

SOUTHERN
MIDLANDS
COUNCIL



MINUTES

ORDINARY COUNCIL MEETING

Wednesday, 28th March 2018

Tunnack Community Hall
2147 Tunnack Road, Tunnack

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OPEN COUNCIL MINUTES

MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD ON WEDNESDAY, 28TH MARCH 2018 AT THE TUNNACK HALL, 2147 TUNNACK ROAD, TUNNACK COMMENCING AT 10:00 A.M.

1. PRAYERS

Mrs Sally Cousens recited prayers.

2. ATTENDANCE

Mayor A E Bisdee OAM, Deputy Mayor A Green, Clr A Bantick, Clr E Batt, Clr R Campbell, Clr D Fish, Clr D Marshall.

Mr Tim Kirkwood (General Manager), Mr Andrew Benson (Deputy General Manager), David Cundall (Manager, Development & Environment Services) & Elisa Lang (Executive Assistant).

3. APOLOGIES

Nil.

4. MINUTES

4.1 Ordinary Council Minutes

The Minutes (Open Council Minutes) of the previous meeting of Council held on the 27th February 2018, as circulated, are submitted for confirmation.

DECISION

Moved by Clr E Batt, seconded by Clr D Fish

THAT the Minutes (Open Council Minutes) of the previous meeting of Council held on the 27th February 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 Committee of Council Minutes

4.2.1 SPECIAL COMMITTEES OF COUNCIL - RECEIPT OF MINUTES

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

- Woodsdale Hall Management Committee – 6th March 2018
- Arts Advisory Committee – 26th February 2018
- Memorial Avenue Trees Committee – 18th January 2018

RECOMMENDATION

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

DECISION

Moved by Clr A Bantick, seconded by Deputy Mayor A Green

THAT the minutes of the above Special Committees 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 Committees of Council are submitted for endorsement.

- Woodsdale Hall Management Committee – 6th March 2018
- Arts Advisory Committee – 26th February 2018
- Memorial Avenue Trees Committee – 18th January 2018

RECOMMENDATION

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

DECISION

Moved by Clr E Batt, seconded by Clr D Fish

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

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	√	

4.3 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 – Minutes of the Meeting held 5th February 2018.
- Southern Tasmanian Councils Authority (Waste Strategy South) – Minutes from meeting held on the 26th February 2018.

RECOMMENDATION

THAT the minutes of the above Joint Authority Meetings be received.

DECISION

Moved by Clr R Campbell, seconded by Clr A Bantick

THAT the minutes of the above Joint Authority Meetings 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	√	

4.3.2 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 – Nil.

DECISION NOT REQUIRED

5. NOTIFICATION OF COUNCIL WORKSHOPS

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

One workshop has been held since the previous Council Meeting.

A Workshop was held on Tuesday 6th March 2018 at the Council Chambers, Kempton commencing at 5.00 p.m.

Attendance: Mayor A E Bisdee OAM, Deputy Mayor A O Green, Clr A Bantick, Clr E Batt and Clr D Fish.

Apologies: Clr B Campbell and Clr D Marshall

Also in Attendance: T Kirkwood, A Benson and D Cundall

The purpose of the Workshop was to enable Mr Rick Bzowy to present revised design plans for the Oatlands Aquatic Centre which have been prepared following the mediation session relative to the Development Application.

The workshop concluded at approximately 6.15 p.m.

RECOMMENDATION

THAT the information be received.

DECISION

Moved by Clr E Batt, 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 B Campbell on the 21st March 2018.

Q1 What work has council (SMC) done (July 2017 to March 2018) in Tunnack and surrounding area and how much has been completed and how much is still waiting to be completed and when will it be completed.

General Manager's Response:

A review of Council's Job Costing System indicates that the following works have been undertaken in Tunnack this financial year:

Operating Budget:

- *Verges – Mowing / Slashing*
- *Verges – Spraying*
- *General Gardening / Tree Maintenance – includes*
- *Litter Collection*
- *General Street Cleaning*
- *Tunnack Recreation Ground – various maintenance activities*
- *Maintenance Grading is undertaken on a cyclical basis consistent with the category of road.*

In relation to Roads within the designated Tunnack district, the following is a list of roads where expenditure has exceeded \$10,000 on any one road:

- *Black Post Road - \$10,224*
- *Bourkes Road - \$14,929*
- *Hungry Flats Road - \$14,180*
- *River Road - \$54,280*
- *Summerhill Road - \$13,901*
- *Square Road - \$13,045*

Capital Budget:

There are no other Capital Budget items / projects identified specifically for the Tunnack township.

Q2 When will maintenance work start on Roache Hall?

General Manager's Response:

Following sale of the property on Interlaken Road, where the net proceeds are to be allocated to the maintenance and development of the Roche Hall property, a scope of works is being prepared. This will be submitted for Council's consideration as part of the 2018/19 budget process.

In the interim, a price is being sought to repair and repaint the external windows (and general woodwork) prior to the winter period.

Q3 When will the next road tour looking at unsealed / gravel roads be?

General Manager's Response:

It is suggested that mid May 2018 would be the appropriate time to conduct a 'Roads Tour', which forms part of the 2018/19 budget process. Councillors may wish to nominate a date at this meeting.

Note: A date was nominated at the meeting for the Councillors Roads Tour - this will occur on Wednesday, 18th April 2018.

Q4 A London Plane Tree (Plantanus x Acerifolia) in High Street was ring barked and was still living and it has now been cut down without the majority of elected members (councillors) consent and public consultation? Why?

General Manager's Response:

The London Plane Tree was firstly identified for removal due to evidence of damage that that the root system was causing to the kerb and gutter in that location (which was extending through to the footpath) and concerns regarding the impact the roots were having on the adjacent property (i.e. building foundations and other infrastructure).

It should be noted that similar action was taken to remove a silver birch tree in the vicinity of 112 High Street, Oatlands for identical reasons.

In terms of consent from Council and the need for public consultation, the Manager – Works & Technical Services had raised this issue on two previous occasions during his attendance at Council Meetings. At one of these meeting the possibility of replacing the tree with the 'Horse Topiary' (currently planted at the southern end of the Oatlands township) was raised.

From an operational perspective, Council officers have a clear responsibility to address issues where there is evidence that there is being damage caused to Council infrastructure. More importantly, Council officers must also take action to mitigate risks that may expose the organisation (and/or individuals) to a liability claim. This is particularly relevant where a risk has been identified and reported to Council.

It should be noted that 'Tree Roots and Claims Management' is such a significant issue for Council's Liability Insurer (MAV Insurance) that a dedicated forum was conducted a few years ago in relation to this issue. At that time, MAV had incurred a total of \$20.9 million in expenses over a ten-year period relating to tree roots and associated damage claims.

Q5 When it comes to council elections, could the general manger explain how the list is put together and who is eligible to be on that list and how often is that list reviewed and are there people on that list because the have a registered non trading company?

General Manager's Response:

Clr B Campbell is referring the General Manager's List which is kept in in accordance with section 261 of the Local Government Act 1993.

The following is an extract from the Act (Section 261) which refers to the List of Electors which consists of two components. The list to be kept by the general manager, and the list to be kept by the Electoral Commissioner.

“261. List of electors

(1) The general manager is to –

(a) prepare and keep a list of electors from the electoral roll kept under [section 258 \(1\)](#) as at the time of closure referred to in [section 260](#) ; and

(b) certify that the list is correct.

(2) The Electoral Commissioner is to–

(a) prepare and keep a list of electors from the electoral roll kept under [section 258 \(7\)](#) for the House of Assembly as at the time of closure referred to in [section 260](#) ; and

(b) certify that the list is correct.

(3) The lists of electors prepared under [subsections \(1\)](#) and [\(2\)](#) form one list but may consist of 2 or more parts.

(4) The Electoral Commissioner is to provide the relevant returning officer with a copy of the certified list of electors.

(5) Until after the closing day–

(a) no further names or details may be included on the list of electors except names omitted in error; and

(b) no other alterations or cancellations may be made to the list of electors except to correct any error.

(6) The returning officer on request is to provide each candidate in an electoral area with one copy of the list of electors free of charge as soon as practicable after the roll closure day.

(7) A person, body or organisation must not, without reasonable excuse, use information obtained from a list of electors provided under [subsection \(6\)](#) , unless the information is used for purposes connected with an election.”

End – Section 261

The following is an extract from the Act (Section 258):

258. Electoral roll

(1) The general manager is to keep, in a manner determined by the Electoral Commissioner, an electoral roll in respect of each electoral area.

(2) An electoral roll kept under [subsection \(1\)](#) in respect of an electoral area by the general manager is to contain–

(a) a list of persons –

- (i) who are entitled under [section 254\(2\)](#) to be enrolled on the electoral roll and who have lodged under [section 257](#) an electoral enrolment form in respect of the electoral area; or
- (ii) who are entitled under [section 254\(3\)](#) to be enrolled on the electoral roll; and

(b) the address or location of the land in respect of which the person is entitled to be enrolled on the electoral roll; and

(c) any other matter the Electoral Commissioner considers appropriate.

(3) The general manager is to make any alterations and additions to the electoral roll necessary to keep the roll accurate and up to date.

(4) The general manager may, either on application or at his or her discretion, delete or exclude a person's address from the electoral roll if satisfied that the safety of the person or the person's family, may be at risk.

(5) The general manager, by notice in writing, may require –

(a) a person to confirm in writing that the person is an occupier or owner of land in the municipal area; and

(b) a corporate body to confirm in writing that –

(i) the corporate body is an occupier or owner of land in the municipal area; and

(ii) the nominated person is still entitled to be nominated.

(6) If a person or corporate body has not complied with a requirement under [subsection \(5\)](#) within the period specified in the notice, the general manager must –

(a) delete the name and address of that person or person nominated to vote on behalf of that body from the electoral roll; and

(b) advise that person or body in an approved form.

(7)

End – Section 258

The following is an extract from the Act (Section 254):

254. Entitlement to be on list of electors and to vote in election

(1) A person is entitled to be enrolled on the electoral roll kept under [section 258\(7\)](#) in respect of an electoral area if the person is enrolled on the electoral roll for the House of Assembly in respect of an address within that electoral area.

(2) A person, other than a person referred to in [subsection \(1\)](#), is entitled to be enrolled on the electoral roll kept under [section 258\(1\)](#) in respect of an electoral area if the person –

(a) is an owner or occupier of land in the electoral area; and

(b) is over the age of 18; and

(c) is not serving a term of imprisonment; and

(d) is not subject to an assessment order or treatment order under the [Mental Health Act 2013](#) or an order under the [Guardianship and Administration Act 1995](#).

(3) A person is entitled to be enrolled on the electoral roll kept under [section 258\(1\)](#) in respect of an electoral area if a nomination of the person to vote in respect of the electoral area on behalf of a corporate body has effect under [section 255](#) .

(4) A person is entitled to vote in an election in respect of an electoral area if the person –

(a) is on a list of electors kept under [section 261\(2\)](#) in respect of the electoral area; and
(b) is, or will be, 18 years old or more before the closing day for the election.

(5) A person is entitled to vote in an election in respect of an electoral area if the person is on a list of electors kept under [section 261\(1\)](#) in respect of the electoral area.

(6) A person is entitled to vote, on behalf of a corporate body, in an election in respect of an electoral area, if –

(a) a nomination of the person to vote in respect of the electoral area on behalf of the corporate body has effect under [section 255](#) ; and
(b) the person is on a list of electors kept under [section 261\(1\)](#) in respect of the electoral area.

(7) A person who is a resident in one municipal area and is also an owner or occupier of land in one or more other municipal areas, is entitled to vote, in an election, in respect of each of those municipal areas in respect of which the person is on a list of electors kept under [section 261\(1\)](#) or [\(2\)](#) .”

End – Section 254

In relation to reviewing the General Manager’s List, it is basically done prior to the conduct of an election (i.e. every four years), although the List can be amended at any time through the addition or deletion of any entry by notification by the relevant person or corporation.

In the lead up to the October 2018 election (probably July/August 2018), it is intended to write to every person and/or corporation that is entered on the General Manager’s List seeking confirmation that the entry is still current, or alternatively, whether any amendment is required. In the absence of any reply, the entry will be deleted prior to certification and forwarding to the Electoral Commissioner. It has also been past practice to advertise the existence and purpose of the List and seeking confirmation through this advertising process.

It is interesting to note that the ‘General Manager’s List’, and in particular the process for review, was a topic for discussion at our recent General Manager’s forum convened by the Local Government Association of Tasmania. One outcome of this discussion was to consider a joint advertising process, possibly on a regional basis (i.e. 3 regions). Each advertisement would include the relevant Council logos, add consistency to the overall review process, and enable a more detailed introduction to be provided on a cost effective basis.

Q6 Containers: could someone please explain how containers can be approved under planning residential when the land the containers are on is not residential?

General Manager’s Response:

As per the Planning Report assessing the Development Application for the containers at 1384 Tea Tree Road (refer agenda item 11.1.1), the “Residential Use” class is the best fit

description for the works and development. The land contains a dwelling and is therefore a Residential Use. The containers and works are associated with this use.

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 the ‘Blue Place’ at Kempton. He believes that a portion of land was donated by the Jones family, has this been acknowledged?

Andrew Benson (Deputy General Manager) advised this is in progress.

Clr Campbell – Question regarding a shed development application by the Wilsons and that it is currently on the 42nd day and they have not heard from Planning and Development regarding progress.

David Cundall (Manager, Development and Environment Services) advised that the Development Assessment Committee approved this particular application within the 42 day timeframe with a permit being issued yesterday.

