

SOUTHERN
MIDLANDS
COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

Wednesday, 22nd August 2018

Municipal Offices, 85 Main Street, Kempton

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OPEN COUNCIL MINUTES

MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD ON WEDNESDAY, 22ND AUGUST 2018 AT THE MUNICIPAL OFFICES, 85 MAIN STREET, KEMPTON COMMENCING AT 10:00 A.M

1. PRAYERS

Rev Dennis Cousens recited prayers.

2. ATTENDANCE

Mayor A E Bisdee OAM, Deputy Mayor A Green (entered the meeting at 10.05 a.m.), Cllr A Bantick, Cllr E Batt, Cllr R Campbell, Cllr D Fish and Cllr D Marshall.

Mr Tim Kirkwood (General Manager), Mr Andrew Benson (Deputy General Manager), Mr David Cundall (Manager, Development & Environment Services), Mr Brad Williams (Manager, Heritage Projects), Mr Jack Lyall (Manager, Infrastructure & Works), Michelle Webster (Community Development Officer), Wendy Young (Corporate Compliance Officer) and Elisa Lang (Executive Assistant).

3. APOLOGIES

Nil.

Prior to commencement of the meeting, Mayor A E Bisdee OAM acknowledged and commended all Council staff, including the members of the community that formed the Organising Committee, for their efforts in organising the extremely successful Heritage and Bullock Festival held in Oatlands on 11th & 12th August 2018 . Andrew Benson, Michelle Webster and Wendy Young received an additional mention for their role(s) in organising the 'Centenary of the Planting of the Memorial Avenue Trees' Service of Commemoration held 19th August 2018.

4. MINUTES

4.1 Ordinary Council Minutes

The Minutes (Open Council Minutes) of the previous meeting of Council held on the 24th July 2018, as circulated, are submitted for confirmation.

DECISION

Moved by Cllr D Fish, seconded by Cllr E Batt

THAT the Minutes (Open Council Minutes) of the previous meeting of Council held on the 24th July 2018, be confirmed.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

4.2 Special Committees of Council Minutes

4.2.1 SPECIAL COMMITTEES OF COUNCIL - RECEIPT OF MINUTES

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

- Southern Midlands Emergency Management Committee Minutes – 6th August 2018

RECOMMENDATION

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

DECISION

Moved by Clr A Bantick, seconded by Clr E Batt

THAT the Minutes of the above Special Committee of Council be received.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

4.2.2 SPECIAL COMMITTEES OF COUNCIL - ENDORSEMENT OF RECOMMENDATIONS

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

- Southern Midlands Emergency Management Committee Minutes – 6th August 2018

RECOMMENDATION

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

DECISION

Moved by Cllr D Fish, seconded by Cllr A Bantick

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

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Cllr A R Bantick	√	
Cllr E Batt	√	
Cllr R Campbell	√	
Cllr D F Fish	√	
Cllr D Marshall	√	

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

4.3.1 JOINT AUTHORITIES - RECEIPT OF MINUTES

The Minutes of the following Joint Authority Meetings (including JA Committees), as circulated, are submitted for receipt:

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

DECISION NOT REQUIRED

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

Section 36A of the Local Government Act 1993 provides the following;

36A. Annual reports of authorities

(1) A single authority or joint authority must submit an annual report to the single authority council or participating councils.

(2) The annual report of a single authority or joint authority is to include –

- (a) a statement of its activities during the preceding financial year; and
- (b) a statement of its performance in relation to the goals and objectives set for the preceding financial year; and
- (c) the financial statements for the preceding financial year; and
- (d) a copy of the audit opinion for the preceding financial year; and
- (e) any other information it considers appropriate or necessary to inform the single authority council or participating councils of its performance and progress during the financial year.

Section 36B of the Local Government Act 1993 provides the following;

36B. Quarterly reports of authorities

(1) A single authority or joint authority must submit to the single authority council or participating councils a report as soon as practicable after the end of March, June, September and December in each year.

(2) The quarterly report of the single authority or joint authority is to include –

- (a) a statement of its general performance; and
- (b) a statement of its financial performance.

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

- Southern Tasmanian Councils Authority – Quarterly Report – June 2018.

RECOMMENDATION

THAT the report submitted by the above Joint Authority be received.

DECISION

Moved by Clr E Batt, seconded by Clr A Bantick

THAT the report submitted by the above Joint Authority be received.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

5. NOTIFICATION OF COUNCIL WORKSHOPS

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

It is reported that no workshops have been held since the previous meeting.

RECOMMENDATION

THAT the information be received.

DECISION

Moved by Clr R Campbell, seconded by Clr D Fish

THAT the information be received.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

6. COUNCILLORS – QUESTION TIME

6.1 QUESTIONS (ON NOTICE)

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

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

(2) An answer to a question on notice must be in writing.

The following questions were submitted by Cllr R Campbell on the 14th August 2018.

Q1. Callington Park – After receiving a number of complaints re Paths in Callington Park becoming sticky mud after a wet spell and the area around the mill became muddy it puts a bad image on council when events are held in the park complex. What can council do to rectify the mud problem?

General Manager's response:

The Heritage and Bullock Festival which commenced on Saturday 11th August 2018 followed a significant rain event which came through on the Friday evening. There was approximately 12mm of rain. As a result, water did lay in some low lying areas and it was not possible to rectify as bringing in more heavy plant to deliver gravel would have caused greater problems, and would have involved significant risk due to other 'set-up' activities taking place. Photographs were taken on the day to indicate the low lying areas and rectification works have been completed.

On a more positive note, I heard comments that suggested that some of the farmers in the mainland states would love to see water laying as opposed to dry parched paddocks.

Q2. Bus Stop High Street Oatlands – A number of “little old folk” find the weather conditions uncomfortable when waiting for the bus in inclement weather, when are we likely to see the seat within a bus shelter? Note: If we want to keep the bus service, we need people using the bus service.

General Manager's response:

Firstly, in terms of timing to construct a bush shelter in High Street, a budget has not been allocated in 2018/19 for this purpose. Therefore construction will be dependent on a budget which will need to be transferred from another project, or through a separate source of funding. This proposal was not raised through the Budget process.

Subsequent to adoption of the Budget, Council has been approached by a representative of the local Progress Association suggesting the need for a Bus Shelter. The representative is currently preparing a submission to Council, which is to include details of the approximate number of persons that use the bus service. This will aid in justifying the need for a shelter, and more importantly, provide an indication of the size of the shelter that may be required (for costing).

Q3. When a questions on notice is put what is a reasonable time for council to get back to the person who asked the question?

General Manager's response:

Clarification is required to respond to this question. 'Questions on Notice' relate to the Council Agenda and a response is generally provided to the next scheduled meeting provided the question is received within the statutory timeframe.

The following is an extract from the Local Government (Meeting Procedures) Regulations 2015 relating to Questions on Notice:

Regulation 30. Questions on notice

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

Regulation 31. Public question time

- (1) A member of the public may give written notice to the general manager at least 7 days before an ordinary council meeting of a question to be asked at that meeting.*
- (2) The chairperson of an ordinary council meeting may –*
 - (a) address questions on notice submitted by members of the public; and*
 - (b) invite any member of the public present at the meeting to ask questions relating to the activities of the council.*
- (3) The chairperson of an ordinary council meeting must ensure that, if required, at least 15 minutes of that meeting is made available for questions by members of the public.*
- (4) A question by any member of the public under this regulation and an answer to that question are not to be debated at the ordinary council meeting.*
- (5) The chairperson of an ordinary council meeting may –*
 - (a) refuse to accept a question from a member of the public; or*
 - (b) require a question from a member of the public asked without notice to be put on notice and in writing to be answered at a later ordinary council meeting.*
- (6) If the chairperson of an ordinary council meeting refuses to accept a question from a member of the public, the chairperson is to give reasons for doing so.*
- (7) A council is to determine any other procedures to be followed in respect of public question time at an ordinary council meeting.*
- (8) The period referred to in [subregulation \(1\)](#) includes Saturdays, Sundays and statutory holidays, but does not include –*
 - (a) the day on which notice is given under that subregulation; and*
 - (b) the day of the ordinary council meeting.*

Q4. When the elected members agreed for the Mayor and the General Manager to go to the ALGA conference in Canberra they were required to table a report re ALGA conference and how attending the conference would help the Southern Midlands. We have had a report re ALGA motions but have yet to see how the information within the ALGA conference will help the Southern Midlands, when will we receive a report on how the Southern Midlands will benefit?

General Manager's response:

Reference is made to the report submitted to the July 2018 Meeting. Whilst this report included details of the Motions that were debated during the two and a half day course of the Assembly, it included an additional five pages of notes that were taken during the remaining sessions of the event. Dot points were provided to indicate the topic of the presentation. These notes in itself provide an indication of relevance to the Southern Midlands Council area, some of which are very topical, some of which aren't so relevant.

It should be acknowledged that the primary purpose of the ALGA Conference is to set national policy. Voting on such Motions, and contributing to the debate through the appointed delegate for each Council, ensures that each Council's position (both large and small) is considered from a national perspective.

Having said that, how will Southern Midlands benefit?

Through attendance at the Assembly, Council is contributing to the setting of priorities for the forthcoming Federal Election. The Association's 'National Election Advocacy' is based on the discussion and outcomes from these sessions (refer detail provided in the July report). In the past, this has proven to be extremely successful with the introduction of direct funding Programs such as Roads to Recovery (Southern Midlands receives an average of approx. \$400K per annum); removal of the FAGS indexation etc.

Delegates are also briefed by elected members from all sides of politics. This provides an opportunity to gain an understating of the possible role that Local Government will play under a Coalition or Labor Federal Government, and how Southern Midlands may position itself to take full advantage of this planned approach. By way of an example, it is clear that a Liberal Government will continue to focus on regional / sub-regional priorities, which suggests that there is a greater role for cooperation and agreed priorities beyond individual municipal boundaries. It is apparent that a Labor government will also be focussed on partnership arrangements and the provision of basic services such as improving the amenity of streets, towns etc.

From my perspective, the notes presented provide an indication of the issues that are relevant on the 'national stage' and the opportunities that the Southern Midlands can build upon.

Q5. What are KPI's are how do they fit in council business and how do they relate to elected members, general manager and staff?

General Manager's response:

What are KPI's – A KPI (Key Performance Indicator) is a type of performance measurement. They are used to evaluate the success of an organisation or of a particular activity in which it engages.

In relation to how they fit in Council business, as a requirement of the Local Government Act 1993, Council is required to report on a number of financial and asset management indicators as part of its annual financial statement and annual report. These indicators are specified by the Minister for Local Government.

In addition, Council is required to complete a comprehensive Consolidated Data Collection (CDC) return which is coordinated by the Division of Local Government and reported by the Division on an annual basis. The Tasmanian Audit Office also prepare and submit an Annual Report to Parliament which includes a range of Indicators that are used to compare local governments within Tasmania.

In terms of how they relate to elected members, one Performance Indicator is reported in the Annual Report by listing the number of Council and Council Committee meetings attended.

In relation to the General Manager and staff, performance is generally measured based on the key objectives and duties associated with each position. From a collective, performance is measured through the external reporting referred to above.

6.2 QUESTIONS WITHOUT NOTICE

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

It states:

“29. Questions without notice

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

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

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

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

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

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

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

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

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

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

Clr Campbell – Question regarding Policy documents and why when a policy is written that the authors name is not included on the final Policy?

The General Manager advised that whilst policies are initially prepared by Council officers, once adopted, they are Council policies and are not attributed to any individual staff member.

Clr Campbell – Question regarding the recent Heritage & Bullock Festival signage on the Midlands Highway. The brown and white inter-changeable signs are not easy to read and pick up – does wording on the sign have to be on a brown sign with white print?

The General Manager advised that these signs are colour coded in accordance with the Highway Signage Code but will clarify and provide further details.

Clr Marshall – request for an update on the Bagdad Primary School carpark?

The General Manager and Clr Batt provided an update on this matter. Meetings have been held on-site with the Minister for Education to discuss the overall Master Plan for the Bagdad Primary School, including the proposed construction of the carpark.

The General Manager advised that as an outcome of the above meeting, the Education Department's Director of Facility Services has requested an on-site meeting to further discuss details associated with the car park proposal.

Clr Fish – request for an update on Hardwick House (Benedictine Monks).

The Mayor reported that it his understanding that the Benedictine Monks have purchased the property with the intent of maintaining the farming operation, but also developing a Monastery at some stage in the future.

7. DECLARATIONS OF PECUNIARY INTEREST

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

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

General Manager, Tim Kirkwood

Agenda Item 14.1.2 (Policy relating to Use of 79 High Street, Oatlands)

8. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

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

Nil.

9. PUBLIC QUESTION TIME

Public Question Time was held later in the meeting.

9.1 Permission to Address Council

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

- Ms Alison Johnson (Energy Consultant to the STCA) will provide a brief update to Council at 10.30 a.m regarding the Regional Community Energy Use and Greenhouse Gas Emissions Project 2018 undertaken by STCA.
- Mr Alan Townsend and Mr Simon Blight (Heritage Officers) will provide Council with an update at 12.00 p.m in relation to the implementation of the South Central Sub-Region's 'Beacon Project'.

DECISION

Moved by Clr D Fish, seconded by Clr D Marshall

THAT the meeting be suspended at 10.22 a.m. to receive a presentation from Alison Johnson, Energy Consultant for the Southern Tasmanian Council's Authority.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

Permission to Address Council

Alison Johnson (Energy Consultant) and Katrina Graham (Climate Change Officer, Hobart City Council) made a presentation to Council relating to the Regional Community Energy Use and Greenhouse Gas Emissions Project 2018 undertaken by the Southern Tasmanian Councils Authority. The project aims to provide insights into emissions intensive sectors of the community and changing technology trends in the local area. Preliminary findings from this report were presented to Council specific to the Southern Midlands.

For additional information the Southern Midlands Council Community Energy Use and Greenhouse Gas Footprint – Preliminary Findings Report dated August 2018 has been uploaded to Council's website for interested members of the community.

Mayor Bisdee thanked Alison and Katrina for presenting their findings to Council and for their informative presentation.

Following the presentation, a short break was held for morning tea at 10.59 a.m.

DECISION

Moved by Deputy Mayor A Green, seconded by Clr E Batt

THAT the meeting reconvene at 11.16 a.m.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

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

Nil.

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

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

11.1 DEVELOPMENT APPLICATIONS

Nil.

11.2 SUBDIVISIONS

Nil.

11.3 MUNICIPAL SEAL (Planning Authority)

11.3.1 COUNCILLOR INFORMATION: - MUNICIPAL SEAL APPLIED UNDER DELEGATED AUTHORITY TO SUBDIVISION FINAL PLANS & RELATED DOCUMENTS

Nil.

11.4 PLANNING (OTHER)

11.4.1 DRAFT SOUTHERN MIDLANDS LOCAL PROVISIONS SCHEDULE – VERSION 1 (AUGUST 2018)

Author: MANAGER DEVELOPMENT AND ENVIRONMENTAL SERVICES (DAVID CUNDALL)

Date: 14 AUGUST 2018

Attachment(s):

1. *Table - Progress of Southern Midlands Local Provisions Schedule Planning Scheme Reform (Amended August 2018)*
2. *Draft Southern Midlands Local Provisions Schedule – Written Ordinance (Version 1- August 2018)*
3. *Draft Southern Midlands Local Provisions Schedule – Zoning and Code Maps (Version 1 – August 2018)*
4. *Tasmanian Planning Scheme -Explaining the Priority Vegetation Area Overlay – the Regional Ecosystem Model prepared by Meander Valley Council (May 2018)*
5. *Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones, prepared by Ak Consultants (May 2018)*

1. PURPOSE

The purpose of this report is for Council to review the draft Local Provisions Schedule (LPS) which has been prepared by Council Officers. The draft has been prepared based on the work schedules and proposed content presented to Council at the March, June and November 2017 meetings.

This is the first complete version of the written ordinance and map series to be tabled before Council.

Any issues identified, by Council, in the draft can be addressed before the draft LPS is finalised together with the “Local Provisions Supporting Report” that must be submitted to the Tasmanian Planning Commission. The supporting report is a lengthy document that each Council must prepare to demonstrate the draft LPS is in compliance with the relevant requirements of the *Land Use Planning and Approvals Act 1993* together with the direction and guidelines of the Tasmanian Planning Commission and Planning Policy Unit.

The supporting report will provide the finer detail of the draft LPS together with the local strategic and State legislated basis of the content.

In considering this report, on the first complete version of the draft LPS, Council should be in a position to endorse the draft LPS, at another meeting, and declare the draft as suitable for referral to the Tasmanian Planning Commission (TPC) and the subsequent public exhibition.

2. BACKGROUND

As Council will recall, the Tasmanian Planning Scheme will consist of the State Planning Provisions (SPPs) and the Local Provisions Schedules (LPSs). The SPPs were declared by the Minister in February 2017 and the LPS that follows will need to be prepared by each of the 29 Councils in Tasmania.

Some content of the LPS has already been prepared by the State Government, but much of this content will need to be refined and applied by local government to suit the local area and suit local values.

In the Southern region Council Officers have made every attempt to work together through the Southern Technical Reference Group (TRG) to ensure both consistency and to coordinate and manage the State Government funding used to assist Councils in the preparation of the technical mapping and technical guidance documents and support.

The content of the LPS consists of two parts:

- A. Preparation and refinement of zone maps and overlay maps; and
- B. Preparation of the written ordinance

The overlay maps and zone maps spatially define the application of the zones, specific area plans and the applications of certain planning scheme codes.

It is the responsibility of each Council to prepare these maps and written ordinance.

3. PROGRESS OF DRAFT LPS

In early 2017, it was envisioned by Councils and State Government that many Councils, including the Southern Midlands, would have finalised the first draft of the LPS and have submitted to the TPC by the end of 2017. The methodology for meeting these targets was captured in the Southern Midlands work schedule first presented to Council at the June 2017 meeting.

During 2017/2018 a number of external factors occurred including:

- Amendments to the *Land Use Planning and Approvals Act 1993* (“the Act”)
- Amendments to the *Southern Tasmanian Regional Land Use Strategy* (“STRLUS”)
- New Ministerial Advisory Statements
- Revised TPC Guidelines and Practice Notes
- Amendments to the State Planning Provisions

Also a number of resource intensive mapping projects were initiated through either regional planning groups or State Government:

- Further guidelines for the application of the new Rural Zone and Agricultural Zones
- Regional Ecosystem Modelling for the mapping of the Priority Vegetation Layer (Natural Assets Code)
- Finalise mapping of all State Roads as the Utilities Zone
- Progress and prepare the Bushfire Hazard Overlay by Tasmania Fire Service
- Guidelines for the identification of Scenic Protection Areas and the preparation standards and statements for the management of such areas

The most recent of these projects was the finalised Utilities Zone layer for state owned roads which was supplied to Councils in June 2018.

All in all the preparation of the draft LPS requires significant resources between all levels of government. Despite the early estimations of many Councils, to complete the task by end of 2017, only four (4) Councils to date have submitted their draft to the TPC. The first

of which was the Meander Valley Council which submitted their draft in December 2017. This draft is still not yet on public exhibition and is still being assessed by the TPC.

4. THE SOUTHERN MIDLANDS DRAFT LPS

The draft LPS maps and ordinance are in most parts a “like for like” translation of the *Southern Midlands Interim Planning Scheme 2015* (SMIPS2015). The TPC, assist in this translation, with the statutory document *Guideline No.1 Local Provisions Schedule (LPS): Zone and Code Application* under Section 8A of the Act. The most recent version is dated June 2018. The document provides Councils with the reference guide for the application of SPP zones and codes. The outcome being consistency between Councils and meeting the objectives of the State Governments Planning Reform Agenda.

The mapping of the LPS is the method of applying the available SPP zones and codes to the land. Council can then include local overriding provisions that substitute, modify or are in addition to specific SPPs through:

- Local Area Objectives;
- Particular Purpose Zones;
- Specific Area Plans; or
- Site Specific Qualifications.

