



**NORTHERN  
MIDLANDS  
COUNCIL**

# **AGENDA**

**ORDINARY MEETING OF COUNCIL**

**MONDAY, 12 DECEMBER 2022**

Des Jennings  
GENERAL MANAGER



## QUALIFIED PERSONS ADVICE

The *Local Government Act 1993* Section 65 provides as follows:

- (1) A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
- (2) A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless –
  - (a) the general manager certifies, in writing –
    - (i) that such advice was obtained; and
    - (ii) that the general manager took the advice into account in providing general advice to the council or council committee;
  - and
  - (b) a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.

I therefore certify that with respect to all advice, information or recommendation provided to the Council in or with this Agenda:

- i) the advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and
- ii) where any advice is directly given by a person who does not have the required qualifications or experience, that person has obtained and taken into account in that person's general advice, the advice from an appropriately qualified or experienced person.

## RECORDING OF COUNCIL MEETINGS

A copy of the recording of the meeting will be placed on Council's website as soon as practicable after the meeting, the Closed Council session of the meeting will be redacted.

**Regulation 33** of the **Local Government (Meeting Procedures) Regulations 2015** provides for the audio recording of Council meetings.

The purpose of recording meetings of Council is to assist Council officers in the preparation of minutes of proceedings.

Council's Policy includes the following provisions:

- only applies to formal Council meetings (ordinary meetings, special meetings and Annual General meetings);
- does not apply to closed sessions of Council;
- does not apply to Committees of Council;
- the recording will not replace written minutes and a transcript of the recording will not be prepared;
- the recording may be used by Council staff to assist with the preparation of the minutes and by Council during a subsequent meeting within the period that the recording is retained;
- the minutes of a meeting, once confirmed, prevail over the audio recording of the meeting;
- the official copy of the recording of a Council meeting is to be retained by Council for at least a period of 6 months from the date of a meeting and deleted after that period has expired;
- if requested, a recording of a Council meeting to be available to Councillors at no cost within 24 hours of the meeting;
- notices advising that
  - the proceedings of the meeting are to be audio recorded; and
  - the detail relating to the recording of meetings by members of the public; are to be on display at each meeting.

A member of the public may only use an audio recorder, or any other recording and/or transmitting device, to record the proceedings of a meeting of Council with the written permission of the General Manager for the express purpose proposed. The Northern Midlands Council reserves the right to revoke such permission at any time.

Unless expressly stated otherwise, Northern Midlands Council claims copyright ownership of the content of recordings of Council meetings ("the Recordings").

The Recordings may not be uploaded, displayed, transcribed and/or reproduced without the written permission of the General Manager for the express purpose proposed.

The Northern Midlands Council reserves the right to revoke such permission at any time. Apart from uses permitted under the *Copyright Act 1968*, all other rights are reserved.

Requests for authorisations, including authorisations for the use of recordings, should be directed to the General Manager, 13 Smith Street, Longford TAS 7301.

Des Jennings  
GENERAL MANAGER



## GUIDELINES FOR COUNCIL MEETINGS

### MEETING CONDUCT

- People attending Council Meetings are expected to behave in an appropriate manner.
- The following is not acceptable:
  - Offensive or inappropriate behaviour;
  - Personal insults; and
  - Verbal abuse.
- In the case of any inappropriate outburst or derogatory behaviour, an apology from the offending party or parties will be requested. Anyone at the meeting, if they feel offended in any way by any such behaviour specified above, should immediately bring the behaviour to the notice of the Chairperson by the way of a Point of Order.
- The Chairperson has the right to evict from a meeting any person who is not behaving to an appropriate standard.

### PUBLIC QUESTIONS AND STATEMENTS

Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2015* makes provision for Public Question Time during a Council meeting.

Public question time is to commence at approximately 5.30pm and is to be conducted in accordance with the following guidelines:

- At each Council Meeting up to 20 minutes, or such longer period as Council may determine by resolution at that meeting, is to be provided for persons at the meeting to ask questions.
- A person seeking to ask a question must firstly identify himself or herself by stating their name and the town they reside in.
- If more than one person wishes to ask a question, the Mayor is to determine the order in which those questions are asked.
- Questions must be directed to the Mayor who shall answer or direct the question to the appropriate Councillor or Council Officer. A question will be answered if the information is known otherwise taken on notice and responded to in writing within 10 working days.
- Questions should preferably be in writing and provided to the General Manager 7 days prior to the Council Meeting.
- A person is entitled to ask no more than 2 questions on any specific subject. If a person has up to two questions on several subjects, the Mayor may defer those questions until other questions have been asked and refer back to that person only if time permits.
- Each submission speaker is limited to a maximum of 3 minutes.

### REPRESENTATIONS ON PLANNING ITEMS

A maximum of 4 persons per item (2 for and 2 against) will be permitted to address Council on a planning item. After the representation has been made, Councillors are permitted to ask questions of the party who made the representation.

Each speaker is limited to a maximum of 3 minutes.

### PETITIONS

In relation to the receipt of petitions, the provisions of the *Local Government Act 1993*, Part 6 - Petitions, polls and public meetings, S57 and S58, should be noted.



NOTICE IS HEREBY GIVEN THAT THE NEXT MEETING OF THE NORTHERN MIDLANDS COUNCIL WILL BE HELD ON MONDAY, 12 DECEMBER 2022 AT IMMEDIATELY FOLLOWING THE ANNUAL GENERAL MEETING TO BE HELD AT 5.00PM AT THE COUNCIL CHAMBERS, 13 SMITH STREET, LONGFORD

  
DES JENNINGS  
GENERAL MANAGER  
6 DECEMBER 2022

4.00pm Councillor Workshop – closed to the public

5.30pm Public Questions & Statements

## 1 ATTENDANCE

### PRESENT

In Attendance:

### APOLOGIES



## 2 TABLE OF CONTENTS

<b>Item</b>	<b>Page No.</b>
<b>1 ATTENDANCE .....</b>	<b>4</b>
<b>2 TABLE OF CONTENTS .....</b>	<b>5</b>
<b>3 ACKNOWLEDGEMENT OF COUNTRY .....</b>	<b>7</b>
<b>4 DECLARATIONS OF ANY PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE .....</b>	<b>7</b>
<b>5 PROCEDURAL .....</b>	<b>8</b>
<b>5.1 Confirmation Of Council Meeting Minutes .....</b>	<b>8</b>
<b>5.2 Date Of Next Council Meeting .....</b>	<b>8</b>
<b>5.3 Motions On Notice .....</b>	<b>8</b>
5.3.1 Sticky Beaks Cafe: Crash Protection Barriers.....	8
<b>6 COUNCIL COMMITTEES - CONFIRMATION OF MINUTES .....</b>	<b>10</b>
<b>7 COUNCIL COMMITTEES - RECOMMENDATIONS .....</b>	<b>10</b>
<b>8 INFORMATION ITEMS.....</b>	<b>11</b>
<b>8.1 Council Workshops/Meetings Held Since The Last Ordinary Meeting .....</b>	<b>11</b>
<b>8.2 Mayor's Activities Attended &amp; Planned .....</b>	<b>11</b>
<b>8.3 General Manager's Activities .....</b>	<b>12</b>
<b>8.4 Petitions.....</b>	<b>12</b>
<b>8.5 Conferences &amp; Seminars: Report On Attendance By Council Delegates.....</b>	<b>13</b>
<b>8.6 132 &amp; 337 Certificates Issued.....</b>	<b>14</b>
<b>8.7 Animal Control .....</b>	<b>15</b>
<b>8.8 Environmental Health Services .....</b>	<b>16</b>
<b>8.9 Customer Request Receipts .....</b>	<b>17</b>
<b>8.10 Gifts &amp; Donations (Under Section 77 Of The LGA) .....</b>	<b>17</b>
<b>8.11 Action Items: Council Minutes .....</b>	<b>17</b>
<b>8.12 Resource Sharing Summary: 01 July 2021 To 30 June 2022 .....</b>	<b>23</b>
<b>8.13 Vandalism .....</b>	<b>23</b>
<b>8.14 Youth Program Update .....</b>	<b>23</b>
<b>8.15 Integrated Priority Projects &amp; Strategic Plans Update .....</b>	<b>25</b>
<b>8.16 Tourism &amp; Events And Heritage Highway Tourism Region Association (HHTRA) Update ...</b>	<b>27</b>



<b>9 PUBLIC QUESTIONS AND STATEMENTS.....</b>	<b>28</b>
<b>10 COUNCIL ACTING AS A PLANNING AUTHORITY .....</b>	<b>29</b>
<b>11 PLANNING REPORTS.....</b>	<b>29</b>
<b>12 COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION.....</b>	<b>29</b>
<b>13 GOVERNANCE REPORTS .....</b>	<b>30</b>
<b>13.1 Dogs On Lead In The Ross Village Green .....</b>	<b>30</b>
<b>13.2 Invitation To Join Mayor's Voice To Parliament Public Statement.....</b>	<b>34</b>
<b>13.3 Appointment Of Council Representatives To Special Committees, Advisory Committees &amp;         Outside Bodies: Longford Local Legends .....</b>	<b>37</b>
<b>13.4 Policy Review: Councillors Allowances, Travelling &amp; Other Expenses .....</b>	<b>39</b>
<b>14 COMMUNITY &amp; DEVELOPMENT REPORTS.....</b>	<b>42</b>
<b>14.1 Development Services: Monthly Report .....</b>	<b>42</b>
<b>14.2 Department Of Justice - Consumer, Building &amp; Occupational Services (CBOS): Audit Of         Permit Authority Functions .....</b>	<b>50</b>
<b>15 CORPORATE SERVICES REPORTS.....</b>	<b>52</b>
<b>15.1 Monthly Report: Financial Statement .....</b>	<b>52</b>
<b>15.2 Audit Committee .....</b>	<b>53</b>
<b>16 WORKS REPORTS.....</b>	<b>56</b>
<b>17 ITEMS FOR THE CLOSED MEETING .....</b>	<b>57</b>
<b>18 CLOSURE .....</b>	<b>58</b>



### 3 ACKNOWLEDGEMENT OF COUNTRY

We acknowledge and pay our respects to the Tasmanian Aboriginal Community as the traditional and original owners, and continuing custodians of this land on which we gather today and acknowledge Elders – past, present and emerging.

---

### 4 DECLARATIONS OF ANY PECUNIARY INTEREST OF A COUNCILLOR OR CLOSE ASSOCIATE

#### RECOMMENDATION

Council resolved to accept the following Declarations of Interest:

- Mayor Mary Knowles -
- Deputy Mayor Janet Lambert -
- Councillor Dick Adams -
- Councillor Alison Andrews -
- Councillor Richard Archer -
- Councillor Matthew Brooks -
- Councillor Andrew McCullagh -
- Councillor Paul Terrett -

As per the *Local Government Act 1993, Part 5 - Pecuniary Interests, section 48*:

- (1) *A councillor must not participate at any meeting of a council, council committee, special committee, controlling authority, single authority or joint authority in any discussion, nor vote on any matter, in respect of which the councillor–*
    - (a) *has an interest; or*
    - (b) *is aware or ought to be aware that a close associate has an interest.*
  - (2) *A councillor must declare any interest that the councillor has in a matter before any discussion on that matter commences.*
-



## 5 PROCEDURAL

### 5.1 CONFIRMATION OF COUNCIL MEETING MINUTES

#### 5.1.1 Confirmation Of Minutes: Ordinary Council Meeting

##### RECOMMENDATION

That the Open Council Minutes of the Ordinary Meeting of the Northern Midlands Council held at the Council Chambers, Longford on Monday, 28 November 2022, be confirmed as a true record of proceedings.

### 5.2 DATE OF NEXT COUNCIL MEETING

Mayor Knowles advised that the next Ordinary Council Meeting of the Northern Midlands Council would be held at 5.00pm on Monday 30 January 2023.

### 5.3 MOTIONS ON NOTICE

The following notice of Motion was received.

#### 5.3.1 Sticky Beaks Cafe: Crash Protection Barriers

*Responsible Officer:* Des Jennings, General Manager

##### OFFICER'S RECOMMENDATION

That Council Officer's prepare a report on the notice of motion to be presented to a future Council Meeting.  
That the Officers report specifies: actions specified in the resolution; whether actions have been wholly or substantially carried out.

Councillor Adams has requested the below Notice of Motion be tabled at the 12 December 2022 Council Meeting, the motion has been supported by Councillor Andrews:

##### NOTICE OF MOTION

*That Council remove the concrete blocks around Sticky Beaks corner and replace them with black bollards similar to the ones already existing outside the town hall or similar to the many around Launceston undertaking similar building protection.*

##### BACKGROUND

I have been approached by a number of Northern Midlands residents and not just those in Longford, to rescind the decision that saw the introduction of concrete blocks in front of Sticky Beaks Cafe and replace them with black bollards on the grounds that most people believed that was the original decision of Council.





These blocks are not in keeping with the heritage values of the surrounding area;

They are too tall and are blocking visibility of traffic travelling north down Marlborough Street

They are not equally spaced therefore upsetting the symmetry of the building.

Concrete blocks are not known to be satisfactory crash barriers as they shatter if hit and would not impede a vehicle entering into this space.

Therefore I would like to move the following motion:

*"That the Council remove the concrete blocks around Sticky Beaks corner and replace them with black bollards similar to the ones already existing outside the town hall or similar to the many around Launceston undertaking similar building protection"*

#### **OFFICER'S RECOMMENDATION**

- 1) Pursuant to the Local Government Act 1993 Section 63, the General Manager must ensure that Council receives advice from persons who have the necessary qualification or experience to give such advice, information or recommendation on the matter before Council.

RECOMMENDATION: That Council Officer's prepare a report on the notice of motion to be presented to a future Council Meeting.

- 2) Pursuant to the Local Government Regulations, Regulation 18, a councillor or council committee cannot overturn a decision passed at a previous meeting held since the last ordinary election, except by the resolution of an absolute majority (for council) or a simple majority ( for council committee).

Any advice given to a council in respect of a proposed motion to overturn a resolution is to specify if the original motion directed certain action to be taken, and whether that action has been wholly or substantially carried out.

RECOMMENDATION: That the officers report specifies:

- Actions specified in the resolution
- Whether actions have been wholly or substantially carried out.

#### **ATTACHMENTS**

Nil



## 6 COUNCIL COMMITTEES - CONFIRMATION OF MINUTES

No Minutes of meetings of Committees were received.

Matters already considered by Council at previous meetings have been incorporated into **Information Item: Officer's Actions**.

## 7 COUNCIL COMMITTEES - RECOMMENDATIONS

No recommendations from Committees were received.



## 8 INFORMATION ITEMS

### RECOMMENDATION

That the Open Council Information items be received.

### 8.1 COUNCIL WORKSHOPS/MEETINGS HELD SINCE THE LAST ORDINARY MEETING

*Responsible Officer:* Des Jennings, General Manager

The General Manager advised that the following workshops/ meetings had been held:

Date Held	Purpose of Workshop
5 December 2022	<b>Council Workshop</b> Councillors received briefings on a number of matters and projects, including: <ol style="list-style-type: none"><li>1. Strategic Plan 2021-2027 – updates the Northern Midlands Strategic Plan 2017-2027*</li><li>2. Integrated Priority Projects Plan 2021*</li><li>3. Proposed Four Year Community Plan (for discussion – no attachment)</li><li>4. Draft Economic Development Strategy 2022*</li><li>5. Draft Health &amp; Wellbeing Strategy 2022*</li><li>6. Draft Arts &amp; Culture Strategy 2022*</li><li>7. Draft Youth Strategy 2022 (for discussion – no attachment)</li><li>8. Draft Communications &amp; Engagement Strategy 2022*</li><li>9. Tourist Park Campbell Town*</li><li>10. Campbell Town Streetscape*</li><li>11. Longford Streetscape*</li><li>12. Perth Streetscape*</li><li>13. TRANSlink Intermodal Precinct*</li><li>14. Longford Motor Museum*</li><li>15. Perth Sports Precinct*</li><li>16. Honeysuckle Banks, Evandale – master plan*</li><li>17. Longford Racecourse – master plan*</li><li>18. Playground &amp; Open Space Concepts</li></ol>
12 December 2022	<b>Council Workshop</b> Discussion: <ul style="list-style-type: none"><li>• Council Meeting Agenda items</li></ul>
12 December 2022	<b>Annual General Meeting</b>
12 December 2022	<b>Council Meeting</b>

### 8.2 MAYOR'S ACTIVITIES ATTENDED & PLANNED

Mayor's Activities Attended & Planned for the period 30 November to 12 December 2022 are as follows:

Date	Activity
30 November 2022	Attended Southern Local District Christmas function
1 December 2022	Attended Ross Youth Choir event held at Ross
1 December 2022	Attended Councillors Christmas function
2 December 2022	Attended Rossarden Landcare Group meeting
4 December 2022	Attended Ron Radford 'Glover' book launch at Patterdale
5 December 2022	Attended Council workshop
6 December 2022	Attended Campbell Town District Forum meeting



6 December 2022	Attended Ross Local District Committee meeting
6 December 2022	Department of State Growth Climate and Future Industries forum at Longford
6 December 2022	Attended Evandale Advisory Committee meeting
6 December 2022	Attended Perth Local District Committee meeting
7 December 2022	Local Government Association of Tasmania (LGAT) Mayor's workshop
8-9 December 2022	Local Government Association of Tasmania (LGAT) general meeting and congress
12 December 2022	Council Workshop and Meeting
Attended to various Council matters including emails and phonecalls	

### 8.3 GENERAL MANAGER'S ACTIVITIES

General Manager's Activities Attended & Planned for the period 1 November to 9 December 2022 are as follows:

Meetings were attended either in-person, or via electronic means (on-line or via conference call).