Deputy Mayor – has there been any feedback regarding the change in operational hours of the Campania Waste Transfer Station? The Deputy Mayor advised that the communication on the change of operating hours could have been improved by Council. Signage was not on the gate of the WTS, social media sites were updated 3 weeks prior to the change in hours and to ensure that any changes are communicated effectively, perhaps a letter to all individual ratepayers in future advising of any changes. The sign on the Colebrook Road needs to be relocated to a more suitable location.

The General Manager advised that there has been no other direct feedback regarding the change in operation at the Waste Transfer Stations. Council is already seeing a significant reduction in the amount of waste being deposited and a number of Work Health and Safety issues have been addressed.

Clr Fish – Question regarding the Campania Recreation Ground safety nets. Has there been any progress with the Developer contributing 25% of the costs?

Andrew Benson (Deputy General Manager) advised that he has briefly discussed this matter with the Developer and will continue discussions. The Developer has however indicated that he was not open to contributing as he believes it is a Council issue, and a public open space contribution has already been made. A further update will be provided at the April Council meeting following further discussions with the Developer.

Clr Bantick – The Corporate Compliance Officer has been recently advertised by Council, has this position been filled?

The General Manager advised that interviews for the position were conducted yesterday. The areas of focus for this position are Risk Management, Human Resources, Work Health & Safety and Property Management along with general compliance matters. A copy of the position description will be provided which outlines the key duties and responsibilities of this position.

Clr Bantick – correspondence from a visitor to Oatlands was received recently (circulated via the Information Bulletin) and in reference to the correspondence he believes that there may be confusion with the township of Ross.

The General Manager advised that an acknowledgement letter has been sent.

Mayor Bisdee OAM – Question regarding the Kempton Grandstand with suggestions regarding seating issues. The seating is weathering and splintering. The possibility of installing a safety rail has been raised.

Andrew Benson (Deputy General Manager) advised that he has discussed this matter with relevant stakeholders. This item will be included as part of the forthcoming 2018/19 budget considerations.

7. DECLARATIONS OF PECUNIARY INTEREST

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

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

Nil.

8. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

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

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

1. RESOURCING – WEEDS MANAGEMENT STRATEGY (CLOSED SESSION)

RECOMMENDATION

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

DECISION

Moved by Cllr E Batt, seconded by Cllr R Campbell

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

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A 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	√	

9. PUBLIC QUESTION TIME (SCHEDULED FOR 12.30 PM)

Public Question Time was held later in the meeting.

9.1 Permission to Address Council

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

- 12.00 p.m. – Jen Wehnert (Health and Wellbeing Coordinator) from Huon Regional Care will address Council in regard to ‘The Right Place Program’.
- 1.45 p.m. – Mrs Debbie Wilson will address Council in relation to the removal of a London Plane Tree in High Street, Oatlands.

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

10.1 INTRODUCTION OF CONTAINER DEPOSIT SCHEME – REFERRAL OF MOTION TO THE LOCAL GOVERNMENT ASSOCIATION OF TASMANIA

Clr D Marshall has submitted the following Notice of Motion:

THAT the Southern Midlands Council submit the following Motion for consideration at the next Local Government Association of Tasmania (LGAT) General Meeting:

“THAT the LGAT be requested to lobby the State Government to institute a container deposit scheme for Tasmania similar to many mainland states.”

BACKGROUND (Comments provided by Clr D Marshall)

All Councils are struggling to manage waste. Southern Midlands generates 1600 tonnes per year. Some of this is made up of bottle and cans that could be recycled more efficiently via a container deposit scheme. Many mainland states have such schemes.

Three reasons for supporting such a scheme are to:

1. Save costs. Recycling via roadside pick-up and waste transfer station costs Council \$35 per tonne. The total cost to Council for recycling is probably upwards of \$20,000pa and a fair percentage of this is bottles and cans. A deposit scheme will reduce the amount that Council has to deal with.
2. Reduce roadside rubbish. A lot of what is now roadside rubbish would be recycled rather than thrown out – this improves the amenity of rate payers and tourists and reduces Council clean—up costs.
3. Provide a potential income stream for people. Many disadvantaged people and children will pick up bottles and cans if there is value in doing so.

General Manager’s Comments:

Consultancy on the impact of a Container Deposit Scheme on Local Government in Tasmania commenced by LGAT in September 2013 with an assessment of the potential financial impacts of a Container Deposit System on Local Government in Tasmania prepared by Equilibrium in December 2013.

At the LGAT General Meeting held on the 26th July 2017, the following motion was carried:-

“The Local Government Association of Tasmania lobby the State Government to introduce container deposit legislation for the state”.

It is interesting to note the following LGAT comments that were submitted to the above meeting:

LGAT Comment Historically there had been concern from the Tasmanian Local Government sector that the introduction of a CDS in Tasmania would undermine the viability of council recycling and it was not supported. However in 2013, LGAT, with

funding from the regional waste bodies, commissioned a report which demonstrated the sector could be cautiously optimistic that a CDS would work in tandem with recycling programs in Tasmania.

Two reports, relevant to this issue, are included as an enclosure with this Agenda:

- Assessment of the potential financial impacts of a Container Deposit System on Local Government in Tasmania prepared by Equilibrium - December 2013
- LGAT Waste and Resource Management Strategy – March 2017

As a concluding comment, most recent advice received from the LGAT indicates that the State Government has no inclination or intention to introduce a container deposit scheme. If anything, it is monitoring what is happening from a national perspective. It certainly did not form part of any pre-election Policy position, unlike the Labor Party which did commit to the introduction of such a scheme.

DECISION

Moved by Clr D Marshall, seconded by Clr R Campbell

THAT the Southern Midlands Council submit the following Motion for consideration at the next Local Government Association of Tasmania (LGAT) General Meeting:

“THAT the LGAT be requested to lobby the State Government to institute a container deposit scheme for Tasmania similar to many mainland states.”

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	√	

10.2 LONDON PLANE TREES

DECISION

Moved by Cllr R Campbell, seconded by D Fish

THAT consideration of this Agenda Item be deferred until later in the meeting following an address to Council by Mrs Debbie Wilson.

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	√	

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

11.1.1 DEVELOPMENT APPLICATION FOR PROPOSED OUTBUILDINGS (TEMPORARY BUILDINGS ASSOCIATED WITH RESIDENTIAL USE) AND EARTHWORKS AT 1384 TEA TREE ROAD, CAMPANIA – DA 2017/91

File Ref: T2941293TEATR

Author: MANAGER DEVELOPMENT AND ENVIRONMENTAL SERVICES (DAVID CUNDALL)

Date: 19 MARCH 2018

Attachment:

Development Application for Outbuildings (temporary buildings associated with a Residential Use) at 1384 Tea Tree Road, Campania

PROPOSAL

The Applicant JMG Engineers and Planners on behalf the property owner Holy Tantra Esoteric Buddhism Incorporated have submitted a Development Application to the Southern Midlands Council seeking a Permit for Outbuildings (temporary buildings associated with a Residential Use) and earthworks at 1384 Tea Tree Road, Campania.

The outbuildings are all shipping containers, of which 21 are currently located on site without Council approvals. A further 20 containers are also proposed. The containers are confined to two (2) levelled areas located behind the existing dwelling on the land. All containers are to be held on site temporarily.

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

The discretions to be considered by Council are detailed in the body of this report and are accompanied by Council Officer assessment against the provisions the *Southern Midlands Interim Planning Scheme 2015* ("the Scheme") and the Act.

The Application was advertised for a 14 day period and received two (2) representations. The representations raised concerns with the use of the containers and the content of the Development Application. These matters are tabled as part of this report and are accompanied by Officer comments.

It is recommended that Council grant a permit for this proposal subject to conditions. The recommended conditions are provided in the recommendation(s) of this report. The assessment of the proposal is otherwise provided in the body of the report.

BACKGROUND

Both the works to bench and level the land and the placement of the containers were undertaken without a permit from Council in 2016-2017.

Council, subsequent to site visits and ongoing discussions with the landowners, commenced enforcement action under Section 65C of the Act, against the owners of the land, for undertaking works and development without a permit.

The enforcement action required the owners to stop any further works and lodge a Development Application with Council or to remove the containers and rehabilitate the land. Should the works continue then the owners would risk both infringements notices(s) and potentially court orders.

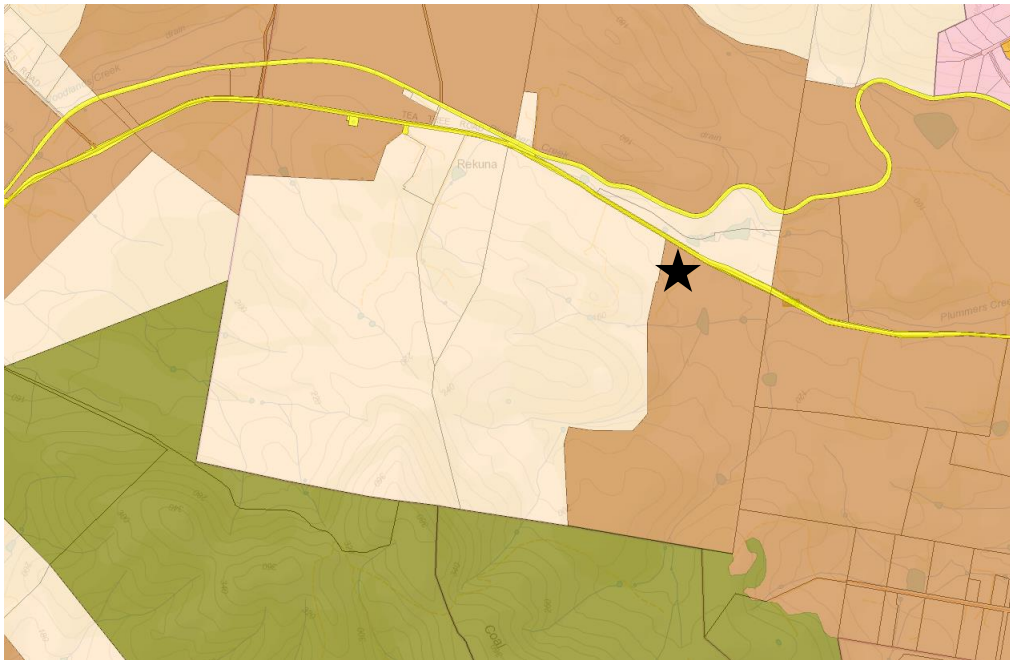
Because the Development Application has been submitted the enforcement action is suspended whilst Council undertake the assessment.

THE SITE

The access to the land is from Tea Tree Road. The land is approximately 106ha and is primarily used for a dwelling. The land has been developed by sheds, gardens, access roads, parking areas and statues (associated with Buddhism).

The land is notably the subject of a possible “Tasmanian Chinese Buddhist Cultural Park” (“TCBCP”) to be undertaken by the owners and has been featured in local and state media. The TCBCP would entail educational facilities, places of worship, community meeting, visitor accommodation and tourist like attractions. All such land uses and development would require a rezoning and amendment to the Planning Scheme.

The land is in the Rural Resource Zone. The property is surrounded by farms, former farms and land used for rural lifestyles. The land is bordered by the Tea Tree Road to the north and hills to the south.



Map 1 - The land, coloured light brown, is the Rural Resource Zone. The yellow coloured land is the Tea Tree Road and Railway corridor. The dark brown coloured land is the Significant Agricultural zone. The Light green to the south is the Environmental Living Zone (in Clarence). The containers area is marked with a 'black star'. The northern boundary of the site is the Tea Tree Road.

The proposed containers site is located on the slopes of a small hill behind the dwelling and gardens. The containers are largely screened from the Tea Tree Road by both topography and existing vegetation. But they are still visible from the roadway.

THE APPLICATION

The Application has been prepared by JMG Engineers and Planners.

The Application consists of a site plan, elevation plans, written annotations to plans, written accompaniment and "Landslide Risk Assessment Report" prepared by Scherzic Ground Investigations (dated February 2018). All of which are attached to this report.

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

USE/DEVELOPMENT DEFINITION

In accordance with Part 8.2 of the Planning Scheme, 'Categorising Use or Development', the proposal is defined as a 'Residential' Use.

A use or development that is directly associated with and a subservient part of another use on the same site must be categorised into the same use class as that other use. The Residential use class is the most fitting description for the proposed buildings:

Residential

use of land for self contained or shared living accommodation. Examples include an ancillary dwelling, boarding house, communal residence, home-based business, hostel, residential aged care home, residential college, respite centre, retirement village and single or multiple dwellings.

Though the land is 106ha of land in the Rural Resource Zone the use of the buildings and associated works are not considered an agricultural use. The proposal is not considered a commercial use or any other new use under the scheme.

Development Status under the Planning Scheme

The proposed development triggers three (3) suites of discretions under the Scheme - that is:

- Performance Criteria for Design Standards in the Rural Resource Zone (Part 26.4.3)
- Performance Criteria for Buildings and Works (including Major Works) in a Landslide Hazard Area (Part E3.7.3)
- Performance Criteria for Stormwater Management (Part E7.7)

A discretionary development must be advertised per Section 57 of the *Land Use Planning and Approvals Act 1993*.

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised on the 14th February 2018 for the statutory fourteen (14) day notification period. During this period Council received two (2) representations.

All representations have been attached in their entirety to this report for the Council's information only. All names and personal details (of the persons that lodged the representation) have otherwise been excluded from this report.