It is not however possible to develop a localised Code as part of the LPS. The Tasmania Planning Scheme provides no scope for such codes.

Existing local provisions that were in effect, prior to the December 2015 amendments to the Act, that created the Tasmanian Planning Scheme, are afforded protection through further amendments to the Act in 2017.

The 2017 amendments allowed a Council to transition all those existing local overriding provisions without having to qualify or justify their existence against the requirements of the Act.

The draft LPS is overall a mixture of the following key aspects:

- The translation of the SMIPS2015 zones and codes to the SPP zones and codes,
- The translation/transition of existing particular purpose zones, specific area plans, site specific qualifications,
- Local lists of heritage places, precincts, scenic protection areas and landscapes,
- Changes to ensure consistency with the Guideline No.1,
- Changes to ensure consistency with the regional land use strategy,
- Changes to enact local strategic plans (where consistent/allowable under the Guidelines No.1, and regional land use strategy, and the Act).

The following tables provide Council with the key changes from the SMIPS2015 to the draft LPS.

These are all matters for consideration by Council and the focus of this report:

SPP Zone applied in draft LPS	Current Zone in SMIPS 2015	Comments
General Residential Zone	General Residential Zone	<p>This zone is currently used in Oatlands only.</p> <p>The draft LPS now includes land in Kempton and Campania.</p> <p>The primary reason for the changes are to implement recommendations of the <i>Campania Structure Plan 2015</i> and to reflect current provisions in the SMIPS2015. This is to encourage orderly development of the towns and encourage business and community uses along the main streets and foster a more central business/community hub.</p>
Low Density Residential Zone	No currently used but applied to some Village Zone	<p>This zone has been applied to:</p> <ul style="list-style-type: none"> • Campania - land between the western side of railway line fronting Kandara Court and Native Corners Road which is currently zoned village <p>The primary reason for changes are to again implement recommendations of the <i>Campania Structure Plan 2015</i> and to recognise bushfire hazards, environmental constraints, natural values and scenic values of the land.</p> <ul style="list-style-type: none"> • Parattah – the whole township zoned village <p>The primary reason is to maintain the current lot sizes and amenity of the township, and to recognise its role as a small settlement (with a very low growth strategy), per the STRLUS, that will support the nearby larger township of Oatlands as the Rural Services Centre (with a moderate growth strategy).</p> <p>A key issue is that the village zone under the SPPs allow only for a 600ms lot size with no option to maintain the current 5000m2 lots.</p>

SPP Zone applied in draft LPS	Current Zone in SMIPS 2015	Comments
		<p>The Parattah township is approximately 66ha of village zoned land. The current minimum lot size is 5000m². This would achieve a density of some 132 lots or 2 lots per hectare. The SPP conversion of village to village would allow for some 1,100 lots.</p> <p>This has been identified as a significant change and is inconsistent with the growth strategies of the STRLUS and past local planning objectives.</p> <p>The application of the Low Density Residential Zone would reflect the already smaller lots (already less than 5000m²) and allow for some 440 lots or 6 lots per hectare.</p> <p>The aim is to find a balance between current lot sizes and the function of Parattah as a small regional settlement.</p> <p>As a note. This lot size issue is being experienced by all Councils in the State.</p>
Rural Living Zone	Rural Living Zone, & Environmental Living Zone	<p>The zone has been applied to all existing Rural Living Zones in Bagdad, Mangalore, and Campania.</p> <p>This is a straight conversion of the zone per the Guideline No.1.</p> <p>The zone has also been applied to the Environmental Living Zone in the Huntingdon Tier, Green Valley Road Area.</p> <p>This is also a straight conversation of the zone per the Guideline No.1 as the Environmental Living Zone is no longer included in the suite of zones provided by the State Template.</p> <p>The only change is the expansion of the Rural Living Zone to the land north of Black Brush Road and the</p>

SPP Zone applied in draft LPS	Current Zone in SMIPS 2015	Comments
		<p>smaller lots fronting the Midland Highway at Mangalore.</p> <p>This land was previously subject to both a request to rezone and a Council initiated rezoning. The expanded zoning is to further the recommendations of the Bagdad Mangalore Structure Plan.</p> <p>The full rationale and justification for the zone expansion will be provided in the LPS supporting report to be tabled at another meeting.</p>
Village Zone	Village Zone	Straight conversion per the Guideline No.1.
Community Purpose Zone	Community Purpose Zone	Straight conversion per the Guideline No.1.
Recreation Zone	Recreation Zone	Straight conversion per the Guideline No.1.
Open Space Zone	Not currently used but applied to the public reserve on the western side of Campania between Kandara Court and the railway line.	The Guideline No.1 allows the flexibility to apply this zone to such land. The zoning also applies to the Campania cemetery.
General Business Zone	General Business Zone	<p>Straight conversion per the Guideline No.1.</p> <p>Applies to Oatlands only</p>
Light Industrial Zone	Light Industrial Zone	<p>Straight conversion per the Guideline No.1.</p> <p>Applies to Oatlands only</p>
Rural Zone	Rural Resource Zone	Zoning has been applied per the Guideline No.1 with the data provided from the Agricultural Land Mapping Project and the <i>Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones</i> , AK Consultants (May 2018)
Agriculture Zone	Rural Resource Zone and Significant Agricultural Zone	Zoning has been applied per the Guideline No.1 with the data provided from the Agricultural Land Mapping Project and the <i>Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones</i> , AK Consultants (May 2018)

SPP Zone applied in draft LPS	Current Zone in SMIPS 2015	Comments
Environmental Management Zone	Environmental Management Zone	Straight conversion per the Guideline No.1. Some additional nature reserves, riparian reserves and other public reserves included per the Guideline No.1
Utilities Zone	Utilities Zone	Straight conversion per the Guideline No.1.
Future Urban Zone	Urban Growth Zone	Straight conversion per the Guideline No.1.

Table 1: Zones

SPP Code applied in draft LPS	Current Code in SMIPS 2015	Comments
Signs Code	Signs Code	<p>No particular overlay has been applied to the LPS mapping.</p> <p>The Code is applied through the SPPs.</p>
Parking and Sustainable Transport Code	Road and Railway Assets Code & Parking and Access Code	<p>This is a new code provided by the declared SPPs.</p> <p>No particular overlay has been applied to the LPS mapping.</p> <p>The Code is applied through the SPPs.</p>
Electricity Transmission Infrastructure Code	Electricity Transmission Infrastructure Code	<p>The overlay mapping is the same as the current mapping with some minor changes provided by TasNetworks.</p> <p>The Code is applied through the SPPs.</p>
Telecommunications Code	Telecommunications Code	<p>No particular overlay has been applied to the LPS mapping.</p> <p>The Code is applied through the SPPs.</p>
Local Historic Heritage Code	Historic Heritage Code	<p>The Code is applied through the SPPs and applied to the listed places and precincts currently provided in the SMIPS2015. The current written descriptions and “statements of significance” are transitioned under the Schedule 6 transitional arrangements.</p> <p>Some minor mapping changes and administrative changes are made and the inclusion of one additional property in Oatlands (92 Stanley Street heritage listed stonewalls).</p> <p>Further mapping work will be completed either prior to full endorsement by Council or after the LPS is forward to the TPC. The mapping work is refined to reducing the mapped spatial extent of heritage places.</p> <p>No new precincts are included in the draft LPS.</p>

SPP Code applied in draft LPS	Current Code in SMIPS 2015	Comments
		The Code is applied through the SPPs using those lists in the LPS.
Natural Assets Code	Waterway and Coastal Protection Code Biodiversity Code	<p>This is a new code provided by the SPPs.</p> <p>The code applies to “priority vegetation overlay” being threatened species, habitat for threatened species, species significant to the local area (and rare/endangered in area or contribute to local biodiversity). The overlay has been developed through the “Regional ecosystem model” which has been adopted by all Councils in Tasmania. The model was funded by the State Government.</p> <p>The code also applies to all mapped waterways and the coast. The code is applied through the Waterways and Coastal Protection Area overlay which is conversion of the current mapping.</p> <p>The Code is applied through the SPPs.</p>
Scenic Protection Code	Scenic Landscapes Code	<p>The overlay mapping is the same as the current mapping.</p> <p>Additional management objectives and value statements will be provided by Council in the LPS. There was limited scope to provide such detail in the SMIPS2015. The work will be completed once a regional approach is adopted.</p> <p>The Code is applied through the SPPs.</p>
Attenuation Code	Attenuation Code	<p>The overlay mapping is the same as the current mapping.</p> <p>The Code is applied through the SPPs.</p>
Coastal Erosion Hazard Code	Not applicable	Not Applicable
Coastal Inundation Code	Not applicable	Not Applicable
Flood-Prone Areas Code	Inundation Areas Code	Straight conversion of current code and uses the same mapping as SMIPS2015.

SPP Code applied in draft LPS	Current Code in SMIPS 2015	Comments
		The Code is applied through the SPPs.
Bushfire-Prone Areas Code	Bushfire-Prone Areas Code	<p>Straight conversion of current code. The bushfire prone areas overlay is being prepared by the Tas Fire Service.</p> <p>Application of the code is the same as SMIPS2015.</p> <p>The Code is applied through the SPPs.</p>
Potentially Contaminated Land Code	Potentially Contaminated Land Code	<p>No particular overlay has been applied to the LPS mapping.</p> <p>The Code is applied through the SPPs.</p>
Landslip Hazard Code	Landslip Hazard Code	<p>Straight conversion of current code. The overlay is supplied by the State Government (same as current overlay).</p> <p>The Code is applied through the SPPs.</p>
Safeguarding of Airports Code	Not Applicable	Not Applicable
No Replacement Code	Stormwater Code	The SPPs have removed this code.
No Replacement Code	Wind and Solar Energy Code	The SPPs have removed this code.
No Replacement Code	Dispersive Soils Code	A SAP has been applied to the land in Bagdad.
No Replacement Code	On-Site Wastewater Management Code	The SPPs have removed this code.

Table 1: Codes

LPS Specific Area Plan	SMIPS2015 Specific Area Plan	Comments
Oatlands Equestrian Precinct Specific Area Plan	Oatlands Equestrian Precinct Specific Area Plan	Carried forward under the transitional provisions of the Act. Transition from SMIPS2015 to LPS. No Changes
Chauncy Vale Specific Area Plan	Chauncy Vale Specific Area Plan	Carried forward under the transitional provisions of the Act. Minor Changes to expression and formatting.
Bagdad Unstable Land Specific Area	No Specific Area Plan provided. The outcome is achieved through the Dispersive Soils Code	This is the conversion of the SMIPS2015 overlay to a Specific Area Plan applying to land in Bagdad only. This is necessary as the Code has been removed from the SPPs.
Tunbridge Township Specific Area Plan	No Specific Area Plan provided.	The purpose of the Specific Area Plan is maintain the historic settlement pattern, amenity and density of Tunbridge. The Specific Area Plan gives regard also to the town being un-sewered. The Specific Area Plan is intended to ensure better consistency with the STRLUS.
Tunnack Township Specific Area Plan	No Specific Area Plan provided.	The purpose of the Specific Area Plan is maintain the historic settlement pattern, amenity and density of Tunnack. The Specific Area Plan gives regard also to the town being un-sewered. The Specific Area Plan is intended to ensure better consistency with the STRLUS.
Colebrook Township Specific Area Plan	No Specific Area Plan provided.	The purpose of the Specific Area Plan is maintain the historic settlement pattern, amenity and density of Colebrook and to ensure that sewerage treatment for new lots is regulated to the satisfaction of the Regulated Entity. The Specific Area Plan is intended to ensure better consistency with the STRLUS.
Water Catchment Specific Area Plan	The outcome is achieved through the waterway and coastal protection code.	The purpose of the Specific Area Plan is to protect the water supply catchment areas of Colebrook and Oatlands and Tunbridge.

LPS Specific Area Plan	SMIPS2015 Specific Area Plan	Comments
		This is necessary as the overlay has been removed from the SPPs.

Table 3: Specific Area Plan

LPS Site Specific Qualifications	SMIPS2015 Site Specific Qualifications	Comments
<p>The following Site Specific Qualifications (SSQs) have all been carried forward under the transitional provisions of the Act:</p> <ul style="list-style-type: none"> • 3001 Midland Highway, Kempton 37224/1 Vehicle Fuel Sales and Hire is a discretionary use in addition to the State Planning Provisions. • 1172 Midland Highway, Mangalore 112712/1 138003/1 Vehicle Fuel Sales and Hire is a discretionary use in addition to the State Planning Provisions. • 21 Blackwell Road, Melton Mowbray 35615/1 Hotel Industry is a discretionary use in addition to the State Planning Provisions. • 2120 Mudwalls Road, Colebrook 25976/1 Hotel Industry is a discretionary use in addition to the State Planning Provisions. • Whynyates Street, Oatlands 31884/1 32323/12 Service Industry is a discretionary use in addition to the State Planning Provisions. 	<p>Same.</p>	<p>No Changes are made to allow for continued operation or use of these SSQs.</p>

Table 4: Site Specific Qualifications

LPS Particular Purpose Zone	SMIPS2015 Particular Purpose Zone	Comments
Particular Purpose Zone – Future Road Corridor Zone	Particular Purpose Zone 2 - Future Road Corridor	<p>The zone has been carried forward under the transitional provisions.</p> <p>This zone is the most appropriate zone for the Bagdad/Mangalore Bypass. The Utilities Zone is not specific enough to achieve the intended outcome i.e. a highway and not land for other utilities.</p>
Not transitioned as the SPPs provide an “Future Urban Zone”	Particular Purpose Zone 1 - Urban Growth Zone	The current zone is not transitioned under the transitional provisions as there is an equivalent zone provided in the SPPs.

Table 5: Particular Purpose Zones

5. NEW ZONES AND CODES FOR SOUTHERN MIDLANDS

The draft LPS introduces the following new zones and codes to the Southern Midlands. All of which are provided by suite and zones and codes provided by the SPPs:

- Low Density Residential Zone

This zone has been applied to the Parattah township and a small area of land in the Campania township.

- Open Space Zone

This zone has been applied to a small area of land in the Campania township.

- Rural Zone; AND
- Agriculture Zone

The Rural Zone and Agriculture Zone are “new” zones created by the SPPs. They are the largest zones by area in the Southern Midlands draft LPS. The current equivalents under the SMIPS2015 are the Rural Resource Zone and the Significant Agricultural Zone.

There is no disputing their application, in principle, and relevancy to the Southern Midlands based on the current land use and rural/agricultural economy.

Further detail regarding the rationale behind the spatial application of the zones is provided in Part 6 of this report.

- Natural Assets Code

The Natural Assets Code is a “new” code created by the SPPs. It is applied through the waterways and coastal protection area overlay and priority vegetation overlay. The current equivalent is the waterway and coastal area protection code and the Biodiversity Code. The mapped overlay for the waterways is provided by the State Government and must be applied to all mapped rivers, creeks, streams and waterways.

The mapped overlay of the priority vegetation was to be provided by the State Government through data supplied and managed by the Department Primary Industries Water and Environment. The data is essentially mapped threatened species and communities. However the Department, in a submission to the TPC in late 2016 advised they were no longer able to supply the data. The data available at the time required significant scrutiny before it could be used in the draft LPS. This was an issue identified by Southern Midlands in the submission to the TPC in 2016.

The data used has been completed by a consultant in a project funded by the State Government.

Further detail is provided in Part 7 of this report.

6. RURAL AND AGRICULTURAL ZONES

The LPS is required to zone rural land that is currently under the Rural Resource Zone (RRZ) and the Significant Agriculture Zone (SAZ) into the Rural Zone and the Agricultural Zone.

These zones were created to recalibrate the RRZ and the SAZ which were inconsistently used and applied in interim schemes across the State.

The State Government commissioned a State-wide Agricultural Land Mapping Project (ALMP) with the primary aim of identifying Tasmania's existing and potential agricultural land, and to provide guidance to local planning authorities on the spatial application of the Agriculture Zone within their municipal area.

The ALMP identified that the SAZ and RRZ were not fit for purpose. The SAZ was too narrow in its scope in and was limited to "land for higher productivity value agriculture dependent on soils as a growth medium".

The RRZ then had to capture all other agricultural land that was not deemed as having 'higher productivity value'.

The new AZ is intended to provide a much broader scope for the identification and protection of agricultural land in Tasmania, with priority given to agricultural uses. The ALMP uses the term "Agricultural Estate" to describe the land as an economic asset to Tasmania that should be protected through Planning Scheme provisions.

The RZ provides for the remaining rural land where there is limited or no potential for agriculture. The Rural Zone provides for all agricultural uses to occur in conjunction with a range of rural businesses and industries.

It should be noted that the Project excluded certain land uses such as forestry in their analysis, which was better suited to the RZ as a strategically important naturally occurring resource.

The Mapping

The Project produced two mapping layers that were made available on the LIST website, which included:

1. Potential Agricultural Land Initial Analysis (Layer 1)
2. Land Potentially Suitable For Agriculture (Layer 2)

Layer 2 included a constraints analysis and shows land that is:

- Unconstrained agricultural land
- Potentially Constrained agricultural land (Criteria 2A)
- Potentially Constrained agricultural land (Criteria 2B)
- Potentially Constrained (Criteria 3)

The constraints analysis is based on the table below:

<i>Unconstrained</i>	<i>Potentially Constrained (Criteria 2A)</i>	<i>Potentially Constrained (Criteria 2B)</i>	<i>Potentially Constrained (Criteria 3)</i>
<ul style="list-style-type: none"> - an area greater than the Criteria 1 size thresholds; or - an area less than the Criteria 1 thresholds, but adjoining another title with an area greater than the Criteria 1 size thresholds and a capital value of less than \$50,000/ha. 	<ul style="list-style-type: none"> - an area less than the Criteria 1 size thresholds; - a capital value of greater than \$50,000/ha; and - not adjoining a residential zone. 	<ul style="list-style-type: none"> - an area less than the Criteria 1 size thresholds; - a capital value of less than \$50,000/ha; - not adjoining a title with an area greater than the Criteria 1 size thresholds; and - not adjoining a residential zone. 	<ul style="list-style-type: none"> - an area less than the Criteria 1 size thresholds; - a capital value of less than \$50,000/ha, or not adjoining a title with an area greater than the Criteria 1 size thresholds; and - adjoining a residential zone.

Zone Application

The Guidelines required the application of the Agriculture Zone to be based on the land identified in Layer 2, but provides for any analysis at a local level that:

- *Incorporates more recent or detailed analysis or mapping;*
- *Better aligns with on-ground features; or*
- *addresses any anomalies or inaccuracies in the layer,*
- *alterations based on further identified constraints to agriculture.*

In particular, Guideline AZ3 identifies that titles highlighted as Potentially Constrained Criteria 2A, 2B or 3 in Layer 2 may require further investigation as to their suitability in the Agriculture Zone.

Guideline AZ 5 provides for titles to be split-zoned to align with areas potentially suitable for agriculture, and areas on the same title where agriculture is constrained.

Guideline AZ 6 provides for alternative zoning of land identified in Layer 2 to be considered if further analysis is done and identifies the following:

- *strategically important natural occurring resources;*
- *protection of significant natural values, such as priority vegetation areas;*
- *strategically important uses; and*
- *the land has limited or no potential for agricultural use.*

The Southern Group of Councils, through the Technical Reference Group, engaged AK Consulting to assist with the Agriculture Zone Application. The first output was the “Guidelines for Identifying Areas of Interest” which provided a tool for Council’s to do a “first sweep” of Layer 2.

The second output was the “Decision Tree and Guidelines for Mapping the Agriculture and Rural Zones” which provided a tool for Council’s to do further analysis of the “areas of interest” (attached with this report). This was necessary to maintain a consistent approach between Councils and a consistent interpretation of constraints to agriculture.

The decision by the Minister, through the SPPs, to not to allow the priority vegetation area overlay to apply to the Agriculture Zone is particularly problematic for allocating the AZ and seems at odds with the objectives of the Act and the regional land use strategy. The

Guidelines No.1 provide very little guidance of how this important issue should be dealt with and there is no explanation about why this decision was made and why both agriculture and protection of priority vegetation cannot exist.