Date	Activity
2-3/11/2022	Attended National Local Roads & Transport Congress in Hobart
9/11/2022	Attended TasWater's Owners Representative Meeting in Hobart
10/11/2022	Attended Veterans Cricket Tasmania - official opening of Championship & Queens Jubilee Tree Planting Project by the Tasmanian Governor
10/11/2022	Met with representatives of the Campbell Town Museum re the Campbell Town town hall
14/11/2022	Attended to official investiture of Councillors
16/11/2022	Met with representatives of the Office of the Coordinator General
18/11/2022	Attended Regional General Manager's meeting
21/11/2022	Attended NMC Councillors Professional Development session
24/11/2022	Attended Northern Local District Committee Christmas function at Perth
28/11/2022	Attended Council Workshop & Council Meeting
29/11/2022	Attended Northern Tasmania Development Corporation (NTDC) AGM
30/11/2022	Attended Premier's Local Government Council meeting & function in Hobart
1/12/2022	Attended Councillor's Christmas function
5/12/2022	Attended Council Workshop – project briefing
8-9/12/2022	Attended Local Government Association of Tasmania general meeting & annual conference
Attended to various Ratepayer, Council, Councillor & staff matters	

### 8.4 PETITIONS

#### PURPOSE OF REPORT

In accordance with the Vision, Mission and Values of Council as identified in the *Council's Strategic Plan 2021-2027* and the *Local Government Act 1993, S57-S60*, provision is made for Council to receive petitions tabled at the Council Meeting.

#### OFFICER'S COMMENT

In relation to the receipt of petitions, the following provisions of the *Local Government Act 1993, Part 6 - Petitions, polls and public meetings, S57 and S58*, should be noted:

##### Section 57. Petitions

[Section 57 Substituted by No. 8 of 2005, s. 46, Applied:01 Jul 2005]

(1) A person may lodge a petition with a council by presenting it to a councillor or the general manager.

(2) A person lodging a petition is to ensure that the petition contains –

(a) a clear and concise statement identifying the subject matter and the action requested; and

(b) in the case of a paper petition, a heading on each page indicating the subject matter; and

(c) in the case of a paper petition, a brief statement on each page of the subject matter and the action requested; and

(d) a statement specifying the number of signatories; and

(e) at the end of the petition –

(i) in the case of a paper petition, the full name, address and signature of the person lodging the petition; and



(ii) *in the case of an electronic petition, the full name and address of the person lodging the petition and a statement by that person certifying that the statement of the subject matter and the action requested, as set out at the beginning of the petition, has not been changed.*

(3) *In this section –*

**electronic petition** means a petition where the petition is created and circulated electronically and the signatories have added their details by electronic means;

**paper petition** means a petition where the petition is created on paper which is then circulated and to which the signatories have added their details directly onto the paper;

**petition** means a paper petition or electronic petition;

**signatory** means –

(a) *in the case of a paper petition, a person who has added his or her details to the paper petition and signed the petition; and*

(b) *in the case of an electronic petition, a person who has added his or her details to the electronic petition.*

**58. Tabling petition**

(1) *A councillor who has been presented with a petition is to –*

(a) . . . . .

(b) *forward it to the general manager within 7 days after receiving it.*

(2) *A general manager who has been presented with a petition or receives a petition under subsection (1)(b) is to table the petition at the next ordinary meeting of the council.*

(3) *A petition is not to be tabled if –*

(a) *it does not comply with section 57 ; or*

(b) *it is defamatory; or*

(c) *any action it proposes is unlawful.*

(4) *The general manager is to advise the lodger of a petition that is not tabled the reason for not tabling it within 21 days after lodgement.*

**PETITIONS**

No petitions received.

**ATTACHMENTS**

Nil

**8.5 CONFERENCES & SEMINARS: REPORT ON ATTENDANCE BY COUNCIL DELEGATES**

The following report was filed by Councillor Matthew Brooks.

**National Local Roads & Transport Congress**

**Local Government Is a Wealth Builder**

How local government support productivity is as follows:

1. Providing transport infrastructure – arterial and access roads, cycleways and paths, greenspace networks and clean streets.
2. Enabling the provision of land for housing – strategic planning for housing development, infrastructure coordination to support housing development.
3. Business clusters and innovation – promotion of local business districts, business incubators, business angels.

Local government is a key infrastructure provider. They control 77% of total road length in Australia, 36% of total kilometres travelled in Australia are on local roads.

Productivity benefits from land use planning – natural resource management, efficient city shopping infrastructure, efficient structural and follower infrastructure, management of inter property negative externalities.

**What Local Government Does to Improve Productivity**

- Providing urban infrastructure. Providing land for business.
- Providing land for housing. Better local labour markets.
- Business clusters and innovation. Circular economy and what the productivity commission says we need.
- Dynamic firms and flexible markets.
- A fit for future labour force.
- Leveraging off new technologies.

Local government is innovative but that won't pay the bills and yet local government is kept on a tight leash.

1 in 10 of local government assets across the nation need significant attention and 3 in every 100 assets need to be replaced.

Replacing poor quality infrastructure will cost \$51 billion. 59% of councils report prohibitive cost as a key barrier to take up of digital technology business models.

State government policy is misdirected. State governments focus on amalgamation and joint services, and this overlooks the community wealth building role of local government.



### What To Do? A 3 Horizons Agenda

1. Leveraging existing competencies and can be implemented relatively readily.
2. Will look for ways to innovate but within the scope of existing competencies.
3. Contemplates aspirational ideas.

### Local Government Infrastructure

- Infrastructure = \$342 billion Land = \$127 billion.
- Equity and other financial assets = \$26 billion.
- Cash and investments = \$18 billion.
- Plant and equipment = \$6 billion.

### Local Government Groupings

- Rural agriculture – 222 and 41%
- Rural remote – 75 and 14%
- Urban metro – 134 and 25%
- Urban regional – 106 and 20%
- Total – 537 = 100%

### Local Government Infrastructure Investment

- The value of local government infrastructure has grown at a steady rate of 6.4% per annum.
- The estimated replacement cost of local government infrastructure is \$533 billion.
- Assets are being consumed at an estimated rate of 1.6% or \$7.7 billion per year equivalent to \$304 per person.
- The remaining service potential of local government infrastructure has increased.
- The average age of local government infrastructure is decreasing.
- Councils in the rural remote areas are more likely to hold an older stock of infrastructure assets.

### Local Government Infrastructure Performance

- Poor conditions (needs intervention to maintain) = \$51 billion
- Poor function (needs upgrade to meet current needs) = \$46 billion
- Poor capacity (needs additional assets to meet needs) = \$48 billion

### National Road Overview – Length

- 678,000 km
- Overall growing at 1.4% per year
- Sealed roads growing at 0.8% per year
- Unsealed roads growing at 0.2% per year

### National local roads – Key findings

- Local government is responsible for approximately 77% of all roads in Australia.
- Roads represent 39% or \$204 billion of the total infrastructure replacement cost.
- Of the 678,000km controlled by local government in Australia 265,000km (38%) are sealed and 413,000km (61%) are unsealed.
- \$17.8 billion are in poor condition \$16 billion are in poor function and \$14.3 billion have poor capacity.
- Bridges represent 4% or 26 billion of the total infrastructure replacement cost.
- \$1.6 billion in poor condition; \$1.8 billion have poor function; and \$1.9 billion have poor capacity.

### Good Asset Management Provides Informed Decision Support While Balancing Performance, Cost, And Risk.

- One third of Councils do not have an asset management plan adopted for their major assets.
- 85% of responding council say they had adopted a long-term financial plan, an increase from 72% in 2013.
- Of the 67% of councils who said they had an asset management plan in place, only two thirds of councils did not include the financial projections from the asset management plan in the financial plan.

### Road Safety - The Role of State and Territory Governments

- They manage and deliver road infrastructure investments.
- Deliver workplace health and safety and public health care systems
- Are responsible for registration, licensing systems and public transport.
- Adopt and enforce relevant legislation.

Collaboration across all tiers secured the delivery of over 100 road safety projects on local roads in Tasmania.

---

## 8.6 132 & 337 CERTIFICATES ISSUED

In relation to the issue of 132 and 337 certificates, the following provisions of the *Local Government Act 1993*, Section 132 and Section 337, should be noted:

### **S132. Certificate of liabilities**

(1) A person referred to in [subsection \(2\)](#) may apply to the general manager for a certificate stating–

(a) the amount of any liability for rates, whether due or not on the land and outstanding interest or penalty payable in relation to the



land;

(b) any amount received on account of rates that is held in credit against future liabilities for rates in relation to the land; and

(c) the amount of any charge on the land recoverable by the council.

**S337. Council land information certificate**

(1) A person may apply in writing to the general manager for a certificate in respect of information relating to land specified and clearly identified in the application.

(2) The general manager, on receipt of an application made in accordance with [subsection \(1\)](#), is to issue a certificate in the prescribed form with answers to prescribed questions that are attached to the certificate.

(3) A certificate under [subsection \(2\)](#) relates only to information that the council has on record as at the date of issue of the certificate.

(4) A prescribed fee is payable in respect of the issue of a certificate.

(5) The general manager, on request, may provide in or with the certificate any other information or document relating to the land that the general manager considers relevant.

(6) A council does not incur any liability in respect of any information provided in good faith from sources external to the council.

(7) A person, with the consent of the occupier or owner of specified land, may request in writing to the general manager that an inspection be carried out of that land to obtain supplementary information relevant to that land.

(8) If the general manager agrees to a request under [subsection \(5\)](#) or [\(7\)](#), the general manager may impose any reasonable charges and costs incurred.

(9) In this section –

**land** includes –

(a) any buildings and other structures permanently fixed to land; and

(b) land covered with water; and

(c) water covering land; and

(d) any estate, interest, easement, privilege or right in or over land.

	No. of Certificates Issued 2022/2023 year												Total 2022/2023 YTD	Total 2021/2022
	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June		
132	77	77	69	78	62								363	995
337	47	35	43	26	36								187	530

## 8.7 ANIMAL CONTROL

Prepared by: Martin Maddox, Accountant

Item	Income/Issues 2021/2022		Income/Issues for Nov2022		Income/Issues 2022/2023	
	No.	\$	No.	\$	No.	\$
Dogs Registered	4,272	109,997	136	5,503	3,990	99,230
Dogs Impounded	30	4,302			6	455
Euthanised	1				-	
Re-claimed	25				6	
Re-homed/Dogs Home	4				-	
New Kennel Applications	19	1,368			3	225
Renewed Kennel Licences	83	3,652			83	3,818
Infringement Notices (paid in full)	28	5,142			7	1,139
Legal Action	-				-	
Livestock Impounded	-				-	
<b>TOTAL</b>		<b>124,461</b>		<b>5,503</b>		<b>104,867</b>

**Audits:**

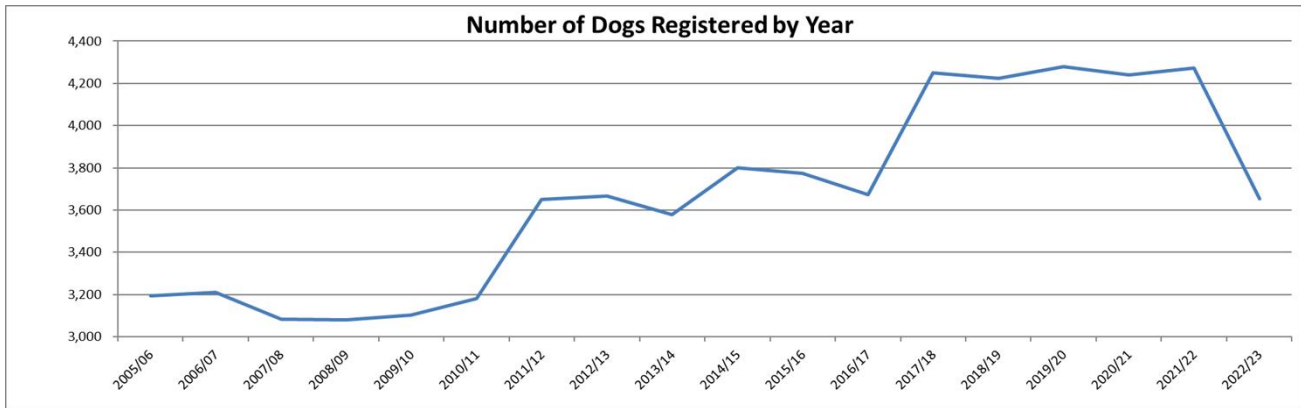
Ongoing including Dangerous Dogs, Kennel Licences, Fire Hazards.

**Microchips:**

0 dogs microchipped.

**Attacks:**

0 attack - 1 under investigation.



## 8.8 ENVIRONMENTAL HEALTH SERVICES

Prepared by: Kate Clark, Environmental Health Officer

Achieve improved levels of environmental and public health by ongoing monitoring, inspection, education and, where necessary, by applying corrective measures to comply with legislation.

Ensure safe standards of food offered for sale are maintained.

Investigations/ Inspections/ Licences Issued	Prior Years		
	2019/2020	2020/2021	2021/2022
Notifiable Diseases	1	0	1
Inspection of Food Premises	111	67	170
Place of Assembly Approvals		1	14

Actions	2022/2023												
	YTD	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Routine Fixed Food Inspections	36 / 208	5	15	16	9	5							
Routine Mobile/Market stall Food Inspections	1	1	1	0	1	1							
Preliminary Site Visits – Licensed Premises	8	8	3	0	0	0							
On-site wastewater Assessments	0	0	0	0	0	9							
Complaints/Enquiries – All Types	10	10	11	6	15	24							
Place of Assembly approvals	0	0	0	0	1	1							
Notifiable Diseases	0	0	0	1	0	0							

All Food premises are due for at least one inspection from 1 July of each year. The number of inspections in the table above is the total number carried out since 1 July in each financial year.

Inspections are conducted according to a risk-based assessment and cover all aspects of food storage, handling and preparation.

A total of 35 criteria are assessed for either compliance, non-compliance or serious non-compliance.

The Tasmanian Department of Health has produced a legal framework, the Food Business Risk-Classification System (RCS), to classify food premises for registration and notification purposes under the *Food Act 2003*.

Actions, including follow-up inspections, are taken according to the outcome of inspections, the RCS can be used to prioritise the inspection of food businesses, with inspection frequency being increased for high risk classified food premises. In addition, poorly performing food premises would be inspected more frequently.

For those enquiring about opening a food business i.e. Home based food business, officers inspect the premises and after a risk assessment determine whether a food licence is to be issued.

The following is applicable regarding food business registrations:

- A Food Business Application is to be completed and lodged with Council each year (Financial) Sections 84 or 87 or 89 of the *Food Act*.
- Council conducts a desk top assessment of the application in accordance with the Food Business Risk Classification System issued by Tasmanian Department of Health. The assessment is based on the information provided by the applicant.
- Based on the Risk assessed an invoice is issued to the applicant.
- Upon receipt of payment Council issues a Certificate of Registration.
- Council conducts an inspection of the premises during their operation to ensure compliance with the *Food Act* and Regulations and the Food Standards Code. The business is also assessed in line with their Risk Classification.





- Further inspections may be required to ensure any non-compliance issued have been addressed.

On-site Wastewater Assessments are completed after receiving a system design report from a consultant which basically determines what type of sewage system is required (septic or AWTS) and the method of distributing the sewage effluent on site based on AS1547.

A place of assembly is required for any mass outdoor public event. This means an event with over 1000 people for 2 hours or more. It may be any performance, exhibition, circus, festival, food festival, pageant, regatta, sports event, dance or publicly advertised lecture.

Notifiable Disease investigations are carried out by Council's Environmental Health Officer at the request of the Department of Health. Investigations typically relate to cases of food borne illness. While some investigations are inconclusive others can be linked to other cases and outbreaks within Tasmania and across Australia. Under the Public Health Act 1997, investigations are confidential.

