information be received.

DECISION

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

THAT the information be received.

CARRIED

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

ENCLOSURE(S)
Agenda Item 16.2.2



Council Policy
FINANCIAL HARDSHIP ASSISTANCE POLICY

Approved by:	Council
Approved date:	22 nd April 2020
Review date:	July 2021

1. INTRODUCTION

1.1 Purpose

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

1.2 Scope

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

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

1.3 Background

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

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

1.4 Principles

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

- (1) Consistent, equitable and respectful treatment of all residents and ratepayers that is sensitive to their specific circumstances.
- (2) Maintaining Council's ability to provide essential services to our community through appropriately applied rating.
- (3) Assisting ratepayers who are suffering serious financial hardship, so that they may overcome these circumstances and return to financial stability and contributing equitably to local services.
- (4) Ensuring that those able to contribute to local services, continue to do so.



Council Policy
FINANCIAL HARDSHIP ASSISTANCE POLICY

Approved by: Council
Approved date: 22nd April 2020
Review date: July 2021

- (5) Minimising the opportunity for misuse, exploitation or fraud by ensuring decisions made to provide special relief or assistance are supported by sufficient evidence.
- (6) Maintaining confidentiality and privacy of applicants and ratepayers, their applications and any information provided.

1.5 Related Policies and Legislation

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

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

1.6 Policy Review and Update Cycle

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

2. POLICY

2.1 Genuine Financial Hardship

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

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

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

- (1) Loss of employment of the property owner, family member or household primary income earner;

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

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

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



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Review date: July 2021

- (2) Serious illness, including physical incapacity, hospitalization, or mental illness of the property owner or family member;
- (3) A natural disaster;
- (4) A public health emergency or declared state of emergency;
- (5) Family tragedy;
- (6) Family breakdown;
- (7) Financial misfortune;
- (8) Other serious or complicating circumstances.

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

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

2.2 Evidence of Financial Hardship

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

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



Council Policy
FINANCIAL HARDSHIP ASSISTANCE POLICY

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2.3 How Council can Help

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

- (1) Postponing rate payments (sections 125-127)
- (2) Remission of late payment penalties or interest (section 128)
- (3) Remission of rates (section 129)

2.4 Postponing Rate Payments – Deferral Arrangements

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

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

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

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

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

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

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

2.5 Remitting Late Payment Penalties and Interest

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

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



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FINANCIAL HARDSHIP ASSISTANCE POLICY

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2.6 Remitting Rates

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

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

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

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

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

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

3. APPLICATIONS

3.1 Applying for Financial Hardship Assistance

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

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

Applications must:

- Demonstrate and provide evidence for financial hardship and circumstances (see Section 2.2 Evidence of Financial Hardship);



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- Describe the type of assistance sought, being:
 - Postponing rate payments (a deferral arrangement);
 - Postponing or waiving late payment penalties or interest;
 - Remitting rates, late payment penalties or interest, in part or in full;
- Address the requirements of the relevant subsections (see section 2.3 How Council can Help).

3.2 Assessing Applications

Applications for deferral arrangements must be decided by:

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

A decision regarding an application for deferral of rates will be made within three (3) working days and the applicant advised accordingly.

Any decision regarding an application for deferral can be subject to a review by Council at the request of the applicant.

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

4. DOCUMENT ADMINISTRATION

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

This document is Version 1.0 effective 22nd April 2020. The document is maintained by the General Manager's Unit, for the Southern Midlands Council.

17. MUNICIPAL SEAL

Nil.

18. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

Council to address urgent business items previously accepted onto the agenda.

- 1. PROPERTY MATTER – OATLANDS (CLOSED SESSION)**
- 2. PROPERTY MATTER – BAGDAD (CLOSED SESSION)**

DECISION

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

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

Matter	<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>Heavy Vehicle Replacement Tender</i>	15(2)(d)
<i>Car Wrecks update</i>	15(2)(g)
<i>Property Matter – Oatlands</i>	15(2)(f)
<i>Property Matter – Bagdad</i>	15(2)(i)

CARRIED

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

DECISION

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

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

CARRIED

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

CLOSED COUNCIL MINUTES

19. BUSINESS IN “CLOSED SESSION”

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

19.1 CLOSED COUNCIL MINUTES - CONFIRMATION

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

19.2 APPLICATIONS FOR LEAVE OF ABSENCE

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

19.3 HEAVY VEHICLE REPLACEMENT TENDER

DECISION

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

**THAT Council accept the Tender submitted by Webster Trucks for the supply of an Isuzu CXZ240-460 Truck at a total changeover cost of \$117,674.34 (excl. GST).
CARRIED**

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

DECISION

Moved by Clr R McDougall, seconded by Clr K Dudgeon

THAT in accordance with the Local Government (Meeting Procedures) Regulations 2015, Council authorises the release of this decision in respect to this item to the general public and for communication to relevant parties.

CARRIED

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

19.4 CAR WRECKS DECEMBER 2020 UPDATE – PROGRESS OF THE SOUTHERN MIDLANDS CAR WRECKS POLICY 2008 –ASSESSMENT OF NUISANCE AND UNSIGHTLY CAR WRECKS IN THE LOCAL GOVERNMENT AREA

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

19.5 PROPERTY MATTER - OATLANDS

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

19.6 PROPERTY MATTER – BAGDAD

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

DECISION

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

THAT Council move out of “Closed Session”.

CARRIED

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

OPEN COUNCIL MINUTES

20. CLOSURE

The meeting closed at 4.35 p.m.

At the conclusion of the meeting, the General Manager expressed appreciation to Elisa Lang (Executive Assistant) for her service provided to Council. This would be her last Council meeting as she will leave Council on 11th December 2020.