It is also a failure of the SPP Natural Assets Code to not require priority vegetation to be allocated a low, medium or high to help make informed decisions about prioritising native vegetation.

The feedback from AK Consulting in a number of instances is that clearing of priority vegetation will still be covered under the Forest Practices Code. However, the forest practices Code does not consider vegetation clearing that is ancillary to agriculture, such as Visitor Accommodation, Tourist Operation, etc.).

Generally a split between the RZ and the AZ has occurred where there is a distinct split between large areas of continuous vegetation, on steeper slopes with poor land capability. Such titles are usually vacant of development and agricultural activity.

7. NATURAL ASSETS CODE - PRIORITY VEGETATION AREA

Section LP1.7.5(c) of the SPP requires that each LPS must contain an overlay map showing priority vegetation areas that:

- include threatened native vegetation communities as identified on TASVEG Version 3 published by DPIPW;E;
- be derived from threatened flora data from the Natural Values Atlas published by DPIPW;E;
- be derived from threatened fauna data from the Natural Values Atlas for the identification of significant habitat for threatened fauna species, published by DPIPW;E.

Section LP1.7.5(d) allows a planning authority to modify the priority vegetation area derived from the above listed datasets, if field verification, analysis or mapping undertaken at a local or regional level by the planning authority, or a suitably qualified person on behalf of the planning authority:

- finds any anomalies or inaccuracies in the State data,
- provides more recent or detailed local assessment of the mapping and data; or
- identifies native vegetation or habitat of local importance.

The mapping prescribed in section LP1.7.5 of the SPP was of a high level and does not necessarily include vegetation and habitat of 'local importance', which may also contribute to the protection of the State's biodiversity. The mapping also had many identified inaccuracies and in effect covered most of the state.

To that end, the planning authorities across the Southern, Northern & North-West Region engaged Rod Knight of Natural Resource Management Pty Ltd to undertake an analysis based on his 'Regional Ecosystem Model' (REM) and prepare the priority vegetation areas to be mapped as part of the LPSs. A detailed explanation of the REM and how it relates to the priority vegetation overlay is attached. Further detail will be provided in the "Local Provisions supporting report".

This approach provides for consistency across all municipal areas that is well-informed and directly comparable when assessing not only the LPS's, but also when assessing future development applications.

The REM is a complex layering of biodiversity values that refines the focus on areas of importance. In summary, the model:

- Integrates spatial data on the distribution of the major components of biodiversity, and the factors affecting them;
- Models key biodiversity attributes that derive from multiple inputs;
- Analyses the relationships among the components of biodiversity and the environment; and
- Spatially identifies areas which have immediate or potential conservation concerns, and provides indicators of their relative importance, to inform approaches and priorities for management.

One challenge with implementing the REM, and the SPP more generally, is that it is not possible to expressively prioritise or preference higher biodiversity values over others. The current interim planning scheme allows a low, medium and high category to apply to values which correspond to a hierarchy of planning regulation consistent with an minimise, mitigate or avoid outcome focus. In contrast, all priority vegetation is equally important under the SPP framework.

Similarly, the REM also recognises that some biodiversity values are more important than others and assigns each Issue a 'Level of concern' and a Biodiversity Management Priority. The more detailed information provided in the REM may provide planning authorities the ability to create internal policies about how each type of biodiversity value should be managed.

The Guidelines provide very little guidance where there are competing agricultural and priority vegetation values. For the Southern Midlands, previous scheme objectives, sub-regional, and local planning strategy acknowledges both the value of agriculture and the right to farm whilst also acknowledging the importance of the municipalities natural values. This is also captured in Council's Strategic Plan.

8. STATUTORY REQUIREMENTS AND STATUS OF LPS

Although the SPPs came into effect on 2 March 2017 as part of the Tasmanian Planning Scheme, they have no practical effect until an LPS is in effect in a municipal area.

When the final Southern Midlands LPS is ultimately approved by the Commission, the TPS will replace the current SMIPS2015.

The SPPs and draft LPS are not relevant to the assessment of any proposal required to be determined under the current SMIPS2015.

The LPS Supporting Report will table in detail the content of the LPS and demonstrate its compliance with the Act. Section 34(2) states:

- a) contains all the provisions that the SPPs specify must be contained in an LPS;*
- and*
- b) is in accordance with section 32; and*
- c) furthers the objectives set out in Schedule 1; and*

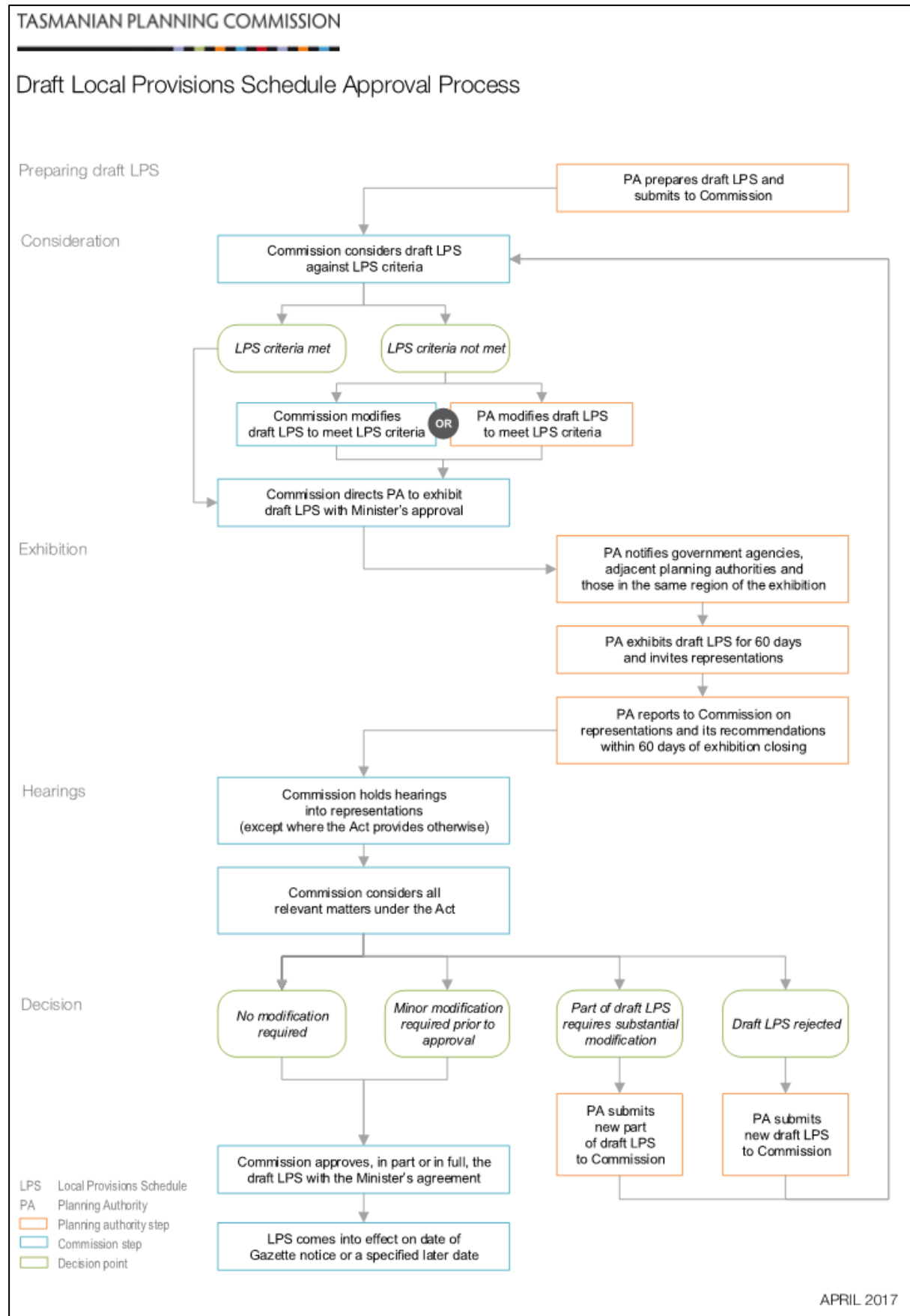
- d) is consistent with each State policy; and*
- e) is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and*
- f) is consistent with the strategic plan, prepared under section 66 of the Local Government Act 1993 , that applies in relation to the land to which the relevant planning instrument relates; and*
- g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and*
- h) has regard to the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000.*

9. COMMUNITY CONSULTATION

The contents of the draft LPS have not yet been exhibited. The SPPs, however, which form the bulk of the TPS were exhibited in 2016.

When directed to do so, by the Commission, the LPS will be exhibited in accordance with the statutory requirements.

A useful overview of the assessment/approval process post submission is outlined in the flowchart prepared by the Commission below (Flow Chart 1).



Flow Chart 1: Draft Local Provisions Schedule Approval Process

10. EXTERNAL REFERRALS

No external referrals were required or undertaken as part of the development of the draft LPS. Following endorsement by Council, the draft LPS will be referred to relevant State agencies.

11. STATE POLICIES AND ACT OBJECTIVES

The LPS supporting report will detail and demonstrate consistency with the State Policies and objectives of Schedule 1 of LUPAA.

12. FINANCIAL IMPLICATIONS

Council made an allocation for the development of the Planning Scheme in the 2017/2018 budget. Future budgets will need to provide for on-going development of the LPS through miscellaneous amendments and any new strategic projects.

13. NEXT STEPS

The next steps are for Council to consider the Version 1 draft and to inform Officers of any areas of concern. This will lead to the finalisation of the draft and the Supporting Report for Council endorsement and referral to the TPC for post lodgement assessment and then Public Exhibition.

Officers advise there are a few mapping and technical issues (and some anomalies) to be resolved before the draft is complete – these are identified as:

- Map the high hazard landslip hazard areas (omitted from the version 1 map)
- Refine spatial extent of heritage listed places
- Ensure written ordinance conform with the drafting conventions for the TPS (writing style, referencing, formatting etc)
- Detailed review of the draft map following this report

Council will consider the final draft version at another meeting.

14. CONCLUSION

This report has considered and presented the first complete version of the Southern Midland draft LPS. The report has focussed on the rationale for the draft LPS with additional detail provided on the “new” zones, codes, SAPs and operational aspects of the TPS.

The report is essentially a precursor to the full LPS Supporting Report and the opportunity to understand and scrutinise the work to date.

RECOMMENDATION

THAT

- A. The information be received;
- B. The attached Version 1 Draft Local Provisions Schedule (LPS) is discussed openly by Council; and
- C. The position of Council, at this stage of the LPS drafting process, will be factored into the finalised version of the draft for referral to the Tasmanian Planning Commission and then public exhibition; and
- D. Acknowledge that formal endorsement of the draft LPS is subject to a separate agenda report.

DECISION

Moved by Clr R Campbell, seconded by Deputy Mayor A Green

THAT

- A. The information be received;**
- B. The comments and feedback provided in relation to the attached Version 1 Draft Local Provisions Schedule (LPS) be noted;**
- C. The position of Council, at this stage of the LPS drafting process, be factored into the finalised version of the draft for referral to the Tasmanian Planning Commission and then public exhibition; and**
- D. Council acknowledge that formal endorsement of the draft LPS is subject to a separate agenda report.**

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

DECISION

Moved by Clr D Fish, seconded by Clr R Campbell

THAT the meeting be suspended at 12.00 p.m. to receive a presentation regarding the Beacon Project.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

Permission to Address Council

Alan Townsend and Simon Blight (Council’s Heritage Officers) presented to Council regarding the sub-regional Beacon Project. Background on the project was provided, highlighting that the initiative is another tool to encourage visitation to various Council areas/landmarks. Once the project is implemented, an App will be launched (expected late October 2018) that will be accessible by phones/ipads etc and will enhance the visitor experience to various sites.

Once the App is loaded, little ‘beacons’ will pop up on phone(s) to advise there is a site/information to view. Users then use the camera function on their phone and can view historic information/old photographs relative to the site.

David Shering (Principal, Handbuilt Creative), who is developing the App on behalf of the participating Councils, provided a demonstration of the App and the use of ‘augmented reality’ which injects 3d objects into the real world to appear real and is accessible via mobile devices.

*Deputy Mayor Alex Green left the meeting at 12.20 p.m.
Deputy Mayor Alex Green returned to the meeting at 12.24 p.m.*

DECISION

Moved by Clr D Fish, seconded by Clr D Marshall

THAT the meeting reconvene at 12.32 p.m.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

Public Question Time (12.32 p.m.)

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

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

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

Councillors were advised that, at the time of issuing the Agenda, the following 'Questions on Notice' were received from a member of the Public.

Ms R McDougall - Baden

Question:

Is it possible for people to still use their existing bin instead?

Response:

It is planned that all current bins and crates will be replaced with new 240 litre wheelie bins. The new bins have different coloured lids clearly marked 'General Waste' and 'Recycling'. The existing bins are a single colour and the Contractor would not be able to distinguish between the two.

Question:

Also, has Council considered giving people a choice as to what size bin they would like?

Response:

Yes, Council will review and evaluate the new system once fully implemented. As part of the evaluation Council will consider the demand for smaller wheelie bins in special circumstances. If so, Council will form a policy on this matter, noting that a stock of suitable lids (for the smaller 140 litre bins) will need to be purchased.

Question:

And has Council therefore considered charging a different rubbish rate? i.e. smaller rate for a smaller bin? This would then serve the purpose of encouraging people to reduce their waste and help keep Council waste disposal volumes and costs down.

Response:

Council has not considered charging a different rubbish rate i.e. lesser rate for a smaller bin. One of the difficulties is the continuous change of circumstances (i.e. occupancy), including change in property ownership. The standard annual charge is based on covering the entire cost of the service, with disposal costs being only one component of the cost.

Mayor A E Bisdee OAM then invited questions from members of the public in attendance.

There were four (4) members of the public in attendance.

Terry Loftus – Southern Midlands Regional News

Request for an update regarding Council approving funding for \$48,000 for football nets at the Campania Oval - where is this at?

The Deputy General Manager, Andrew Benson advised that he is currently in discussions with the property owner(s), with the intent of considering an exchange in the public open space area. Negotiations are progressing.

Rowena McDougall - Baden

Question regarding the Commissariat building (79 High Street, Oatlands) and is consideration being given to the possibility of introducing a functioning bakery operation on the site utilising the restored oven, with a shop-front for retail sales?

The General Manager advised that a formal expression of interest process will begin shortly for use of this building.

12. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)

12.1 Roads

Strategic Plan Reference 1.1.1

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

Nil.

12.2 Bridges

Strategic Plan Reference 1.2.1

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

Nil.

12.3 Walkways, Cycle ways and Trails

Strategic Plan Reference 1.3.1

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

Nil.

12.4 Lighting

Strategic Plan Reference 1.4.1a & 1.4.1b

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

Nil.

12.5 Buildings

Strategic Plan Reference 1.5.1

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

Nil.

12.6 Sewers / Water

Strategic Plan Reference(s) 1.6.1 & 1.6.2

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

Nil.

12.7 Drainage

Strategic Plan Reference 1.7.1

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

Nil.

12.8 Waste

Strategic Plan Reference 1.8.1

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

Nil.

12.9 Information, Communication Technology

Strategic Plan Reference 1.9.1

Improve access to modern communications infrastructure.

Nil.

12.10 Officer Reports – Infrastructure & Works

12.10.1 MANAGER – INFRASTRUCTURE & WORKS REPORT

Author: MANAGER WORKS & TECHNICAL SERVICES (JACK LYALL)

Date: 16 AUGUST 2018

Enclosure:

Photo(s) of trees on Esplanade proposed for removal

ROADS PROGRAM

One Grader is working in the Kempton area. The second Grader is working in the Stonehenge area and then progressing to the Colebrook area.

Drainage and tree works are being undertaken on Eldon Road in the Tunnack area. These works will continue.

TOWN AND GENERAL MAINTENANCE

Town and general maintenance is continuing in all other areas.

Removal of the following trees is proposed in the immediate future:-

- Esplanade, Oatlands - Removal of mature pinus radiata (Fig 5. Tree 3 – refer photo) – defects include storm damage; general poor form; forks include bark; overly heavy and over extended branches.
- Esplanade, Oatlands - Removal of mature pinus radiate (Fig 16. Tree 14 – refer photo) – defects include general poor form, previously storm damaged, remaining crown sections with elevated potential for storm damage.
- 30 Marlborough Street, Oatlands – Removal of white gum in conjunction with the property owner.

Reference: Jerry Romanski report - April 2013 regarding the Esplanade Pines at Oatlands.

Waste Management Program

Operating arrangements at the Waste Transfer Stations are working well.

Contractors have commenced issuing the replacement 240 litre garbage and recycling bins for residents and businesses on the kerbside collection service. This will be completed by the 20th August 2018.

QUESTIONS WITHOUT NOTICE TO MANAGER, INFRASTRUCTURE & WORKS

Clr Campbell – question regarding pothole works so roads don't deteriorate any further. Advised by Manager that maintenance work cannot be undertaken when conditions are still wet.

Clr Campbell – question regarding kerb and gutter work in Parattah and when this will commence? Awaiting issue of permits to be granted by the Department of State Growth (similar situation for Colebrook as both sites are on State maintained roads.

Clr Fish – question regarding the new fence on High Street (Lake Frederick Inn). Pavement needs to be reinstated and/or replaced. Works are planned for this location.

Clr Marshall – clearance of trees (eastern side of the Bridge – Brown Mountain Road) to improve sight distance. Permission has been granted to remove the trees – works to be scheduled.

Clr Bantick – East Bagdad Road – need for footpath, safety issue for children etc. An engineering design will be required and an estimated cost determined. Will need to be considered in a forthcoming budget.

Clr Bantick - Broadmarsh - drainage issues through village area, including a request to improve appearance (i.e. clearance of vegetation etc.) of this area. Onsite meeting to be arranged.

Deputy Mayor – Wilson Street, Parattah (southern end to Water Reserve) – links to Bailey's Road. Advised that Council has maintained this section in the past but it has been a considerable period since any works have been undertaken. Status of the road to be confirmed noting the above comment.

RECOMMENDATION

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

DECISION

Moved by Clr R Campbell, seconded by Deputy Mayor A Green

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

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

ENCLOSURE
Item 12.10.1



Fig 5. Tree 3



Fig 16. Tree 14

DECISION

Moved by Clr R Campbell, seconded by Clr A Bantick

THAT the meeting be suspended for lunch at 1.00 p.m.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

DECISION

Moved by Clr R Campbell, seconded by Clr E Batt

THAT the meeting reconvene at 1.33 p.m.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

13.1 Residential

Strategic Plan Reference 2.1.1

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

Nil.

13.2 Tourism

Strategic Plan Reference 2.2.1

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

Nil.

13.3 Business

Strategic Plan Reference 2.3.1a, 2.3.1b & 2.3.1c

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

Nil.

13.4 Industry

Strategic Plan Reference 2.4.1 & 2.4.2

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

Nil.

14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)

14.1 Heritage

Strategic Plan Reference 3.1.1, 3.1.2 & 3.1.3

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

14.1.1 HERITAGE PROJECT PROGRAM REPORT

Author: MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)

Date: AUGUST 2018

ISSUE

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

DETAIL

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

- Heritage Projects staff have all provided input into the staging of the 2018 Heritage and Bullock Festival with the Gaoler's Residence, Court House and Commissariat/79 High Street all open to the public with various demonstrations and events. The commissariat trades team all provided demonstrations for the weekend and Pigeon Whole Bakery operated from the commissariat with the first baking in the oven since the 1940s (with proceeds donated to the festival committee).
- Continued final fitoff works in the shop/cottage at 79 High Street, Oatlands.
- Completion of the chimney, weatherboards and sandstone conservation on the commissariat and further finishing/fitoff works undertaken.
- Further processing of archaeological artefacts from the commissariat and interpretation planning.
- Liaison with Christina Henri for an Artist in Residence and education program from the Gaoler's residence.
- Assisting with the finalisation of the 'Cows in the Lake' and Kempton Memorial Avenue.
- The Beacon project is progressing in conjunction with Brighton and Derwent Valley Councils. A presentation to the meeting will be made by Alan Townsend and Simon Blight.
- Staging consultation sessions (8) and providing public outreach for the Anglican church sales issue.
- Social media updates for Oatlands Commissariat Restoration Project and Southern Midlands Heritage.
- Discussions with local groups about potential model of community co-operative at 79 High Street and liaison with a group who are successfully running a similar model.
- Specifications are being finalised for the Kempton roof lantern project (some minor and urgent repairs have already been undertaken).