## 8.9 CUSTOMER REQUEST RECEIPTS

Operational Area	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Animal Control				4	5							
Building & Planning	6	1	5	1	7							
Community Services	4	1	4	1	4							
Corporate Services	3	3			1							
Governance				3	10							
Waste					5							
Works	29	18	28	20	47							

## 8.10 GIFTS & DONATIONS (UNDER SECTION 77 OF THE LGA)

### GIFTS & DONATIONS (UNDER SECTION 77 OF THE LGA)

Date	Recipient	Purpose	Amount \$
3-Aug-22	Reptile Rescue	Donation to service	\$1,000.00
3-Aug-22	Campbell Town District High School	Inspiring Positive Futures Program	\$7,272.73
12-Oct-22	Cressy District High School	Inspiring Positive Futures Program	\$8,000.00
3-Aug-22	Andrew G Upton	Donation - State Rep for Darts Tas Senior Mens Team	\$100.00
17-Aug-22	Lucy Johnston	Aust Interschools Championships Equestrian 2022	\$100.00
17-Aug-22	Debbie Mahar	Aust Multi Disability Bowls Champions 2022	\$100.00
21-Sep-22	Ryan Sansom	Represent Tasmanian Junior 8-Ball Team in Nationals	\$100.00
19-Oct-22	C'Town, Cressy, Evandale, Longford	End of Year School Presentations 2022	\$450.00
19-Oct-22	Longford Fire Brigades	Christmas Lolly run 2022	\$100.00
10-Oct-22	Jonty Nicolson	Second Instalment further education bursary	\$1,000.00
12-Oct-22	Kalani C Brain	Second Instalment further education bursary	\$1,000.00
18-Oct-22	Erica Kirk	Second Instalment further education bursary	\$1,000.00
18-Oct-22	Alex Airey	Second Instalment further education bursary	\$1,000.00
15-Nov-22	Longford Care a Car	Donation	\$1,000.00
15-Nov-22	Helping Hand Association	Donation	\$1,500.00
		TOTAL	\$23,722.73

## 8.11 ACTION ITEMS: COUNCIL MINUTES

Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
27/06/2022	9.8	Commonwealth Bank Customer Advocate Visit to the Northern Midlands	Awaiting external response	That Council a)...; and b) write to the Commonwealth Bank to ask what their intentions are in relation to the provision of banking services in the Northern Midlands; and c) revisit the conversation relating to the provision of banking services by Bendigo Bank.	Lorraine Green	04/07/2022 Lorraine Green Letter forwarded to the Commonwealth Bank Customer Advocate on 4 July 2022, seeking advice as to how the information collected during the Advocate's visit in April 2022 had been applied, and an indication of what the intentions of the Commonwealth Bank are in relation to the future provision of banking services in the Northern Midlands. The issue of revisiting the conversation relating to the provision of banking services by the Bendigo Bank has been referred to the agenda of a



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						forthcoming Council Workshop. 20/07/2022 Lorraine Green A survey of Commonwealth customers is being progressed.
31/01/2022	10.2	Municipal Boundary Adjustment: 101 Pateena Road	Awaiting external response	That Council resolve to request the Director of Local Government in accordance with Section 16 (4A) of the Local Government Act 1993 to initiate a minor municipal boundary adjustment for 101 Pateena Road to be entirely in the Municipality of Meander Valley.	Paul Godier	08/02/2022 Paul Godier Have requested the Spatial Information Specialist at the Department of Natural Resources and Environment to prepare the required maps. 03/03/2022 Paul Godier Spatial Information Specialist provided map on 17 February 2022. Meander Valley Council to consider the request for municipal boundary adjustment at its meeting of 8 March 2022. 25/03/2022 Gail Eacher 8/3/2022 Meander Valley Council agreed to adjustment. Request sent to LG Division 18/3/2022. 04/04/2022 Paul Godier 31 March 2022, the Local Government Division requested consent of new landowner and provision of Municipal Map. Being provided in conjunction with Meander Valley Council. 03/05/2022 Paul Godier Meander Valley Council advised on 1 April 2022 that they will follow up the new ownership and consent. 10/07/2022 Paul Godier Meander Valley Council advised that they have requested the contact details for the new owner from the purchaser's solicitor and followed up. As soon as they have the contact details for the new owner, MVC will make contact to see if they are willing to provide consent for the minor municipal boundary adjustment. 10/10/2022 Paul Godier Asked Meander Valley Council if they now have the new owner details and would they contact the new owner to see if they agree to the municipal boundary adjustment.
28/11/2022	13.1	Council Calendar: 2023 Schedule of Council Meetings and Workshops Dates	Completed	That meetings be held as listed (resolution items i) - iii).	Gail Eacher	06/12/2022 Gail Eacher Dates set.
26/09/2022	7 1.3	CTDF - Community Safety - Police Presence in Campbell Town	Completed	Motion: That Council lobby Tas Police to increase their presence within the Campbell Town community. Decision: That Council officers contact Tasmania Police to discuss the Campbell Town community concerns before formally lobbying for an increased police presence.	Lorraine Wyatt	07/10/2022 Lorraine Wyatt CTDF members reported an increased police presence in the community at the meeting held 4/10/2022. 10/11/2022 Lorraine Wyatt Invitation to attend the CTDF emailed to Officer in Charge, Nicolas Lynch inclusive of concerns raised by CTDF. 05/12/2022 Lorraine Wyatt Sergeant Nick Lynch will be in attendance at the Campbell Town District Forum on Tuesday 6/12/22.
28/11/2022	7 2.2	Government Election Funding	Completed	That Council note the motion put forward by the Committee and action.	Gail Eacher	02/12/2022 Gail Eacher Advice sent to PLDC.
28/11/2022	7 2.3	Note of Thanks: Jan Davis	Completed	Please action as per resolution.	Gail Eacher	02/12/2022 Gail Eacher Advice sent to PLDC.
28/11/2022	7 1.2	Reduce Speed Limit: Wellington Street, Longford	Completed	That Council does not support the recommendations being to reduce the speed limit in Wellington Street from Sticky Beaks corner to Brickendon Street for the following reasons: <ul style="list-style-type: none"> <li>Wellington St is an arterial road and does not have a shopping district so a 60km speed limit is similar to other roads in the area such as Marlborough Street and the main roads through Cressy and Perth, which are all 60 outside the shopping district</li> <li>It is a wide road so 60 is a safe speed limit</li> </ul>	Lorraine Wyatt	05/12/2022 Lorraine Wyatt Council decision emailed to LLDC on 5/12/22



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				â€¢ The Department of State Growth crash stats do not indicate that there are any significant safety issues on Wellington Street		
28/11/2022	13.6	Request for Landowner's Consent to use Bridge Street and Pedder Street, Campbell Town for Car Parking	Completed	That Council recommend that the General Manager to provide the consent required under section 52 (1B) of the Land Use Planning and Approvals Act 1993 to the making of planning application 22-0143 on the condition that the applicant provides plans showing car parking as specified below: Nine 45-degree sealed parking spaces in Bridge Street with kerb and channel and footpath connecting to the property access.	Des Jennings, Paul Godier	02/12/2022 Paul Godier Applicant has been advised that: The elected members of the Council considered this matter at the meeting of 28 November 2022. The Council resolved to recommend that the General Manager provide the consent required under section 52 (1B) of the Land Use Planning and Approvals Act 1993 to the making of planning application PLN22-0143 on the condition that the applicant provides plans showing car parking as specified below: Nine 45-degree sealed parking spaces in Bridge Street with kerb and channel and footpath connecting to the property access.
28/11/2022	13.3	Appointment of Council Representatives to Special Committees, Advisory Committees & Outside Bodies	Completed	That Council make appointments in respect of the membership of Committees of Council and Outside Bodies as reflected within this report for the 2022-2026 period.	Gail Eacher, Lorraine Wyatt	06/12/2022 Gail Eacher Committees being advised.
28/11/2022	7 1.3	Our Town Motto	Completed	That 1 - Officers seek quotes for identifying and recording additional significant trees for inclusion in the planning scheme; 2 - Provision is listed in 2023/2024 draft budget for Council consideration.	Lorraine Wyatt, Paul Godier	02/12/2022 Paul Godier Brief being prepared to send to consultants for quotes. 05/12/2022 Lorraine Wyatt Council decision emailed to LLDC members 5/12/2022
28/11/2022	13.4	Presentation of the 2022 Northern Midland Further Education Bursaries	Completed	That Council appoint Mayor Knowles, Mayor Knowles and Cr Brooks to present the bursaries at Campbell Town District High School, Cressy District High School and Kings Meadows High School respectively.	Lorraine Green	05/12/2022 Lorraine Green The schools have been advised which Councilors will present the bursaries if COVID restrictions allow external presenters at the leaver's assemblies.
26/09/2022	7 4.2	Shade in Playgrounds	In progress	PLDC Motion: The committee requested shade be provided in Perth playgrounds commensurate with sun smart policies. The policy of trees only to provide shade is not adequate especially in new playgrounds i.e. Seccombe Street Playground as trees take years to provide sufficient shade. We request that this matter be reconsidered. Decision: That Council review the adequacy of shade provision at each of the playgrounds within the municipality; and consideration be given in future budgets to remedy any deficiencies identified including urgent installation at playgrounds, e.g. Seccombe Street Playground.	Leigh McCullagh, Maree Bricknell	10/10/2022 Gail Eacher Audit being progressed. Superseded by item 7.3.2 dated 24/10/2022.
	1.3	16/03/2020 - Deferred Item - GOV8 Overhanging Trees/Hedges: Evandale	In progress	Deferred to provide opportunity for the community to attend.	Des Jennings, Gail Eacher	29/09/2021 Harbour Software Support No further action to be taken at this time. To be workshopped and report to be relisted. Discussion held with property owner, formal advice requested. Correspondence to be forwarded to property owner. 25/01/2022 Gail Eacher Correspondence forwarded to property owner, awaiting response. 14/02/2022 Gail Eacher Letter received from property owner. Draft response to queries raised prepared.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
						01/04/2022 Gail Eacher Letter sent to property owner, response awaited. 08/07/2022 Gail Eacher Further information being sought prior to workshop discussion.
	1.4	17/09/2021 - 289/21 - LGAT Motions	In progress	That Council A) submit two motions to the next LGAT General Meeting on the lack of response provided by the following government agencies: Environment Protection Agency, and Department of State Growth.	Des Jennings, Gail Eacher	29/09/2021 Harbour Software Support Motions to be prepared and workshopped. 25/01/2022 Gail Eacher Advice sought.
	1.14	18/09/2017 - 279/17 - Historical Records and Recognition: Service of Councillors	In progress	That Council, ...and ii) progress the following when the glass enclosed area at the front of the Council Chambers is nearing completion: Photograph/photographs of current Councillors - professional printing and framing; Archiving of historic photographs; Production of a photo book of historic photographs for display.	Gail Eacher	29/09/2021 Harbour Software Support Historic photos to be catalogued and collated. 05/10/2021 Gail Eacher Framed photographs installed - action complete. Resources not available to undertake archiving of historic photographs and production of photo book. Additional resource to be sought. 06/12/2021 Gail Eacher Cataloguing and collation of historical photographs has commenced. 29/07/2022 Gail Eacher Cataloguing and collation of historical photographs continues to be undertaken subject to staff workloads.
28/11/2022	13.5	Avoca Primary School Premises	In progress	That Scouts Tasmania be requested to: i) provide Council with a Business Plan; and ii) make a presentation to a Council Workshop; and iii) note that if Council were to enter into an agreement with Scouts Tasmania, that it would be at no cost to Council or the ratepayers.	Des Jennings, Gail Eacher	06/12/2022 Gail Eacher Scouts Tasmania advised of outcome of meeting and progressing preparation of a business plan.
15/08/2022	7 3.2	Bicycle Advisory Committee	In progress	Motion: PLN22-0040: Road & Streetscape Works - Wellington Stret, Longford: That the kerb outstands (pinch points) incorporate rideable/mountable kerbing or, designated bike lane within the kerb outstands, this can be in the same line as the outstand or bend in towards the existing kerb line. Pavement or kerbing to be marked green with the appropriate signage. Decision: That Council considers conditioning PLN22-0040 to include the Bicycle Advisory Committees motion.	Paul Godier, Trent Atkinson	09/09/2022 Trent Atkinson Further information being sourced for presentation at future workshop 21/11/2022 Paul Godier Project Officer has taken to workshop with previous council and will workshop with current council. Changes to plans to be made if required. Re-submit planning application if the changes are substantial. 6/12/2022: Gail Eacher – Workshop presentation to be scheduled. Presentation to 7/12 meeting of Bicycle Committee. Meeting with Trucking Assoc. to be scheduled.
28/11/2022	5 3.1	Council Meetings	In progress	That Council Officer's prepare a report on the notice of motion to be presented to a future Council Meeting. That Council holds the Ordinary Meetings of the Northern Midlands Council every three months in a different town in the council area. Prior to the meetings Council letterbox householders in those town and notices in the Northern Midland Courier, that Council will be meeting in the town, showing the time and location of the meeting. Notification should also be placed on the council web page.	Des Jennings, Gail Eacher	06/12/2022 Gail Eacher Investigation commenced.
24/10/2022	7 1.2	CTDF Recommendation 1	In progress	That the request by the Campbell Town District Forum for a community meeting to discuss community concerns about the future of the swimming pool be investigated and a report be	Leslie Hall, Lorraine Wyatt, Trent Atkinson	23/11/2022 Gail Eacher Report to future Council Meeting.



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				provided to Council (the report to include additional costings).		
28/11/2022	11.1	Draft Amendment 01 of the Northern Midlands Local Provisions Schedule: TRANSlink Specific Area Plan Area 4	In progress	1. That, under section 38(2)(a) of the Land Use Planning and Approvals Act 1993, council decide to agree to the amendment and prepare draft amendment 01 of the Local Provisions Schedule; and 2. That, under section 40F(2)(a) of the Land Use Planning and Approvals Act 1993, council certify draft amendment 01 of the Northern Midlands Local Provisions Schedule as meeting the LPS criteria ...	Paul Godier	02/12/2022 Paul Godier Draft amendment on public exhibition for 28 days.
28/11/2022	11.2	Draft Amendment 02 of the Northern Midlands Local Provisions Schedule: 21 Macquarie Street, Cressy	In progress	1. That, under section 38(2)(a) of the Land Use Planning and Approvals Act 1993, council decide to agree to the amendment and prepare draft amendment 02 of the Local Provisions Schedule; and 2. That, under section 40F(2)(a) of the Land Use Planning and Approvals Act 1993, council certify draft amendment 02 of the Northern Midlands Local Provisions Schedule as meeting the LPS criteria. ...	Paul Godier	02/12/2022 Paul Godier Draft amendment on public exhibition for 28 days.
28/11/2022	5 3.3	Live Streaming of Open Council Meetings	In progress	That Council Officer's prepare a report on the notice of motion to be presented to a future Council Meeting. The Northern Midlands Council investigate options for live streaming of open council meetings, including the technology and software requirements, timeframes for implementation and budget considerations.	Des Jennings, Gail Eacher	06/12/2022 Gail Eacher Investigation commenced.
24/10/2022	7 3.2	Playground Policy and Shade Structures	In progress	That Council receive a report on the audit of playgrounds currently being undertaken, together with a draft Playground Policy document for discussion prior to consideration of the 2023/2024 municipal budget.	Gail Eacher	22/11/2022 Gail Eacher Playground audit in progress.
24/10/2022	12.1	Request for changed speed limit in Breadalbane	In progress	That Council request the Transport Commissioner at the Department of State Growth to consider lowering the speed limit in Breadalbane to 60kph.	Jonathan Galbraith	21/11/2022 Jonathan Galbraith Currently preparing information for review by the transport commissioner 05/12/2022 Jonathan Galbraith Proposal for change to speed limit has been submitted to the Department of State Growth
24/10/2022	12.2	Safety at the intersection of Mulgrave and Seccombe St	In progress	That the existing giveway signs be replaced with larger size giveway signs and rumble bars be installed in the centre of the road.	Jonathan Galbraith	21/11/2022 Jonathan Galbraith Design work for proposed works has been completed. Currently seeking quotes to carry out works.
28/11/2022	5 3.2	Sale of Campbell Town Hall	In progress	That Council Officer's prepare a report on the notice of motion to be presented to a future Council Meeting; and That the Officers report specifies: actions specified in the resolution; whether actions have been wholly or substantially carried out; and That no further action be taken until the further report is considered by Council. 1) Council does not proceed with the sale of the Campbell Town Hall. 2) Minute No 122/21, 176/21, 284/21, 22/23 and 22/296 be rescinded 3) Minute No.	Des Jennings, Gail Eacher	06/12/2022 Gail Eacher Report to be prepared.





Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
				122/21, 22/23 and 22/296 any discussion, decision, report or document be released to the public 4) A further updated report be brought back to Council on the maintenance, restoration, and future use for the building with a fully modelled and costed works programme. 5) That a committee be appointed to look at alternative strategies and uses for the building and a business model be developed for the building.		
15/08/2022	9.8	Swimming Pool Operations: 2021-2022 Full Season Update	In progress	That Council receives a further report with matters clarified and that templates be created so that the information received from the facilities is consistent.	Leslie Hall, Maree Bricknell	09/09/2022 Leslie Hall New process being put in place for 2022/23 season. Currently reviewing process, and looking to utilise new WHS inspection reporting. Report will be prepared once review is complete. New reporting will address inconsistencies with reporting accuracy. Corporate services are liaising with Committees to look to align financial reporting from committees with the pool season, as opposed to current Calendar Year reporting periods. 10/10/2022 Gail Eacher INFO item to Council after commencement of season and system is up and running.
28/11/2022	5 3.4	Waste Dump Point at Evandale	In progress	That Council Officer's prepare a report on the notice of motion to be presented to a future Council Meeting. That a report be prepared for council to examine the installation of a new Recreational Vehicle waste pump point in the Evandale area. The report should include costs to install a new pump point and possible sites in the Evandale area. The report should be sent to the Evandale District Committee for comment.	Des Jennings, Gail Eacher	06/12/2022 Gail Eacher Investigation commenced.
27/06/2022	7 3.3	Wellington Street - Traffic Calming	In progress	That Council investigate the feasibility of installing an LED Smart Speed Display, or similar.	Jonathan Galbraith, Lorraine Wyatt	30/06/2022 Lorraine Wyatt Council decision communicated to LLDC via email 1 July 2022. 22/07/2022 Jonathan Galbraith These signs are very expensive (indicatively \$25,000+), need to consider if the cost is justified. Jonathan has emailed DSG to see if they are using these signs or can provide further information.
24/10/2022	7 3.4	William Street Reserve - Naming of Bridge and Installation of Bench	In progress	That Council: 1) agree to the proposal to install a bench seat and plaque in honour of John Stagg near the William Street Reserve footbridge; 2) agree to the secretarial assistance allocation of the PLDC being contributed toward the installation of the memorial seat; and 3) on completion of the William Street Reserve bridge, invite the PLDC and the Perth community to make submissions for the naming of the bridge, prior to a report to Council.	Gail Eacher, Leigh McCullagh, Maree Bricknell	22/11/2022 Gail Eacher Committee advised of Council decision. Matter to be progressed.
15/08/2022	9.5	Youth Advisory Group	In progress	That Council endorse the progression of the Northern Midlands Youth Advisory Group.	Natalie Dell	14/09/2022 Natalie Dell Terms of Reference being prepared. Commencement plan: recruit young people for YAG during Term 4, commence group in Term 1.
28/11/2022	13.1	Council Calendar: 2023 Schedule of	Not yet started	iv) that a bus tour take place at a date to be determined.	Maree Bricknell	



Meeting Date	Item No.	Item	Status	Action Required	Assignees	Action Taken
		Council Meetings and Workshops Dates				

### 8.12 RESOURCE SHARING SUMMARY: 01 JULY 2021 TO 30 JUNE 2022

Resource Sharing Summary 1/7/22 to 30/6/23	Units Billed	Amount Billed GST Exclusive \$
<b>Meander Valley Council</b>		
<b>Service Provided by NMC to MVC</b>		
Street Sweeping Plant Operator Wages and Oncosts	95	4,248
Street Sweeper - Plant Hire Hours	95	6,455
<b>Total Services Provided by NMC to Meander Valley Council</b>		<b>10,703</b>
<b>Service Provided by Meander Valley Council to NMC</b>		
<b>Wages and Oncosts</b>		
Plumbing Inspector Services	276.5	21,183
Engineering Services	-	-
<b>Total Service Provided by MVC to NMC</b>		<b>21,183</b>
<b>Net Income Flow</b>		<b>- 10,481</b>
<b>Total Net</b>		<b>- 10,481</b>
<b>Private Works and Council Funded Works for External Organisations</b>		
Evandale Anglican Church – Mowing	4	
Uniting Church High Street Evandale – Mowing	4.5	
Evandale War Memorial Hall - Cleaning	8	
Cressy Uniting Church Ground - Mowing	3	
Evandale Community Centre - Cleaning	18	
Elizabeth Macquarie Trust – Dam surveillance	2	
Ross Rec Ground – Cleaning clubrooms	30	
Education Dept – Avoca School – Maintenance of grounds	17	
Fingal Police Station – Cleaning	5	
Ash Centre Avoca – Cleaning & Ground Maintenance	19	
Avoca Town Hall – Cleaning	7.5	
Campbell Town Police Station – Cleaning	1	
Longford, Perth & Evandale – Pitch cover removal	31.5	
Oakley & Butler – Treet planting Ross development	29.5	
Top soil delivered to 13 Paton Street	4	
	<b>184</b>	

### 8.13 VANDALISM

Prepared by: Jonathan Galbraith, Engineering Officer

Incident	Location	Oct 2022	Estimated Cost of Damages	
			Total 2022/23	Total 2021/22
Graffiti on roof at recreation ground	Perth	\$ 500		
Damage to toilets at Victoria Square	Longford	\$ 1,000		
Graffiti in toilets at Valentines Park	Campbell Town	\$ 1,000		
<b>TOTAL COST VANDALISM</b>		<b>\$ 2,500</b>	<b>\$ 7,600</b>	<b>\$ 10,200</b>

### 8.14 YOUTH PROGRAM UPDATE



Prepared by: *Natalie Dell, Youth Officer*

PCYC Program

Council fund PCYC activities in the Northern Midlands. The program is currently being facilitated in Perth on Thursdays during school terms. Attendance numbers for the Perth program in November as follows:

	Date of Session	Attendance	Comment
Perth			
	3-11	0	Cancelled- school disco
	10-11	17	
	17/11	19	
	24/11	17	

Free2B Girls Program

The Free2B Girls program is funded by Tasmania Community Fund and has commenced in Longford and Campbell Town. Attendance for the month of November as follows:

Session Venue	Date of Session	Attendance	Comment
Campbell Town			
	2/11	0	Instructor illness
	9/11	1	Teacher strike- half day for students
	16/11	8	
	23/11	5	
Longford			
	1/11	9	
	8/11	9	
	15/11	9	
	22/11	7	Participant: 'Free2b is the highlight of my week, I just love it here. I really want all my friends to come so I can share it with them'
	29/11	8	

Northern Midlands Active Youth Program

The program is funded by Healthy Tasmania and has commenced in Campbell Town and Cressy. The program is conducted during school lunch time and is meeting with great success. Attendance for the month of November as follows:

Session Venue	Date of Session	Attendance	Comment
Campbell Town			
	1-11	14	
	8/11	26	
	15/11	0	Cancelled- wet weather
	22/11	22	
	29/11	22	
Cressy			
	3-11	0	School carnival
	10-11	23	
	17/11	15	
	24/11	16	

Meetings

Natalie Dell represents Council on the Northern Youth Coordinating Committee and the Northern Midlands Interagency Meetings.

Breakfast Club- Cressy: The Cressy Breakfast program has been further developed liaising with the School Chaplain and Youth Officer, to provide freely available Breakfast items for students. The School has identified several young people





who will benefit from participating in the program. The program will help address students' health, well-being, and food security. This program is being well received by the students and School.

SPARK: To help foster leadership and support youth focused initiatives in Schools. School Representative Councils (SRC) can apply for funding of projects (up to \$300/year) to be held in their schools. Supporting education and employment opportunities for young people.

Youth Advisory Group: Youth Officer will begin recruitment for Youth Advisory Group in Term 4 with the group to commence in Term 1.

NM Youth Health Expo: Following excellent feedback from Campbell Town District High School Staff, Students and Service Providers, aiming to make the Expo for Mental Health week an annual event.

## 8.15 INTEGRATED PRIORITY PROJECTS & STRATEGIC PLANS UPDATE

Prepared by: Maree Bricknell, Corporate Services Manager & Lorraine Green, Project Officer

### CURRENT AS OF 1 DECEMBER 2022

Progress Report:

 Not Started (obstacles)

 On Hold

 On Track

 Completed

### INTEGRATED PRIORITY PROJECTS PLAN:

Project	Status	Budget 2022-23	\$	Scheduled	
<b>1 Progress: Economic health and wealth - grow and prosper</b>					
<i>Foundation Projects</i>					
4.1 <i>Main Street Upgrades: Campbell Town, Longford &amp; Perth</i>	Gov	<b>Campbell Town</b> Construction of Midland Highway underpass at Campbell Town completed. Building Better Regions Fund application submitted for funding towards implementation of Stage 1 of the Urban Design Strategy. Outcome awaited.	Budget allocation 2022-23 plus contribution from \$8m Federal Govt Election Commitment 2022.	1,450,000	Commence Dec-Oct 23
	Gov	<b>Longford</b> Commitment of \$4m from National Party prior to 2019 Federal Election. Consultation completed for memorial hall upgrade.	Budget allocation 2022-23. Designed and at DA	1,293,000	Future Workshop
	C&D	<b>Perth</b> Council has endorsed the plan and draft amendments to planning scheme to be prepared. Main Street upgrades included in NMC Priority Projects document	Budget allocation 2022-23 plus contribution from \$8m Federal Govt Election Commitment 2022.	1,141,000	Finalising Documentation for DA
4.4 <i>TRANSLink Intermodal Facility</i>	Gov	Including precinct renewal – stormwater & gas pipeline. Seeking grant assistance to fund planned works. Included in NMC Priority Projects document.	Federal Election commitment of \$5m for planning stage. No Council funded Budget allocation 2022-23. Further \$30m commitment subject to planning stage.	5,000,000	Preliminary discussions commence immediately
<i>Enabling Projects</i>					
5.1 <i>Perth Sports Precinct &amp; Community Centre</i>	Gov	Concept master plan developed October 2020. Included in NMC Priority Projects document.	Valuation for land provided to property owner for consideration. No budget allocation 2022-23 staff resources only.	-	Not scheduled at this stage
5.1 <i>Ben Lomond Public Shelter Development</i>	Gov	<b>Feasibility Study: Investment in Ben Lomond Ski Field Northern Tasmania</b> Study being driven by external stakeholders, Council support provided when requested. Included in NMC Priority Projects document. Government has committed to infrastructure expenditure and	No allocation 2022-23 staff resources only.	-	Not scheduled at this stage



Project	Status	Budget 2022-23	\$	Scheduled
		development of a master plan.		
5.3 <i>Campbell Town – Town Hall Sale or Lease</i>	Gov	Expressions of interest for selling the hall advertised closed 20 May 2022. Agent appointed.	884,000	Report being prepared
5.3 <i>Longford Library &amp; exhibition Building on the Village Green</i>	Gov	<b>Longford Motor Sport Museum</b> Alternative sites for museum being sought by proponents Included in NMC Priority Projects document.	-	Not scheduled at this stage
5.3 <i>Power Undergrounding in Evandale, Longford &amp; Perth</i>	Works	Awaiting funding streams to come available. Included in NMC Priority Projects document.	-	Not scheduled at this stage
5.4 <i>Subdivisions (several – Cressy, Evandale, Longford &amp; Perth)</i>	C&D	Council to identify opportunities to provide infrastructure and secure funding. Included in NMC Priority Projects document	-	Not scheduled at this stage
<b>2 People: Cultural and society – a vibrant future that respects the past</b>				
<b>Enabling Projects</b>				
5.1 <i>Oval Upgrades (several)</i>	Gov	<b>Campbell Town War Memorial Oval Precinct</b> Implementation of Final Stages. Included in NMC Priority Projects document.	212,500	Commence Nov 22
	Gov	<b>Cressy Recreation Ground</b> Implementation of Final Stages Levelling the Playing Field funding received – building work completed. Final report and acquittal submitted. BBQ facility & landscaping to be funded through Local Roads and Community Infrastructure grant. Cricket Australia funding secured towards the of the practice facility..	128,000	Commence Nov 22
5.1 <i>Morven Park Master Plan</i>	Gov	Implementation of Final Stages Works substantially completed: grant acquittal report submitted. Relocation of cricket nets completed – minor works being undertaken funded through State Government election commitment.	10,000	Drainage when balance funding sought. Cricket net removal Dec 22
5.1 <i>Swimming Pool Upgrades (several)</i>	Gov	<b>Covering of Campbell Town &amp; Cressy Swimming Pools</b> Included in NMC Priority Projects document.	-	Not scheduled at this stage
	Gov	<b>Cressy</b> Implementation of Final Stages State election funding grant of \$100,000 received. \$400,000 commitment from National Party prior to 2019 federal election. Grant acquittals submitted Works substantially completed. Concourse, carpark and landscaping to be completed 2021/2022 - 2022/2023.	600,000	Completed
	Gov	<b>Ross</b> Pool operation to continue (as per the current funding model) whilst structurally/operationally safe to do so.	10,000	Oct-22
5.2 <i>Shared Pathways</i>	Gov	Committee established and program to be prepared. Included in NMC Priority Projects document.	250,000	Design stage
<b>4 Place: Nurture our heritage environment</b>				
<b>Foundation Projects</b>				
4.2 <i>Perth South Esk River Parklands</i>	Gov	Building Better Regions Fund grant secured towards the extension of the	310,000	Underway.



Project	Status	Budget 2022-23	\$	Scheduled
	walkway, installation of footbridge and BBQ. Grant Agreement executed Feb 2022. Progress report submitted October 2022. Included in NMC Priority Projects document..	BBQ. Building Better Regions Fund grant of \$187,500		
4.3 <i>Sheepwash Creek Corridor &amp; Open Space</i>	Gov	Grants to be sought for major new/improved infrastructure. Included in NMC Priority Projects document.	200,000	Not scheduled at this stage
4.5 <i>Municipal Tree Planting Program</i>		Annual program being implemented. Included in NMC Priority Projects document.	100,000	Ongoing
<b>Enabling Projects</b>				
5.1 <i>Conara Park Upgrade</i>	Gov	Concept prepared: awaiting funding opportunities. Included in NMC Priority Projects document.	-	Not scheduled at this stage
5.3 <i>Redevelop Cressy Park</i>	Gov	Liaising with Local District Committee to establish/prepare plans for upgrade.	-	Not scheduled at this stage
<b>Total 2022-23 Budget Allocation</b>			<b>11,588,500</b>	

## 8.16 TOURISM & EVENTS AND HERITAGE HIGHWAY TOURISM REGION ASSOCIATION (HHTRA) UPDATE

Prepared by: *Fiona Dewar, Tourism Officer*

### Tourism update:

- Host TVIN Northern Representatives quarterly forum.
- Events:
  - Assist local event organisers to fulfil Council compliance requirements.
  - Coordinate event equipment for event organisers.
  - Keep event list updated and distribute. Update NMC website calendar and ATDW.
- Liaise with various groups re interpretation signage options in the region.
- Respond to general enquiries from visitors and tourism operators.

### HHTRA update:

- Current marketing activities continue and include website blog posts and social media.
- Provide content and feedback on the new HHTRA landing page on the DST website in development.



## 9 PUBLIC QUESTIONS AND STATEMENTS

### **PUBLIC QUESTIONS AND STATEMENTS**

Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2015* makes provision for Public Question Time during a Council meeting.

Public question time is to commence at approximately 5:30pm and is to be conducted in accordance with the following guidelines:

- At each Council Meeting up to 20 minutes, or such longer period as Council may determine by resolution at that meeting, is to be provided for persons at the meeting to ask questions.
- A person seeking to ask a question must firstly identify himself or herself by stating their name and the town they reside in.
- If more than one person wishes to ask a question, the Mayor is to determine the order in which those questions are asked.
- Questions must be directed to the Mayor who shall answer or direct the question to the appropriate Councillor or Council Officer. A question will be answered if the information is known otherwise taken on notice and responded to in writing within 10 working days.
- Questions should preferably be in writing and provided to the General Manager 7 days prior to the Council Meeting.
- A person is entitled to ask no more than 2 questions on any specific subject. If a person has up to two questions on several subjects, the Mayor may defer those questions until other questions have been asked and refer back to that person only if time permits.
- Each submission speaker is limited to a maximum of 3 minutes.

### **PUBLIC QUESTIONS**



## **10 COUNCIL ACTING AS A PLANNING AUTHORITY**

No Planning reports are included in this Council meeting agenda for Council's consideration.

## **11 PLANNING REPORTS**

No Planning reports are included in this Council meeting agenda for Council's consideration.

## **12 COUNCIL ACTING AS A PLANNING AUTHORITY: CESSATION**

No Planning reports included in this Council meeting agenda.