Council Officers have provided comments regarding the key issues raised in these representations in this section of the report. The Officer comments appear in *Italics* in the table below:

Representation 1	Officer Comment
<p>We are lodging a representation against the shipping container development at 1384 on the grounds that.</p> <p>1. With the evidence that you your self supplied to us in a return email that Council officers have not seen the contents of the Containers.</p> <p>2. With the capacity of the containers being approximately 5 times that of the dwelling on the property it would be unlikely that it is house wares in the containers.</p> <p>3 With a large shed and meeting room (converted shearing shed) we believe the property has enough storage for residential use.</p>	<p><i>The Representor has concerns that there is already a sufficient number and size of buildings to store items associated with a dwelling and that the number of proposed and existing buildings is excessive.</i></p> <p><i>The containers contain mostly statues and goods associated with the owners Buddhist belief and practices.</i></p> <p><i>Per Part 8.2 of the Scheme, Council must give a best fit description for the development in order to undertake the assessment. The residential use class is the most fitting description. The development is not a "new use" of the land.</i></p> <p><i>The number of buildings is excessive if considered as permanent structures. However the owners intend to remove the structures from the land and it is recommended this be undertaken within 2 years of the date of this permit.</i></p>

Representation 2	Officer Comments
<p>I write to lodge a representation to the granting of a permit for the proposed development and use as per the DA for shipping containers at 1384 Tea Tree Road Rekuna.</p> <p>The DA does not include all of the information required (mandatory) by Clause 8.1.2, namely -</p> <p>(c) a full description of the proposed use or development; and</p> <p>(d) a description of the manner in which the proposed use or development will operate.</p>	<p><i>The representor is concerned that insufficient information has been supplied with the Development Application for Council to make a determination.</i></p> <p><i>The Applicant has described the proposal as “Residential Outbuildings (temporary containers)” and “Earthworks” associated with the current use of the land being a Residential use. The Applicant further describes the use of the buildings in the Landslide Risk Assessment Report.</i></p> <p><i>No further information is required.</i></p>

ASSESSMENT - THE SOUTHERN MIDLANDS INTERIM PLANNING SCHEME 2015

Rural Resource Zone

The development is in the Rural Resource Zone. The proposal is assessed against the development standards of the zone (Part 26.4) (per the tables below).

26.4.1 Building Height		
To ensure that building height contributes positively to the rural landscape and does not result in unreasonable impact on residential amenity of land.		
Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1 Building height must be no more than:</p> <p>9 m if for a residential use.</p> <p>10 m otherwise.</p>	<p>P1 Building height must satisfy all of the following:</p> <p>(a) be consistent with any Desired Future Character Statements provided for the area;</p> <p>(b) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by overlooking and loss of privacy;</p>	<p><i>All buildings are less than 9m in height.</i></p> <p><i>The proposal complies with the acceptable solution.</i></p>

26.4.2 Setback		
To minimise land use conflict and fettering of use of rural land from residential use, maintain desirable characteristics of the rural landscape and protect environmental values in adjoining land zoned Environmental Management.		
Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1 Building setback from frontage must be no less than:</p> <p>20 m.</p>	<p>P1 Building setback from frontages must maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size and shape of the site; (c) the prevailing setbacks of existing buildings on nearby lots; (d) the location of existing buildings on the site; (e) the proposed colours and external materials of the building; (f) the visual impact of the building when viewed from an adjoining road; (g) retention of vegetation. 	<p><i>The nearest building(s) are located a minimum 250m from the frontage.</i></p> <p><i>The proposal complies with the Acceptable Solution.</i></p>
<p>A2 Building setback from side and rear boundaries must be no less than:</p> <p>40 m.</p>	<p>P2 Building setback from side and rear boundaries must maintain the character of the surrounding rural landscape, having regard to all of the following:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size and shape of the site; (c) the location of existing buildings on the site; (d) the proposed colours and external materials of the building; (e) visual impact on skylines and prominent ridgelines; (f) impact on native vegetation. 	<p><i>The nearest building(s) are located a minimum 190m from the nearest side boundary and 730m from the rear boundary.</i></p> <p><i>The proposal complies with the Acceptable Solution.</i></p>

<p>A3 Building setback for buildings for sensitive use must comply with all of the following:</p> <p>(a) be sufficient to provide a separation distance from a plantation forest, Private Timber Reserve or State Forest of 100 m;</p> <p>(b) be sufficient to provide a separation distance from land zoned Significant Agriculture of 200 m.</p>	<p>P3 Building setback for buildings for sensitive use (including residential use) must prevent conflict or fettering of primary industry uses on adjoining land, having regard to all of the following:</p> <p>(a) the topography of the site;</p> <p>(b) the prevailing setbacks of existing buildings on nearby lots;</p> <p>(c) the location of existing buildings on the site;</p> <p>(d) retention of vegetation;</p> <p>(e) the zoning of adjoining and immediately opposite land;</p> <p>(f) the existing use on adjoining and immediately opposite sites;</p> <p>(g) the nature, frequency and intensity of emissions produced by lots;</p> <p>(h) any proposed attenuation measures;</p> <p>(i) any buffers created by natural or other features.</p>	<p><i>The buildings are associated with a sensitive use (Residential Use) but are not considered a sensitive use.</i></p> <p><i>The standard is not relevant.</i></p>
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<p>A4 Buildings and works must be setback from land zoned Environmental Management no less than:</p> <p>50 m.</p>	<p>P4 Buildings and works must be setback from land zoned Environmental Management to satisfy all of the following:</p> <p>(a) there is no impact from the development on the environmental values of the land zoned Environmental Management;</p> <p>(b) the potential for the spread of weeds or soil pathogens onto the land zoned Environmental Management is minimised;</p> <p>(c) there is no potential for contaminated or sedimented water runoff impacting the land zoned Environmental Management;</p> <p>(d) there are no reasonable and practical alternatives to developing close to land zoned Environmental Management.</p>	<p><i>The buildings and works are approximately 1200m from the Environmental Management Zone.</i></p> <p><i>The proposal complies with the acceptable solution.</i></p>
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26.4.3 Design

To ensure that the location and appearance of buildings and works minimises adverse impact on the rural landscape.

Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1 The location of buildings and works must comply with any of the following:</p> <p>(a) be located within a building area, if provided on the title;</p> <p>(b) be an addition or alteration to an existing building;</p>	<p>P1 The location of buildings and works must satisfy all of the following:</p> <p>(a) be located on a skyline or ridgeline only if:</p> <p>(i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or</p>	<p><i>The proposal requires the clearance of native vegetation and must be assessed against Performance Criteria (P1).</i></p> <p><i>The extent of vegetation clearance is the minimum necessary to allow for the buildings and works.</i></p> <p><i>The existing vegetation in the vicinity of the development screens the development from the road and overall minimises</i></p>

<p>(c) be located in an area not requiring the clearing of native vegetation and not on a skyline or ridgeline.</p>	<p>excessive slope, or the location is necessary for the functional requirements of infrastructure;</p> <p>(ii) significant impacts on the rural landscape are minimised through the height of the structure, landscaping and use of colours with a light reflectance value not greater than 40 percent for all exterior building surfaces;</p> <p>(b) be consistent with any Desired Future Character Statements provided for the area;</p> <p>(c) be located in and area requiring the clearing of native vegetation only if:</p> <p>(i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;</p> <p>(ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures;</p>	<p><i>the impact on the rural landscape. This is an important consideration in choosing the location of the containers and the works.. Any other sites are potentially more exposed and otherwise impractical and have a greater visual impact on the landscape.</i></p> <p><i>Also the proposal is that the containers are “temporary”. The recommended permit has been conditioned as such.</i></p> <p><i>The development satisfies the performance criteria.</i></p>
<p>A2 Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.</p>	<p>P2 The appearance of external finishes of buildings must not be incompatible with the rural landscape.</p>	<p><i>The buildings are considered recessive development in the overall landscape.</i></p> <p><i>The proposal is that the containers are “temporary”. The recommended permit has been conditioned as such.</i></p> <p><i>The proposal meets the Performance Criteria.</i></p>

<p>A3 The depth of any fill or excavation must be no more than 2 m from natural ground level, except where required for building foundations.</p>	<p>P3 The depth of any fill or excavation must be kept to a minimum so that the development satisfies all of the following:</p> <p>(a) does not have significant impact on the rural landscape of the area;</p> <p>(b) does not unreasonably impact upon the privacy of adjoining properties;</p> <p>(c) does not affect land stability on the lot or adjoining areas.</p>	<p><i>The depth of excavation is greater than 2m from natural ground level and must be assessed against the Performance Criteria (P3).</i></p> <p><i>The development does not have a significant impact on the rural landscape. There are clearly similar works in the vicinity associated with other dwellings, agricultural uses and also a quarry on the adjoining land.</i></p> <p><i>There is no impact on the privacy of the adjoining properties. The shipping containers are used to store goods etc associated with a dwelling are non-habitable structures.</i></p> <p><i>The development is further assessed against the standards of the Landslide Code with in this report. The standards of the Landslide Code are specifically tailored to addressing land stability. The assessment concludes that the development will not impact land stability on the lot or adjoining areas.</i></p> <p><i>The proposal is that the containers are “temporary”. The recommended permit has been conditioned as such.</i></p> <p><i>The development meets the Performance Criteria.</i></p>
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Landslide Code

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

The proposal is assessed against the Performance Criteria of the Code (Part 3.8) (per the table below)

E3.7.1 Buildings and Works, other than Minor Extensions

To ensure that landslide risk associated with buildings and works for buildings and works, other than minor extensions, in Landslide Hazard Areas, is:

- a) acceptable risk; or
- b) tolerable risk, having regard to the feasibility and effectiveness of measures required to manage the landslide hazard

Acceptable Solutions	Performance Criteria	Officer Comment
<p>A2 No Acceptable Solution.</p>	<p>P1 Buildings and works must satisfy all of the following:</p> <ul style="list-style-type: none"> a) no part of the buildings and works is in a High Landslide Hazard Area; b) the landslide risk associated with the buildings and works is either: <ul style="list-style-type: none"> i. acceptable risk; or ii. capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk. 	<p><i>Both the containers and the works are located in a low landslide hazard area.</i></p> <p><i>There is no Acceptable Solution for this type of development in the low landslide hazard area.</i></p> <p><i>The proposal is therefore subject to the Performance Criteria- and is assessed as follows:</i></p> <ul style="list-style-type: none"> <i>a) No buildings or works are located in a High Landslide Hazard Area</i> <i>b) The report prepared by Scherzic Ground Investigations (February 2018) concluded that no alterations or additional works need to be undertaken in the short term to further reduce risk to the property or persons.</i> <p><i>The works have a design life of 10 years. It is recommended that Council condition the permit to require the landowner to undertake an inspection of the works by a suitably qualified engineer before March 2028 and to undertake any necessary works to remedy risk to meet the Performance Criteria.</i></p> <p><i>The proposal meets the performance criteria.</i></p>

E3.7.3 Major Works

To ensure that landslide risk associated with major works* in Landslide Hazard Areas, is:

- (a) acceptable risk; or
- (b) tolerable risk, having regard to the feasibility and effectiveness of any measures required

*Major Works are defined as works within a Landslide Hazard Area- and:

- (a) excavation of 100 m³ or more in cut volume;
- (b) excavation or soil disturbance of an area of 1,000 m² or more;
- (c) clearance of vegetation involving an area of more than 1,000 m²;
- (d) water storages or swimming pools with a volume of 45,000 litres or more.

Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1</p> <p>No acceptable solution.</p>	<p>P1</p> <p>Major works must satisfy all of the following:</p> <ul style="list-style-type: none"> a) no part of the works is in a High Landslide Hazard Area; b) the landslide risk associated with the works is either: <ul style="list-style-type: none"> i. acceptable risk; or ii. capable of feasible and effective treatment through hazard management measures, so as to be tolerable risk. 	<p><i>The works are defined as “major works” and therefore must be assessed against the standard for Major Works.</i></p> <p><i>There is no Acceptable Solution for such works.</i></p> <p><i>The attached report prepared by Scherzic Ground Investigations (February 2018) concluded that no alterations or additional works need to be undertaken in the short term to further reduce risk to the property or persons.</i></p> <p><i>The works have a design life of 10 years. It is recommended that Council condition the permit to require the landowner to undertake an inspection of the works by a suitably qualified engineer before March 2028 and to undertake any necessary works to remedy risk to meet the Performance Criteria.</i></p> <p><i>The proposal meets the performance criteria.</i></p>

Stormwater Management Code

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

The proposal is assessed against the Performance Criteria of the Code (Part 7.7) (per the table below)

7.7.1 Stormwater Drainage and Disposal		
To ensure that stormwater quality and quantity is managed appropriately.		
Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1</p> <p>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.</p>	<p>P1</p> <p>Stormwater from new impervious surfaces must be managed by any of the following:</p> <p>(a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles</p> <p>(b) collected for re-use on the site;</p> <p>(c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.</p>	<p><i>All drainage from both buildings and levelled areas will be managed within the boundaries of the land through a combination of onsite soakage trenches and use of existing open drainage systems and natural drainage lines.</i></p> <p><i>The recommended permit is conditioned to this effect with a standard condition for storm water management.</i></p> <p><i>The proposal is likely to comply with the performance criteria</i></p>
<p>A2</p> <p>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:</p> <p>(a) the size of new impervious area is more than 600 m²;</p> <p>(b) new car parking is provided for more than 6 cars;</p> <p>(c) a subdivision is for more than 5 lots.</p>	<p>P2</p> <p>A stormwater system for a new development must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 unless it is not feasible to do so.</p>	<p><i>All water run-off is managed on site through porous surfaces, natural drainage lines and soakage trenches.</i></p> <p><i>The recommended permit is conditioned to this effect with a standard condition for storm water management.</i></p> <p><i>The proposal complies with the performance criteria.</i></p>

<p>A3</p> <p>A minor stormwater drainage system must be designed to comply with all of the following:</p> <p>(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;</p> <p>(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.</p>	<p>P3</p> <p>No Performance Criteria.</p>	<p><i>The stormwater can be managed through existing systems.</i></p> <p><i>The proposal complies with the Acceptable Solution.</i></p>
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CONCLUSION

This report has assessed a Development Application for earthworks and 41 temporary shipping containers associated with a dwelling at 1384 Tea Tree Rd, Campania. The Application is considered at the discretion of Council.