RECOMMENDATION

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

DECISION

Moved by Clr R Campbell, seconded by Clr D Fish

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

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

The General Manager (T Kirkwood) declared an Interest in Item 14.1.2 and left the meeting at 1.35 p.m.

14.1.2 USER POLICIES: OATLANDS GAOL, SUPREME COURT HOUSE, COMMISSARIAT & 79 HIGH STREET, OATLANDS

Author: MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)

Date: 17 AUGUST 2018

Enclosure:-

Draft Oatlands Gaolers Residence and Supreme Court House User Policy
Draft Oatlands Commissariat & 79 High Street User Policy

ISSUE

Seeking Council endorsement of the Oatlands Commissariat and 79 High Street User Policy, and the [revised] Oatlands Gaol and Supreme Court House User Policy (superseding that previously endorsed October 2011).

DETAIL

This report seeks endorsement of the *Oatlands Commissariat & 79 High Street User Policy*, which is a new policy aimed at providing guidance as to the use of the Oatlands Commissariat and shop/cottage at 79 High Street (the place), Oatlands as a 'community heritage/craft/trade skills co-operative'.

This report includes a revision of the *Oatlands Gaoler's Residence and Supreme Court House* user policy, which was endorsed by Council in October 2011. The revised policy is not materially different to that previous policy but updates it to better align with the newer policy format as well as the draft Commissariat/79 High Street policy.

Background (etc.) of each policy is contained within each document.

The draft policies were tabled at Council's July 2018 meeting for discussion. The policies as presented here have minor grammatical errors corrected and the 79 High/Commissariat policy has emphasised the 'local' community group preference for building use as requested at that meeting.

RECOMMENDATION

THAT the Oatlands Gaolers Residence and Supreme Court House User Policy and the Oatlands Commissariat & 79 High Street User Policy be endorsed.

DECISION

Moved by Deputy Mayor A Green, seconded by Cllr E Batt

THAT the Oatlands Gaolers Residence and Supreme Court House User Policy and the Oatlands Commissariat & 79 High Street User Policy be endorsed.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Cllr A R Bantick	√	
Cllr E Batt	√	
Cllr R Campbell	√	
Cllr D F Fish	√	
Cllr D Marshall	√	

The General Manager (T Kirkwood) returned to the meeting at 1.35 p.m.

ENCLOSURE
Item 14.1.2



Council Policy
**OATLANDS GAOLER'S RESIDENCE & SUPREME COURT HOUSE
USER POLICY**

Approved by: Council
Approved date:
Review date:

1. PURPOSE

The purpose of this policy is to provide guidance as to the use of the Oatlands Gaoler's Residence (GR) and Supreme Court House (SCH) for community use and for furthering the objectives of the Southern Midlands Historic Heritage Strategy (SMHHS) and Southern Midlands Arts Strategy (SMAS) as they relate to those buildings and their use.

2. OBJECTIVE

This policy specifically seeks to further the following broad program objectives (drawn from the SMHHS14-18 – note that other initiatives are further elaborated in that strategy):

- Continue to make the building [GR] available for Artist in Residence (AiR) and other community-based events/uses.
- Scope business opportunities for the long-term sustainable use of the Oatlands Gaol, in-line with other local and multi-regional heritage and tourism initiatives.
- Implement the refined long term strategies for a heritage, trades, archaeology & museum skills centre with maximised public use and access [GR].
- Make available for community use [SCH].
- Continue to foster partnerships with relevant stakeholders for the use of the building as a small museum and interpretation centre [SCH].
- Seek to operate the Court House as a community focused small museum and heritage interpretation centre.

Overall, the objective of this policy is to seek maximum appropriate use of the buildings and associated collections and to encourage heritage/arts/cultural use of the spaces for the benefit of the community.

3. BACKGROUND

In July 2010, Council endorsed the *Oatlands Gaol Use and Development Plan*, which set the broad usage parameters of the building and site, following the restoration and interpretation project. That document proposed use of the building as:

- Heritage collections storage and curatorial space
- Office for Council's Heritage Projects staff, and office space ancillary to the Centre for Heritage at Oatlands
- Accommodation and office space for visiting interns/students
- An archaeological interpretation space (further to the Oatlands Gaol Interpretation Plan).



Council Policy
**OATLANDS GAOLERS'S RESIDENCE & SUPREME COURT HOUSE
USER POLICY**

Approved by: Council
Approved date:
Review date:

The SMHHS 2014-18 sets a range of initiatives for the ongoing use of the GR and SCH – this policy is to be read in conjunction with that strategy (or any successor) and any revision of that strategy must be consistent with this policy.

On the 17th October 2011, Council endorsed a User Policy for the buildings. This policy provides a revision and update of that policy (with a similar tenor) and in a format more consistent with current Council policy documents.

4. POLICY

4.1 Nature of use

The GR is to be used as the administrative centre for Council's Heritage Projects Program and as a shared space to be used for public access, heritage interpretation and community events with a heritage research/interpretation arts/crafts and cultural focus. Use for Council's AiR program may occur consistent with the associated policy. The future use of the gaol yard itself is subject to off-site replacement of the swimming pool and the directions of the Oatlands Gaol Master Plan.

The SCH is to be used primarily as heritage interpretation space as well as a shared use with community events with a focus on larger group events (e.g. seminars, reunions, performance etc).

4.2 Management and staffing

The management responsibility of the buildings is to be within the Heritage Projects Program, with monthly reporting to Council. Staffing for management/administration is to be sourced from that program.

Council will not necessarily provide day-to-day/on-site staffing although will provide administrative support to the user groups to do so. Subject to workload, Council's Heritage Projects Program staff may provide some staffing presence at the GR.

Council is to ensure the maintenance, security, safety and where possible equitable access requirements of the buildings.

4.3 Return to Council

Council has budgeted \$5,000 p.a. to cover baseline outgoings for each building (excluding staffing). Provided the objectives of this policy are being demonstrably met, Council does not seek a financial return for use of the buildings however a break-even bottom line is desirable.



Council Policy
**OATLANDS GAOLER'S RESIDENCE & SUPREME COURT HOUSE
USER POLICY**

Approved by: Council
Approved date:
Review date:

Should any profit be made by Council, this is to be reinvested into the buildings (e.g. works, interpretation, infrastructure) and/or associated objectives (e.g. promotion or staffing).

4.4 Eligibility criteria for use of the buildings

Exhibitions

Use of exhibition spaces in the Gaoler's Residence and Supreme Court House will be made available free-of-charge for not-for-profit purposes on a negotiated duration basis (including for Artist in Residence exhibitions consistent with the Artist in Residence policy).

Exhibition space may be made available on a commercial basis provided that the proposal is considered culturally appropriate for the building, and preferably fits with the mandates of SMC's Heritage or Arts Programs (as outlined in the SMHHS and SMAS). Council, via the General Manager, reserves the right to charge a fee for any commercial use of the buildings (in-line with Council's schedule of fees for hall use) in this instance.

Accommodation

Residential accommodation in the GR may be made available free-of-charge to the following:

- Artists in Residence (consistent with the Artist in Residence Policy).
- Not-for-profit and/or academic researchers undertaking research on Southern Midlands heritage collections or sites.
- Persons working on Council owned work sites as a contractor, where Council would normally provide/pay for accommodation.
- Participating on Council's heritage (or other) programs as a volunteer.
- The building is not to be used for Council staff accommodation.

Gatherings

The buildings may be used free-of-charge for gatherings which have a heritage/arts/cultural theme, such as seminars, meetings, performance, reunions, recitals, demonstrations etc.

Office space

Use of office space by complimentary organisations or other Council staff may be negotiated on a cost-sharing basis provided this does not unduly inhibit community use and access.

Other community events

The General Manager has the discretion to allow other uses of the buildings for occasional public events that do not precisely fit this policy, provided these will not result in detriment to the buildings or collections. Council reserves the right to charge a fee for such uses, consistent with fees and charges for other Council owned halls.



Council Policy
**OATLANDS GAOLER'S RESIDENCE & SUPREME COURT HOUSE
USER POLICY**

Approved by: Council
Approved date:
Review date:

Council, via the General Manager, reserves the right to place time limits on any use of the buildings by any particular user/group.

'User Manuals' are to be provided for each building to guide the appropriate use, safety and security of the buildings and collections.

5. RELATED DOCUMENTS

- OATLANDS GAOL MASTER PLAN 2009 (SMC)
- OATLANDS GAOL USE AND DEVELOPMENT PLAN 2010 (SMC)
- OATLANDS GAOL INTERPRETATION PLAN 2011 (SMC)
- OATLANDS GAOLER'S RESIDENCE AND COURT HOUSE USE POLICY (10/2011 – superseded by this policy).
- OATLANDS GAOLER'S RESIDENCE USER MANUAL (SMC)
- OATLANDS SUPREME COURT HOUSE & COLLECTIONS, PUBLIC ACCESS and INTERPRETATION PLAN 2006 (People and Place)
- OATLANDS SUPREME COURT HOUSE INTERPRETATION PROJECT – IMPLEMENTATION STRATEGY 2008 (SMC)

The proposed use of the buildings is consistent with the endorsed *Oatlands Supreme Court House Public Access and Interpretation Plan*, the *Oatlands Gaol Master Plan*, the *Southern Midlands Council Historic Heritage Strategy 2009-13*, and the *Oatlands Gaol Use and Development Plan*, all of which have been subject to public exhibition and consultation.

6. DOCUMENT ADMINISTRATION

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

This document is Version 1 effective XX-XX-XXXX. The document is maintained by the Heritage Projects Program for the Southern Midlands Council.



Council Policy
**OATLANDS COMMISSARIAT & 79 HIGH STREET
USER POLICY**

Approved by:	Council
Approved date:	Insert date
Review date:	Insert date

1. PURPOSE

The purpose of this policy is to provide guidance as to the use of the Oatlands Commissariat and shop/cottage at 79 High Street (the *place*), Oatlands as a 'community heritage/craft/trade skills co-operative'.

2. OBJECTIVE

This policy seeks to further the following program objectives:

- To encourage the vibrant use of the place (including maximum community/public access).
- To foster heritage/craft/art/trade skills in Oatlands and the wider Southern Midlands.
- To fulfil the obligations arising from the *National Stronger Regions Fund* grant for the refurbishment of the place.
- To define the rights, roles and responsibilities of user groups.
- To work collaboratively with the Centre for Heritage at Oatlands to achieve mutual objectives.

3. BACKGROUND

Further to the *Oatlands Commissariat Master Plan 2013*, in 2016, Council obtained funding through the *National Stronger Regions Fund* for the restoration and refurbishment of the Oatlands Commissariat and shop/cottage at 79 High Street Oatlands as the *Southern Midlands Integrated Heritage Skills Hub* (name may be subject to change). Essentially this project was to prepare the building and site for an economic development use, but with the themes of heritage/arts/crafts/trades as the main impetus. The SMIHSH project master plan formed part of the application which set broad parameters for use, further to which this policy formalises.

The project plan identified the Centre for Heritage at Oatlands as the 'lead tenant' but with involvement by community groups as 'co-tenants'. The economic development of the Centre for Heritage was a key component in sourcing the funding for the project therefore an commitment exists for that lead tenancy.

4. POLICY

4.1 Nature of use

The place is to be used for initiatives relating to heritage/craft/art/trades with a skill development or demonstration component that have demonstrable community benefit.

Public access and interpretation of heritage values is a key component of the use of the place.



Council Policy
**OATLANDS COMMISSARIAT & 79 HIGH STREET
USER POLICY**

Approved by:	Council
Approved date:	Insert date
Review date:	Insert date

It is desired that the historic baker's oven be used for bakery purposes with a focus on traditional methods/ingredients.

4.2 Management and staffing

The management responsibility of the place is to be within the Heritage Projects and Community Development Programs with monthly reporting to Council. Staffing for management/administration is to be sourced from both/either of those programs.

Council will not necessarily provide day-to-day/on-site staffing although will provide administrative support to the user groups to do so.

4.3 Return to Council

Council has budgeted \$10,000 p.a. to cover baseline outgoings for the place (excluding staffing). Provided the objectives of this policy are being demonstrably met, Council does not seek a financial return for use of the property however a break-even bottom line is desirable.

Whilst preference is to be given to local not-for-profit community groups, groups from other regions and/or for-profit initiatives may be accommodated, however Council reserves the right to seek a return from such users.

Should a profit be made by Council, this is to be reinvested into the property (e.g. infrastructure) and/or associated objectives (e.g. promotion or staffing).

Council's General Manager may determine any user fees applicable.

4.4 User guidelines and user group agreements

User guidelines and user group agreements are to be in-place which adhere users to meeting the objectives of this policy. The user guidelines must:

- Ensure that use of the place is consistent with the objectives of this policy and any appropriate quality control processes.
- Define Council's role as a landlord.
- Give preference to not-for-profit community groups.
- Allow the discretion for use by 'for profit' individuals/groups if a benefit to the place, return to Council, or substantial benefit to the objectives of this policy can be demonstrated (note that the funding sourced for the project was reliant on the Centre for Heritage economic development activities).



Council Policy
**OATLANDS COMMISSARIAT & 79 HIGH STREET
USER POLICY**

Approved by:	Council
Approved date:	Insert date
Review date:	Insert date

- Define the rights for each user/user group (e.g. spatial, time-share etc.).
- Define the responsibilities for each user/user group (e.g. individual financial management, times of attendance/opening, outgoings, cleaning, security etc.).
- Define use duration and reversionary processes.

4.5 Complimentary use of other Council owned heritage buildings

Use of the Oatlands Gaoler's Residence and Supreme Court House may be an adjunct of initiatives arising from the place, subject to the provisions of this policy and the Oatlands Gaoler's Residence and Court House User Policy.

5. RELATED DOCUMENTS

- OATLANDS COMMISSARIAT PROJECT MASTER PLAN 2013 (SMC)
- SOUTHERN MIDLANDS INTEGRATED HERITAGE SKILLS HUB PROJECT PLAN 2015. (SMC/HESC)
- SOUTHERN MIDLANDS HISTORIC HERITAGE STRATEGY
- OATLANDS GAOLER'S RESIDENCE AND COURT HOUSE USE POLICY (SMC)

6. DOCUMENT ADMINISTRATION

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

This document is Version 1 effective XX-XX-XXXX. The document is maintained by Heritage projects/Community and Corporate Development for the Southern Midlands Council.

14.2 Natural

Strategic Plan Reference 3.2.1 & 3.2.2

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

14.2.1 LANDCARE UNIT – GENERAL REPORT

Author: NRM PROGRAMS MANAGER (MARIA WEEDING)

Date: 14 AUGUST 2018

ISSUE: Southern Midlands Landcare Unit Monthly Report.

DETAIL

- Maria Weeding continues to progress Kempton Streetscape matters, mostly to do with the fence, ground entrance and tree planting activities at this stage. Native tree planting undertaken at the recreation ground (approx. 170 plants – infill) undertaken in late July with Helen Geard and Sandy Leighton. Some further native plants and some cypress screening plants also placed at the Stop Over area. The Streetscape Group plan to have a mini celebration of the works to date. This will be a Sunday lunch time event sometime in early November 2018. The Lower Midlands Arts Group will mostly progress the event, as it will involve more work on the mural at the back of the grandstand.
- Helen Geard has been busy with the historic machinery shed at Callington Park. The machinery was reorganised with the help of outdoor works staff to create a less cluttered display. The interpretation signage and numbering of the items was renewed and updated where necessary. The booklet that more fully describes the function of the items was redone to match the revised numbers on the machinery displayed. This work was completed in time for the recent Heritage and Bullock Festival, held largely in the Callington Park area.
- Both Helen Geard and Maria Weeding have been on annual leave for part of July and August 2018.
- Council's Weeds Officer Sandy Leighton continues with her work. The following is a summary of activities from 17th July to 14th August 2018 (*details provided by S Leighton*).

Enquiries

1 (gorse)

Site visits

1 x gorse control, Mangalore property. Handouts and advice provided to farmer.

Emerging weed issues

Nil.

Mapping

Cotton and Saffron thistle databases updated and maps (location and control status) produced for Thistle workshop.

Thistle workshop

- Planning for thistle workshop/ information session at Tunbridge completed,
- Discussions held with Tim and Jack regarding potential Council support for farmers and weeds,
- Presentation prepared,
- Guest speakers are Rod Hancl, Senior Agronomist with Roberts Limited and Ben Leditschke, Consultant with Proadvice,
- Invitations sent to over 30 farmers who took part in the thistle interviews,
- Flyer available at Roberts and on the Council website,
- Key information documents sourced/ prepared and available on the night,
- To be held on Tuesday 14 August between 5:30 and 8.00pm at the Tunbridge Community Club.

Weed Control Contractor list

- Weed Control Contractors list finalised,
- Discussed with and approved by Tim Kirkwood.

Planting

Assisted Maria Weeding & Helen Geard with plantings at Kempton Recreational Grounds, other Kempton sites and Lake Dulverton.

RECOMMENDATION

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

DECISION

Moved by Clr R Campbell, seconded by Clr D Fish

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

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

14.2.2 PROPOSED POLICY (DRAFT) – MANAGEMENT OF TREES ON COUNCIL LAND

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 16 AUGUST 2018

Enclosure:

Draft Policy Version 3 - Management of Trees on Council Land

BACKGROUND

This policy was first considered in April 2018 (Version 1), May 2018 (Version 2) and June 2018 (Version 3) by Council prior to being released for public comment.

Draft Version 3 of the Policy was released for community consultation between the 13th July 2018 and 15th August 2018.

As at the closing date, no response or comment from members of the public have been received.

DETAIL

The draft Policy 'Management of Trees on Council Land' Version 3 is now enclosed for formal adoption by Council.

RECOMMENDATION

THAT the Management of Trees on Council Land Policy (Version 3) be formally adopted by Council.

DECISION

Moved by Deputy Mayor A Green, seconded by Clr D Fish

THAT the Management of Trees on Council Land Policy (Version 3) be formally adopted by Council.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

ENCLOSURE
Item 14.2.2



Council Policy

DRAFT VERSION 3

MANAGEMENT OF TREES ON COUNCIL LAND POLICY

Approved by:
Approved date:
Review date:

DRAFT V3
Insert date
Insert date

A. INTRODUCTION

1. Context

Street and reserve trees contribute to the appearance of a place through their aesthetic value by providing identity and character. In addition, trees positively contribute to the environment by absorbing heat, providing shade, reducing solar radiation, providing habitat to fauna and flora, utilising storm water runoff, maximising carbon storage and assisting in air purification.

Healthy street trees provide a community with many valuable benefits that can be measured in tangible terms, namely;

- *Economic Benefits* - Street trees make a broad economic contribution to the economic vitality of the community by presenting an image of a progressive liveable town. Trees contribute to the enhancement of real estate values, attract tourists and contribute to making our townships and villages desirable places to live and work. Studies have shown that the presence of trees within or around urban residences can increase property values.
- *Social Benefits* - Trees contribute to the mental and physical health of our community by providing green scenery that has been shown to speed up patient recovery in hospitals and reduce stress generally. Street trees and parklands with tree plantings provide a great place to exercise or relax, providing natural areas for activities such as walking, cycling, jogging, picnics and quiet reflection.

Street trees provide psychological benefits, with aesthetically pleasing surroundings aiding increased enjoyment from everyday life and a greater sense of meaningful connection between people and the natural environment.