## 13 GOVERNANCE REPORTS

### 13.1 DOGS ON LEAD IN THE ROSS VILLAGE GREEN

*Responsible Officer:* Des Jennings, General Manager

*Report prepared by:* Kirsty Loader, Animal Control Officer

#### RECOMMENDATION

That Council maintain the status of the Ross Village Green as a Dogs on-lead at all times in accordance with current legislation Dog Control Act 2000 (4)(1) – Dog under effective control, except within 10 metres of the playground area (as per declared prohibited public area).

#### 1 PURPOSE OF REPORT

The purpose of this report is to give recommendation to the petition presented to Council by Cr Janet Lambert on behalf of the Local Ross District Committee on 4<sup>th</sup> of October 2022 relative to allow dogs on lead in the Ross Village Green, Church Street, Ross.

#### 2 INTRODUCTION/BACKGROUND

Currently Ross Village Green is legislated under the Dog Control Act 2000 and dogs are permitted in this park whilst on lead at all times as this park under Section 4 (1) of the Dog Control Act – Dog under effective control, except prohibited within 10 metres of the playground area (as per declared prohibited public area)

At the present time Council has erected signs prohibiting dogs, except Guide dogs to access this park area.

For this to be able to be enforced amendments to the Northern Midlands Council Dog Management Policy would need to be passed and this park declared a prohibited area under section 7 of the Dog Control Act.

Due to the current signage members of the public and community are of the belief that the Ross Village Green is currently prohibited to dogs.

Visitors to the town of Ross stop for refreshments and rest within the main street. Many of these visitors travel with their dogs. With the current signage this is a lost opportunity to utilise Ross Village Green for lunch or just a coffee, potentially spending more time in the township.

The park targets a family friendly area which is used by local members of the community, many would like to include their dogs in day-to-day family activities.

#### 3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

##### 3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

**Lead: Serve with honesty, integrity, innovation and pride**

**Leaders with Impact**

**Strategic outcomes:**

1.1 Council is connected to the community



**People: Culture and society - a vibrant future that respects the past**

**Sense of Place - Sustain, Protect, Progress**

**Strategic outcomes:**

3.4 Towns are enviable places to visit, live and work

**Place: Nurture our heritage environment**

**Environment - Cherish, Sustain our Landscapes and Preserve, Protect Our Built Heritage for Tomorrow**

**Strategic outcomes:**

4.4 Our heritage villages and towns are high value assets

**3.2 Integrated Priority Projects Plan 2021**

This plan has been developed with a coordinated perspective to align with local, regional, state and federal plans. Rather than grouping projects by town or assembling a long list of 'nice to have' projects, this plan takes a Council-wide view of needs and opportunities in relation to the strategic investment drivers in the region. This matter has relevance to:

Not applicable.

**4 POLICY IMPLICATIONS**

Changes to Dog Management Policy under Section 7 of the Dog Control Act required if Council is wanting to prohibit dogs from this area.

**5 STATUTORY REQUIREMENTS**

***Dog Control Act 2000***

**4. Dog under effective control**

*(1) A dog, other than a greyhound, a dangerous dog or a restricted breed dog, is under the effective control of a person in a public place if the dog is –*

*(a) on a road or road-related area in a built-up area, or any other public place declared under [Division 2 of Part 3](#) to be an area where a dog must be on a lead, and the dog is secured and restrained by means of a lead not more than 2 metres long held by hand by a person able to control the dog; or*

*(b) tethered to a fixed object by a lead not more than 2 metres long for a period not more than 30 minutes.*

**7. Dog management policy**

*(1) A council is to develop, make and implement a policy relating to dog management in its municipal area.*

*(2) A dog management policy is to include the following:*

*(a) a code relating to responsible ownership of dogs;*

*(b) the policy in relation to declarations made, or to be made, under [Division 2 of Part 3](#) ;*

*(c) a fee structure;*

*(d) any other relevant matter.*

*(3) A council is to –*

*(a) invite public submissions relating to a proposed dog management policy or an amendment of the policy; and*

*(b) consult with any appropriate body or organisation; and*

*(c) consider any submissions and results of any consultation before making the policy or the amendment.*

*(4) A council is to review its dog management policy at least once every 5 years.*

*(5) In reviewing its dog management policy, a council is to take the actions referred to in [subsection \(3\)](#) .*

**Division 2 - Declared areas**

**20. Exercise areas**

*A council may declare an area to be an area where dogs may be exercised subject to any conditions specified in the declaration.*

**21. Training areas**

*A council may declare an area to be an area where dogs may be trained subject to any conditions specified in the declaration.*

**22. Prohibited areas**



(1) A council may declare an area containing sensitive habitat for native wildlife to be an area where dogs are prohibited from entering.

(2) The owner of a dog, other than a guide dog that is accompanying the owner, or a hearing dog that is accompanying the owner, must ensure that the dog does not enter a prohibited area.

Penalty: Fine not exceeding 20 penalty units.

### **23. Restricted areas**

(1) A council may declare an area to be an area where dogs, other than guide dogs or hearing dogs, are restricted from entering –

(a) during specified hours, days or seasons; or

(b) during specified hours, days or seasons unless they are on a lead; or

(c) at all times.

(2) A person must not take a dog that is not a guide dog or a hearing dog into a restricted area otherwise than in accordance with the declaration.

Penalty: Fine not exceeding 5 penalty units.

### **24. Public notice of intention to declare areas**

Before a council resolves to make a declaration under this Division in relation to an area, it is to –

(a) notify, by public notice, the details of –

(i) the area; and

(ii) any condition relating to the use of that area; and

(iii) in the case of a restricted area or prohibited area, the reasons for the declaration; and

(b) invite submissions to be lodged within 15 working days after the notice is published; and

(c) consider any submissions lodged.

### **25. Date and period of declaration**

A council, by public notice, is to notify –

(a) the date on which a declaration under this Division takes effect, being a date at least 20 working days after a notice under section 24 is published; and

(b) the period during which the declaration remains in force.

### **26. Review of declaration**

(1) A declaration under this Division is to be reviewed at least once every 5 years.

(2) In reviewing a declaration, a council is to take the actions referred to in section 24 .

### **27. Signs**

A council is to erect and maintain signs sufficient to identify any exercise area, training area, prohibited area or restricted area.

### **28. Prohibited public areas**

(1) A person must not take a dog into –

(a) any grounds of a school, preschool, kindergarten, creche or other place for the reception of children without the permission of a person in charge of the place; or

(b) any shopping centre or any shop; or

(c) the grounds of a public swimming pool; or

(d) any playing area of a sportsground on which sport is being played; or

(e) any area within 10 metres of a children's playground.

Penalty: Fine not exceeding 5 penalty units.

(2) This section does not apply to –

(a) a guide dog that is accompanying a wholly or partially blind person or is in training for that purpose; or

(b) a hearing dog that is accompanying a wholly or partially deaf person or is in training for that purpose; or

(c) a pet shop; or

(d) the premises of a veterinary surgeon; or

(e) a pet-grooming shop; or

(f) any other premises related to the care and management of dogs.

## **6 FINANCIAL IMPLICATIONS**

A sign would need to be erected at the entrance to the park to state 'Dogs on Lead at all times' and two smaller signs near the playground area stating 'Dogs prohibited within 10m playground'.





A Dog poo bag dispenser to be erected near the entry to the park and a bin away from eating/seating areas made available for dog poo disposal.

Costing for all signs is approximately \$850.

## **7 RISK ISSUES**

Dogs in the children's play section of this park imposes a small risk of injury, as per the Dog Control Act 2000 dogs are not allowed within 10 metres of a children's playground.

Signs to be erected displaying dogs prohibited within 10m of the playground in this area to reduce any risk of injury caused by dogs to children playing on play equipment.

## **8 CONSULTATION WITH STATE GOVERNMENT**

Not Applicable.

## **9 COMMUNITY CONSULTATION**

Community Consultation has already occurred in the form of the petition by the Local District Committee and the committee is in favour of the Ross Village Green being dogs on lead at all times.

## **10 OPTIONS FOR COUNCIL TO CONSIDER**

Council can

a) Change current signage to be consistent with the Dog Control Act 2000 legislation, dogs under effective control section 4(1)

Or

b) Prohibit dogs from the Ross Village Green and amend the policy accordingly to comply with the Dog Control Act 2000.

## **11 OFFICER'S COMMENTS/CONCLUSION**

Council's Animal Control Officer recommends support for the community petition and the Ross Village Green should stay as it is legislated under the Dog Control Act 4(1) dogs under effective control. However, Council's Works Manager would prefer that consideration be given to legislating the prohibition of dogs on the Village Green due to the increased service demand in parks where dogs are permitted.

Council is to install updated signage, poo bag dispenser and bin.

## **12 ATTACHMENTS**

1. Signage at Ross Village Green [**13.1.1** - 1 page]
2. Playground at Ross Village Green [**13.1.2** - 1 page]



### 13.2 INVITATION TO JOIN MAYOR'S VOICE TO PARLIAMENT PUBLIC STATEMENT

Responsible Officer: *Des Jennings, General Manager*

Report prepared by: *Lorraine Wyatt, Executive & Communications Officer*

#### RECOMMENDATION

That Council determine to:

- a) support the "Mayors for the Voice to Parliament Public Statement", or
- b) not support the "Mayors for the Voice to Parliament Public Statement".

#### 1 PURPOSE OF REPORT

The purpose of this report is to provide Council with the opportunity to support or not support the Mayors for the Voice to Parliament Public Statement.

#### 2 INTRODUCTION/BACKGROUND

Aboriginal and Torres Strait Islander peoples are not mentioned in the Constitution. The only way we can change the Constitution is if a majority of voters, in a majority of states, vote YES at a referendum.

Correspondence was received on 24 November 2022 from Mayor Darcy Byrne seeking support from Mayors across Australia to be included in a joint Statement in support of the Uluru Statement from the Heart and the upcoming referendum on, whether to constitutionally recognise Aboriginal and Torres Strait Islander people through a Voice to Parliament.

A copy of the "Uluru Statement from the Heart" and, "Mayors for the Voice to Parliament Public Statement" are attached.

#### 3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

##### 3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

**Lead: Serve with honesty, integrity, innovation and pride**

**Leaders with Impact**

**Strategic outcomes:**

- 1.1 Council is connected to the community

##### 3.2 Integrated Priority Projects Plan 2021

Not applicable.

#### 4 POLICY IMPLICATIONS

Nil

#### 5 STATUTORY REQUIREMENTS

Nil



## 6 FINANCIAL IMPLICATIONS

Financial implications are unknown currently. Should Council choose to support the “Mayors for the Voice to Parliament Public Statement”, Council will be required to set a budget allocation for venue hire, consultation fees, staff hours and other overheads such as catering.

## 7 RISK ISSUES

**Community:** Failure to develop and maintain a positive relationship with the community.

**Hazard Type:**

- Inadequate awareness and understanding of community requirements by the Council resulting in community unrest and conflict.
- Failure to effectively manage media and public relations.

**Description:** Poor reputation and image, loss of community support, Lack of community trust, Conflict between Council, and community and/or unrealistic community expectations.

## 8 CONSULTATION WITH STATE GOVERNMENT

Constitution recognition of Tasmanian Aboriginal people occurred in October 2016, when the Tasmanian Parliament unanimously passed the *Constitution Amendment (Constitutional Recognition of Aboriginal People) Act 2016*, which was given Royal Assent ceremony at Government House in December 2016.

The Act amends the *Tasmanian Constitution Act 1934* to recognise Aboriginal people as Tasmania’s First People. The amendment recognises the First Tasmanians in the State’s Constitution. The text of the amendment is as follows:

*“And whereas the Parliament, on behalf of all the people of Tasmania, acknowledges the Aboriginal people as Tasmania’s First People and the traditional and original owners of Tasmanian lands and waters; recognises the enduring spiritual, social, cultural and economic importance of traditional lands and waters to Tasmanian Aboriginal people; and recognises the unique and lasting contributions that Tasmanian Aboriginal people have made and continue to make to Tasmania:”*

Retrieved from

[https://webarchive.libraries.tas.gov.au/20220119023743/https://www.dpac.tas.gov.au/divisions/policy/constitutional\\_recognition\\_of\\_tasmanian\\_aboriginal\\_people](https://webarchive.libraries.tas.gov.au/20220119023743/https://www.dpac.tas.gov.au/divisions/policy/constitutional_recognition_of_tasmanian_aboriginal_people)

## 9 COMMUNITY CONSULTATION

Paragraph four (4) of Mayors for the Voice to Parliament Public Statement states:

*“Local government must play an important role in holding civic forums, promoting dialogue, and providing a platform for Indigenous voices to be heard in the debate”.*

Supporting the Mayors for the Voice to Parliament Public Statement, commits Council to “holding civic forums, promoting dialogue” which will require Council to consult the Aboriginal community and organisations to agree how this will occur and the content.

## 10 OPTIONS FOR COUNCIL TO CONSIDER

Council can support or, not support the support the “Mayors for the Voice to Parliament Public Statement”.

## 11 OFFICER’S COMMENTS/CONCLUSION

Successive Governments and Prime Ministers have spoken of the need for Aboriginal and Torres Strait Islander peoples to take “their rightful place in this nation” however, these promising intentions never came to pass.



The Referendum Council was established in December 2015 to advise the Prime Minister and the Leader of the Opposition on progress and next steps towards a successful referendum to recognise Aboriginal and Torres Strait Islander peoples in the Constitution.

Building on the extensive work of the Expert Panel on Constitutional Recognition of Indigenous Australians and the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples, the Referendum Council was tasked with consulting specifically with Aboriginal and Torres Strait Islander peoples on their views of meaningful recognition.

The Final Report of the Referendum Council was released on 30 June 2017 and contained the following two recommendations.

1. *That a referendum be held to provide in the Australian Constitution for a representative body that gives Aboriginal and Torres Strait Islander First Nations a Voice to the Commonwealth Parliament. One of the specific functions of such a body, to be set out in legislation outside the Constitution, should include the function of monitoring the use of the heads of power in section 51 (xxvi) and section 122. The body will recognise the status of Aboriginal and Torres Strait Islander peoples as the first peoples of Australia.*
2. *That an extra-constitutional Declaration of Recognition be enacted by legislation passed by all Australian Parliaments, ideally on the same day, to articulate a symbolic statement of recognition to unify Australians.*

According to the Australian Human Rights Commission (AHRC), constitutional recognition has the potential to improve the lives of Aboriginal and Torres Strait people in the following way:

- addressing a history of exclusion of Aboriginal and Torres Strait Islander peoples in the life of the nation;
- improve the sense of self-worth and social and emotional well-being of Aboriginal and Torres Strait Islander peoples both as individuals, communities and as part of the national identity;
- enshrine the principles of non-discrimination in to our Constitution;
- change the context in which debates about the challenges faced by Aboriginal and Torres Strait Islander communities take place; and
- build positive relationships based on trust and mutual respect between Aboriginal and Torres Strait Islander peoples and the broader Australian community

The AHRC further states that, “achieving a successful referendum will require a united effort. Australians will need to walk together and talk together to create a constitution that truly reflects the heart and soul of the nation”.

The Constitution forms the structural basis for Australia’s system of government and reflects our values as a nation. While recognising Aboriginal and Torres Strait Islander people in a preamble is largely symbolic, it is an acknowledgement of Australia’s collective past.

If the referendum passes, the following three clauses will be added to the Australian Constitution:

1. *There shall be a body, to be called the Aboriginal and Torres Strait Islander Voice.*
2. *The Aboriginal and Torres Strait Islander Voice may make representations to parliament and the executive government on matters relating to Aboriginal and Torres Strait Islander peoples.*
3. *The parliament shall, subject to this constitution, have power to make laws with respect to the composition, functions, powers and procedures of the Aboriginal and Torres Strait Islander Voice*

## 12 ATTACHMENTS

1. Uluru Statement from the Heart PLAINTEXT [13.2.1 - 1 page]
2. Mayors for the Voice to Parliament public statement v 2 [13.2.2 - 1 page]



### 13.3 APPOINTMENT OF COUNCIL REPRESENTATIVES TO SPECIAL COMMITTEES, ADVISORY COMMITTEES & OUTSIDE BODIES: LONGFORD LOCAL LEGENDS

Responsible Officer: Des Jennings, General Manager

Report prepared by: Gail Eacher, Executive Assistant

#### RECOMMENDATION

That Council appoint Cr/s ..... as its representative on the Longford Local Legends Committee for the 2022-2026 period.

#### 1 PURPOSE OF REPORT

A report appointing Councillors to Special Committees, Advisory Committees and Outside Bodies was considered at the 28 November 2022 Council meeting.

However it was noted that the Longford local Legends Committee was omitted from the list of Council's Special Committees and councillor representatives not appointed.

#### 2 INTRODUCTION/BACKGROUND

In accordance with the provisions of *Section 24 of the Local Government Act 1993*, Special Committees have been established by Council to manage assets within the municipal area and also Advisory Committees and Outside Authorities require Council representation to attend meetings and deal with a range of issues.