There are currently 21 containers located on the land without Council approvals and a further 20 proposed. The total number of containers, proposed, to be held on the land temporarily is 41. This is a significant number of shipping containers used in association with a Residential use when compared to other sheds and buildings used in association with dwelling(s).

Two (2) representations were received during the statutory notification of the application raising concern that the number of buildings used on the land in association with a residential use was excessive and that the Development Application did not provide enough information on the use of the containers and works.

Officers in considering the application have given significant weight to the fact that the containers are to be held on site temporarily and have recommended a condition to enforce a timeframe limiting the length of time to two (2) years with a possible extension of a further two (2) years at the discretion of the Council.

The earthworks have been assessed by a suitably qualified engineering firm whom conclude that the works are acceptable in the landslide hazard area and have a design life of ten (10) years. It is therefore recommended that the works be assessed in the first quarter of 2028 and that any remedy (where necessary) is undertaken to reduce the risk

to life and the environment to the best practice of the day. The risk is otherwise assessed as low with no risk to property (outside of the land).

It is recommended Council grant a permit for the temporary shipping containers and earthworks subject to conditions.

RECOMMENDATION

THAT, in accordance with the provisions of the *Southern Midlands Interim Planning Scheme 2015* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council approve the application for Outbuildings (temporary buildings associated with Residential Use) and earthworks at 1384 Tea Tree Rd, Campania and that a permit be issued with the following conditions:

General Conditions

- 1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- 2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, which ever is later, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

Outbuildings (temporary shipping containers)

- 3) The outbuildings are approved as ancillary to the existing Residential use only. The buildings and associated land must not be used for any other purpose without prior Council approval.
- 4) The external building materials associated with the development must blend and integrate with the general landscape using external finishes (painting and colours) that are sympathetic to the rural landscape to the satisfaction of the Manager, Development & Environmental Services.
- 5) Visual exposure of the containers to the Tea Tree Road must be minimised to the satisfaction of the Manager, Development & Environmental Services.
- 6) All 41 shipping containers depicted in the Development Application must be removed entirely from the land within two (2) years of the date of this permit. Council may grant a once off extension of up-to 24 months subject to the discretion of Council (per the advice "*Advice to accompany this condition (Condition 6)*"). Any such application for the extension of time must be applied for in writing and be submitted to Council within two (2) years of the date of this permit.

Advice to accompany this condition (Condition 6)

Council in considering whether to grant an extension of time to keep the containers on the land will give consideration to the Planning Scheme (at the time of the request for such an extension) and consider the impact on the rural landscape, any nuisance caused by the containers and any other matter determined relevant by the Council at the time of the request.

Earthworks

- 7) All earthworks assessed in the report *Landslide Risk Assessment Report – The Buddhist Cultural Park, Tea Tree Road, Campania* prepared by Scherzic Ground investigations (dated February 2018) must be re-assessed in the first quarter of 2028

by a suitably qualified person to determine that the works still comply with the Performance Criteria Part E3.7.1 and Part E3.7.3 of the *Southern Midlands Interim Planning Scheme 2015* or best practice (at the time of assessment in 2028). If the works do not comply then the owner must undertake all necessary remediation works to reduce the landslide risk to an acceptable or tolerable level. All such assessment and works must be first approved by the Manager of Development and Environmental Services in writing.

Services

- 8) The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the development. Any work required is to be specified or undertaken by the authority concerned.
- 9) Drainage from the proposed development must drain to a legal discharge point to the satisfaction of Councils Manager Development & Environmental Services.
- 10) Before any works continue a soil and water management plan (SWMP) prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, must be approved by Council's Manager of Development and Environmental Services (refer to advice below). The SWMP shall form part of this permit when approved.

Construction Amenity

- 11) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager of Development and Environmental Services:

Monday to Friday	7:00 a.m. to 6:00 p.m.
Saturday	8:00 a.m. to 6:00 p.m.
Sunday and State-wide public holidays	10:00 a.m. to 6:00 p.m.
- 12) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
 - a. Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - b. The transportation of materials, goods and commodities to and from the land.
 - c. Obstruction of any public road.
 - d. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager of Development and Environmental Services.
- 13) Public roadways must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.
- 14) The developer must make good and/or clean any road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manger of Works and Technical Services and the Road Authority.

The following advice applies to this permit:

- A. This Planning Permit does not imply that any other approval required under any other legislation has been granted.
- B. This Planning Permit is in addition to any requirements of the *Building Act 2016*. Approval in accordance with the Building Act 2016 may be required prior to works commencing.
- C. The SWMP shall be prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, the State Policy for Water Quality Management 1997 and the requirements of the Council's Manager of Development and Environmental Services and show the following -
 - a. Allotment boundaries, north-point, contours, layout of roads, driveways, building envelopes and reticulated services (including power and telephone and any on-site drainage or water supply), impervious surfaces and types of all existing natural vegetation;
 - b. Critical natural areas such as drainage lines, recharge area, wetlands, and unstable land;
 - c. Estimated dates of the start and completion of the works;
 - d. Timing of the site rehabilitation or landscape program;
 - e. Details of land clearing and earthworks or trenching and location of soil stockpiles associated with roads, driveways, building sites, reticulated services and fire hazard protection;
 - f. Arrangements to be made for surface and subsurface drainage and vegetation management in order to prevent sheet and tunnel erosion;
 - g. Temporary erosion and sedimentation controls to be used on the site; and
 - h. Recommendations for the treatment and disposal of wastewater in accordance with Standards Australia: AS/NZS 1547: On-site wastewater management, Standards Australia, Sydney, 2000.
- D. Appropriate temporary erosion and sedimentation control measures during construction include, but are not limited to, the following -
 - a. Minimise site disturbance and vegetation removal;
 - b. Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (e.g. temporarily connected to Council's storm water system, a watercourse or road drain);
 - c. Rehabilitation of all disturbed areas as soon as possible.

DECISION

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

THAT, in accordance with the provisions of the *Southern Midlands Interim Planning Scheme 2015* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council approve the application for Outbuildings (temporary buildings associated with Residential Use) and earthworks at 1384 Tea Tree Rd, Campania and that a permit be issued with the following conditions:

General Conditions

- 1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- 2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, which ever is later, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

Outbuildings (temporary shipping containers)

- 3) The outbuildings are approved as ancillary to the existing Residential use only. The buildings and associated land must not be used for any other purpose without prior Council approval.
- 4) The external building materials associated with the development must blend and integrate with the general landscape using external finishes (painting and colours) that are sympathetic to the rural landscape to the satisfaction of the Manager, Development & Environmental Services.
- 5) Visual exposure of the containers to the Tea Tree Road must be minimised to the satisfaction of the Manager, Development & Environmental Services.
- 6) All 41 shipping containers depicted in the Development Application must be removed entirely from the land within two (2) years of the date of this permit. Council may grant a once off extension of up-to 24 months subject to the discretion of Council (per the advice "*Advice to accompany this condition (Condition 6)*"). Any such application for the extension of time must be applied for in writing and be submitted to Council within two (2) years of the date of this permit.

Advice to accompany this condition (Condition 6)

Council in considering whether to grant an extension of time to keep the containers on the land will give consideration to the Planning Scheme (at the time of the request for such an extension) and consider the impact on the rural landscape, any nuisance caused by the containers and any other matter determined relevant by the Council at the time of the request.

Earthworks

- 7) All earthworks assessed in the report *Landslide Risk Assessment Report – The Buddhist Cultural Park, Tea Tree Road, Campania* prepared by Scherzic Ground investigations (dated February 2018) must be re-assessed in the first quarter of 2028 by a suitably qualified person to determine that the works still comply with the Performance Criteria Part E3.7.1 and Part E3.7.3 of the *Southern Midlands Interim Planning Scheme 2015* or best practice (at the time of assessment in 2028). If the works do not comply then the owner must

undertake all necessary remediation works to reduce the landslide risk to an acceptable or tolerable level. All such assessment and works must be first approved by the Manager of Development and Environmental Services in writing.

Services

- 8) The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the development. Any work required is to be specified or undertaken by the authority concerned.
- 9) Drainage from the proposed development must drain to a legal discharge point to the satisfaction of Councils Manager Development & Environmental Services.
- 10) Before any works continue a soil and water management plan (SWMP) prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, must be approved by Council's Manager of Development and Environmental Services (refer to advice below). The SWMP shall form part of this permit when approved.

Construction Amenity

- 11) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager of Development and Environmental Services:

Monday to Friday	7:00 a.m. to 6:00 p.m.
Saturday	8:00 a.m. to 6:00 p.m.
Sunday and State-wide public holidays	10:00 a.m. to 6:00 p.m.

- 12) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
 - e. Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - f. The transportation of materials, goods and commodities to and from the land.
 - g. Obstruction of any public road.
 - h. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager of Development and Environmental Services.
- 13) Public roadways must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.
- 14) The developer must make good and/or clean any road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manger of Works and Technical Services and the Road Authority.

The following advice applies to this permit:

- A. This Planning Permit does not imply that any other approval required under any other legislation has been granted.

B. This Planning Permit is in addition to any requirements of the *Building Act 2016*. Approval in accordance with the Building Act 2016 may be required prior to works commencing.

C. The SWMP shall be prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, the State Policy for Water Quality Management 1997 and the requirements of the Council’s Manager of Development and Environmental Services and show the following -

a. Allotment boundaries, north-point, contours, layout of roads, driveways, building envelopes and reticulated services (including power and telephone and any on-site drainage or water supply), impervious surfaces and types of all existing natural vegetation;

b. Critical natural areas such as drainage lines, recharge area, wetlands, and unstable land;

c. Estimated dates of the start and completion of the works;

d. Timing of the site rehabilitation or landscape program;

e. Details of land clearing and earthworks or trenching and location of soil stockpiles associated with roads, driveways, building sites, reticulated services and fire hazard protection;

f. Arrangements to be made for surface and subsurface drainage and vegetation management in order to prevent sheet and tunnel erosion;

g. Temporary erosion and sedimentation controls to be used on the site; and

h. Recommendations for the treatment and disposal of wastewater in accordance with Standards Australia: AS/NZS 1547: On-site wastewater management, Standards Australia, Sydney, 2000.

D. Appropriate temporary erosion and sedimentation control measures during construction include, but are not limited to, the following -

a. Minimise site disturbance and vegetation removal;

b. Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (e.g. temporarily connected to Council’s storm water system, a watercourse or road drain);

c. Rehabilitation of all disturbed areas as soon as possible.

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	√	

11.1.2 DEVELOPMENT APPLICATION FOR PROPOSED WORKSHOP (SERVICE INDUSTRY) AT 68 STOREYS ROAD, BROADMARSH – DA 2018/4

File Ref: T5895296

Author: MANAGER DEVELOPMENT AND ENVIRONMENTAL SERVICES (DAVID CUNDALL)

Date: 20 MARCH 2018

Attachment:

Development Application proposed Workshop (Manufacturing and Processing) at 68 Storeys Road, Broadmarsh – DA 2018/4

PROPOSAL

The Applicant Longview Design on behalf the property owner Craig Oakely has submitted a Development Application to the Southern Midlands Council seeking a Permit for a proposed Workshop (Manufacturing and Processing) at 68 Storeys Road, Broadmarsh (DA 2018/4).

The proposal buildings and works are a 30m by 10m shed with internal office space, crib room and bathroom facilities, a widening of the access, and compacted gravel driveway and parking area. There is also a concrete hardstand area for truck loading and unloading on the eastern side of the shed.

The proposal is considered a separate use to the existing Residential Use and is best described as a “Service Industry” Use for the repairs of farm machinery, irrigation equipment and farm vehicles. There may also be some manufacturing of farming equipment on site such as metal fabrication or the like.

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

The discretions to be considered by Council are detailed in the body of this report and are accompanied by Council Officer assessment against the provisions the *Southern Midlands Interim Planning Scheme 2015* (“the Scheme”) and the Act.