- *Stormwater Management* - Trees slow stormwater runoff, reducing the volume of water that must be managed in built-up areas. Trees reduce stormwater flows by intercepting rainwater on leaves, branches and trunks. This in turn slows the movement of water into drainage channels and streams. Stormwater volume is further reduced because intercepted water soaks into the soil or evaporates into the atmosphere.

The net effect is a reduction in peak flows and potential flooding, a critical issue during heavy rains. During light rains, trees provide benefits by promoting soil permeability to facilitate infiltration into the soil and groundwater recharge. Reducing impervious surfaces and increasing tree cover promotes the movement of water into the water table.

- *Microclimates* - Street trees assist the amelioration of climates at the microclimatic level, and help mitigate the impact of human-created 'heat islands' associated with paved areas. Street trees have been acknowledged as improving both air and water quality within the street environment. They help reduce pollution through the direct absorption of gaseous contaminants such as ozone, sulphur dioxide and nitrogen dioxide, and through the interception and deposition of particulate matter onto their leaf surfaces. Through shading and atmospheric cooling trees lower temperatures.



Council Policy DRAFT VERSION 3
MANAGEMENT OF TREES ON COUNCIL LAND POLICY

Approved by: DRAFT V3
Approved date: Insert date
Review date: Insert date

For Council to sustain this contribution, it must plan for and manage all stages of a tree's life from planting through to maintenance and eventual removal and replacement.

The community generally accepts that street trees are highly desirable and can transform streets into an aesthetically pleasing spaces. Nevertheless, quite serious problems can arise if careful thought is not given to both the types of trees selected for street planting and their location. Trees may become dangerous over time and can pose a risk to personal safety and property depending on their location. In addition, essential services such as sewerage, public mains and private drains/septic tanks can be blocked by tree roots. Both overhead and underground electricity and water supplies can be interrupted and street infrastructure such as kerbing and footpaths can be damaged. If trees are not adequately managed this can lead to injury, considerable inconvenience, expense and ill feeling both to property owners and to public utilities.

2. Purpose

This policy is directed at establishing a framework/guide for managing trees planted on Council streets and public land, or other naturally grown trees of significance. It will assist in determining acceptable levels of risk through the development of a tree risk management program while recognising and promoting the value of trees in contributing to the amenity of the Southern Midlands, in both streets as well as recreation grounds and reserves. Well-developed maintenance programs for public trees are important for maintaining tree health, ensuring that public safety is not compromised, and protecting infrastructure from damage. This policy outlines current directions for the management and maintenance of trees on Council land.

3. Objectives

The objectives of tree management are to enhance the landscape, to maintain a safe and sustainable canopy, and to conserve the natural environment. This management responsibility involves adopting a systematic approach to reducing the risk of injury to people and damage to property to levels that are considered acceptable in accordance to Council's policies and practices, and includes:

- a. Developing and implementing a tree management program that, for example, includes such criteria as:
 - i. Identifying trees that represent a significant consequence if they fail.
 - ii. Ensuring that trees in high use areas are regularly inspected for hazards that could pose a risk to public safety.
 - iii. Ensuring that trees are routinely pruned with the aim of protecting public utilities, enhancing public safety and amenity, and improving or maintaining tree health and facilitating pedestrian and vehicle movements.
 - iv. Complying with approved fire management strategies and plans.
 - v. Complying with relevant Australian standards.
- b. Establishing an effective maintenance program and arboricultural work practices that address issues relating to risk, health and replacement of trees. The maintenance program may, for example include such criteria as:



Council Policy

DRAFT VERSION 3

MANAGEMENT OF TREES ON COUNCIL LAND POLICY

Approved by:
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- i. Identifying trees of significance.
- ii. Adhering to a replacement tree strategy – planned and reactive.
- iii. Giving priority in pruning to trees in areas of high public use, such as streets, car parks, shopping areas and picnic areas. This may include carrying out formative pruning of young trees in the first five years following planting, removing or reducing multiple leaders on young trees when they are considered a potential future hazard, pruning trees to avoid interference with power lines, street signs, street lights and other services or removing lower branches up to a height of 3 to 5 metres in order to give clear pedestrian and traffic access and clear sight lines, particularly for vehicles entering and leaving driveways, or approaching intersections.
- iv. Adhering in pruning to Australian Standards (AS/NZ 4373).

B. PLANNING, PLANTING AND MAINTAINING

Village Areas

1. Planning - Trees will be selected in accordance with any existing approved street and landscape plans. In the absence of a plan, they are to be consistent with the general tenor of the existing streetscape and comply with the requirements of the tree risk management program. In particular, trees to be planted on nature strips and trees on public land that are within 15 m of a building or public walkway are to be of a species that:
 - a. provides a shade canopy in summer;
 - b. grows, or can be kept to, a maximum height of 10m;
 - c. are not prone to interfere with overhead, above or below ground infrastructure; and
 - d. can have a clear trunk to 2.5m when mature.
 - e. are sensitive to maintaining existing significant views from the surrounding area. In new developments, developers may, at the discretion of Council, be required to ensure that a landscape plan is prepared, implemented and maintained for a period of 3 years in accordance with this policy.
2. Planting - Trees will be planted in accordance with approved arboricultural work practices having regard to maintenance program requirements. Council will be solely responsible for the planting of trees to ensure the agreed objectives are met. Any requests from the public to plant trees will be considered by Council in the context of this policy and if approved will be carried out under the direction of Council if members of the public wish to be involved.
3. Maintaining - Tree maintenance will be carried out in accordance with the maintenance program and approved arboricultural work practices. Inspecting trees regularly ensures that structural defects and/or other risk factors are identified and dealt with in a timely and targeted manner in accordance with a recognised risk assessment method. The pruning, removal and replacement of trees on nature strips and public land will be undertaken by Council. All tree surgery work will be carried out by qualified Council staff or their contractors. When a member of the public is concerned about the safety or health of a particular tree on public land, a site visit is arranged and the tree assessed. Clearing from private property of vegetation which overhangs footpaths, right of ways etc., is the responsibility of the property owner. If the owner does not undertake the necessary work Council will and a charge will be negotiated.



Council Policy DRAFT VERSION 3
MANAGEMENT OF TREES ON COUNCIL LAND POLICY

Approved by: DRAFT V3
Approved date: Insert date
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Natural Areas

Natural Area vegetation communities will be managed to conserve and enhance the habitat, conservation, biodiversity and recreational amenity values of those communities, whilst minimising risks.

1. Planning - Trees to be planted in natural areas are to be local provenance seedlings, where possible, as a means of replacing trees when revegetating disturbed natural areas. Any future plan for a natural area will have regard to existing Land Management Plans, approved Fire Management Strategies and local area Activity Plans. Community input will be sought in the development of plans.
2. Planting and Maintaining - Planting and maintenance work will be carried out in accordance with approved plans and approved arboricultural work practices. Volunteers may be involved in undertaking this work under Council supervision.

C. REMOVAL AND PRUNING

This removal policy applies only to trees on Council land that are not subject to a Natural Area Assets Code or Historic Heritage Code under the current Planning Scheme or other statutory obligation. Notwithstanding this provision any tree that reaches an unacceptable level of risk which constitutes an actual risk to pedestrians and/or vehicular movement will be removed or have necessary remedial work undertaken.

1. *Retention and Removal* - A conservative approach is adopted towards the removal of live trees on public land. However, healthy trees will be removed if they are an actual risk to public safety or property, including infrastructure. Additionally, trees can be removed if they do not conform to an approved streetscape or landscape plan, subject to availability of funds. Otherwise healthy trees will be considered for removal only if they pose a significant concern to an adjacent property owner. The grounds can include:
 - a. Unsuitability of the tree to the immediate residential area,
 - b. Shading causing solar access issues,
 - c. Maintaining existing significant views from the surrounding area ,
 - d. The tree has reached an unacceptable level of risk as raised by adjacent residents,
 - e. Significant nuisance caused by shedding material,
 - f. A tree will be removed if it is dead or in irreversible decline unless particular circumstances warrant its retention.

Prior to removal Council will give consideration to whether the:

- a. tree is listed on the natural heritage register or has historical significance;
- b. tree is part of a significant native community identified in the Natural Assets Inventory, or under the Rare and Threatened Species Protection Act;
- c. tree is recognised as part of a heritage site listed under the planning scheme or the Historic Buildings Register;



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MANAGEMENT OF TREES ON COUNCIL LAND POLICY

Approved by: DRAFT V3
Approved date: Insert date
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- d. tree is recorded as to be retained on an approved Master Streetscape Plan; Landscape Plan, or Land Management Plan;
- e. tree is required to be retained as part of a development approval;
- f. provisions of the Planning Scheme prohibit the removal;
- g. tree is within an area covered by the Regional Forests Agreement;
- h. tree is located on Land leased by Council, e.g. Crown Land, where the land owner's authority is required; and
- i. the extent of neighbourhood opposition to the removal of a tree.

Trees will not be removed solely for reasons such as:

- a. adjacent landowner preference for no street tree or for a different species;
 - b. complaints about appearance (unless these are related to very poor tree health);
 - c. complaints about small quantities of leaf litter or twigs; or
 - d. complaints relating to tree roots protruding above the ground or 'competing with lawns'. If it is necessary to remove individual living trees from nature strips, regardless of whether the tree was planted by the Council or the adjacent landowner, the adjacent landowner will be consulted as to the reasons why the tree is to be removed. Where a group of trees is to be removed, the level of consultation will be more extensive. Where the removal of a street tree is necessitated for reasons associated with a redevelopment of a block it will be replaced with a new tree of an appropriate species in a similar location.
2. *Process for Removal and Pruning* - Where a request for pruning and/or removal of trees is made and there is an actual risk issue, the tree will be dealt with immediately. If the tree is on an imminent future year replacement schedule or does not conform to an approved plan, the availability of funds and the relative priority will determine when the tree is removed.

In other cases, the following process will be undertaken:

- a. A Request for Tree Removal or Pruning Application is to be made by the adjacent landowner and must cite one or more of the reasons set out in Section C 1 above.
- b. The validity of those reasons is to be assessed by Council Officers within 30 days from the date of the receipt of a Request for Tree Removal or Pruning Application, before any provisional approval or refusal is granted. The assessment, where appropriate, will include a risk analysis.
- c. In making that assessment, Council Officers may seek advice from contracted professionals with appropriate expertise (including, where relevant, professional arborists - holding a Certificate 4 or above in arboriculture and hold a qualification in tree risk assessment), and are to consult with neighbours and those likely to be affected.
- d. Once the assessment is completed, Council Officers will issue a Notice of Intent to Approve or Refuse the Tree Removal or Pruning Application.
- e. Such Notice will be placed on the tree for public exhibition for not less than fourteen days. Community members will then be able to complete a Application for Retention if they feel strongly that the trees should be retained.
- f. The Notice, together with the completed assessment, the advice (if any) obtained from contracted professionals, and with the results of neighbourhood consultation along with any Applications for Retention is to be reported in the following Council Weekly Briefing Bulletin.



Council Policy DRAFT VERSION 3
MANAGEMENT OF TREES ON COUNCIL LAND POLICY

Approved by: DRAFT V3
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- g. To enable Councillors, by Motion on Notice, to overturn the Notice of Intent to Approve or Refuse, no tree is to be removed until four weeks have elapsed from the publication of the Officers' recommendation in the Weekly Briefing Bulletin.
- h. If the Notice of Intent to Approve or Refuse is not overturned by Council within four weeks, an approval/refusal will be issued by the General Manager, or his delegate.
3. Where a Council tree impinges on an adjoining property, be it branches or roots the property owner shall formally advise Council of the issue. Council will within 30 days undertake an investigation and determine a course of action to remedy the issue, then formally advise the property owner. Council or its Contractors will undertake any action required as a response to the investigation. The property owner shall not undertake the works.
4. If a private tree impinges on public space, the private land owner must prune the tree after receiving a formal notice from Council to undertake the works.

D. REPLACEMENT

1. *Replacement* - Tree replacement is an important part of the maintenance of the public landscape. The timely replacement of dead or missing trees in newly developed landscapes, regular replacement of established trees, and replanting programs that follow the removal of ageing trees ensures that the original landscape design intent is not only initially achieved but is also retained for future generations. The community will be informed about the reasons for replacement where appropriate.
2. *Ageing trees* - Ageing trees in parks and streetscapes are subject to strategic tree replacement programs. Parks and streets where ageing trees need to be removed and replaced are identified and subject to funding, these sites are included on the annual tree replacement program. This ensures that the original landscape design intent is retained for future generations. The community will be informed about the reasons for removal where appropriate.
3. *Routine Tree Replacement* - Trees in parks or streets that have been removed for the reasons above or are missing are recorded and routinely replanted in a later planting season. This procedure ensures that the original landscape design intent is retained as plants mature. Depending on the availability of funding, missing trees are replaced with the same or similar in accordance with an arborists recommendations.

E. WILFUL DAMAGE

Wilful damage to trees on Council land will be treated in the same manner as damage to other Council assets. Where sufficient evidence exists of wilful damage it may be reported to Tasmania Police.

14.3 Cultural

Strategic Plan Reference 3.3.1

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

Nil.

14.4 Regulatory (Other than Planning Authority Agenda Items)

Strategic Plan Reference 3.4.1

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

Nil.

14.5 Climate Change

Strategic Plan Reference 3.5.1

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

Nil.

15. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LIFESTYLE)

15.1 Community Health and Wellbeing

Strategic Plan Reference 4.1.1

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

Nil.

15.2 Youth

Strategic Plan Reference 4.2.1

Increase the retention of young people in the municipality.

Nil.

15.3 Seniors

Strategic Plan Reference 4.3.1

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

Nil.

15.4 Children and Families

Strategic Plan Reference 4.4.1

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

Nil.

15.5 Volunteers

Strategic Plan Reference 4.5.1

Encourage community members to volunteer.

Nil.

15.6 Access

Strategic Plan Reference 4.6.1a & 4.6.1b

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

15.6.1 POLICY (DRAFT) - COMMUNITY BASED TRANSPORT SOLUTIONS

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 15 AUGUST 2018

Enclosure:

Community Based Transport Solutions – Draft Policy

ISSUE

Council to consider a draft Policy relating to the provision of Council grant funding to assist with the purchase of a bus (or similar) vehicle aimed at providing a community based transport solution.

BACKGROUND

The need to develop such Policy formed part of a Council decision when agreeing to provide a financial commitment to the Green Ponds Progress Association (GPPA) to assist with the purchase of a community bus.

It should be noted that the commitment was subject to the GPPA raising the balance of funds, through either fundraising or external grant funding and it is pleasing to advise that the GPPA has been successful in this regard, mainly through receipt of a Grant from the Tasmanian Community Fund.

DETAIL

When considering the initial request for funding from the GPPA, it was recognised that similar requests may be forthcoming in the future. Therefore, an overall policy position should be adopted whereby similar applications or requests can be assessed against set criteria and pre-determined conditions of approval.

The enclosed draft Policy has been prepared for this reason.

Human Resources & Financial Implications – The proposed policy would require Council to allocate \$5,000 per annum in its Budget to allow for any proposals that may be received. Alternatively, the budget could be allocated retrospectively depending on demand.

Community Consultation & Public Relations Implications – Transport options, or lack thereof, is continually recognised as being a significant issue within the Southern Midlands Council area. It follows that where a particular community is prepared to take a pro-active approach to address the issue, then Council should take a positive position and be prepared to assist as far as practical.

Policy Implications – Policy position.

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

THAT:

- a) the information be received; and
- b) the draft Policy (subject to any amendments) be submitted for formal adoption at the September 2018 meeting.

DECISION

Moved by Clr D Fish, seconded by Clr A Bantick

THAT

- a) the information be received; and
- b) the draft Policy (subject to any amendments) be submitted for formal adoption at the September 2018 meeting.

Note: Policy to include a statement that the Provider must indicate the level of service to be provided.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

ENCLOSURE

Item 15.6.1



Council Policy
COMMUNITY BASED TRANSPORT SOLUTIONS POLICY

Approved by: Council
Approved date: Insert date
Review date: Insert date

1. PURPOSE

The purpose of this Policy is to provide a framework to consider applications for funding from not-for-profit organisations which are aimed at providing community based transport solutions through the purchase of a bus (or similar vehicle).

2. SCOPE

The intent of this Policy is to ensure consistency and allow for an assessment to be undertaken based on set criteria and pre-determined conditions of funding approval.

3. POLICY

The Southern Midlands Council, subject to an available budget allocation, will provide a maximum 'one-off' contribution of \$5,000 to a not-for-profit community based organisation to assist with the purchase of a bus (or similar transport vehicle) under the following terms and conditions:

1. The service must be provided by a 'not-for-profit' community based entity (or similar) as opposed to a private individual(s);
2. Evidence must be provided that the service is capable of being managed and operated by the community;
3. Evidence must be provided that the intent of the service is to provide transport option that will generally be made available to all members within the nominated area (subject to any reasonable rules and conditions set by the service provider);
4. Council's capital contribution is not to exceed 25% of the total capital outlay (to a maximum of \$5,000);
5. Evidence must be submitted that the applicant organisation has the capacity to fund the balance of the capital acquisition cost, or can demonstrate that it is actively seeking to raise the necessary funds through either fundraising or other external grants.

Note: In order to support applications for external grant funding, Council may elect to provide a letter of support and a financial commitment in advance.

In the event that funding is provided, it is subject to the following terms:

1. Unless exceptional circumstances exist and then being subject to a Council decision, no further capital contribution will be made for subsequent replacement of the vehicle as this cost should be incorporated in the fees charged to users;
2. Should the service cease to operate within a period of two years from the date that the Council funding is provided, then the vehicle is to be sold and Council is to recoup a percentage of the sale price (equivalent to the percentage of its initial capital contribution); and
3. The organisation must provide a basic report to the Southern Midlands Council on an annual basis. Detail to include but not limited to usage statistics; registration and insurance details; maintenance etc.



Council Policy
COMMUNITY BASED TRANSPORT SOLUTIONS POLICY

Approved by:	Council
Approved date:	Insert date
Review date:	Insert date

4. LEGISLATION

Local Government Act 1993 – Grants are generally provided under Section 77 of the *Local Government Act 1993*.

5. RELATED DOCUMENTS

Not applicable.

6. DOCUMENT ADMINISTRATION

This Instruction is a managed document and is to be reviewed every two (2) years or as directed by the General Manager.

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

DRAFT

15.7 Public Health

Strategic Plan Reference 4.7.1

Monitor and maintain a safe and healthy public environment.

Nil.

15.8 Recreation

Strategic Plan Reference 4.8.1

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

Nil.

15.9 Animals

Strategic Plan Reference 4.9.1

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

Nil.

15.10 Education

Strategic Plan Reference 4.10.1

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

Nil.

16. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

16.1 Capacity & Sustainability

Strategic Plan Reference 5.1.1 & 5.1.2

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

Nil.

16.2 Safety

Strategic Plan Reference 5.2.1

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

16.2.1 MUNICIPAL EMERGENCY MANAGEMENT PLAN – SOUTHERN MIDLANDS

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 14 AUGUST 2018

Attachment:

Municipal Emergency Management Plan – Southern Midlands (Issue 8 2018)

ISSUE

Council to endorse the revised version of the Southern Midlands Municipal Emergency Management Plan (Issue 8 2018).

BACKGROUND

In accordance with the *Emergency Management Act 2006*, each Municipal Committee is required to prepare a plan for emergency management in the municipal area or municipal areas in respect of which the Municipal Committee has the responsibility of instituting and coordinating emergency management.

The plan provides details of the arrangements and responsibilities for the governance and coordination of emergency management within the Municipal Committee area.

Each Municipal Committee is to review its Emergency Management Plan at least once every two years.

DETAIL

The attached Plan has been updated and was submitted to the Southern Midlands Emergency Management Committee at its meetings held on the 25th June 2018 and 6th August 2018 for final review and recommendation to Council.

In reference to the Minutes of the meeting held on the 6th August 2018, the Committee has recommended to Council that the Southern Midlands Municipal Emergency Management Plan (Issue 8 2018) be adopted and submitted to the Southern Region Emergency Management Controller for final approval.