#### 3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

##### 3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

**Lead: Serve with honesty, integrity, innovation and pride**

**Leaders with Impact**

**Strategic outcomes:**

- 1.1 Council is connected to the community
- 1.2 Councillors serve with integrity and honesty
- 1.3 Management is efficient, proactive and responsible

**People: Culture and society - a vibrant future that respects the past**

**Sense of Place - Sustain, Protect, Progress**

**Strategic outcomes:**

- 3.4 Towns are enviable places to visit, live and work

**Place: Nurture our heritage environment**

**Environment - Cherish, Sustain our Landscapes and Preserve, Protect Our Built Heritage for Tomorrow**

**Strategic outcomes:**

- 4.2 Meet environmental challenges
- 4.4 Our heritage villages and towns are high value assets

##### 3.2 Integrated Priority Projects Plan 2021

This plan has been developed with a coordinated perspective to align with local, regional, state and federal plans. Rather than grouping projects by town or assembling a long list of 'nice to have' projects, this plan takes a Council-



wide view of needs and opportunities in relation to the strategic investment drivers in the region. This matter has relevance to:

Not applicable.

#### 4 POLICY IMPLICATIONS

The appointment process for Council Representatives to Committees of Council and Outside Bodies has been undertaken in accordance with the Meeting Procedures Policy:

- Adopted by Council on 23 September 2002 (and in the Review of Council Procedures undertaken on 16 October 2006 (min. ref. 388/06))
- Revised 25 January 2010 (Min. No: 15/10)
- Amended 22 March 2010 (Min. No. 69/10)
- Amended 21 September 2015 and incorporating Recording of Meeting Policy (Min. No. 253/14)
- Amended 20 August 2018 (Min. No. 218/18)
- Amended 28 June 2021 – Min. No. 214/21

#### 5 STATUTORY REQUIREMENTS

##### 5.1 *Local Government Act 1993*

The appointment of Council representatives is in accordance with *Section 24 of the Local Government Act 1993*:

- (1) *A council may establish, on such terms and for such purposes as it thinks fit, special committees.*
- (2) *A special committee consists of such persons appointed by the council as the council thinks appropriate.*
- (3) *The council is to determine the procedures relating to meetings of a special committee.*

#### 6 FINANCIAL IMPLICATIONS

N/a

#### 7 RISK ISSUES

N/a

#### 8 CONSULTATION WITH STATE GOVERNMENT

N/a

#### 9 COMMUNITY CONSULTATION

N/a

#### 10 OPTIONS FOR COUNCIL TO CONSIDER

Council can opt to **appoint or not appoint** a representative/s to this Special Committees.

#### 11 OFFICER'S COMMENTS/CONCLUSION

Representation on Special and Other Committees of Council has been an excellent mechanism in providing a link with the organisation and Council and is appreciated by other members.

During the period 2018-2022 Cr Brooks was appointed to this Committee.

#### 12 ATTACHMENTS

Nil



### 13.4 POLICY REVIEW: COUNCILLORS ALLOWANCES, TRAVELLING & OTHER EXPENSES

Responsible Officer: Des Jennings, General Manager

Report prepared by: Gail Eacher, Executive Assistant

#### RECOMMENDATION

That Council endorse the amendments to the Councillors Allowances, Travelling and Other Expenses Policy.

#### 1 PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement of the updates to the Councillors Allowances, Travelling and Other Expenses Policy.

#### 2 INTRODUCTION/BACKGROUND

A recent review of the policy has resulted in the following amendments – additions/inclusions (highlighted) and deletions/ amendments (strikethrough and highlighted):

##### 1. COUNCILLOR'S TRAVELLING EXPENSES

...

- 1.2 Reimbursement is to be paid ~~monthly~~ quarterly on the closest pay run to 1 day of April, July, October and January each year.

...

##### 2. COMMUNICATION EQUIPMENT

###### (I) COMPUTER & INTERNET

A laptop locked for corporate business systems with internet access is provided. The laptop remains the property of Council and at the conclusion of the term of office of a councillor the laptop is to be returned to Council. and

###### (+ II) A CAPITAL COST ALLOWANCE

- a) a capital cost allowance up to a maximum of ~~\$3,600~~ \$1,500 for purchase of a mobile phone, an ipad / printer/ scanner, a computer (loaded with an appropriate operating system and Microsoft Office suite) and a filing cabinet to assist them in performing his/her duties,
- b) the capital cost allowance will be paid upon evidence of the purchase of equipment.

or

###### ~~(II) AN ANNUAL LEASE ALLOWANCE~~

- a) ~~an annual lease allowance up to \$900~~ \$400 per annum to offset the usage of existing personal communication equipment as listed above when a Councillor provides personal communication equipment, which has not been funded previously by Council, for Council use.

Should a Councillor resign or the term of office be terminated prior to the normal four year term, as the laptop is the property of Council, it is to be returned and a pro-rata refund of the capital cost allowance may be payable by that Councillor (this shall be in the form of a cash refund or an equivalent deduction from any allowance payable to the Councillor under Section 7).



## 5. INSURANCE

...

### Schedule of Benefits

Capital Benefit	\$500,000
Weekly Benefit – Injury	Up to \$3,000
Weekly Benefit – Illness	Not insured
Weekly Benefit Period	Up to 156 weeks

Excluded period of claim – Weekly Benefit for 14 days.

Aggregate limit of liability for all claims ~~\$20,000,000~~ \$5,000,000.

~~Perils Insured – Bodily injury caused by an accident and solely and independently of any other cause except illness directly resulting from, or medical or surgical treatment rendered necessary by, such injury, occasions the death or disablement within twelve calendar months from the date of the accident by which such injury is caused.~~

## 6. CONFERENCES & SEMINARS

...

Attendance to all conferences, seminars and training sessions with a cost in excess of ~~\$150-\$200~~ are to be in compliance with a resolution of the Council, except on emergency situations, where approval must be given by a unanimous approval from Council Executive.

...

## 7. COUNCILLORS' ALLOWANCES

...

7.3 Allowances will be paid either fortnightly upon request to the Corporate Services Manager or on a ~~quarterly~~ monthly basis and paid in the closest pay run to 1 day of April, July, October and January each year.

...

## 3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

### 3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

**Lead: Serve with honesty, integrity, innovation and pride**

**Leaders with Impact**

**Strategic outcomes:**

1.2 Councillors serve with integrity and honesty

1.3 Management is efficient, proactive and responsible

### 3.2 Integrated Priority Projects Plan 2021

This plan has been developed with a coordinated perspective to align with local, regional, state and federal plans. Rather than grouping projects by town or assembling a long list of 'nice to have' projects, this plan takes a Council-wide view of needs and opportunities in relation to the strategic investment drivers in the region. This matter has relevance to:





Not applicable.

**4 POLICY IMPLICATIONS**

Regular review of Policies is important to ensure they remain current and correspond with any legislative changes.

**5 STATUTORY REQUIREMENTS**

N/a

**6 FINANCIAL IMPLICATIONS**

As per policy provisions.

**7 RISK ISSUES**

Currency of Policies is important to ensure they remain correspond with economic and legislative changes.

**8 CONSULTATION WITH STATE GOVERNMENT**

N/a

**9 COMMUNITY CONSULTATION**

N/a

**10 OPTIONS FOR COUNCIL TO CONSIDER**

Council can accept, not accept or request further amendments to the policy as presented.

**11 OFFICER'S COMMENTS/CONCLUSION**

That Council consider the amendments to the policy.

**12 ATTACHMENTS**

1. Councillors Allowances Travelling and Other Expenses - December 2022 update [**13.4.1** - 5 pages]
2. Councillors Allowances Travelling and Other Expenses - March 2021 [**13.4.2** - 5 pages]



## 14 COMMUNITY & DEVELOPMENT REPORTS

### 14.1 DEVELOPMENT SERVICES: MONTHLY REPORT

Responsible Officer: *Des Jennings, General Manager*

#### RECOMMENDATION

That the report be noted.

#### 1 PURPOSE OF REPORT

The purpose of this report is to present the Development Services activities as at the month's end.

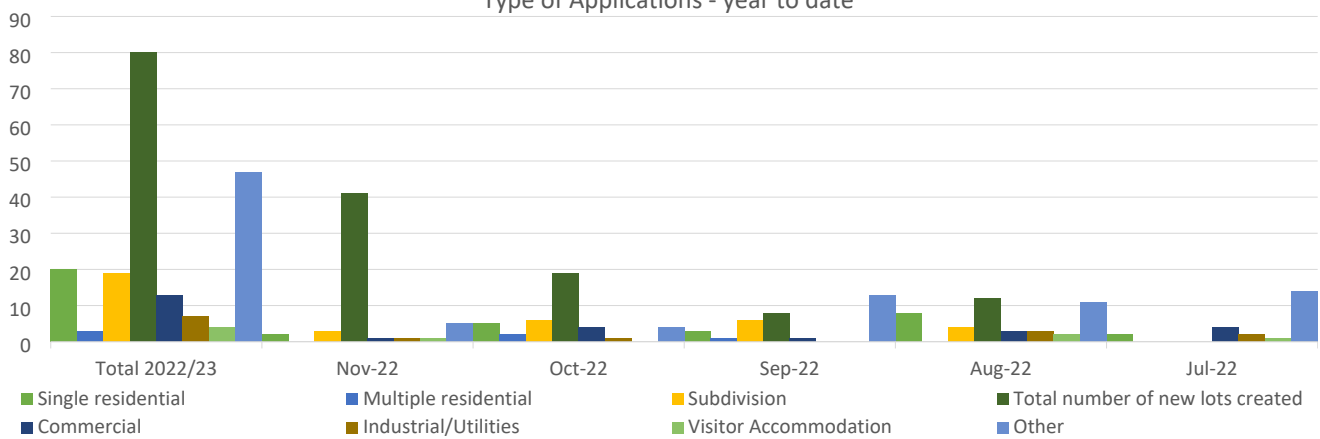
#### 2 DEVELOPMENT SERVICES REPORTING

##### 2.1 Planning Decisions

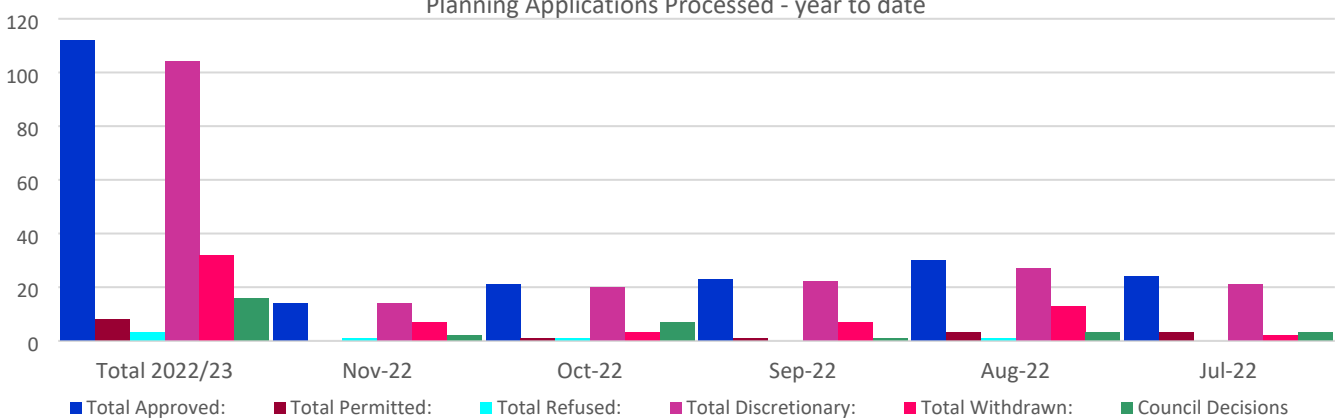
	Total YTD	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
Number of valid applications	<b>87</b>	15	16	17	21	18							
Applications on STOP for further information		47	51	50	38	48							
Single residential	<b>20</b>	2	8	3	5	2							
Multiple residential	<b>3</b>	0	0	1	2	0							
Subdivision	<b>19</b>	0	4	6	6	3							
Total number of new lots created	<b>80</b>	0	12	8	19	41							
Commercial	<b>13</b>	4	3	1	4	1							
Industrial/Utilities	<b>7</b>	2	3	0	1	1							
Visitor Accommodation	<b>4</b>	1	2	0	0	1							
Total permitted	<b>0</b>	0	0	0	0	0							
Total discretionary	<b>4</b>	1	2	0	0	1							
Other (includes all residential development on existing dwellings [alterations/ additions, sheds, solar, fences, pools etc])	<b>47</b>	14	11	13	4	5							
Total No. Applications Approved:	<b>112</b>	24	30	23	21	14							
Total Permitted:	<b>8</b>	3	3	1	1	0							
Average Days for Permitted	<b>15</b>	11	15	<b>11</b>	23								
Days allowed for approval by LUPAA	<b>28</b>	28	28	28	28	28							
Total Exempt under IPS:	<b>38</b>	12	5	5	6	10							
Total Refused:	<b>3</b>	0	1	0	1	1							
Total Discretionary:	<b>104</b>	21	27	22	20	14							
Average Days for Discretionary:	<b>32</b>	32	30	29	35.5	34							
Days allowed for approval under LUPAA:	<b>42</b>	42	42	42	42	42							
Total Withdrawn:	<b>32</b>	2	13	7	3	7							
Council Decisions	<b>16</b>	3	3	1	7	2							
Appeals lodged by the Applicant	<b>3</b>	0	1	1	1	0							
Appeals lodged by third party	<b>1</b>	0	0	0	1	0							



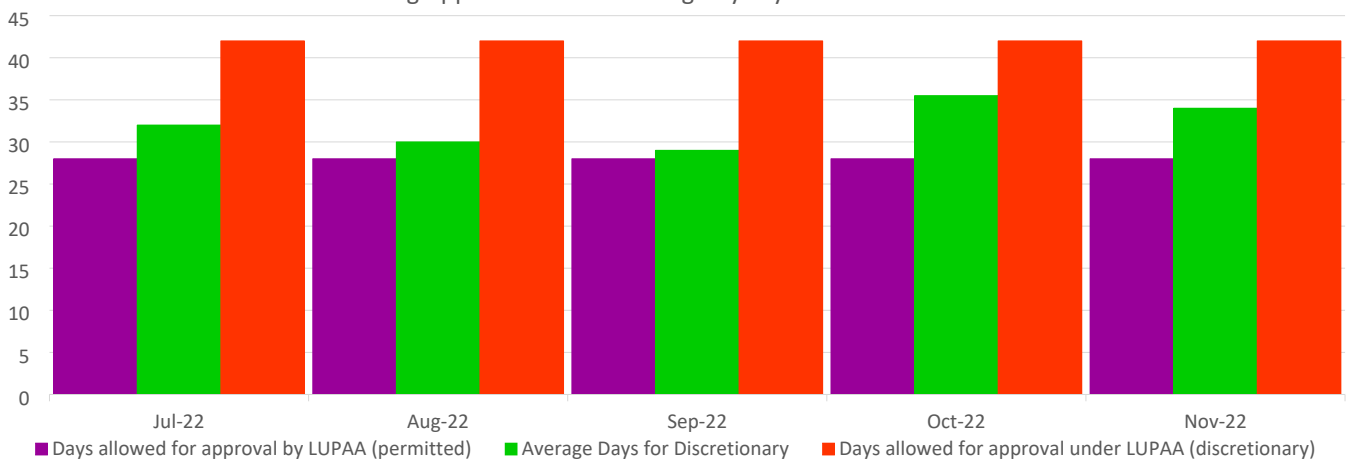
Type of Applications - year to date



Planning Applications Processed - year to date



Planning Applications - Processing Days - year to date



Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
<b>DELEGATED DECISIONS</b>					
PLN21-0330-01	Alterations and Additions to Dwelling, Visitor Accommodation	17 William St Longford	Design to Live		A
PLN21-0345-01	Alterations and Additions to Dwelling	15 Christine Ave Devon Hills	Engineering Plus		A
PLN-22-0149-1	4 Lot Subdivision (Vary 20.4.2 Subdivision on boundary of General Residential Zone; Vary E5.6.1 Flooding and Coastal Inundation)	54 Main St, Cressy TAS 7302	Carlton Dixon	14	A
PLN-22-0013	40 lot subdivision, balance lot & roads (staged subdivision) (vary frontage widths, creation of	Evandale Rd (CT143771/2), 47 Translink Ave South &	PDA Surveyors obo Translink Industrial Pty Ltd	22	D