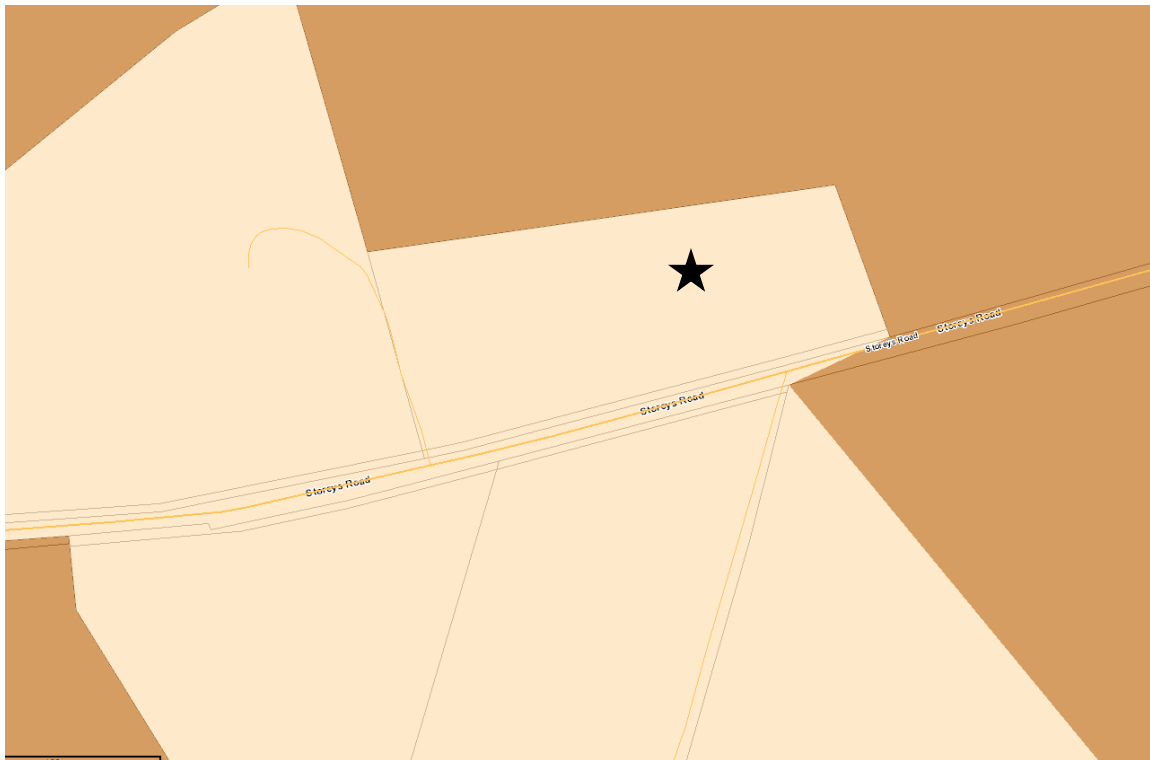
The Application was advertised for a 14 day period and received one (1) representation. The representation posed a number of questions/requests relating to minimising noise impacts from the use. These matters are tabled as part of this report and are accompanied by Officer comments.

It is recommended that Council grant a permit for this proposal subject to conditions. The recommended conditions are provided in the recommendation(s) of this report. The assessment of the proposal is otherwise provided in the body of the report.

THE SITE

The access to the land is from Storeys Road, Broadmarsh. The land is approximately 2ha and is primarily used for a dwelling and associated rural activities. The land has been developed by a dwelling, sheds, dam, gardens and access tracks.

The land is in the Rural Resource Zone. The property is surrounded by a mixture of farm land and land used for rural lifestyles. The land is bordered by Storeys Road to the south (and adjacent farmland), farmland to the north and east, a dwelling and rural lifestyle type lots to the west and south west.



Map 1 - The land, coloured light brown, is the Rural Resource Zone. The dark brown coloured land is the Significant Agricultural zone. The workshop area is marked with a 'black star'. The southern boundary of the site is Storeys Road.

The proposed workshop site is located to the west of the existing dwelling. The workshop is approximately 290m from the nearest adjoining dwelling and approximately 215m from the boundary with this same dwelling.

The land is relatively flat with an approximate 15m fall running east across the land. There are some trees on the land and a small dam.

THE APPLICATION

The Application has been prepared by Longview Design.

The Application consists of a site plan, elevation plans, written annotations to plans, written accompaniment and schedule of decibel levels to account for machinery and equipment likely to be used on site. All of which are attached to this report.

The Applicant has described the use class as a 'Manufacturing and Processing' use. This is not the best fit use class for the proposal. The Applicant is applying for a workshop to

predominately repair and maintain farm equipment, irrigation equipment and farm vehicles and the like. The owner/business operator is not manufacturing and processing a product, such as boat building, assembling a product, furniture making. However there may be some minor manufacturing of farm type equipment, machinery or parts (such as metal fabrication). This is considered appropriate and within the use class definition per Part 8.2 of the Scheme.

The development will be assessed as a “Service Industry”.

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

USE/DEVELOPMENT DEFINITION

In accordance with Part 8.2 of the Planning Scheme, ‘Categorising Use or Development’, the proposal is defined as the use class ‘Service Industry’:

Service Industry

use of land for cleaning, washing, servicing or repairing articles, machinery, household appliances or vehicles. Examples include a car wash, commercial laundry, electrical repairs, motor repairs and panel beating.

A Service Industry is allowable as a discretionary use in the Rural Resource Zone only “if primarily for vehicles and machinery used for resource development uses” (per Part 26.2 of the Scheme).

Development Status under the Planning Scheme

The Use Class “Service Industry - Only if primarily for vehicles and machinery used for resource development” is a discretionary use in the Rural Resource Zone. As such is assessed against the Use Standards of the Zone.

The proposed Use/Development triggers five (5) suites of discretions under the Scheme - that is:

- Performance Criteria for Discretionary Use Standards in the Rural Resource Zone (Part 26.3.3)
- Performance Criteria for Setback Standards in the Rural Resource Zone (Part 26.4.2)
- Performance Criteria for Design Standards in the Rural Resource Zone (Part 26.4.3)
- Performance Criteria for Stormwater Management (Part E7.7)
- Performance Criteria for number of vehicle accesses (Part E6.7.1)

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

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised on the 14th February 2018 for the statutory fourteen (14) day notification period. During this period Council received one (1) representation.

The representation has been attached in its entirety to this report for the Council's information only. All names and personal details (of a person that lodged a representation) have otherwise been excluded from this report.

Council Officers have provided comments regarding the key issues raised in these representations in this section of the report. The Officer comments appear in *Italics* in the table below:

Representation 1	Officer Comment
<p>1. We believe that the planting of trees on the western side of the proposed workshop will help to reduce the level of noise emanating from the workshop operation and thereby minimise the impact on our property which adjoins the applicants. We have spoken to Craig and Laura who have agreed to plant suitable trees.</p> <p>2. We also believe that the hanging of suitable noise absorbing material will help to minimise any noise coming from the workshop.</p> <p>Both of the above noise mitigation solutions have been offered by the applicants in the letter dated 31 Jan 2018 from Longview Design written by Phil Krause on the applicants' behalf. We respectfully ask that they (ie 1&2) be formally included as pre-conditions if the applicants are successful.</p>	<p><i>The Representation is seeking to ensure that the land use will have minimal impacts on their land.</i></p> <p><i>The permit will be conditioned to ensure that noise impacts are limited to an acceptable standard for the Rural Zone and to meet the requirements of the Environmental Management and Pollution Control Act 1994 as the benchmark.</i></p> <p><i>This can be achieved through noise limitations when measured at the boundary of the site and through imposing conditions on the hours of operation.</i></p> <p><i>Landscaping conditions are also provided in the recommended permit.</i></p> <p><i>Council's Environmental Health Officer visited the site to look at environmental issues – the proposed workshop is approx. 290m from the nearest dwelling (to the west) and this dwelling has well established trees around it which shield it from the proposed development. There are a number of dwellings 550m or more to the east but no other dwellings visible from the proposed development site. The workshop will have a number of garage doors, but it is understood that the welding activities will predominantly be undertaken inside the building with the doors shut. With the large setbacks to the few adjacent dwellings it is considered that any environmental issues (including noise) will be sufficiently mitigated against such that any environmental effects should be negligible. It is considered that an EPN (Environmental Protection Notice) is <u>NOT</u> relevant to the management of the proposed activity.</i></p>

ASSESSMENT - THE SOUTHERN MIDLANDS INTERIM PLANNING SCHEME 2015

Rural Resource Zone

The development is in the Rural Resource Zone. The proposal is assessed against the Use and development standards of the zone (Part 26.3 and Part 26.4) (per the tables below).

26.3.3 Discretionary Use		
To ensure that discretionary non-agricultural uses do not unreasonably confine or restrain the agricultural use of agricultural land.		
Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1</p> <p>No acceptable solution.</p>	<p>P1</p> <p>A discretionary non-agricultural use must not conflict with or fetter agricultural use on the site or adjoining land having regard to all of the following:</p> <p>(a) the characteristics of the proposed non-agricultural use;</p> <p>(b) the characteristics of the existing or likely agricultural use;</p> <p>(c) setback to site boundaries and separation distance between the proposed non-agricultural use and existing or likely agricultural use;</p> <p>(d) any characteristics of the site and adjoining land that would buffer the proposed non-agricultural use from the adverse impacts on amenity from existing or likely agricultural use.</p>	<p><i>The Rural Resource Zone allows for a Service Industry only if for the repairs and maintenance of farm equipment, vehicles and the like.</i></p> <p><i>This qualification in itself stipulates that such a service industry must be compatible with rural and farming activities.</i></p> <p><i>It is highly unlikely the workshop will unreasonably confine or restrain farming practices on nearby land.</i></p> <p><i>The proposal meets the performance criteria,</i></p>

26.4.2 Setback To minimise land use conflict and fettering of use of rural land from residential use, maintain desirable characteristics of the rural landscape and protect environmental values in adjoining land zoned Environmental Management.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 <u>Building setback from frontage</u> must be no less than: 20 m.	P1 Building setback from frontages must maintain the desirable characteristics of the surrounding landscape and protect the amenity of adjoining lots, having regard to all of the following: (a) the topography of the site (b) the size and shape of the site (c) the prevailing setbacks of adjoining lots (d) the location of existing buildings (e) the proposed colours and materials of the building (f) the visual impact of the building (g) retention of vegetation.	<i>The building is 30m from the frontage.</i> <i>The proposal complies with the Acceptable Solution.</i>
A2 Building setback from side and rear boundaries must be no less than: 40 m.	P2 Building setback from side and rear boundaries must maintain the character of the surrounding rural landscape, having regard to all of the following: (a) the topography of the site; (b) the size and shape of the site; (c) the location of existing buildings on the site; (d) the proposed colours and external materials of the building;	<i>The building is 14m from the rear boundary. The proposal must be assessed against the performance criteria.</i> <i>Large sheds are typically found in the Rural Resource Zone and in the locality. The exterior finishes of “bushland” (dull green colour) are acceptable in this area.</i> <i>The site is relatively flat with minimal overshadowing of adjoining land. This is not a ridgeline or skyline. No native vegetation is to be removed.</i> <i>The proposal complies with the Performance Criteria.</i>

	<p>(e) visual impact on skylines and prominent ridgelines;</p> <p>(f) impact on native vegetation.</p>	
<p>A3 Building setback for buildings for sensitive use must comply with all of the following:</p> <p>(a) be sufficient to provide a separation distance from a plantation forest, Private Timber Reserve or State Forest of 100 m;</p> <p>(b) be sufficient to provide a separation distance from land zoned Significant Agriculture of 200 m.</p>	<p>P3 Building setback for buildings for sensitive use (including residential use) must prevent conflict or fettering of primary industry uses on adjoining land, having regard to all of the following:</p> <p>(a) the topography of the site</p> <p>(b) the prevailing setbacks of</p> <p>(c) the location of existing buildings</p> <p>(d) retention of vegetation;</p> <p>(e) the zoning of adjoining areas</p> <p>(f) the existing use on adjoining land</p> <p>(g) the nature, frequency and intensity of noise on adjoining and immediate areas</p> <p>(h) any proposed attenuation</p> <p>(i) any buffers created by nature</p>	<p><i>The standard is not relevant.</i></p>

<p>A4</p> <p>Buildings and works must be setback from land zoned Environmental Management no less than:</p> <p>50 m.</p>	<p>P4</p> <p>Buildings and works must be setback from land zoned Environmental Management to satisfy all of the following:</p> <p>(a) there is no impact from the development on the environmental values of the land zoned Environmental Management;</p> <p>(b) the potential for the spread of weeds or soil pathogens onto the land zoned Environmental Management is minimised;</p> <p>(c) there is no potential for contaminated or sedimented water runoff impacting the land zoned Environmental Management;</p> <p>(d) there are no reasonable and practical alternatives to developing close to land zoned Environmental Management.</p>	<p><i>The proposal complies with the acceptable solution.</i></p>
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<p>26.4.3 Design To ensure that the location and appearance of buildings and works minimises adverse impact on the rural landscape.</p>		
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>	<p>Officer Comment</p>
<p>A1</p> <p>The location of buildings and works must comply with any of the following:</p> <p>(a) be located within a building area, if provided on the title;</p> <p>(b) be an addition or alteration to an existing building;</p>	<p>P1</p> <p>The location of buildings and works must satisfy all of the following:</p> <p>(a) be located on a skyline or ridgeline only if:</p> <p>(i) there are no sites clear of native vegetation and clear of other significant</p>	<p><i>The development does not require the clearance of native vegetation.</i></p> <p><i>The proposal complies with the Acceptable Solution.</i></p>

<p>(c) be located in an area not requiring the clearing of native vegetation and not on a skyline or ridgeline.</p>	<p>site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;</p> <p>(ii) significant impacts on the rural landscape are minimised through the height of the structure, landscaping and use of colours with a light reflectance value not greater than 40 percent for all exterior building surfaces;</p> <p>(b) be consistent with any Desired Future Character Statements provided for the area;</p> <p>(c) be located in and area requiring the clearing of native vegetation only if:</p> <p>(i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;</p> <p>(ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures;</p>	
<p>A2</p> <p>Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.</p>	<p>P2</p> <p>The appearance of external finishes of buildings must not be incompatible with the rural landscape.</p>	<p><i>The exterior colourbond “bushland” finish is considered acceptable in this area and not incompatible in the rural landscape.</i></p> <p><i>The proposal meets the Performance Criteria.</i></p>

<p>A3</p> <p>The depth of any fill or excavation must be no more than 2 m from natural ground level, except where required for building foundations.</p>	<p>P3</p> <p>The depth of any fill or excavation must be kept to a minimum so that the development satisfies all of the following:</p> <p>(a) does not have significant impact on the rural landscape of the area;</p> <p>(b) does not unreasonably impact upon the privacy of adjoining properties;</p> <p>(c) does not affect land stability on the lot or adjoining areas.</p>	<p><i>The development complies with the Acceptable Solution.</i></p>
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Parking and Access Code

The purpose of this provision is to:

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

The proposal is assessed against the Performance Criteria for number of vehicle access (Part 6.7.1) (per the table below). The proposal otherwise complies (and can be conditioned to comply) with the Acceptable Solutions for number of parking spaces and the design of access and treatment of parking facilities.