Human Resources & Financial Implications – Refer detail contained within the Plan.

Community Consultation & Public Relations Implications – the Plan has been developed in consultation with the key emergency management stakeholders.

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

THAT Council endorse the revised Southern Midlands Municipal Emergency Management Plan (Issue 8 2018) and submit to the Southern Region Emergency Management Controller for formal approval.

DECISION

Moved by Cllr A Bantick, seconded by Cllr E Batt

THAT Council endorse the revised Southern Midlands Municipal Emergency Management Plan (Issue 8 2018) and submit to the Southern Region Emergency Management Controller for formal approval.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Cllr A R Bantick	√	
Cllr E Batt	√	
Cllr R Campbell	√	
Cllr D F Fish	√	
Cllr D Marshall	√	

16.3 Consultation & Communication

Strategic Plan Reference 5.3.1

Improve the effectiveness of consultation and communication with the community.

Nil.

17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

17.1 Improvement

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

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

Nil.

17.2 Sustainability

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

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

17.2.1 COMMON SERVICES JOINT VENTURE UPDATE (STANDING ITEM – INFORMATION ONLY)

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 17 AUGUST 2018

ISSUE

July 2018 reports were circulated at the meeting.

DECISION

Moved by Clr D Fish, seconded by Clr A Bantick

THAT the information be received.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

ENCLOSURE

Item 17.2.1

Local Government Shared Services - Council Update

Council

Southern Midlands

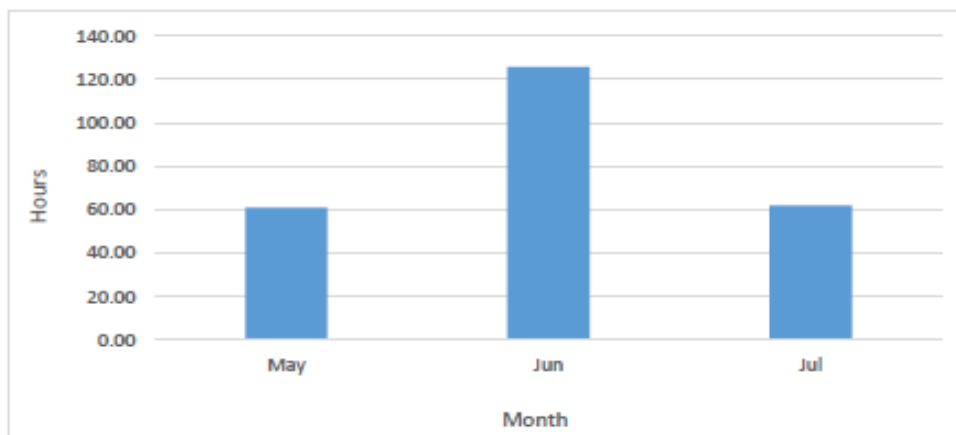
Shared Service Participation in July 2018

62 hours

Summary

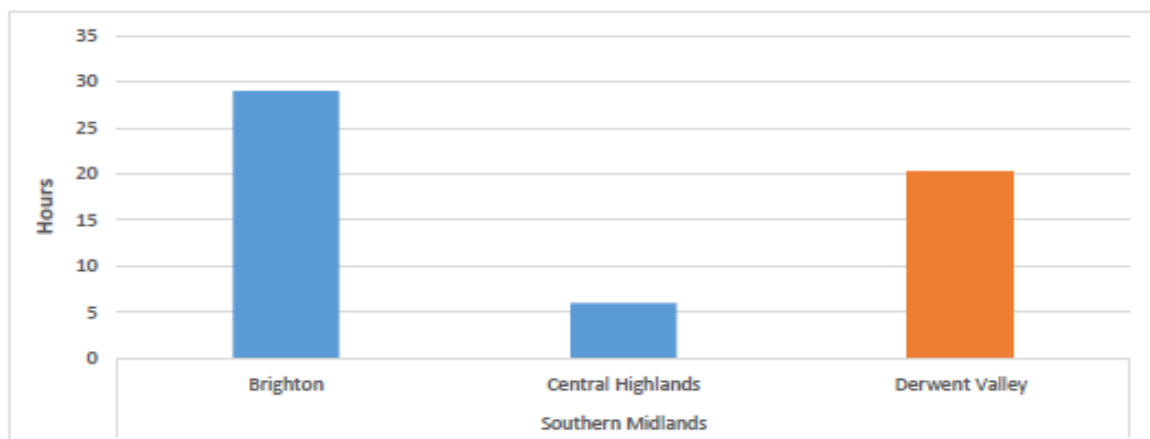
In July 2018, 62 hours of shared services were exchanged by the Southern Midlands Council which was a decrease from hours exchanged in June (126). From this total, Southern Midlands provided 55 hours of services to other Councils and received 7 hours of services from other Councils.

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



Services Provided by Southern Midlands Council

Fig 2 - Services Provided by Southern Midlands Council during July 2018 by Council



*Council is not a member of LG Shared Services Agreement

Fig 3 - Services Provided by Southern Midlands Council during June 2018 by Service Category

SOUTHERN MIDLANDS		Summary of Services Provided
Brighton	29	
Plumbing Permit Authority	29	Plumbing Inspections & Approvals
Central Highlands	6	Beacon Foundation Project
Planning Services	6	Statutory Planning Services
*Derwent Valley	20	
Plumbing Permit Authority	20	Plumbing Inspections & Approvals
Grand Total	55	

*Council is not a member of LG Shared Services Agreement

Services Received by Southern Midlands Council

Fig 4 - Services Received by Southern Midlands Council during July 2018 by Council

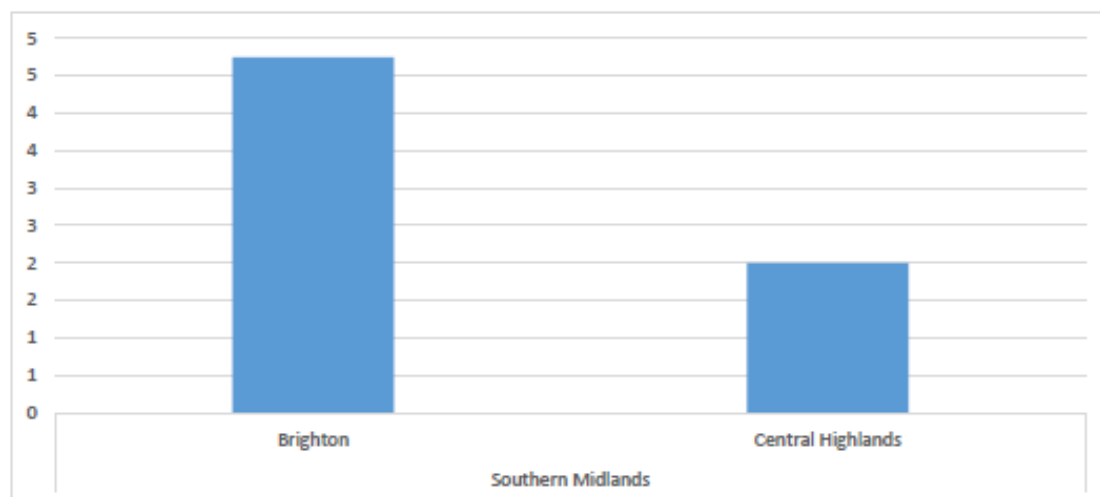


Fig 5 - Services Received by Southern Midlands Council during July 2018 by Service Category

SOUTHERN MIDLANDS		Summary of Services Received
Brighton	5	
Development Engineering	5	Subdivision Approvals & Inspections
Central Highlands	2	
Works Services	2	Online Contractor Inductions
Grand Total	7	

Cost Benefits Achieved by Southern Midlands and Other Councils

62 hours of Shared Services were exchanged by Southern Midlands Council last month. Analysis of Shared services provision has indicated that both the Provider Council and the Client Council save money through the exchange of Shared services at an approximate ratio of 50%.

In the month of July, it is estimated, Council have achieved a net benefit of approximately \$3,550. This was a result of increasing the utilisation of its current staff to earn additional revenue from providing services to other Councils, and from utilising Shared Services from within Local Government as opposed to external consultants (on average LG Shared Services rates can be procured at significant discount to external consultant fees).

It is estimated that Southern Midlands Council's direct involvement in Shared Services saved ALL participating Councils (including Southern Midlands Council) approximately \$3,980 for the month of July.

Local Government Shared Services Update July 2018

Summary of Recent Shared Services Activity

1172 hours of Shared Services were exchanged between Councils during July 2018, which was a decrease of approximately 12% when compared to hours exchanged during the previous month of June (1328 hours) and these hours were in line with the three-month average of 1174 hours per month.

Fig 1 - Shared Service Exchange Hours in Recent Months

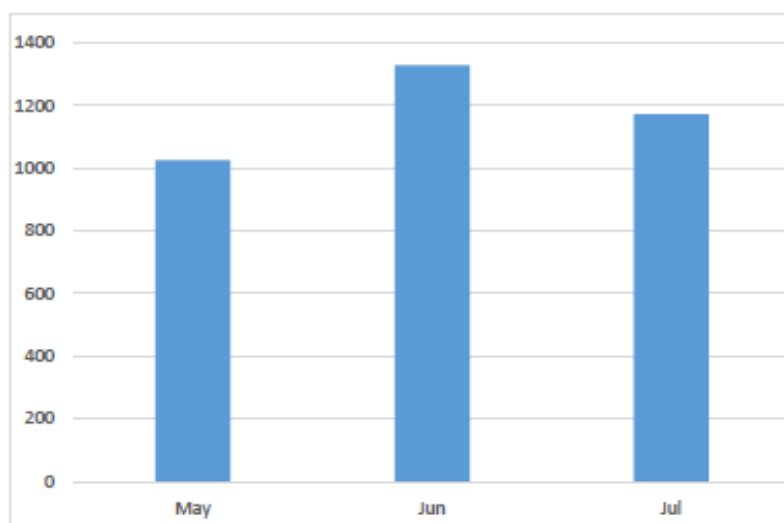
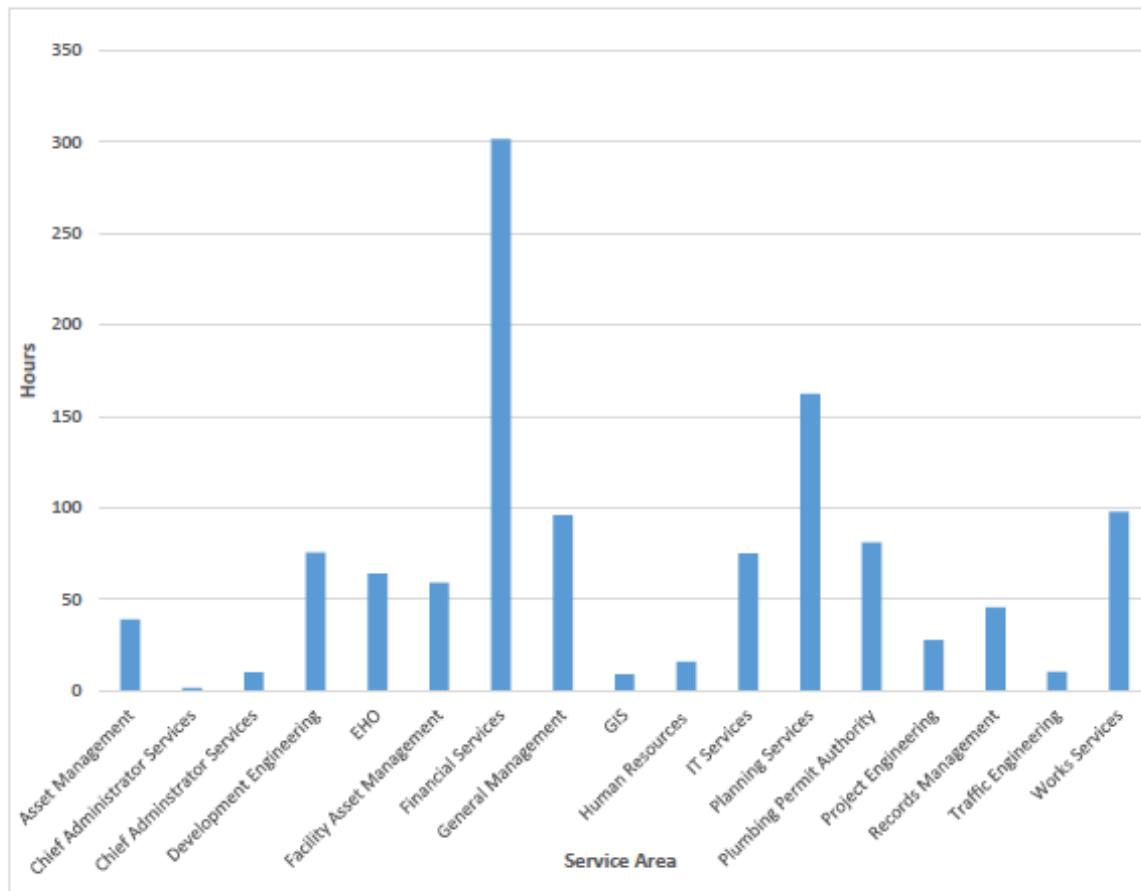


Fig 2 - Details of Current Exchange of Services by Council during July 2018

Provider Council	Client / Organisation									
	Brighton	Central Highlands	Derwent Valley*	GSB	Litchfield (NT)	LGSS	Glenorchy	Sorell	Southern Midlands	Tasman
Brighton			150	88.5		12	10.5		5	96
Central Highlands	2							2	2	2
GSB										
Sorell	7			113						486
West Arnhem (NT)					45.5					
Southern Midlands	29	6	20							
Tasman								96		

*Council/Organisation not currently a member of the Local Government Shared Services Agreement

Fig 3 - Details of Current Exchange of Services by Service Category during July 2018



Savings to Local Government

A total of 1172 hours of Shared Services were exchanged between Councils last month. Analysis of Shared Services provision has indicated that both the Provider Council and the Client Council save money through the exchange of Shared Services at an approximate ratio of 50%.

Due to this, it is estimated that the provision of Shared Services between Councils saved ALL participating Councils and Local Government, of the amount of \$88,690 for the month of July. This was a result of increasing the utilisation of current Council Staff at Councils providing services and from Client Councils utilising Shared Services from within Local Government as opposed to external consultants (on average LG Shared Services rates can be procured at significant discount to external consultant fees).

Progress of the Shared Services

- Shared Services Agreement Schedules 1, 2 and 3 have been amended to reflect change of Committee Member names and CPI increases as at 1 July 2018.
- Increase involvement with Northern Territory members and encourage more participation in meetings.
- Continuing to pursue financial gains through combined purchasing of common services approach.

17.2.2 SOUTH CENTRAL SUB-REGION COLLABORATION STRATEGY – STANDING ITEM

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 14 AUGUST 2018

ISSUE

Standing Item to enable:

- a) Council to identify or consider new initiatives that can be referred to the Sub-Region Group for research and / or progression; and
- b) The provision of updates and reports on the Group's activities.

BACKGROUND

The Brighton, Central Highlands, Derwent Valley and Southern Midlands Councils have agreed to work together to identify and pursue opportunities of common interest and to more effectively and efficiently serve ratepayers, residents and the communities in these municipal areas.

DETAIL

The Sub-Region Group has now met on six occasions. The last meeting was held on 4th June 2018 however no minutes of that meeting are yet to be received.

Human Resources & Financial Implications – No budget has been allocated for these sub-regional activities. Any specific projects which require additional funding will be referred to Council for consideration prior to commencement.

Community Consultation & Public Relations Implications – Nil

Policy Implications – N/A

Priority - Implementation Time Frame – Ongoing.

RECOMMENDATION

THAT the information be received.

RESOLVED that the information be received.

17.2.3 DRAFT TERMS OF REFERENCE – REVIEW OF LOCAL GOVERNMENT LEGISLATION

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 16 AUGUST 2018

Enclosure:

Review of Tasmania's Local Government Legislation – Draft Terms of Reference

ISSUE

Council to consider and provide feedback on the draft Terms of Reference for the review of Tasmania's Local Government Legislation.

BACKGROUND

On the 26th June 2018, the Minister for Local Government announced that the Tasmanian Government would be undertaking a major review of Tasmania's local government legislation.

DETAIL

The Minister has provided the attached Draft Terms of Reference and advised that the intent of the Review is to develop, in close collaboration with the local government sector, a best practice 21st century legislative framework that:

- supports greater innovation, flexibility and productivity;
- minimises red tape;
- enhances accountability and transparency; and
- increases community engagement, participation and confidence.

The scope of the Review is broad, and it is emphasised that it will not consider council amalgamations or changes to existing municipal boundaries.

The Review will be undertaken by a dedicated Project Team in the Department of Premier and Cabinet's Local Government Division.

Once the Government has considered stakeholder and community feedback on the draft Terms of Reference, a Final Terms of Reference will be issued, which will include governance arrangements, consultation processes and key milestones and associated timeframes.

The Review will provide multiple opportunities for formal public consultation, including written and verbal submissions. As the first stage in this process, the Government will be releasing a public consultation paper on the Review before the end of 2018.

The Review will actively encourage, via its governance arrangements and consultation strategy, the participation and engagement of a broad range of stakeholders, both within and external to the local government sector, to ensure that a diverse range of voices from across the community are heard.

It is anticipated that the Review will take approximately two years from the establishment of the Review Project Team to the introduction of a new legislative framework into the Tasmanian Parliament. The goal is to have new legislation in place by 2020, to allow

adequate time for transition and implementation to occur in a smooth and staged manner before the October 2022 local government elections.

Comment:

Given the intended broad scope and nature of the Review, and the fact that it has been referred to as a review of Tasmania's Local Government Legislation, it is suggested that the Terms of Reference should include a complete list of the legislation that directly, or indirectly applies to Local Government, and what is planned to form part of the review process. This adds clarity around extent of the review and would certainly encourage greater stakeholder participation when compared to purely a review of the *Local Government Act 1993*.

The commentary made in the 'Scope' appears to contradict the preceding statements in that the review will focus primarily on a new Local Government Act (or Acts) and only identify any necessary consequential or supporting amendments to other Acts. From my perspective, this may limit the ability to achieve the overall purpose of the Review (as listed).

No comments are provided in relation to the Guiding Principles other than to suggest that the issue of affordability needs to be borne in mind when considering any reform or new legislative framework. This reflects that the size of Councils, and the level of resources available, varies greatly within Tasmania.

Human Resources & Financial Implications – Not applicable to this stage of the Review.

Community Consultation & Public Relations Implications – The Minister has confirmed that the Review will actively encourage, via its governance arrangements and consultation strategy, the participation and engagement of a broad range of stakeholders, both within and external to the local government sector, to ensure that a diverse range of voices from across the community are heard.

Council Website Implications – N/A.

Policy Implications – N/A.

Priority - Implementation Time Frame – Council's feedback on the Draft Terms of Reference are sought by no later than **20 September 2018**.

RECOMMENDATION

THAT Council:

- a) receive a copy of the draft Terms of Reference;
- b) endorse (or amend) the general comments provided; and
- c) Discuss and consider any other feedback from individual Councillor's.

Deputy Mayor A Green left the meeting at 2.07 p.m.

DECISION

Moved by Clr R Campbell, seconded by Clr E Batt

THAT Council

- a) receive a copy of the draft Terms of Reference; and
- b) endorse the general comments provided.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

ENCLOSURE
Item 17.2.3

Review of Tasmania's Local Government Legislation

Draft Terms of Reference

1. Context

On 26 June 2018, the Minister for Local Government, the Hon Peter Gutwein MP, announced a major review into Tasmania's local government legislation.

Local government has a crucial – and increasingly demanding – role in serving and representing local Tasmanian communities. The legislative and regulatory framework that governs the Tasmanian local government sector needs to reflect and support what communities expect from their local councils. It also needs to support councils to be able to meet these expectations now, and into the future.