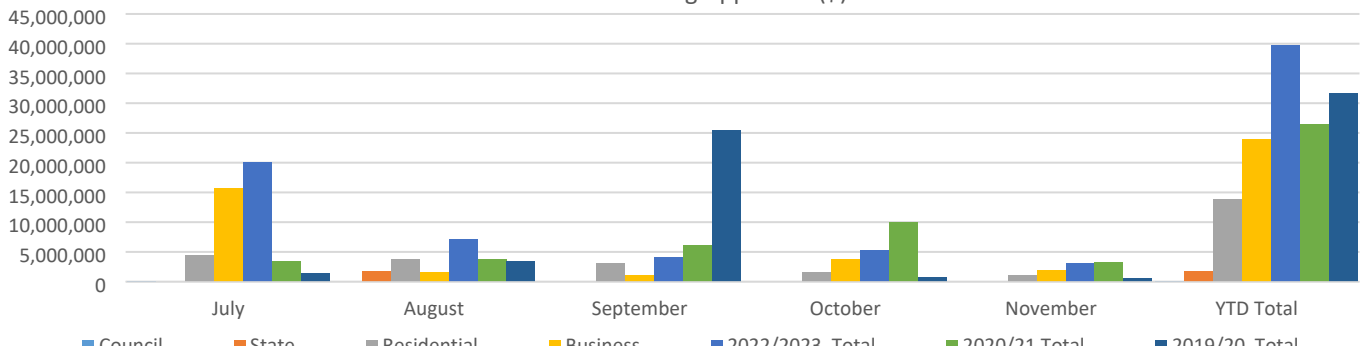
Project	Details	Address	Applicant	No of LUPAA days	Perm / Disc / Exempt
	new roads, storm water discharge to adjoining detention basin and expansion of basin)	Translink Ave South road reserve, Western Junction TAS 7212			
PLN-22-0026	Relocate Farm Cottage including Alterations & Additions (Heritage Listed, Heritage Precinct)	236 Wellington St, Longford TAS 7301	Will Archer	24	D
PLN-22-0108	Change of Use to Visitor Accommodation (Within Attenuation Area of Evandale Wastewater Treatment Plant)	24 Logan Rd, Evandale TAS 7212	Claire Burbury	37	D
PLN-22-0158	2 Lot Subdivision, demolition of shed (Attenuation)	36 Logan Rd, Evandale TAS 7212	Woolcott Surveys	24	D
PLN-22-0195	2 Lot subdivision	790 Hobart Rd, Breadalbane TAS 7258	6ty° Pty Ltd	42	D
PLN-22-0224	Outbuilding (10mx6.5mx4.31m) (10.4.2 Vary front and side setbacks)	49 Phillip St, Perth TAS 7300	Matthew Double	38	D
PLN-22-0225	Shipping Containers x 5 & 2.4m high colorbond fence	49 Lee St, Rossarden TAS 7213	Evelina Van Hecke	35	D
PLN-22-0227	Carport (6mx5.3m) (Heritage Precinct, Vary Front Setback)	35 Goderich St, Longford TAS 7301	John Harris	35	D
PLN-22-0228	Fence for Light Rail (Vary boundary setback; Scenic Management; Heritage Code; Heritage Precinct)	1-3 Barclay St & 2a Cambock Ln, Evandale TAS 7212	Evandale Light Railway and Steam Society Inc	42	D
PLN-22-0229	Awning in Heritage Precinct	21A Smith St, Longford TAS 7301	Optimo Awnings Northern Pty Ltd	29	D
PLN-22-0236	Redevelopment of existing office (Heritage Listed)	15960 Midland Hwy, Perth TAS 7300	6ty° Pty Ltd	41	D
PLN-22-0239	Shed (vary setbacks in Agriculture Zone)	7 Clarendon Lodge Rd, Evandale TAS 7212	Brad Burston	37	D
PLN-22-0245	Proposed Shed (Vary building envelope)	9 Sheringham Ct, Perth TAS 7300	Ms Narelle Lobdale	25	D
<b>COUNCIL DECISIONS</b>					
PLN-22-0180	Dwelling and Stables	Midland Hwy Campbell Town (folio of the Register 103891/1)	Commercial Project Delivery	42	C
<b>COUNCIL DECISIONS - REFUSAL</b>					
PLN-22-0218	Silo Development including Ancillary Buildings & New Access (Vary 26.4.1 P1 building height)	Powranna Rd Cressy (CT198031/1)	Woolcott Surveys	32	CR
<b>DELEGATED DECISIONS - REFUSAL</b>					
PLN-16-311-02	Request to Amend Condition 5 of Planning Permit - Retention of Vegetation	833 Hobart Rd (part of Mining Lease 1958P/M), BREADALBANE Tasmania 7258	Barnes	32	A

## 2.2 Value of Planning Approvals

	Current Year				2022/2023	2021/2022	2020/2021	2019/2020
	Council	State	Residential	Business	Total	Total	Total	Total
July	50,000	0	4,399,020	15,650,000	20,099,020	4,380,747	3,377,500	1,429,000
August	0	1,820,000	3,710,844	1,625,000	7,155,844	3,781,274	3,709,500	3,503,000
September	0	0	3,027,900	1,070,000	4,097,900	14,817,000	6,189,000	25,457,550
October	0	0	1,603,800	3,749,700	5,353,500	2,638,795	9,987,000	717,900
November	0	0	1,087,616	1,936,000	3,023,616	6,052,219	3,281,226	648,500
<b>YTD Total</b>	<b>50,000</b>	<b>1,820,000</b>	<b>13,829,180</b>	<b>24,030,700</b>	<b>39,729,880</b>	<b>31,670,035</b>	<b>26,544,226</b>	<b>31,755,950</b>
<b>Annual Total</b>						<b>91,715,427</b>	<b>59,101,247</b>	<b>55,891,900</b>



Value of Planning Approvals (\$)



### 2.3 Matters Awaiting Decision by TASCAT & TPC

TASCAT	TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL
PLN-22-0160	Appeal P/2022/171. 662 Cressy Road. Appeal against Council's approval of an ancillary dwelling. The Tribunal held a preliminary conference held on 23 November 2022. Mediation being undertaken.
PLN-22-0185	Appeal P/2022/169. 81 Brickendon Street, Longford. Appeal against Council's refusal of a 6 lot subdivision. The Tribunal held a preliminary conference on 21 November 2022. Hearing set for 2 March 2023.
PLN-21-0223	Appeal 152/215. 102 & 104 Marlborough Street, Longford. Appeal against Council's refusal of 7 multiple dwellings. The Tribunal held a preliminary conference on 17 January 2022. Mediation being undertaken.
PLN-21-0073	Appeal P/2022/136. 5 Eskleigh Road, Perth. Appeal against Council's refusal of a 2 lot subdivision. The appellant requested the matter be stood down for a time. The hearing date of 22 November 2022 was adjourned.
Decisions received	
PLN-22-0045	Appeal P/2022/120. 21 Drummond Crescent, Perth. Appeal against Council's refusal of 16 multiple dwellings. Hearing held 11 October 2022. Tribunal's decision received that the decision of the Northern Midlands Council to refuse to grant a permit for planning application PLN-22-0045 is set aside and substituted with a decision to grant a permit subject to the conditions set out in annexure A to the decision. Permit issued.

TPC	TASMANIAN PLANNING COMMISSION
LPS-NOR-TPS	<p>Tasmanian Planning Scheme. The State Planning Provisions (SPPs) came into effect on 2/3/2017. They will have no practical effect until the Local Provisions Schedule (LPS) is in effect in a municipal area. Northern Midlands Council's Draft Local Provisions Schedule submitted to the Commission 19/12/2019. Post lodgement meeting held 5/5/2020. Matters raised by the Commission and recommended response tabled at the 29/6/2020 Council meeting. Remaining responses to post lodgement enquiries provided 28/08/2020. Submission of response to post lodgement enquiries made by TPC due 5/2/2021. Meeting held between Council and Commission staff to discuss these matters held 20/1/2021. Response provided to TPC 12/2/2021. TPC requested further clarifications 16/3/2021. Response provided 8/4/2021. Section 32(4) responses to final TPC queries provided 6/5/2021. Minister's declarations issued 31 May 2021 were included on 28 June Council agenda. GIS consultant made map changes required by the Minister. Provided to TPC 19/7/2021. TPC advised 13/8/2021 of final mapping changes needed for exhibition. GIS consultant made map changes required by the Minister. Provided to TPC 19/7/2021. 6/10/2021, received direction to publicly exhibit draft Local Provisions Schedule. Draft Local Provisions Schedule on public exhibition from 22 October to 21 December 2021. Section 35F report on representations to be presented to Council meeting of 21 February 2022. Deferred until 21 March meeting to get information on the process if Council supports any of the representations. Section 35F report on representations considered at Council meeting of 21 March 2022. Report sent to Tasmanian Planning Commission 28 March 2022. Hearings held 8-10 June 2022.</p> <p>On 4 October 2022 Council received notice under section 35K(1)(a) and section 35KB(4)(a) of the <i>Land Use Planning and Approvals Act 1993</i> from the Tasmanian Planning Commission which advised that:</p> <ul style="list-style-type: none"> <li>The delegates have finalised their consideration of the Northern Midlands draft Local Provisions Schedule (draft LPS) under section 35J of the Act.</li> <li>They consider modifications are required and have issued a decision under section 35K(1) and 35KB.</li> <li>They have directed the Planning Authority to: <ul style="list-style-type: none"> <li>(a) modify the draft LPS, under section 35K(1)(a) of the Act, in accordance with the notice at Attachment 2 to the decision (completed);</li> <li>(b) submit the modified draft LPS to the Commission under section 35K(2)(a) within 28 days (1 November 2022) (completed);</li> <li>(c) to prepare draft amendments under section 35KB(4)(a)(i) of the Act in the terms specified in the notice at Attachment 3 to the decision; and</li> <li>(d) to submit the draft amendments to the Commission under section 35KB(4)(a)(ii) of the Act within 42 days after the Northern Midlands LPS comes into effect (to be submitted by 21 December 2022).</li> </ul> </li> </ul> <p>Notice of approval of the Northern Midlands Local Provisions Schedule was published in the Gazette specifying that the State Planning Provisions and the Local Provisions Schedule, which are as part of the Tasmanian Planning Scheme, came into effect on 9 November 2022. In accordance with section 51 of the Act, applications lodged from 12 October 2022 are assessed against the Tasmanian Planning Scheme</p>

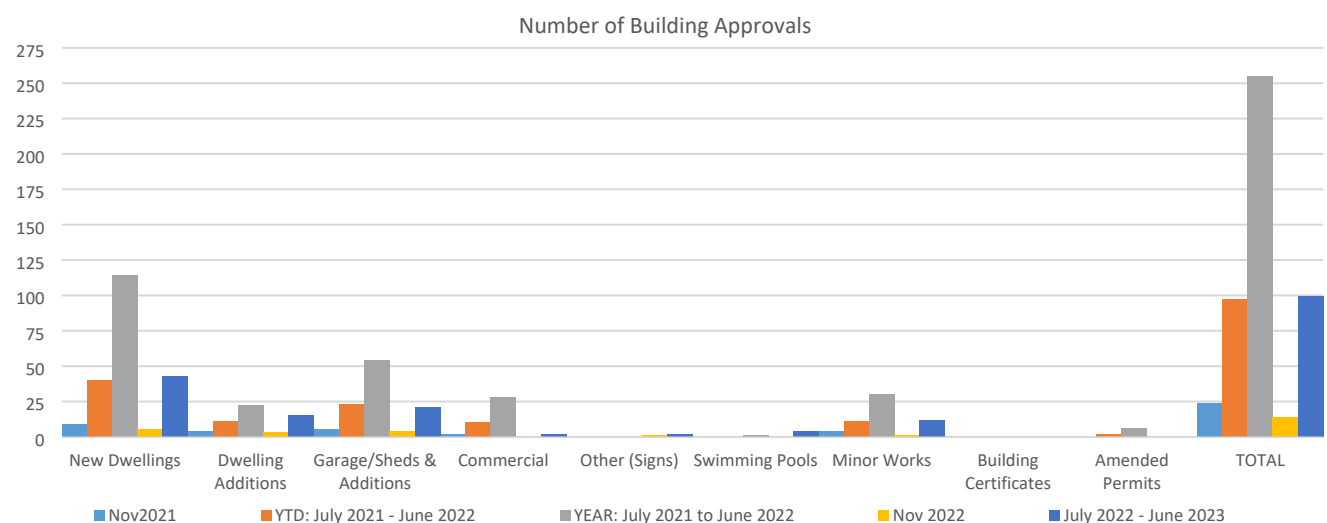


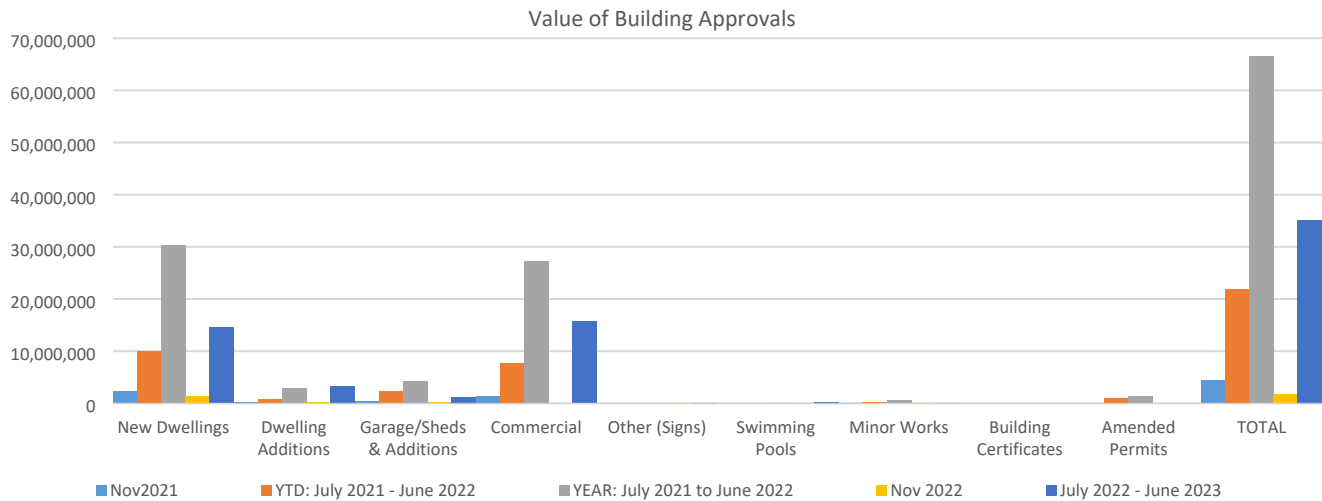
TPC TASMANIAN PLANNING COMMISSION	
	– Northern Midlands and applications that were valid before 12 October 2022 continue to be assessed against the Northern Midlands Interim Planning Scheme 2013.
PLN-22-0056	Draft Amendment 03/2022 to rezone part of folio of the Register 173776/1 to General Residential in conjunction with an s43A application for a 3 Lot subdivision. Placed on public exhibition. TPC has been advised that no representations were received. TPC has required a report under section 40K be provided by 10 January 2023.
PLN-22-0065	Draft Amendment 04-2022 to rezone part of 7 Wellington St, Longford, extend urban growth boundary and insert site specific qualification. Public notification until 29 July 2022. No representations. Information provided as required by TPC on 4 November 2022. GIS mapping required by TPC being prepared.
PLN-22-0183	Draft Amendment 01 to the Northern Midlands Local Provisions Schedule. Translink Specific Area Plan. On public exhibition for 28 days.
PLN21-0214	Draft Amendment 02 to the Northern Midlands Local Provisions Schedule. 21 Macquarie Street, Cressy. On public exhibition for 28 days.
DECISIONS RECEIVED	
-	-

## 2.4 Building Approvals

The following table shows a comparison of the number and total value of building works for 2021-2022 and 2022-2023.

	YEAR: 2021-2022				YEAR		YEAR: 2022-2023			
	Nov 2021		YTD 2021-2022		July 2021 - June 2022		Nov-2022		YTD 2022-2023	
	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value	No.	Total Value
		\$	\$		\$		\$		\$	
New Dwellings	9	2,244,520	40	10,070,230	114	30,244,148	5	1,407,230	43	14,513,020
Dwelling Additions	4	215,000	11	715,000	22	2,848,500	3	162,000	15	3,282,160
Garage/Sheds & Additions	5	451,780	23	2,268,150	54	4,236,238	4	153,140	21	1,214,140
Commercial	2	1,388,930	10	7,688,930	28	27,270,305	0	0	2	15,700,000
Other (Signs)	0	0	0	0	0	0	1	55,000	2	82,945
Swimming Pools	0	0	0	0	1	70,000	0	0	4	296,000
Minor Works	4	56,200	11	152,826	30	525,174	1	2,000	12	102,786
Building Certificates	0	0	0	0	0	0	0	0	0	0
Amended Permits	0	0	2	1,035,000	6	1,295,000	0	0	0	0
<b>TOTAL</b>	<b>24</b>	<b>4,356,430</b>	<b>97</b>	<b>21,930,136</b>	<b>255</b>	<b>66,489,365</b>	<b>14</b>	<b>1,779,370</b>	<b>99</b>	<b>35,191,051</b>
<b>Inspections</b>										
Building	0		2		38		0		0	
Plumbing	26		163		316		15		107	





### 2.5 Planning and Building Compliance – Permit Review

Below are tables of inspections and action taken for the financial year.