E6.7.1 Number of Vehicular Accesses

To ensure that:

- a) safe and efficient access is provided to all road network users, including, but not limited to: drivers, passengers, pedestrians, and cyclists, by minimising:
 - i. the number of vehicle access points; and
 - ii. loss of on-street car parking spaces;
- b) vehicle access points do not unreasonably detract from the amenity of adjoining land uses;
- c) vehicle access points do not have a dominating impact on local streetscape and character.

Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1</p> <p>The number of vehicle access points provided for each road frontage must be no more than 1 or the existing number of vehicle access points, whichever is the greater.</p>	<p>P1</p> <p>The number of vehicle access points for each road frontage must be minimised, having regard to all of the following:</p> <ul style="list-style-type: none"> (a) access points must be positioned to minimise the loss of on-street parking and provide, where possible, whole car parking spaces between access points; (b) whether the additional access points can be provided without compromising any of the following: <ul style="list-style-type: none"> (i) pedestrian safety, amenity and convenience; (ii) traffic safety; (iii) residential amenity on adjoining land; (iv) streetscape; (v) cultural heritage values if the site is subject to the Local Historic Heritage Code; (vi) the enjoyment of any 'al fresco' dining or other outdoor activity in the vicinity. 	<p><i>The proposal includes a second access to the land to serve the workshop use.</i></p> <p><i>The standard (and performance criteria) is largely written to account for urban or built up areas.</i></p> <p><i>The second access will comply with the performance criteria.</i></p>

Stormwater Management Code

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

The proposal is assessed against the Performance Criteria of the Code (Part 7.7) (per the table below)

7.7.1 Stormwater Drainage and Disposal To ensure that stormwater quality and quantity is managed appropriately.		
Acceptable Solutions	Performance Criteria	Officer Comment
<p>A1</p> <p>Stormwater from new impervious surfaces must be disposed of by gravity to public stormwater infrastructure.</p>	<p>P1</p> <p>Stormwater from new impervious surfaces must be managed by any of the following:</p> <p>(a) disposed of on-site with soakage devices having regard to the suitability of the site, the system design and water sensitive urban design principles</p> <p>(b) collected for re-use on the site;</p> <p>(c) disposed of to public stormwater infrastructure via a pump system which is designed, maintained and managed to minimise the risk of failure to the satisfaction of the Council.</p>	<p><i>Stormwater is to be managed onsite through porous surfaces, soakage trenches, water tanks and the like.</i></p> <p><i>The permit will be conditioned to ensure that all stormwater is managed and discharged to a legal point of discharge (where water volumes are concentrated to a singular point).</i></p> <p><i>The development will comply with the Performance Criteria.</i></p>
<p>A2</p> <p>A stormwater system for a new development must incorporate water sensitive urban design principles R1 for the treatment and disposal of stormwater if any of the following apply:</p> <p>(a) the size of new impervious area is more than 600 m²;</p> <p>(b) new car parking is provided for more than 6 cars;</p> <p>(c) a subdivision is for more than 5 lots.</p>	<p>P2</p> <p>A stormwater system for a new development must incorporate a stormwater drainage system of a size and design sufficient to achieve the stormwater quality and quantity targets in accordance with the State Stormwater Strategy 2010, as detailed in Table E7.1 unless it is not feasible to do so.</p>	<p><i>All water run-off is managed on site through porous surfaces, natural drainage lines and soakage trenches.</i></p> <p><i>The permit will be conditioned to ensure that all stormwater is managed and discharged to a legal point of discharge (where water volumes are concentrated to a singular point).</i></p> <p><i>The proposal complies with the performance criteria.</i></p>

<p>A3</p> <p>A minor stormwater drainage system must be designed to comply with all of the following:</p> <p>(a) be able to accommodate a storm with an ARI of 20 years in the case of non-industrial zoned land and an ARI of 50 years in the case of industrial zoned land, when the land serviced by the system is fully developed;</p> <p>(b) stormwater runoff will be no greater than pre-existing runoff or any increase can be accommodated within existing or upgraded public stormwater infrastructure.</p>	<p>P3</p> <p>No Performance Criteria.</p>	<p><i>The standard is not applicable.</i></p>
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CONCLUSION

This report has assessed a Development Application for a workshop for the repairs of farm machinery, equipment and farm vehicles and associated welding and equipment/parts manufacturing at 68 Storeys Road, Broadmarsh. The use is defined as a “service industry” use class. The Application is considered at the discretion of Council.

One (1) representation was received during the statutory notification of the application raising seeking that the permit be conditioned to ensure noise/environmental impacts are reduced through landscaping and other treatments to reduce noise.

Council’s Environmental Health Officer attended the site and is satisfied that the workshop is located a sufficient distance from the nearest dwelling(s) and that appropriate conditioning for noise limitation measures will further assist in reducing such impacts.

It is recommended Council grant a permit for the workshop subject to conditions.

RECOMMENDATION

THAT, in accordance with the provisions of the *Southern Midlands Interim Planning Scheme 2015* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council approve the application for a Workshop (Service Industry) at 68 Storeys Road, Broadmarsh –(DA 2018/4) and that a permit be issued with the following conditions:

General Conditions

- 1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- 2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, which ever is later, in accordance with section 53 of the Land Use Planning And Approvals Act 1993.
- 3) The land and building is to be used as a Service Industry primarily for repairs and maintenance of farm vehicles, equipment and machinery used for resource development and as otherwise for those purposes detailed in the Development Application.

Environmental Effects (Conditions)

- 4) All waste oil and other contaminants generated by the approved development must be stored appropriately and disposed of by a licensed contractor (where required).
- 5) Noise suppression measures are to be installed in the shed/workshop, to the satisfaction of Council's Environmental Health Officer, such measures may include sound batts, "noise suppression" wall/roof/ceiling linings or as otherwise necessary to achieve compliance with condition 6 of this permit.
- 6) The business is to be operated such that there is compliance with section 53 of the *Environmental Management and Pollution Control Act 1994*.
- 7) Any materials or equipment stored in the open, visible from public roads or neighbouring property, must be screened by an appropriate tree or shrub screen as necessary. Planting must bear a suitable relationship to the proposed height of the buildings and must not use species listed as noxious weeds within Tasmania, displaying invasive characteristics or unsuitable for fire prone areas.
- 8) A vegetation/tree screen using a suitable species to a mature height of at least 8 metres must be planted along the length of the western boundary of the parking/driveway area adjacent to the workshop. The vegetation must be maintained for the life of the workshop and replacement vegetation is to be planted if any is lost. The planting is to be completed within 6 months of the completion of the building and inspection arranged with the Planning Officer.

Parking & Access

- 9) The vehicle access from the carriageway of the road onto the subject land must be located and constructed using a gravel pavement in accordance with the construction and sight distance standards shown on standard drawings SD 1012 and SD 1009 prepared by the IPWE Aust. (Tasmania Division) and to the satisfaction of Council's Manager of Works and Technical Services. The works are to be modified to suit the conditions.
- 10) The areas set-aside for parking and associated access and turning must have:
 - a. A driveway access with a minimum 3 metres internal width.

- b. Space on site to allow that vehicles enter and leave the parking space in a single manoeuvre and enter and leave the site in a forward direction.
 - c. An all-weather pavement constructed and surfaced to the satisfaction of the Council's Manager of Works and Technical Services.
 - d. Drainage discharging to the stormwater system in accordance with the requirements of a plumbing permit issued by the plumbing Permit Authority.
- 11) Adequate maneuvering space must be provided in accordance with Standards Australia (2002): Australian Standard AS 2890.2 – 2002, Parking facilities - Part 2: Off-Street, Commercial vehicle facilities, Standards Australia, Sydney and the requirements of the Council's Manager of Works and Technical Services (Jack Lyall 62545008) to ensure that heavy trucks or articulated vehicles may leave the site in a forward direction.
- 12) The loading and unloading of goods from commercial vehicles must only be carried out on the land in accordance with Standards Australia (2002): Australia Standard AS 2890.2 – 2002, Parking facilities - Part 2: Off-Street, Commercial vehicle facilities, Sydney.
- 13) All areas set-aside for parking and associated turning, loading and unloading areas must be completed before the use commences or the building is occupied and must continue to be maintained to the satisfaction of the Council's Development Assessment Committee.

Services

- 14) The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the development. Any work required is to be specified or undertaken by the authority concerned.
- 15) Drainage from the proposed development must drain to a legal discharge point to the satisfaction of Councils Manager Development & Environmental Services.
- 16) A soil and water management plan (SWMP) prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, must be approved by Council's Manager of Development and Environmental Services (refer to advice below) prior to the building works commencing. The SWMP shall form part of this permit when approved.

Hours of Operation

- 17) The use or development must only operate between the following hours unless otherwise approved by Council's Manager of Development and Environmental Services:
- | | |
|---------------------------------------|-------------------------|
| Monday to Friday | 7:00 a.m. to 7:00 p.m. |
| Saturday | 8:00 a.m. to 5:00 p.m. |
| Sunday and State-wide public holidays | 10:00 a.m. to 4:00 p.m. |

Construction Amenity

- 18) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager of Development and Environmental Services:
- | | |
|---------------------------------------|-------------------------|
| Monday to Friday | 7:00 a.m. to 6:00 p.m. |
| Saturday | 8:00 a.m. to 6:00 p.m. |
| Sunday and State-wide public holidays | 10:00 a.m. to 6:00 p.m. |
- 19) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - The transportation of materials, goods and commodities to and from the land.
 - Obstruction of any public road.
 - Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager of Development and Environmental Services.
- 20) Public roadways must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.
- 21) The developer must make good and/or clean any road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manger of Works and Technical Services and the Road Authority.

The following advice applies to this permit:

- This Planning Permit does not imply that any other approval required under any other legislation has been granted.
- This Planning Permit is in addition to any requirements of the *Building Act 2016*. Approval in accordance with the Building Act 2016 may be required prior to works commencing.
- The SWMP shall be prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, the State Policy for Water Quality Management 1997 and the requirements of the Council's Manager of Development and Environmental Services and show the following –
 - Allotment boundaries, north-point, contours, layout of roads, driveways, building envelopes and reticulated services (including power and telephone and any on-site drainage or water supply), impervious surfaces and types of all existing natural vegetation;
 - Critical natural areas such as drainage lines, recharge area, wetlands, and unstable land;
 - Estimated dates of the start and completion of the works;
 - Timing of the site rehabilitation or landscape program;
 - Details of land clearing and earthworks or trenching and location of soil stockpiles associated with roads, driveways, building sites, reticulated services and fire hazard protection;

- f. Arrangements to be made for surface and subsurface drainage and vegetation management in order to prevent sheet and tunnel erosion;
 - g. Temporary erosion and sedimentation controls to be used on the site; and
 - h. Recommendations for the treatment and disposal of wastewater in accordance with Standards Australia: AS/NZS 1547: On-site wastewater management, Standards Australia, Sydney, 2000.
- D. Appropriate temporary erosion and sedimentation control measures during construction include, but are not limited to, the following –
- a. Minimise site disturbance and vegetation removal;
 - b. Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (e.g. temporarily connected to Council's storm water system, a watercourse or road drain);
 - c. Rehabilitation of all disturbed areas as soon as possible.