2018 marks the 25th anniversary of the introduction of the *Local Government Act 1993* (the Act). The past quarter of a century has seen unprecedented social, economic and technological change. The role of councils and community expectations have expanded in line with these changes.

The Act has been amended and updated a number of times in recent years in an effort to keep pace in response to a range of emerging issues. A number of provisions have become outmoded or made redundant by more recent advances in telecommunications and digital technologies.

The current legislative framework has reached the point where continuous, reactive amendments are no longer desirable, efficient or sustainable. A fresh, contemporary approach is needed.

2. Purpose

The purpose of the Review is to deliver a contemporary, best-practice legislative framework for the Tasmanian local government sector which:

1. Supports greater innovation, flexibility and productivity in the sector, to improve the overall efficiency and effectiveness of the services that councils provide to the Tasmanian community;

2. Minimises the red tape and administrative burden on councils, business and the broader community;
3. Enhances accountability and transparency across the sector; and
4. Increases democratic and community engagement, participation and confidence in local government.

3. Guiding Principles

The new legislative framework for the local government sector will:

1. To the greatest extent that is possible and practical, be outcomes-focused;
2. Be flexible and robust to future structural, technological and social change;
3. Strike an appropriate balance between ensuring councils have sufficient operational and decision-making autonomy on the one hand, and having in place adequate checks and balances on the other;
4. Establish clear accountabilities and provide for efficient and effective risk-based monitoring, compliance and enforcement activities;
5. Be guided by best-practice regulatory, governance and legislative approaches and, where relevant and appropriate, lessons and outcomes from reviews of local government legislation in other jurisdictions; and
6. Be drafted and presented in a way that is logically structured and easily understood by councils, business, and the broader Tasmanian community.

4. Scope

The scope of the Review will be broad, to ensure it is flexible enough to give due consideration to ideas and initiatives that emerge through consultation with the sector, other key stakeholders, and the Tasmanian community at large.

The Review will focus primarily on a new Local Government Act (or Acts) but will also identify any necessary consequential or supporting amendments to other Acts. The Review will seek to streamline and consolidate legislative provisions, as well as deal with anachronistic or legacy provisions that are no longer relevant to the core business of the local government sector.

The Review will not consider:

- Council amalgamations, or consideration of changes to existing municipal boundaries. However, the new legislative framework will need to be flexible enough to deal with potential future structural changes that might occur over the next 20-30 years.

- The roles and functions of mayors, deputy mayors and councillors. These matters were considered in some detail as part of the 2015-2017 Targeted Review process and are considered contemporary for the broad remit and expectations of councils.
- The suite of contemporary council planning and financial management arrangements that were introduced in 2014.
- The local government Code of Conduct framework. The framework was introduced in 2016 and has recently been reviewed to ensure that it is operating as intended.

The Review is to consider the following:

1. Appropriate legislation to support the transparent setting, levying, and collection of council revenue, rates and charges;
2. Local government electoral provisions, including options for enhancing both voter and candidate participation in local government elections;
3. Provisions that support efficient and high-quality council operations and service delivery;
4. Performance monitoring, including financial sustainability, governance and other relevant reporting;
5. Council governance and decision-making practices arrangements, including options for community engagement, representation, and democratic participation;
6. Provisions that support public confidence in the integrity, transparency and accountability of local government; and
7. The roles, functions, powers and operation of statutory bodies that oversee local government compliance and reform.

17.2.4 LOCAL GOVERNMENT ELECTIONS 2018

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 16 AUGUST 2018

ISSUE

Councils have a significant impact on the lives of all Tasmanians, enabling the economic, social and cultural development of the community, supporting individuals and groups, and providing a wide range of services for the wellbeing of the community.

Councillors play a vital leadership role, working together to create and implement their community's vision, strategic direction and the values within which they operate.

Mayors, Deputy Mayors and councillors are all elected for four-year terms. The next Council elections will be held during October 2018.

General information is provided below regarding the 2018 Local Government Elections.

2018 Local Government Election timetable:

Commencement of "Relevant Period"	Thursday 9 August 2018
Notice of election to be published	Saturday 8 September 2018
Electoral rolls close at 6.00 pm	Thursday 13 September 2018
Nomination period	10 September – 24 September 2018
Nominations close	12 noon Monday 24 September 2018
Nominations announced	12 noon Tuesday 25 September 2018
Ballot material posted to electors	likely 9 - 12 October 2018
Polling period	9 - 30 October 2018
Close of poll	10:00 am Tuesday 30 October 2018
Results released as available	30 October – 3 November 2018

Changes to Local Government Election advertising:

On the 1st of August changes to the *Local Government (General) Regulations 2015* (the Regulations) relating to Local Government election campaigns came into effect – applying for the period commencing 9 August to 30 October 2018.

One aspect of the changes related to the maximum amount a candidate can spend on election advertising (spend limits).

The most recent changes which are now enacted now mean:

- For councils with more than 15,000 properties (based on rateable valuation data collected by the Government) the spend limit will be \$16,000.
- This applies to councils categorised as Urban Medium – namely Hobart City Council, Clarence City Council, Glenorchy City Council, Launceston City Council and Kingborough Council. Please note however that Glenorchy City Council is not having an election in October having had their election earlier this year.
- For all other councils, the spend limit is \$10,000 (Councils that have less than 15,000 properties).

The other changes to the Regulations that came into effect on 1st of August 2018 will remain unaltered. Namely:

- There is no difference in advertising spend limits for candidates who are running for Mayor, Deputy Mayor or councilor (in a council area). Mayors and Deputy Mayors used to have an additional amount they could spend on their campaign.
- There is no longer a limit on the number and size of posters that a candidate can display in the municipality (it used to be restricted to 50). However, candidates must still be mindful of signage requirements under their local planning scheme and are encouraged to seek advice from Council (*see below requirements for Southern Midlands Council*).
- There are no limitations on the amount of television, radio and newspaper advertising (time and size) as long as the total electoral advertising spend (including that spent on media, posters, signs, pamphlets, how to vote cards and internet advertising) does not exceed the spend limits. As outlined above, previously the limit, and the advertising declaration, included only purchased newspaper, television and radio advertising and the number of signs.

Southern Midlands Council Election signage requirements:

Signs are regulated under the Southern Midlands Interim Planning Scheme 2015, E17 Signs Code. An Election Sign under the Planning Scheme means an election poster that advertises candidates or parties running in a Federal, State or Local Government election.

Election signs are exempt provided that they meet the size requirements:

<u>Election Sign</u>	(a) Area of face no more than 1m ² ; (b) Displayed only between the issuing of a writ for an election and 7 days after the election; (c) Does not encroach on any <u>road</u> or other public reservation.
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Signage must meet the following standards:

- Historic building fabric is not damaged by the drilling of holes into stone, brick or wood and all fittings are fixed using non corrosive fittings, and in the case of masonry buildings, inserted into mortar joints;
- A sign must not contain flashing lights, moving parts or moving or changing messages or graphics;
- Signs are not illuminated.

The number of signs per business per street frontage must comply with all of the following:

- maximum of 1 of each sign type;
- maximum of 1 window sign per window;
- if the street frontage is less than 20 m in length, the maximum number of signs on that frontage is 3;
- the street frontage is 20 m in length or greater, the maximum number of signs on that frontage is 6.

Signs attached to a vehicle can be displayed provided that they are parked legally. Moveable signs on private land are subject to the same provisions as any other sign – it is a sign regardless of whether or not it can be moved. Signs must not be located on highways or other roadsides where it is not legal to park.

A billboard is a ‘Ground based panel sign’ under the Signs Code. These would require a planning permit and are only allowable in some zones. See table E17.3 of the Signs code.

General Manager’s Electoral Roll:

Under section 258 of the *Local Government Act 1993*, the General Manager maintains an electoral roll which contains the names and addresses of persons who are:-

- a) entitled to be enrolled on the basis that they are an owner or occupier of land in the Southern Midlands Council area; or
(Please note that the electoral roll automatically includes a person that is enrolled on the electoral roll for the House of Assembly in respect of an address within the Southern Midlands Council area) or
- b) The nominee to vote on behalf of a corporate body.

A review of the General Manager’s Electoral Roll has been undertaken, with correspondence sent to each individual listed on the Roll. The updated General Manager’s Electoral Roll will be submitted to the Tasmanian Electoral Commission within the required timeframes prior to the election.

Resources:

The Local Government Association of Tasmania (LGAT) has also produced a range of resources including presentations and a handbook for candidates, *Becoming a Councillor* which are available from LGAT:

<http://www.lgat.tas.gov.au/page.aspx?u=229#e260>

Elections are conducted by the Tasmanian Electoral Commission (TEC). Information on dates and further information for those considering standing as a candidate are available from the Tasmanian Electoral Commission:

https://www.tec.tas.gov.au/Local_Government_Elections/index.html

RECOMMENDATION

THAT the information be received.

DECISION

Moved by Cllr A Bantick, seconded by Cllr D Fish

THAT the information be received.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Cllr A R Bantick	√	
Cllr E Batt	√	
Cllr R Campbell	√	
Cllr D F Fish	√	
Cllr D Marshall	√	

17.2.5 TABLING OF DOCUMENTS

This is to be a standing item on the Agenda for tabling of documents that don't necessarily require any specific action(s).

17.2.5.1 FRIENDS OF CALLINGTON MILL

Refer letter dated 19th April 2018 (enclosed).

The letter provides advice that the 'Friends of Callington Mill Group' has been wound-up and the balance of funds (\$1,366.77) have been transferred to the Southern Midlands Council. An article has been included in the August 2018 Council Newsletter.

RECOMMENDATION

THAT Council formally acknowledge receipt of the correspondence and the Friends of Callington be commended for the many hours of volunteer input that ultimately resulted in the full reconstruction of the Callington Mill as a fully operational windmill.

DECISION

Moved by Clr R Campbell, seconded by Clr D Fish

THAT Council formally acknowledge receipt of the correspondence and the Friends of Callington be commended for the many hours of volunteer input that ultimately resulted in the full reconstruction of the Callington Mill as a fully operational windmill.

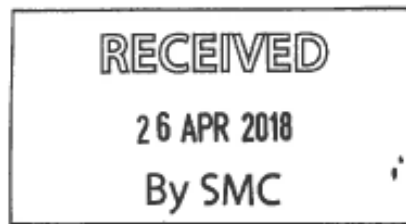
CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

ENCLOSURE

Item 17.2.5.1

19 April 2018



183 Longwood Road
Bagdad Tasmania 7030
Ph (03) 6268 6176

Email: ckharman@skymesh.com.au

Tim Kirkwood
General Manager
Southern Midlands Council
71 High Street
Oatlands Tasmania 7120

Dear Tim,

For the attention of Council.

Final financial support from Friends of Callington Mill and Allied Industries

Please find enclosed cheque for \$1366.77.

This sum is what was left in the account of Friends of Callington Mill when it ceased to exist as an entity early in April 2018.

Before it closed its operations, members of Friends asked that this money be gifted to Council for the sole purpose of assisting with maintenance works on the mill and mill sails.

Friends also asked that this gift be acknowledged in the minutes of a full meeting of Council and reported in a subsequent Southern Midlands Council Newsletter.

It should be noted that Friends was originally formed in 2002 to help promote and support plans by the Southern Midlands Council to rebuild the windmill in order to create a flour milling industry based in the Oatlands mill precinct, which would be of historic interest to visitors and the wider Tasmanian community. At that time it was also envisaged that the group would continue to support the mill complex and its maintenance for as long as required. Friends had in excess of 60 paid-up members.

As a group, Friends was very active in the early days and useful to the mill redevelopment. In part the group was responsible for encouraging people from various levels of government to take an interest in the project and to assist the redevelopment process by ensuring adequate public funds were available to allow the redevelopment to happen. This included holding discussions with Sir Guy Green, Governor of Tasmania, and Paul Lennon standing in for the then Premier of Tasmania, Jim Bacon. Also some members visited the Maude Foster Mill in Boston UK and made contact with the miller and millwright who subsequently helped to manage the restoration works.

These responsibilities were later absorbed by a community group set up by Council and directly related to the Southern Midlands Council Mill Project Management Team.

Consequently the need for Friends, as a support group, waned.

Members of Friends are grateful for the assistance provided by members of Council and Council staff in the early days of their operations and are gratified by the fact that the restoration of the mill has turned

out to be a success. We wish Council all the best for continuing to stand by this project and promote this example of an important historic industry to Tasmania.

Yours sincerely,



Chris Harman

On behalf of the Past President Jim Griffiths and other Members of Friends of Callington Mill and Allied Industries.

17.3 Finances

Strategic Plan Reference(s) 6.3.1, 6.3.2 & 6.3.3

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

17.3.1 MONTHLY FINANCIAL STATEMENT (JULY 2018)

Author: FINANCE OFFICER (COURTNEY PENNICOTT)

Date: 16 AUGUST 2018

ISSUE

Refer enclosed Report incorporating the following: -

- Statement of Comprehensive Income – 1st July 2018 to 31st July 2018 (including Notes)
- Current Expenditure Estimates – as at 31st July 2018
- Capital Expenditure Estimates (*refer to enclosed report detailing the individual capital projects*) – as at 31st July 2018
- Cash Flow Statement – July 2018
- Rates & Charges – 13th August 2018

Note: Expenditure figures provided are for the period 1st July 2018 to 31st July 2018 – 8.33% of the period.

CURRENT EXPENDITURE ESTIMATES (OPERATING BUDGET)

Strategic Theme - Infrastructure

Nil.

Strategic Theme – Growth

Nil.

Strategic Theme – Landscapes

Nil.

Strategic Theme – Lifestyle

Sub-Program – Childcare – expenditure to date (\$5,000 – 66.67%). Annual donation to the Brighton Family Day Care Service.

Strategic Theme –Community

Nil.

Strategic Theme –Organisation

Sub-Program – Sustainability – expenditure to date (252,631 – 11.20%). Expenditure includes annual costs associated with computer software licensing/subscriptions \$60,455, and annual insurance payments of \$56,446.

RECOMMENDATION

THAT the Financial Report be received and the information noted.

DECISION

Moved by Clr E Batt, seconded by Clr D Marshall

THAT the Financial Report be received and the information noted.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

STATEMENT OF COMPREHENSIVE INCOME				
FOR THE PERIOD				
1st JULY 2018 to 31st JULY 2018				
	Annual Budget	Year to Date as at 31st JULY	%	Comments
Income				
General rates	\$ 5,390,741	\$ 835	0.0%	Budget includes Interest & Penalties to be imposed to end of June 2019
User Fees (refer Note 1)	\$ 730,602	\$ 113,997	15.6%	
Interest	\$ 177,000	\$ 15,679	8.9%	
Government Subsidies	\$ 24,000	\$ 0	0.0%	Heavy Vehicle Licence Fees & Road Rescue MAIB reimbursements
Contract Income	\$ 0	\$ 0	0.0%	
Other (refer Note 2)	\$ 162,000	\$ 17,704	10.9%	
Sub-Total	\$ 6,484,343	\$ 148,216	2.3%	
Grants - Operating	\$ 3,356,130	\$ 0	0.0%	
Total Income	\$ 9,840,473	\$ 148,216	1.5%	
Expenses				
Employee benefits	\$ (3,914,764)	\$ (298,276)	7.6%	Less Roads - Resheeting Capitalised
Materials and contracts	\$ (3,042,876)	\$ (362,525)	11.9%	Less Roads - Resheeting Capitalised, Includes Land Tax
Depreciation and amortisation	\$ (2,855,500)	\$ (237,863)	8.3%	Percentage Calculation (based on year-to-date)
Finance costs	\$ (30,723)	\$ (4,427)	14.4%	
Contributions	\$ (221,180)	\$ 0	0.0%	Fire Service Levies
Other	\$ (141,075)	\$ (16,571)	11.7%	Incls Rate Discounts
Total expenses	\$ (10,206,118)	\$ (919,661)	9.0%	
Surplus (deficit) from operations	\$ (365,645)	\$ (771,446)	211.0%	
Grants - Capital (refer Note 3)	\$ 1,669,375	\$ 0	0.0%	
Sale Proceeds (Plant & Machinery)	\$ 353,000	\$ 0	0.0%	
Net gain / (loss on disposal of non-current assets)	\$ 0	\$ 0	0.0%	
Surplus / (Deficit)	\$ 1,656,730	-\$ (771,446)	-46.6%	

NOTES				
1. Income - User Fees (Budget \$730,602) includes:				
- All other Programs	\$ 399,869	\$ 95,657	23.9%	Actual Income Received (i.e. excluding Debtors)
- Private Works	\$ 170,733	\$ 11,499	6.7%	
- Callington Mill	\$ 160,000	\$ 6,842	4.3%	
	\$ 730,602	\$ 113,997		
2. Income - Other (Budget \$162,000) includes:				
- Tas Water Distributions	\$ 152,000	\$ 10,384	6.83%	
- HBS Dividend	\$ 10,000	\$ -	0.0%	
- Other	\$ -	\$ 7,320	0.0%	
	\$ 162,000	\$ 17,704	10.9%	
3. Grant - Capital (Budget \$1,669,375) includes:				
- Swimming Pool	\$ 1,250,000	\$ -	0.0%	
- Kempton Comm Health Centre	\$ 75,000	\$ -	0.0%	Received 30/6/18
- Roads To Recovery Grant	\$ 344,375	\$ -	0.0%	
	\$ 1,669,375	\$ -	0.0%	

CAPITAL EXPENDITURE PROGRAM 2018-19
AS AT 31 JULY 2018

			BUDGET	EXPENDITURE	VARIANCE	COMMENTS
INFRASTRUCTURE						
ROAD ASSETS						
Resheeting Program	Various	Roads Resheeting	\$ 450,000	\$ 29,882	\$ 420,118	
Reseal Program		Roads Resealing (as per agreed program)	\$ 500,000	\$ -	\$ 500,000	
		Glen Morey Road	\$ 135,000	\$ -	\$ 135,000	RTR
		Woodsdale Road	\$ 135,000	\$ -	\$ 135,000	RTR
	C1020033	Yarlington Road (Smarts Hill - 150 metres)	\$ 22,500	\$ -	\$ 22,500	\$22.5K Budget c/fwd
Reconstruct & Seal		Blackbrush Road - new seal (400 metres each end)	\$ 72,000	\$ -	\$ 72,000	\$72K Budget c/fwd
		Huntington Tier (350 metres, Huntington Tier End)	\$ 52,000	\$ -	\$ 52,000	
Minor Seals (New)		Various Projects	\$ 20,000	\$ -	\$ 20,000	
		Church Road (Brighton Council end)	\$ 10,000	\$ -	\$ 10,000	\$10K Budget c/fwd
	C1020032	Hasting Street Junction	\$ 15,000	\$ 959	\$ 14,041	\$15K Budget c/fwd WIP 30/6/18 \$959
Unsealed - Road Widening	C1010077	Clifton Vale - (Cliff Section)	\$ 40,000	\$ -	\$ 40,000	\$40K Budget c/fwd
		Brown Mountain Road (vicinity of Ferniehurst)	\$ 15,000	\$ -	\$ 15,000	
		Native Corners Road (Far end, Widening/Guard Rail)	\$ 20,000	\$ -	\$ 20,000	
Junction / Road Realignment / Other	C1010037	Campania - Reeve St / Clime Street (includes Footpath)	\$ 70,000	\$ 2,617	\$ 67,383	\$45K Budget c/fwd WIP 30/6/18 \$2,617
		Reeve St - Hall Street to Rec Ground (K&G) - 70 metres	\$ 20,000	\$ -	\$ 20,000	Budget c/fwd
		Reeve Street - Footpath (continuation to Hall)	\$ 18,000	\$ -	\$ 18,000	
		Bagdad Primary School - Car Park (contribution)	\$ 25,000	\$ -	\$ 25,000	
		Tunbridge Main Road - Kerb & Gutter Renewal	\$ 20,000	\$ -	\$ 20,000	
	C1010039	Woodsdale Road - Landslip Area(s) - Engineering Assessment	\$ 9,500	\$ 2,783	\$ 6,717	\$9.5K Budget c/fwd
			\$ 1,649,000	\$ 36,242	\$ 1,612,758	
BRIDGE ASSETS	C1030006	Fields Road Bridge (B1851)	\$ -	\$ 1,469	\$ (1,469)	WIP 30/6/18
			\$ -	\$ 1,469	\$ (1,469)	