	This Month	2022/2023	Total 2021/2022
Number of Inspections	7	24	18
Property owner not home or only recently started			
Complying with all conditions / signed off			2
Not complying with all conditions			
Re-inspection required	6	20	12
Notice of Intention to Issue Enforcement Notice	1	5	
Enforcement Notices issued		1	2
Enforcement Orders issued			
Infringement Notice			
No Further Action Required	1	4	4
	This Month	2022/2023	Total 2021/2022
Number of Inspections	4	9	
Property owner not home or only recently started			
Complying with all conditions / signed off			
Not complying with all conditions			
Re-inspection required	1	3	
Building Notices issued			
Building Orders issued			
No Further Action Required	3	6	
	This Month	2022/2023	Total 2021/2022
Number of Inspections	3	19	11
Commitment provided to submit required documentation		3	
Re-inspection required	3	7	8
Building Notices issued		3	1
Building Orders issued	1	4	
Emergency Order			1
No Further Action Required		9	3
	This Month	2022/2023	Total 2021/2022
Number of Inspections	3	9	29
Commitment provided to submit required documentation			3
Re-inspection required	3	8	21
Enforcement Notices issued			2
Enforcement Orders Issued			
Notice of Intention to Issue Enforcement Notice issued			3
No Further Action Required		1	5

## 3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN

### 3.1 Strategic Plan 2021-2027

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.



**Progress: Economic health and wealth - grow and prosper**

**Strategic Project Delivery - Build Capacity for a Healthy Wealthy Future**

**Strategic outcomes:**

- 2.1 Strategic, sustainable, infrastructure is progressive

**People: Culture and society - a vibrant future that respects the past**

**Sense of Place - Sustain, Protect, Progress**

**Strategic outcomes:**

- 3.1 Sympathetic design respects historical architecture
- 3.2 Developments enhance existing cultural amenity
- 3.4 Towns are enviable places to visit, live and work

**Place: Nurture our heritage environment**

**Environment - Cherish, Sustain our Landscapes and Preserve, Protect Our Built Heritage for Tomorrow**

**Strategic outcomes:**

- 4.1 Cherish and sustain our landscape
- 4.2 Meet environmental challenges
- 4.4 Our heritage villages and towns are high value assets

**3.2 Integrated Priority Projects Plan 2021**

This plan has been developed with a coordinated perspective to align with local, regional, state and federal plans. Rather than grouping projects by town or assembling a long list of 'nice to have' projects, this plan takes a Council-wide view of needs and opportunities in relation to the strategic investment drivers in the region. This matter has relevance to:

**Enabling Project/s:**

*Projects which are considered to be incrementally important – usually by improving existing facilities or other complementary upgrades to infrastructure (does not include Council's business as usual projects including renewal and maintenance of existing assets)*

**5.4 Subdivisions:**

*Several at Cressy, Evandale, Longford & Perth - the Northern Midlands Council is a planning authority with responsibilities specified in the Land Use Planning and Approvals Act 1993 (LUPAA). These responsibilities include developing planning schemes, proposing amendments to planning schemes, supporting or rejecting changes proposed by others and making decisions on individual developments in accordance with the planning scheme. Several significant subdivisions in the Northern Midlands region have recently been identified and are in various stages of conceptual design or planning.*

**4 STATUTORY REQUIREMENTS**

**4.1 Land Use Planning & Approvals Act 1993**

The planning process is regulated by the *Land Use Planning & Approvals Act 1993*, section 43 of which requires Council to observe and enforce the observance of its planning scheme.

**4.2 Building Act 2016**

The *Building Act 2016* requires Council to enforce compliance with the Act.

**5 RISK ISSUES**

Lack of public awareness is a risk to Council. If people are not aware of requirements for planning, building and plumbing





approvals, this may result in work without approval. Council continues to promote requirements to ensure the public is aware of its responsibility when conducting development.

## **6 COMMUNITY CONSULTATION**

Discretionary applications are placed on public notification in accordance with Section 57 of the *Land Use Planning & Approvals Act 1993*.

From time to time, articles are placed in the Northern Midlands Courier and on Council's Facebook page, reminding the public of certain requirements.

## **7 OFFICER'S COMMENTS/CONCLUSION**

There have been 2 commercial building approvals valued a total of \$15,700,000 for 2022/23 (year to date) compared to 10 commercial building approvals valued a total of \$7,688,930 (year to date) for 2021/2022.

In total, there have been 99 building approvals valued at \$35,191,051 (year to date) for 2022/2023 compared to 97 building approvals valued at \$21,930,136 (year to date) for 2021/22.



## 14.2 DEPARTMENT OF JUSTICE - CONSUMER, BUILDING & OCCUPATIONAL SERVICES (CBOS): AUDIT OF PERMIT AUTHORITY FUNCTIONS

Responsible Officer: Des Jennings, General Manager

Report prepared by: Trish Cotton (Building & Compliance Officer) and Wade Hateley (Plumbing Surveyor)

### RECOMMENDATION

That Council note the report.

### 1 PURPOSE OF REPORT

This report is to inform Council of the results of the Tasmanian Government's Department of Justice, Consumer, Building and Occupational Services (CBOS), Compliance and Engagement Program's Audit of Permit Authority functions. The audit of Tasmania's 29 Councils was undertaken by CBOS to assess the performance of building, plumbing and demolition work and to better understand their exercise of compliance and enforcement powers during the last fiscal year.

Attached is the summary of the audit and a spread sheet with the results. Northern Midlands Council is ranked as Council number 13 throughout the attached documentation

### 2 INTRODUCTION/BACKGROUND

An audit was conducted by CBOS to assess the performance of the 29 Tasmanian Councils Building and Plumbing departments in the financial year 2020 – 2021. Councils were requested to provide CBOS with the following figures:

- Number of issued Notifiable Works projects
- Number of issued Building and Plumbing Permits
- Number of inspections completed for the issued projects
- Compliance undertaken by both departments

Below are two tables detailing Council's Building and Plumbing results.

Applications for Building Permits Granted	116
Building Notices issued by Council	5
Building Orders issued by Council or referred by Building Surveyor	7
Building Orders not complied with	0
Action taken for non-compliance with Building Orders	0

Plumbing CLCs - (Combined Notifiable & Permit)	196
Reported Inspections (Combined Notifiable & Permit)	299
Average Inspections per Certificate of Likely Compliance	1.53
Plumbing Notices	2
Plumbing Orders (Not complied with)	0
Action for non-compliance with Plumbing Orders	0
Average Inspections per Notifiable Plumbing Certificate of Likely Compliance	2.71
Average Inspections per Plumbing Permit Granted	1.55



These figures were passed onto CBOS, enabling them to produce the attached report outlining each Council's performance. Unfortunately, not one Council passed the audit, every Council falling below what CBOS believes to be the required level of service and responsibility. This report has verified what Council Permit Authorities have been expressing state-wide, for the past seven years, that the building and plumbing departments are understaffed in all Councils.

The role of a Permit Authority, whether building or plumbing, incorporates two positions; the first role is to undertake the assessing, processing, issuing and completion of all received applications with the second role being that of a Compliance Officer who undertakes inspections that deal with all types of complaints and construction issues. These issues can become quite complex and time consuming.

A Permit Authorities' role and responsibilities have increased dramatically from when it was created back in 2004. There are more permits to be issued, more paperwork to be completed and increased compliance work, as people become more aware of avenues available to them. The responsibilities of the role again increased in 2016, with the introduction of the new Building Act. Through the implementation of this Act, a loophole emerged identifying that Permit Authorities could be found personally liable for every decision that they make, which places enormous responsibility on the individual. A Bill is now in the process of being presented to Parliament, to rectify this oversight, which will hopefully be passed before the end of 2022.

#### **Staffing Background: 2014 to October 2022**

Northern Midlands Employment figures:

- In 2014 Council staffed as follows: 1.5 FTE Building Surveyors including building compliance, a full time Permit Authority, a full time Compliance / Planning Officer, a full time Administration Officer and a full time Plumbing Surveyor.
- At the time of the audit Council employed 1.2 FTE Permit Authority, 0.3 FTE Compliance Officer, 0.5 FTE Building Administration Officer, a Trainee who is utilised across three departments and a 0.5 FTE of a Plumbing Surveyor.

#### **4 FINANCIAL IMPLICATIONS**

Employment of another full-time professional officer to undertake the role of Permit Authority / Building and Compliance Officer (Plumbing, Building & Planning) is helping to alleviate the pressure and back log of work.

#### **5 RISK ISSUES**

Overloading of professional officers can lead to opening Council and the Permit Authorities up to liability

#### **6 OFFICER'S COMMENTS/CONCLUSION**

Before this audit, the matter of workload, priorities, and the fact that we do not have the staffing level to be able to effectively perform all the duties required within a 37.5-hour week, had already been brought to the attention of Council's General Manager, Des Jennings. Des acted upon this information, advertising for another Permit Authority / Building and Compliance Officer before this audit had been undertaken.

Council has, after months of advertising, recruited another Permit Authority / Building and Compliance Officer who commenced with Council on the 21<sup>st</sup> of November 2022. The addition of this staff member will help share and alleviate the administration and compliance workloads. This will enable NMC to conduct more Plumbing and Compliance inspections, outlined as a requirement in the CBOS audit.

#### **7 ATTACHMENTS**

1. CBOS Preliminary Permit Authority Audit - Summary Report [14.2.1 - 21 pages]
2. CBOS Data Sheet [14.2.2 - 2 pages]



## 15 CORPORATE SERVICES REPORTS

### 15.1 MONTHLY REPORT: FINANCIAL STATEMENT

*Responsible Officer:* Maree Bricknell, Corporate Services Manager

*Report prepared by:* Maree Bricknell, Corporate Services Manager

At the time of issue of the Agenda, the monthly financial reports as at 30 November 2022 were not available.



## 15.2 AUDIT COMMITTEE

*Responsible Officer:* Maree Bricknell, Corporate Services Manager

*Report prepared by:* Maree Bricknell, Corporate Services Manager

### RECOMMENDATION

That Council appoint the following members to the Northern Midlands Council Audit Committee for a four-year term

- Synectic Accounting Ben Coull (Independent Chair), along with
- Councillor Adams and Councillor Terrett.

### 1 PURPOSE OF REPORT

The purpose of this report is to seek Council approval to reappoint independent Audit Committee member/s for a term of four years.

### 2 INTRODUCTION/BACKGROUND

It is mandatory in Tasmania for appointment of an Audit Committee under section 24 of the Local Government Act 1993 as a Special Committee of the Council.

Historically, audit panels focused on financial reporting, accounting activities, internal controls and the integrity of accounting systems. Audit panel functions have evolved and now have a much broader mandate. They cover risk management (including fraud prevention strategies), financial and non-financial performance, compliance and other assurance activities not directly related to a council's financial report. Audit panels also provide an independent check of key council plans and activities and highlight issues that require strategic attention, including the review of policies, systems and controls relating to a council's administration, culture and personnel.

It is critical that councils provide adequate resource support to their audit panels to ensure they are able to discharge their responsibilities effectively. Resources may include council employees, and training and development of councillors who are panel members.

A successful audit panel will provide assurance that council decisions are made in the interests of the community with particular regard to:

- proper management practices across financial and operational activities;
- compliance with all legislative and policy requirements; and
- the adoption of leading practice in all aspects of governance.

Audit panels provide checks and balances to give elected members another source of scrutiny and a means of highlighting issues that require strategic attention. This can be invaluable to a council, by contributing to the avoidance of reputational damage and helping to ensure rate-payers are receiving the best possible oversight over the management of their assets.

Section 5 of the Audit Panel Orders requires that an audit panel:

- is appointed by the council;
- must have between three and five members (inclusive); and
- if the panel has four or five members, a minimum of two must be independent persons; and
- if the panel has three members, at least one must be an independent person.
- may contain a councillor or councillors, other than the mayor of the council;
- may contain an independent member or members of another council's audit panel; and



- may be appointed for a period of one to four years, and can be reappointed once their term expires.

An audit panel must not contain:

- the general manager, mayor or a council employee of the council; or
- a councillor or employee of another council.

Council reviewed its Audit Committee Policy in August 2022 setting out terms of reference, and there were only minimal changes at that time.

Councillor Adams and Councillor Terrett are representatives on the Audit Committee as appointed in November meeting 2022.

Council called for nominations for the independent members of the Audit Committee and appointed the following in December 2013, and reappointed these members in 2018:

- 1) Synectic Accounting & Audit – Mr Ben Coull (Chairperson) - \$1,600 per meeting.
- 2) Ms Carol Scholes-Robinson – resigned in November 2022.

### **3 STRATEGIC PLAN & INTEGRATED PRIORITY PROJECTS PLAN**

#### **3.1 Strategic Plan 2021-2027**

The Strategic Plan 2021-2027 provides the guidelines within which Council operates.

**Lead: Serve with honesty, integrity, innovation and pride**

**Leaders with Impact**

**Strategic outcomes:**

- 1.3 Management is efficient, proactive and responsible
- 1.4 Improve community assets responsibly and sustainably

#### **3.2 Integrated Priority Projects Plan 2021**

This plan has been developed with a coordinated perspective to align with local, regional, state and federal plans. Rather than grouping projects by town or assembling a long list of 'nice to have' projects, this plan takes a Council-wide view of needs and opportunities in relation to the strategic investment drivers in the region. This matter has relevance to:

Not applicable.

### **4 POLICY IMPLICATIONS**

In accordance with current Audit Committee Policy.

### **5 STATUTORY REQUIREMENTS**

*Local Government Act 1993*

### **6 FINANCIAL IMPLICATIONS**

Council has allocated \$10,710 in the 2022/23 Municipal Budget for operation of the Audit Committee.

### **7 RISK ISSUES**

There is a risk that members are not operating with authority if the policy and membership is not reviewed.



**8 CONSULTATION WITH STATE GOVERNMENT**

Not required.

**9 COMMUNITY CONSULTATION**

Not required.

**10 OPTIONS FOR COUNCIL TO CONSIDER**

Council has the option to reappoint the existing Audit Committee Independent member to act with the existing Councillors (committee of 3).

Council has the option to call for expressions of interest to appoint 1 or more independent member/s to act with the existing Councillors (committee of 3 to 5).

**11 OFFICER'S COMMENTS/CONCLUSION**

The Audit Committee has been operating well and was fortunate to attract two internal members with such independent experience and knowledge. In addition to this, the committee recommend further independent internal audits.

**12 ATTACHMENTS**

1. Audit Committee [15.2.1 - 3 pages]



## 16 WORKS REPORTS

No Works reports included in this Council meeting agenda for Council's consideration.





## 17 ITEMS FOR THE CLOSED MEETING

### RECOMMENDATION

That Council move into the “Closed Meeting” with the General Manager, Corporate Services Manager, Works Manager, Senior Planner and Executive Assistant to discuss Closed Council Items.

Item	Local Government (Meeting Procedures) Regulations 2015 Reference
Confirmation of Closed Council Minutes	15(2)(g)
Councillors' Leave	15(2)(h)
Personnel Matters	15(2)(a)
Action Items: Status Report	15(2)(g)
Personnel Matters	15(2)(a)
Legal Issues	15(2)(i)
Award Nominations	15(2)(g)

#### *Local Government (Meeting Procedures) Regulations 2015 - Part 2 - Meetings*

- (a) *personnel matters, including complaints against an employee of the council and industrial relations matters;*
- (b) *information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the council is conducting, or proposes to conduct, business;*
- (c) *commercial information of a confidential nature that, if disclosed, is likely to -*
  - (i) *prejudice the commercial position of the person who supplied it; or*
  - (ii) *confer a commercial advantage on a competitor of the council; or*
  - (iii) *reveal a trade secret.*
- (d) *contracts, and tenders, for the supply of goods and services and their terms, conditions, approval and renewal;*
- (e) *the security of -*
  - (i) *the council, councillors and council staff; or*
  - (ii) *the property of the council.*
- (f) *proposals for the council to acquire land or an interest in land or for the disposal of land;*
- (g) *information of a personal and confidential nature or information provided to the council on the condition it is kept confidential;*
- (h) *applications by councillors for a leave of absence;*
- (i) *matters relating to actual or possible litigation taken, or to be taken, by or involving the council or an employee of the council;*
- (j) *the personal hardship of any person who is a resident in, or is a ratepayer in, the relevant municipal area.*



## 18 CLOSURE

### RECOMMENDATION

That Council move out of the "Closed Meeting".

Mayor Knowles closed the meeting at .....