DECISION

Moved by Clr R Campbell, seconded by Clr D Fish

THAT, in accordance with the provisions of the *Southern Midlands Interim Planning Scheme 2015* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council approve the application for a Workshop (Service Industry) at 68 Storeys Road, Broadmarsh –(DA 2018/4) and that a permit be issued with the following conditions:

General Conditions

- 1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.**
- 2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, which ever is later, in accordance with section 53 of the land Use Planning And Approvals Act 1993.**
- 3) The land and building is to be used as a Service Industry primarily for repairs and maintenance of farm vehicles, equipment and machinery used for resource development and as otherwise for those purposes detailed in the Development Application.**

Environmental Effects (Conditions)

- 4) All waste oil and other contaminants generated by the approved development must be stored appropriately and disposed of by a licensed contractor (where required).**
- 5) Noise suppression measures are to be installed in the shed/workshop, to the satisfaction of Council's Environmental Health Officer, such measures may include sound batts, "noise suppression" wall/roof/ceiling linings or as otherwise necessary to achieve compliance with condition 6 of this permit.**

- 6) **The business is to be operated such that there is compliance with section 53 of the *Environmental Management and Pollution Control Act 1994*.**
- 7) **Any materials or equipment stored in the open, visible from public roads or neighbouring property, must be screened by an appropriate tree or shrub screen as necessary. Planting must bear a suitable relationship to the proposed height of the buildings and must not use species listed as noxious weeds within Tasmania, displaying invasive characteristics or unsuitable for fire prone areas.**
- 8) **A vegetation/tree screen using a suitable species to a mature height of at least 8 metres must be planted along the length of the western boundary of the parking/driveway area adjacent to the workshop. The vegetation must be maintained for the life of the workshop and replacement vegetation is to be planted if any is lost. The planting is to be completed within 6 months of the completion of the building and inspection arranged with the Planning Officer.**

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- 9) **The vehicle access from the carriageway of the road onto the subject land must be located and constructed using a gravel pavement in accordance with the construction and sight distance standards shown on standard drawings SD 1012 and SD 1009 prepared by the IPWE Aust. (Tasmania Division) and to the satisfaction of Council's Manager of Works and Technical Services. The works are to be modified to suit the conditions.**
- 10) **The areas set-aside for parking and associated access and turning must have:**
 - a. **A driveway access with a minimum 3 metres internal width.**
 - b. **Space on site to allow that vehicles enter and leave the parking space in a single manoeuvre and enter and leave the site in a forward direction.**
 - c. **An all-weather pavement constructed and surfaced to the satisfaction of the Council's Manager of Works and Technical Services.**
 - d. **Drainage discharging to the stormwater system in accordance with the requirements of a plumbing permit issued by the plumbing Permit Authority.**
- 11) **Adequate maneuvering space must be provided in accordance with Standards Australia (2002): Australian Standard AS 2890.2 – 2002, Parking facilities - Part 2: Off-Street, Commercial vehicle facilities, Standards Australia, Sydney and the requirements of the Council's Manager of Works and Technical Services (Jack Lyall 62545008) to ensure that heavy trucks or articulated vehicles may leave the site in a forward direction.**
- 12) **The loading and unloading of goods from commercial vehicles must only be carried out on the land in accordance with Standards Australia (2002): Australia Standard AS 2890.2 – 2002, Parking facilities - Part 2: Off-Street, Commercial vehicle facilities, Sydney.**
- 13) **All areas set-aside for parking and associated turning, loading and unloading areas must be completed before the use commences or the building is occupied and must continue to be maintained to the satisfaction of the Council's Development Assessment Committee.**

Services

- 14) The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the development. Any work required is to be specified or undertaken by the authority concerned.
- 15) Drainage from the proposed development must drain to a legal discharge point to the satisfaction of Councils Manager Development & Environmental Services.
- 16) A soil and water management plan (SWMP) prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, must be approved by Council's Manager of Development and Environmental Services (refer to advice below) prior to the building works commencing. The SWMP shall form part of this permit when approved.

Hours of Operation

- 17) The use or development must only operate between the following hours unless otherwise approved by Council's Manager of Development and Environmental Services:

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Construction Amenity

- 18) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager of Development and Environmental Services:

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Sunday and State-wide public holidays	10:00 a.m. to 6:00 p.m.

- 19) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:

- e. Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
- f. The transportation of materials, goods and commodities to and from the land.
- g. Obstruction of any public road.
- h. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager of Development and Environmental Services.

- 20) Public roadways must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.
- 21) The developer must make good and/or clean any road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manger of Works and Technical Services and the Road Authority.

The following advice applies to this permit:

- A. This Planning Permit does not imply that any other approval required under any other legislation has been granted.
- B. This Planning Permit is in addition to any requirements of the *Building Act 2016*. Approval in accordance with the Building Act 2016 may be required prior to works commencing.
- C. The SWMP shall be prepared in accordance with the guidelines Soil and Water Management on Building and Construction Sites, by the Derwent Estuary Programme and NRM South, the State Policy for Water Quality Management 1997 and the requirements of the Council's Manager of Development and Environmental Services and show the following –
 - a. Allotment boundaries, north-point, contours, layout of roads, driveways, building envelopes and reticulated services (including power and telephone and any on-site drainage or water supply), impervious surfaces and types of all existing natural vegetation;
 - b. Critical natural areas such as drainage lines, recharge area, wetlands, and unstable land;
 - c. Estimated dates of the start and completion of the works;
 - d. Timing of the site rehabilitation or landscape program;
 - e. Details of land clearing and earthworks or trenching and location of soil stockpiles associated with roads, driveways, building sites, reticulated services and fire hazard protection;
 - f. Arrangements to be made for surface and subsurface drainage and vegetation management in order to prevent sheet and tunnel erosion;
 - g. Temporary erosion and sedimentation controls to be used on the site; and
 - h. Recommendations for the treatment and disposal of wastewater in accordance with Standards Australia: AS/NZS 1547: On-site wastewater management, Standards Australia, Sydney, 2000.
- D. Appropriate temporary erosion and sedimentation control measures during construction include, but are not limited to, the following –
 - a. Minimise site disturbance and vegetation removal;
 - b. Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (e.g. temporarily connected to Council's storm water system, a watercourse or road drain);
 - c. Rehabilitation of all disturbed areas as soon as possible.

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 Deputy Mayor A Green, seconded by Clr R Campbell

THAT the meeting be adjourned at 10.58 a.m. for morning tea.

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 A Bantick

THAT the meeting reconvene at 10.58 a.m. to complete the remaining Agenda Items whilst Council is acting as a Planning 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	√	

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 PETITION TO AMEND SEALED PLAN NUMBER 153859– AMEND SCHEDULE OF EASEMENTS –1458 WOODSDALE ROAD, LEVENDALE – BUTLER MCINTYRE AND BUTLER OBO TE, GM AND BJ BIRCHALL

File Ref: T2870552

Author: MANAGER DEVELOPMENT AND ENVIRONMENTAL SERVICES (DAVID CUNDALL)

Date: 12 MARCH 2018

Enclosure:

Petition to Amend Sealed Plan 153859 & Title Documents - Sealed Plan 153859

INTRODUCTION

This report seeks to amend the Schedule of Easements relating to relating to a sealed plan for land at 1458 Woodsdale Road, Levensdale.

The proposed amendment to the Schedule is to delete the words “In respect of the Lots upon the Plan the Vendor Maxwell John Birchall shall be required to fence” and replacing the words with “In respect of the Lots upon the Plan the Vendor Maxwell John Birchall shall not be required to fence”.

The Petition to amend the wording has been signed by all persons with a vested interest in the land.

DETAIL

A petition to amend the Sealed Plans has been received that has been signed by all parties affected by the outcome. No other parties will be impacted.

The proposed change will remove the vendor’s requirement to fence the land. It is unknown if this was an error in the initial wording.

STATUTORY PROCESS

Under section 103 of the Local Government (Building & Miscellaneous provisions) Act 1993 (the LGBMP Act) a person may apply ‘by petition’ to the Council to amend a sealed plan.

The person is to serve a copy of the petition on all persons appearing by the registers under the *Land Titles Act 1980* and the *Registration of Deeds Act 1935* to have an estate or interest at law affected by the proposed amendment.

In this case the proposal has been signed by all affected parties and can proceed without further action.

ASSESSMENT

The matter has been discussed at the Development Assessment Committee meeting and the Officers' recommend the Council Amend the Sealed Plan and that it be lodged with the Lands Titles Office.

Council was not a party to the fencing requirements in the Plan (to be amended). Any legal requirements to fence the land (for containment of stock etc) are otherwise covered by separate legislation.

It is recommended Council sign and seal the Instrument Form in accordance with the Solicitor's advice and provide the signed and sealed Instrument to the Solicitor for lodgement at the Lands and Titles Office (LTO). The LTO will then amend the plan at the central plan registry.

RECOMMENDATION

THAT in accordance with Section 103 of the *Local Government (Building & Miscellaneous Provisions) Act 1993* Council Sign and Seal an 'Instrument Form' to be lodged at the Land Titles Office with a Request to Amend Sealed Plan 153859 to delete the words "In respect of the Lots upon the Plan the Vendor Maxwell John Birchall shall be required to fence" and replacing the words with "In respect of the Lots upon the Plan the Vendor Maxwell John Birchall shall not be required to fence" in the Schedule of Easements.

DECISION

Moved by Deputy Mayor A Green, seconded by Cllr A Bantick

THAT in accordance with Section 103 of the *Local Government (Building & Miscellaneous Provisions) Act 1993* Council Sign and Seal an 'Instrument Form' to be lodged at the Land Titles Office with a Request to Amend Sealed Plan 153859 to delete the words "In respect of the Lots upon the Plan the Vendor Maxwell John Birchall shall be required to fence" and replacing the words with "In respect of the Lots upon the Plan the Vendor Maxwell John Birchall shall not be required to fence" in the Schedule of Easements.

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	√	

ENCLOSURE

Agenda Item 11.4.1

RECEIVED

26 FEB 2018

By SMC

**Butler
McIntyre
& Butler**

*Lawyers
Est. 1824*

The General Manager
Southern Midlands Council
PO Box 21
OATLANDS TAS 7120

15 January 2018

OUR REF: AEB-MSG-160009
YOUR REF:

Dear Sir,

**1458 Woodsdale Road Levendale
TE, GM & BJ Birchall – Petition to Amend Sealed Plan No 153859**

We enclose:

1. Petition to Amend sealed plan number 153859 signed by the current registered proprietors of the lots in that subdivision and their financier Bendigo Bank.
2. Application by the Southern Midlands Council to the Land Titles Office to amend sealed plan number 153859 should this petition find favour with Council.
3. Copy of the Schedule of Easements No 153859.

We look forward to hearing the results of the petition in due course.

Yours faithfully
Butler McIntyre & Butler

Per:



Anne Brown

Direct email: abrown@bmbtas.com
Direct ☎ 03 6222 9441

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20 Murray Street
Hobart 7000
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DX 113 Hobart

www.bmbtas.com
enquiry@bmbtas.com
ABN 73 206 174 836

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PETITION TO AMEND SEALED PLAN NUMBER 153859

In the matter of Section 103 Local Government (Building & Miscellaneous Provisions)
Act 1993

and

In the matter of Folios of the Register volume 153859 folios 1 and 2.

To Southern Midlands Council

We BRADY JAMES BIRCHALL, TRACIE ELIZABETH BIRCHALL and GARRY MAXWELL BIRCHALL all of 1485 Woodsdale Road, Levendale in Tasmania are the registered proprietors of the land contained in Folio of the Register volume 153859 folio 2 and the said BRADY JAMES BIRCHALL of 1458 Woodsdale Road, Levendale in Tasmania is the registered proprietor of the land in Folio of the Register volume 153859 folio 1.

We do petition Sealed Plan number 153859 be amended as follows:

1. Amend the Schedule of Easements relative to SP153859 by:

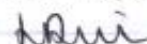
Deleting the words "In respect of the Lots upon the Plan the Vendor Maxwell John Birchall shall be required to fence" and replacing those words with "In respect of the Lots upon the Plan the Vendor Maxwell John Birchall shall not be required to fence".

Signed by TRACIE ELIZABETH BIRCHALL



in the presence of: Louise Dine.

witness signature



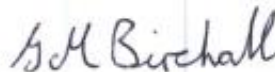
witness name

Louise Dine.

witness address

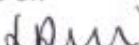
12 Cole St, Sorell.

SIGNED by GARRY MAXWELL BIRCHALL



in the presence of:

witness signature



witness name

Louise Dine.

witness address

12 Cole St, Sorell

SIGNED by BRADY JAMES BIRCHALL as the
registered proprietor of the land in Certificates
of Title volume 153859 folios 1 and 2

BJ Birchall

in the presence of:

witness signature

Louise Dine

witness name

Louise Dine

witness address

12 Cole St, Sorrell

Bendigo and Adelaide Bank Limited as the Mortgagee of the land comprised in
Certificates of Title volume 153859 folios 1 and 2 consents to the above petition

EXECUTED by
BENDIGO and ADELAIDE BANK LTD
ABN 11 008 048 178
by being signed by its Attorney
ELLEN MARGRETHE KOCH
and certify that they are the
LOAN SERVICES OFFICER
for the time being of the Bank under Power
of Attorney dated 7 March 2018 registered
number PA99601 and the said Attorney declares
that they have received no notice of revocation
of the said power in the presence of:

Chad
Attorney
EA
Witness Signature
Danyel Máree Doorley
Witness Name
114 Briarbine Street, Ipswich
Witness Address
Team leader
Witness Occupation

TASMANIAN LAND TITLES OFFICE

Blank Instrument Form Land Titles Act 1980



DESCRIPTION OF LAND			
Folio of the Register			
Volume	Folio	Volume	Folio
153859	1	153859	2

REQUEST TO AMEND SEALED PLAN NO. 153859

IN THE MATTER OF Section 103 of the Local Government (Building and Miscellaneous Provisions) Act 1993

To: The Recorder of Titles

THE SOUTHERN MIDLANDS COUNCIL hereby request that Sealed Plan number 153859 affecting the land comprised in Folios of the Register volume 153859 folios 1 and 2 be amended as follows:

1. Amend the Schedule of Easements relative to SP153859 by:

Deleting "In respect of the Lots upon the Plan the Vendor Maxwell John Birchall shall be required to fence" and replacing those words with "In respect of the Lots upon the Plan the Vendor Maxwell John Birchall shall not be required to fence".

The Common Seal of the Southern Midlands Council)
has been affixed this day of 2018)
in the presence of:)

.....