WALKWAYS	C1040003	Footpaths - General Streetscapes	\$ 30,000	\$ -	\$ 30,000	
		Bagdad Township				
		- Swan Street (Blackport Rd to Green Valley Rd)	\$ 110,000	\$ 2,687	\$ 107,313	\$4K Budget c/fwd WIP 30/6/18 \$2,687
		Campania Township				
		- Review Management Plan (Site Plan) / Walking Tracks (Bush	\$ 5,000	\$ -	\$ 5,000	\$5K Budget c/fwd
		Colebrook Township				
	C1040023	- Streetscape Plan Development & Implementation (Part)	\$ 15,000	\$ -	\$ 15,000	\$15K Budget c/fwd
		Kempton Township				
	C1040004	- Streetscape Plan (Review & Implementation (Part)	\$ 70,000	\$ 45,757	\$ 24,243	\$40K Budget c/fwd WIP 30/6/18 \$9,660
		Tunbridge Township				
	C1040024	- Streetscape Project (Part Implementation) - 2 yr program	\$ 9,500	\$ -	\$ 9,500	\$9.5K Budget c/fwd
			\$ 239,500	\$ 48,444	\$ 191,056	
LIGHTING		Esplanade Project (Total Project Cost \$128k year 1-2)	\$ 64,000	\$ -	\$ 64,000	
			\$ 64,000	\$ -	\$ 64,000	
BUILDINGS		Tunbridge Town Hall Toilets (Contribution)	\$ 10,000	\$ -	\$ 10,000	
			\$ 10,000	\$ -	\$ 10,000	
DRAINAGE		Bagdad				
		- Lyndon Road	\$ 15,000	\$ -	\$ 15,000	
		Campania				
		- Reeve Street Open Drain (north of Telephone Box)	\$ -	\$ 4,124	\$ (4,124)	WIP 30/6/18 \$4,124 - Budget c/fwd
		Oatlands				
		- Barrack Street (towards Mason Street)	\$ 10,000	\$ -	\$ 10,000	\$10K Budget c/fwd
		- High St/Wellington Street Junction	\$ 5,000	\$ -	\$ 5,000	\$5K Budget c/fwd
		- Queen Anne Street	\$ 7,500	\$ -	\$ 7,500	\$7.5K Budget c/fwd
		Kempton				
		- Memorial Avenue	\$ 10,000	\$ -	\$ 10,000	
			\$ 47,500	\$ 4,124	\$ 43,376	

WASTE	C110001	Wheelie Bins and Crates	\$ 17,000	\$ -	\$ 17,000	
		Oatlands WTS - Concrete Pad(s)	\$ 25,000	\$ -	\$ 25,000	\$25K Budget c/fwd
		Dysart WTS - General Improvements	\$ 20,000	\$ -	\$ 20,000	\$20K Budget c/fwd
			\$ 62,000	\$ -	\$ 62,000	
GROWTH TOURISM						
	C2020005	Lake Dulverton Arts Sculpture Project	\$ 12,000	\$ 13,455	\$ (1,455)	WIP 30/6/18 \$12,000
			\$ 12,000	\$ 13,455	\$ (1,455)	
HERITAGE						
	C3010003	Callington Mill (Asset Renewals)	\$ 10,000	\$ 1,250	\$ 8,750	
		Callington Mill (Mill Tower - Fire Detection System & Exit Lighting)	\$ 6,500	\$ -	\$ 6,500	Budget c/fwd
		Callington Mill (Restoration of Fan Tail & Sails)	\$ -	\$ 27,494	\$ (27,494)	WIP 30/6/18 \$27,494
	G3010010	Commissariat (79 High Street)	\$ 141,800	\$ 57,624	\$ 84,176	
		Commissariat (79 High Street)	\$ 464,250	\$ 692,258	\$ (228,008)	WIP 30/6/18 \$692,258
Wood Stove (Women's Kitchen)		Oatlands Court House (Stabilisation & Gaol Cell)	\$ 8,000	\$ -	\$ 8,000	Budget c/fwd \$5k
	C3010002	Oatlands Gaol - Minor Capital Works	\$ 5,000	\$ -	\$ 5,000	Budget c/fwd
		Oatlands Gaol - Wingwall Completion	\$ 15,000	\$ -	\$ 15,000	
		Oatlands Gaol - Aluminum Temporary Steps (Entrance)	\$ 3,500	\$ -	\$ 3,500	
	G3010011	Heritage Building (Key Card System)	\$ 47,000	\$ 37,192	\$ 9,808	\$47K Budget c/fwd WIP \$37,192
		Kempton Watch House (Fitout)	\$ 7,500	\$ -	\$ 7,500	\$7.5K Budget c/fwd
		Roche Hall Forecourt (Interps - Planning Condition of Approval)	\$ 40,000	\$ -	\$ 40,000	
		Roche Hall - External Painting (excl. Gutters; Fascias & Soffits)	\$ 15,000	\$ -	\$ 15,000	
			\$ 763,550	\$ 815,819	\$ (52,269)	
NATURAL						
		Chauncy Vale - Improvements	\$ 15,000	\$ 861	\$ 14,139	
		Mahers Point - Lanscape Plan	\$ 25,000	\$ -	\$ 25,000	
		Callington Park - BBQ Replacement	\$ 5,500	\$ -	\$ 5,500	
			\$ 45,500	\$ 861	\$ 44,639	

REGULATORY		Kempton Council Chambers - Restoration Workss	\$ 46,500	\$ 1,067	\$ 45,433	\$11.5K Budget c/fwd
	C9990001	Kempton Council Chambers - Office Furniture & Equipment	\$ 8,400	\$ -	\$ 8,400	
			\$ 54,900	\$ 1,067	\$ 53,833	
LIFESTYLE ACCESS						
	C4070035	All Buildings (Priority Approach - Year 3 of 5)	\$ 50,000	\$ -	\$ 50,000	
			\$ 50,000	\$ -	\$ 50,000	
PUBLIC HEALTH						
	C4070035	Kempton Community Health Facility	\$ 200,000	\$ -	\$ 200,000	
			\$ 200,000	\$ -	\$ 200,000	
RECREATION						
	C4070005	Recreation Committee	\$ 30,000	\$ -	\$ 30,000	
	C4070034	Oatlands Aquatic Centre (New Pool)	\$ 2,000,000	\$ -	\$ 2,000,000	
	C4070034	Oatlands Aquatic Centre (New Pool)	\$ -	\$ 379,803	\$ (379,803)	WIP 30/6/18 \$379,803
		Kempton Blue Place - Water/Sewerage Connections	\$ -	\$ 3,844	\$ (3,844)	WIP 30/6/18 \$3,844 Budget c/fwd
		Kempton Hall - external repainting	\$ 50,000	\$ 23,073	\$ 26,927	\$40K Budget c/fwd WIP 30/6/18 \$23,073
		Mangalore Hall (replace Gutters and Roofing)	\$ 18,000	\$ -	\$ 18,000	
		Recreation Ground - Campania (Nets)	\$ 45,000	\$ -	\$ 45,000	
		Recreation Ground - Kempton (Grandstand Rails & Seating)	\$ 10,000	\$ -	\$ 10,000	
		Recreation Gorund - Kempton (Lighting)	\$ 10,000	\$ -	\$ 10,000	
		Recreation Ground - Mt Pleasant (Upgrade Toilets)	\$ 13,000	\$ -	\$ 13,000	\$13K Budget c/fwd
	C4070001	Rec Ground - Parattah (Facility Development)	\$ 14,000	\$ 407	\$ 13,593	\$14K Budget c/fwd WIP \$407
		Tunbridge Park - Perimeter Fence (Safety)	\$ 7,500	\$ -	\$ 7,500	\$7.5K Budget c/fwd
	C4070036	Colebrook Hall Improvements	\$ -	\$ 8,707	\$ (8,707)	
			\$ 2,197,500	\$ 415,835	\$ 1,781,665	
COMMUNITY CAPACITY						
	C5020001	Levendale Community Centre	\$ 8,000	\$ -	\$ 8,000	\$8K Budget c/fwd
		Memorial Avenue Development (Interps)	\$ 15,000	\$ -	\$ 15,000	
		Memorial Avenue Development (Island: Survey, Fencing & Aquisit	\$ -	\$ 56,078	\$ (56,078)	
			\$ 23,000	\$ 56,078	\$ (33,078)	

SAFETY						
		Road Accident Rescue Unit	\$ 3,000	\$ -	\$ 3,000	
			\$ 3,000	\$ -	\$ 3,000	
ORGANISATION SUSTAINABILITY						
	C4070011	Council Chambers - Building Improvements	\$ 10,500	\$ -	\$ 10,500	\$7.5K Budget c/fwd
		Council Chambers - Works Office	\$ 5,000	\$ -	\$ 5,000	
		Floor Coverings (Works Office)	\$ 6,000	\$ -	\$ 6,000	
		Council Chambers - Damp Issues & Stonemasonry	\$ 15,000	\$ -	\$ 15,000	\$15K Budget c/fwd
	C6020009	Computer System (Hardware / Software)	\$ 42,000	\$ -	\$ 42,000	
		Telephone / Comms System	\$ 55,000	\$ -	\$ 55,000	\$35K Budget c/fwd
	C9990001	Town Hall (General - Incl. Office Equip/Furniture)	\$ 8,400	\$ 3,196	\$ 5,204	
		Photo Reframing	\$ 3,000	\$ -	\$ 3,000	
		Computers/Phones - Councillors	\$ 21,000	\$ -	\$ 21,000	
			\$ 165,900	\$ 3,196	\$ 162,704	
WORKS						
		Kempton Depot - External Painting	\$ 10,000	\$ -	\$ 10,000	\$10K Budget c/fwd
	C6020001	Depot Relocation (Site / Concept Plans/ Amneities/ Redords Storz	\$ 358,000	\$ 11,181	\$ 346,819	\$80K Budget c/fwd
		Minor Plant Purchases	\$ 9,500	\$ -	\$ 9,500	
		Radio System	\$ 2,000	\$ -	\$ 2,000	
		Plant Replacement Program				
		Refer separate Schedule (Gross)	\$ 770,000	\$ 15,000	\$ 755,000	
		Light Vehicles (Gross)	\$ 210,000	\$ -	\$ 210,000	
		(Trade Allowance - \$180K)				
			\$ 1,359,500	\$ 26,181	\$ 1,333,319	
		GRAND TOTALS	\$ 6,946,850	\$ 1,422,770	\$ 5,524,080	

**SOUTHERN MIDLANDS COUNCIL : CURRENT EXPENDITURE 2017/18
SUMMARY SHEET**

PROGRAM	TOTAL	REVISED BUDGET (GRANTS & OTHER REIMBURSEMENT)	ACTUAL AS AT 31st JULY 2018 8.33%	VARIANCE (+/-)	% BASED ON REVISED BUDGET 100%
INFRASTRUCTURE					
Roads	3,176,074	3,176,074	283,434	2,892,640	8.92%
Bridges	372,719	372,719	28,226	344,493	7.57%
Walkways	194,893	194,893	6,388	188,506	3.28%
Lighting	86,520	86,520	6,707	79,813	7.75%
Irrigation	0	0	0	0	0.00%
Drainage	80,042	80,042	5,209	74,833	6.51%
Waste	825,181	825,181	26,275	798,906	3.18%
Public Toilets	64,173	64,173	4,691	59,482	7.31%
Communications	0	0	0	0	0.00%
Signage	7,575	7,575	445	7,130	5.87%
INFRASTRUCTURE TOT	4,807,177	4,807,177	361,374	4,445,803	7.52%
GROWTH					
Residential	0	0	0	0	0.00%
Business	1,173,941	423,941	34,662	389,279	8.18%
Tourism	43,950	43,950	0	43,950	0.00%
Agriculture	0	0	0	0	0.00%
GROWTH TOTAL:	1,217,891	467,891	34,662	433,229	7.41%
LANDSCAPES					
Heritage	298,546	298,546	25,868	272,678	8.66%
Natural	173,266	173,266	21,065	152,201	12.16%
Cultural	9,600	9,600	0	9,600	0.00%
Regulatory	792,083	792,083	54,676	737,407	6.90%
Climate Change	10,047	10,047	0	10,047	0.00%
LANDSCAPES TOTAL:	1,283,542	1,283,542	101,609	1,181,933	7.92%
LIFESTYLE					
Youth	257,126	257,126	32,609	224,517	12.68%
Aged	2,500	2,500	0	2,500	0.00%
Childcare	7,500	7,500	5,000	2,500	66.67%
Volunteers	40,000	40,000	0	40,000	0.00%
Access	0	0	0	0	0.00%
Public Health	10,093	10,093	633	9,461	6.27%
Recreation	473,710	473,710	34,207	439,503	7.22%
Animals	105,552	105,552	9,205	96,347	8.72%
Education	0	0	90	-91	0.00%
LIFESTYLE TOTAL:	896,481	896,481	81,744	814,737	9.12%
COMMUNITY					
Retention	0	0	0	0	0.00%
Capacity	27,925	27,925	2,370	25,555	8.49%
Safety	56,650	56,650	1,959	54,691	3.46%
Consultation	23,425	23,425	726	22,699	3.10%
COMMUNITY TOTAL:	107,999	107,999	5,055	102,945	4.68%
ORGANISATION					
Improvement	104,984	104,984	0	104,984	0.00%
Sustainability	2,256,362	2,256,362	252,631	2,003,731	11.20%
Finances	296,680	296,680	830	295,850	0.28%
ORGANISATION TOTAL	2,658,026	2,658,026	253,461	2,404,565	9.54%
TOTALS	10,971,116	10,221,116	837,905	9,383,210	8.20%

	INFLOWS (OUTFLOWS) (July 2018)	INFLOWS (OUTFLOWS) (Year to Date)
Cash flows from operating activities		
Payments		
Employee costs	- 285,779.85	- 285,779.85
Materials and contracts	- 482,830.14	- 482,830.14
Interest	- 4,426.65	- 4,426.65
Other	- 25,671.40	- 25,671.40
	- 798,708.04	- 798,708.04
Receipts		
Rates	114,381.50	114,381.50
User charges	979,934.15	979,934.15
Interest received	15,678.88	15,678.88
Subsidies		-
Other revenue grants	-	-
GST Refunds from ATO		-
Other	7,715.98	7,715.98
	1,117,710.51	1,117,710.51
Net cash from operating activities	319,002.47	319,002.47
Cash flows from investing activities		
Payments for property, plant & equipment	- 140,397.25	- 140,397.25
Proceeds from sale of property, plant & equipment		-
Proceeds from Capital grants	-	-
Proceeds from Investments	-	-
Payment for Investments	-	-
Net cash used in investing activities	- 140,397.25	- 140,397.25
Cash flows from financing activities		
Repayment of borrowings	- 6,781.93	- 6,781.93
Proceeds from borrowings		-
Net cash from (used in) financing activities	- 6,781.93	- 6,781.93
Net increase/(decrease) in cash held	171,823.29	171,823.29
Cash at beginning of reporting year	11,567,278.62	11,567,278.62
Cash at end of reporting year	11,739,101.91	11,739,101.91

SOUTHERN MIDLANDS COUNCIL				
SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED				
	This Financial Year 13th August 2018		Last Financial Year 14th August 2017	
Arrears brought forward as at July 1		\$ 419,894.17		\$ 379,430.89
ADD current rates and charges levied		\$ 5,290,228.81		\$ 5,105,520.78
ADD current interest and penalty		\$ 4,736.19		\$ 4,385.60
TOTAL rates and charges demanded	100.00%	\$ 5,714,859.17	100.00%	\$ 5,489,337.27
LESS rates and charges collected	2.65%	\$ 151,285.89	2.35%	\$ 129,165.98
LESS pensioner remissions	3.72%	\$ 212,669.12	3.83%	\$ 210,362.55
LESS other remissions and refunds	0.06%	\$ 3,241.30	0.04%	\$ 2,018.47
LESS discounts	0.02%	\$ 1,306.13	0.02%	\$ 1,035.65
TOTAL rates and charges collected and remitted	6.45%	\$ 368,502.44	6.24%	\$ 342,582.65
UNPAID RATES AND CHARGES	93.55%	\$ 5,346,356.73	93.76%	\$ 5,146,754.62

17.3.2 FINANCIAL STATEMENTS – 2017-2018 FINANCIAL YEAR

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 14 AUGUST 2018

Attachments:

Southern Midlands Council – Complete Set of Financial Statements 2017/2018
Heritage Building Solutions Pty Ltd – Financial Statement 2017/18 (Information Only)
Heritage Education and Skills Centre Ltd – Financial Statement 2017/18 (Information Only)

ISSUE

Refer enclosed copy of the Financial Statements for the 2017/2018 Financial Year to be tabled in accordance with Section 84 of the *Local Government Act 1993*.

BACKGROUND

Section 84 (Part 8 – Financial Management) of the *Local Government Act 1993* states:

“84. Financial statements

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

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

(a)

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

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

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

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

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

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

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

(a) *financial management indicators; and*

(b) *asset management indicators –*

to be included in the financial statements of councils.

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

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

(a) *the financial position of the council; and*

*(b) the results of the council's operations; and
(c) the cash flow of the council.*

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

(5) In this section –competitive neutrality costs means the costs required to be taken into account under the competitive neutrality principles.

DETAIL

Refer enclosed copy of the 2017/18 Financial Report.

In relation to Heritage Building Solutions Pty Ltd and Heritage Education and Skills Centre Ltd), the Board has signed the Financial Statements for the two entities on 13th August 2018 (i.e. They are provided for information purposes, noting that the figures are consolidated into the Southern Midlands Council Statements).

It is confirmed that the Southern Midlands Council's Statement(s) were lodged with the Tasmanian Audit Office on 10th August 2018, being within the statutory timeframe.

The General Manager will provide any further explanation required and respond to any questions.

Human Resources & Financial Implications – Comment to be provided.

Community Consultation & Public Relations Implications – Not applicable.

Council Web Site Implications - A copy of the audited Statement will be included on the Website as part of the 2017/18 Annual Report when completed.

Policy Implications – N/A.

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

Deputy Mayor A Green returned to the meeting at 2.18 p.m.

RECOMMENDATION

THAT Council receive a copy of the Complete Set of Financial Statements for the 2017/2018 Financial Year.

DECISION

Moved by Clr D Fish, seconded by Clr E Batt

THAT Council receive a copy of the Complete Set of Financial Statements for the 2017/2018 Financial Year.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Deputy Mayor A Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

18. MUNICIPAL SEAL

Nil.

19. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

Nil.

DECISION

Moved by Clr R Campbell, seconded by Clr A Bantick

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

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
<i>Confirmation of Closed Council Minutes</i>	15(2)
<i>Applications for Leave of Absence</i>	15(2)(h)
<i>Property Matter – Kempton</i>	15(2)(f)

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

DECISION

Moved by Clr R Campbell, seconded by Clr D Fish

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

CARRIED BY ABSOLUTE MAJORITY

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

CLOSED COUNCIL MINUTES

20. BUSINESS IN “CLOSED SESSION”

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

20.1 CLOSED COUNCIL MINUTES - CONFIRMATION

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

20.2 APPLICATIONS FOR LEAVE OF ABSENCE

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

20.3 PROPERTY MATTER - KEMPTON

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

20.4 PROPERTY MATTER – MELTON MOWBRAY

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

DECISION

Moved by Clr E Batt, seconded by Clr R Campbell

THAT Council move out of “Closed Session”.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A E Bisdee OAM	√	
Dep. Mayor A O Green	√	
Clr A R Bantick	√	
Clr E Batt	√	
Clr R Campbell	√	
Clr D F Fish	√	
Clr D Marshall	√	

OPEN COUNCIL MINUTES

21. CLOSURE

The meeting closed at 3.08 p.m.