Land Titles Office Use Only

Stamp Duty

Version 1

THE BACK OF THIS FORM MUST NOT BE USED



SCHEDULE OF EASEMENTS
RECORDER OF TITLES
Issued Pursuant to the Land Titles Act 1980



SCHEDULE OF EASEMENTS	Registered Number
NOTE: THE SCHEDULE MUST BE SIGNED BY THE OWNERS & MORTGAGEES OF THE LAND AFFECTED. SIGNATURES MUST BE ATTESTED.	SP 153859

PAGE 1 OF 1 PAGE/S

EASEMENTS AND PROFITS

Each lot on the plan is together with:-
 (1) such rights of drainage over the drainage easements shown on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
 (2) any easements or profits a prendre described hereunder.
 Each lot on the plan is subject to:-
 (1) such rights of drainage over the drainage easements shown on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
 (2) any easements or profits a prendre described hereunder.
 The direction of the flow of water through the drainage easements shown on the plan is indicated by arrows.

EASEMENTS:

Lot 2 is subject to a right of carriageway over the land marked "right of way 9.05 wide" as shown on the plan in favour of the land comprised in Folio of the Register Volume 70012 Folio 1.

FENCING PROVISION:

In respect of the lots upon the plan the Vendor Maxwell John Birchall shall be required to fence.

Signed by Maxwell John Birchall the Registered Proprietor of the land contained in Certificate of Title Volume 149400 Folios 1, 2 & 3 in the presence of:

M. J. Birchall

Witness sign: *Glenda Merle Birchall*
 Witness name: *Glenda Merle Birchall*
 Witness Address: *723 Cutting grass road, Levenate Tas. 7120*
 Witness Occupation: *Housewife*

(USE ANNEXURE PAGES FOR CONTINUATION)

SUBDIVIDER: Maxwell John BIRCHALL	PLAN SEALED BY: Southern Midlands Council
FOLIO REF: Vol. 149400 Fols. 1, 2 & 3	DATE: <i>19.3.08</i>
SOLICITOR & REFERENCE: Anne Brown – Butler McIntyre & Butler – AEB 63589	REF NO. <i>5840578</i>
	<i>[Signature]</i> Council Delegate
NOTE: The Council Delegate must sign the Certificate for the purposes of identification.	

DECISION

Moved by Clr D Fish, seconded by Clr R Campbell

THAT the meeting be adjourned at 11.00 a.m. for morning tea.

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 A Bantick, seconded by Clr R Campbell

THAT the meeting reconvene at 11.24 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	√	

12. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)

12.1 Roads

Strategic Plan Reference – Page 14

1.1.1 Maintenance and improvement of the standard and safety of roads in the municipality.

Nil.

12.2 Bridges

Strategic Plan Reference – Page 14

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

Nil.

12.3 Walkways, Cycle ways and Trails

Strategic Plan Reference – Page 14

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 – Page 14

1.4.1a Ensure Adequate lighting based on demonstrated need.
1.4.1b Contestability of energy supply.

Nil.

12.5 Buildings

Strategic Plan Reference – Page 15

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

Nil.

12.6 Sewers

Strategic Plan Reference – Page 15

1.6.1 Increase the capacity of access to reticulated sewerage services.

Nil.

12.7 Water

Strategic Plan Reference – Page 15

1.7.1 Increase the capacity and ability to access water to satisfy development and Community to have access to reticulated water.

Nil.

12.8 Irrigation

Strategic Plan Reference – Page 15

1.8.1 Increase access to irrigation water within the municipality.

Nil.

12.9 Drainage

Strategic Plan Reference – Page 16

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

Nil.

12.10 Waste

Strategic Plan Reference – Page 17

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

Nil.

12.11 Information, Communication Technology

Strategic Plan Reference – Page 17

1.11.1 Improve access to modern communications infrastructure.

Nil.

12.12 Officer Reports – Works & Technical Services (Engineering)

12.12.1 MANAGER - WORKS & TECHNICAL SERVICES REPORT

Author: MANAGER WORKS & TECHNICAL SERVICES (JACK LYALL)

Date: 23 MARCH 2018

ROADS PROGRAM

Road widening has commenced on Chauncy Vale Road (in vicinity of the second bridge).

Road widening has been undertaken on Woodsdale Road (in vicinity of Scott's quarry) – fencing and minor works still required.

Parattah & Tunbridge kerb and gutter renewal works are scheduled to commence early April 2018.

Maintenance grading in Colebrook area, Interlaken and Bowhill Roads.

Town and General maintenance is continuing in all other areas.

Road Traffic Counter

The Road Traffic Counter has been installed on Brown Mountain Road, Campania (due to be removed end March 2018).

Waste Management Program

All new operating arrangements, including additional onsite staff resources, have been implemented at each of the sites. At this early stage, it appears that there has been a reduction in waste being deposited as opposed to an increase in fees collected from 'out-of-area' users. By way of example, the collection normally scheduled for Monday at Dysart (i.e. prior to opening on the Tuesday) was deferred as there was sufficient capacity to operate through to the weekend without an additional empty.

General

Tender for the supply and erection of the main workshop building at the Glenelg Street depot has been advertised for tender on 24th March 2018.

QUESTIONS WITHOUT NOTICE TO MANAGER, WORKS & TECHNICAL SERVICES

Clr Campbell – Advice that the 45 degree angle parking signs opposite Roxy IGA in Oatlands need replacing.

Deputy Mayor – request for a timetable for the planned road reconstruction and sealing program – project schedule to be circulated.

Clr Marshall – Advice of damaged guard railing at Mudwalls Road/Lovely Banks Road intersection.

Clr Fish – pine tree located on the Esplanade (vicinity of N Espie's residence) – removal should be scheduled for the same time as the trees located at Maher's Point.

Clr Batt – Works at the junction of Memorial Avenue, Kempton – can priority be given to these works.

Clr Marshall – Brown Mountain Road – roadside litter collection required on the approach to the Waste Transfer Station.

Clr Bantick – Chauncy Vale Road – corner widening – large exposed rock may need a temporary marker/cordoned off until full removal.

RECOMMENDATION

THAT the Works & Technical Services Report be received and the information noted.

DECISION

Moved by Clr R Campbell, seconded by Clr D Marshall

THAT the Works & Technical Services 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	√	

13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

13.1 Residential

Strategic Plan Reference – Page 18

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

Nil.

13.2 Tourism

Strategic Plan Reference – Page 19

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

Nil.

13.3 Safety

Strategic Plan Reference – Page 31

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

Nil.

13.4 Business

Strategic Plan Reference – Page 20

2.3.1a Increase the number and diversity of businesses in the Southern Midlands.

2.3.1b Increase employment within the municipality.

2.3.1c Increase Council revenue to facilitate business and development activities (social enterprise)

Nil.

13.5 Industry

Strategic Plan Reference – Page 21

2.4.1 Retain and enhance the development of the rural sector as a key economic driver in the Southern Midlands.

Nil.

13.6 Integration

Strategic Plan Reference – Page 21

2.5.1 The integrated development of towns and villages in the Southern Midlands.

2.5.2 The Bagdad Bypass and the integration of development.

Nil.

14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)

14.1 Heritage

Strategic Plan Reference – Page 22

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

14.1.1 HERITAGE PROJECT PROGRAM REPORT

Author: MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)

Date: 22 MARCH 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:

- Work continues at the Oatlands Commissariat and 79 High Street. All structural works and roofing is complete. The garage at 81 High Street has been removed. Internal works in the cottage/shop are nearing final fit-out. The original 1827 flagstone floor of the commissariat has been exposed (concrete removed). Traditional guttering is being installed on the buildings. Underground servicing has commenced rough-in. A traditional split timber fence has been installed to the High Street frontage and the remaining fencing is to be started on 27/3/18.
- A Traditional Timber Skills day was held at 79 High Street on 18/3/18, with around 50 attendees. This was widely promoted through social media and interest groups and despite the weather was a great success. The results of the day will be promoted through the Southern Midlands News.
- Further development of 'Beacon' project including; sourcing historic images relating to Beacon site locations in SMC municipal area, visit to TMAG repository to view images and development of text for individual beacon sites. Alan Townsend is assisting Brighton with their part of the project under secondment.
- Documenting various mid 1800s wallpaper samples in a significant Southern Midlands Inn.
- Liaising with graphic designer to provide a logo for the Oatlands Commissariat and update of Oatlands town map to include the commissariat logo.
- Social media updates for Oatlands Commissariat Restoration Project and Southern Midlands Council Heritage.
- Assisting Mount Pleasant Hall committee for an interpretation project.
- Liaison with the Arts Advisory Group for the Heritage Craft Skills day proposed for August.
- Preparing for the first Artist in Residence for 2018.
- Ongoing research for a forthcoming publication series.

- Liaising with volunteers on Commissariat archaeological finds processing and Tasmanian Decorated Interiors wallpaper conservation and storage.

Heritage Projects program staff have been involved in the following Heritage Building Solutions activities:

- Continued input into several small and larger scale heritage projects throughout Southern Tasmania.
- Input into new management systems for HBS in conjunction with the recently appointed operations manager.

Heritage Projects program staff have been involved in the following Heritage Education and Skills Centre activities:

- Partnering with SMC on the Traditional Timber Skills day.
- The Heritage Regeneration project has been wound-up with final acquittals and project report currently being prepared.

RECOMMENDATION

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

DECISION

Moved by Clr R Campbell, seconded by Clr D Marshall

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	√	

14.2 Natural

Strategic Plan Reference – Page 23/24

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

14.2.1 LANDCARE UNIT – GENERAL REPORT

Author: NRM PROGRAMS MANAGER (MARIA WEEDING)

Date: 20 MARCH 2018

ISSUE

Southern Midlands Landcare Unit Monthly Report.

DETAIL

- The proposed new fence that will replace the existing fence at the Kempton Recreation ground and 'gymkhana' paddock, together with detail of a new entrance to the grounds has a Planning Permit. There were no representations against the proposal. Three quotes for the replacement fence were obtained. Whelans Welding has now been engaged to fabricate and erect the new fence. Works to remove the existing fence will be undertaken through the Works and Services Department of Council.
- Maria Weeding has been busy preparing a landscape plan(s) for the pine tree area close to Mahers Point on the Lake Dulverton foreshore. The draft plan will go to the Lake Dulverton Committee meeting for initial consideration before going to Council, and then out for public consultation. At this stage, there are three similar plans in layout, but with different plant types. One with 'English' style plants, one with "English' and Australian Native (Midlands) style plants combined, and one plan using only Australian Native (Midlands species) plants.
- Helen Geard has been working a final acquittal report for NRM South for the Naturally Inspired Grant from 2017. This has now been submitted to NRM South.
- Helen Geard and Maria Weeding have undertaken some autumn maintenance work in relation to the plants on the Dulverton Walking track out towards the Parattah end of the track.
- Council's Weeds Officer Sandy Leighton continues to be very busy. The following is a summary of activities from Feb 20th to March 20th 2018. (*Details provided by S Leighton*).
 - Provided update to Councillors at Council meeting, Tunbridge (27 February 2018);
 - Two weed awareness articles published in March 2018 SMC Ratepayer Newsletter;
 - Public enquiries – 3 (2x cumbungi control & 1x broom gall mite release);
 - Emerging weed issue – another infestation of St John's wort found along Little Plains road Tunbridge;
 - Landholder interviews progressing really well (13 interviews, 17 people & 48 properties) providing a lot of productive information and discussion on thistles and other weeds of concern.

Biological control

- Paterson's curse - plan to revisit Den Road site with Dr John Ireson in late Autumn to determine agent numbers and potential to collect and redistribute agents to other sites across the municipality. There are two agents and both are needed at a site to have an impact on the Paterson's curse;
- English broom – broom gall mite well established around Lake Dulverton enabling local collection site to redistribute in our municipality. So far 4 new broom gall mite releases done in the Tunnack area, article in latest newsletter, some survey work done to determine agent spread.

Midland Highway upgrade near St Peters Pass

- Mouse-eared hawkweed – advised State Growth that the only infestation in Tasmania was recorded in 2001 prior to previous Midland Hwy upgrade at St Peters Pass. The plants were then buried deep under the highway.
- With current roadworks again upgrading the highway, State Growth was informed of the risk of disturbing the site and spreading this weed along the road corridor. State Growth have now included a more flexible post current upgrade works survey of the area to ensure any plants are located during the late spring/ summer period. Mouse eared hawkweed is highly invasive and is a serious problem in pastures in some parts of New Zealand as well as in the high country in Victoria and NSW. It has the potential to smother pastures and render them unusable.

RECOMMENDATION

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

DECISION

Moved by Clr D Fish, seconded by Clr D Marshall

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	√	

14.3 Cultural

Strategic Plan Reference – Page 24

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 – Page 25

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

Nil.

14.5 Climate Change

Strategic Plan Reference – Page 25

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 – Page 26

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

Nil.

15.2 Youth

Strategic Plan Reference – Page 26

4.2.1 Increase the retention of young people in the municipality.

Nil.

15.3 Seniors

Strategic Plan Reference – Page 27

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

Nil.

15.4 Children and Families

Strategic Plan Reference – Page 27

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 – Page 27

4.5.1 Encourage community members to volunteer.

Nil.

15.6 Access

Strategic Plan Reference – Page 28

4.6.1a Continue to explore transport options for the Southern Midlands Community.

4.6.1b Continue to meet the requirements of the Disability Discrimination Act (DDA).

Nil.

15.7 Public Health

Strategic Plan Reference – Page 28

4.7.1 Monitor and maintain a safe and healthy public environment.

Nil.

15.8 Recreation

Strategic Plan Reference – Page 29

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

Nil.

15.9 Education

Strategic Plan Reference – Page 29

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

Nil.

15.10 Animals

Strategic Plan Reference – Page 29

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

15.10.1 ANIMAL MANAGEMENT REPORT

Author: ANIMAL MANAGEMENT/COMPLIANCE OFFICER (HELEN BRYANT)

Date: 22 MARCH 2018

Enclosure:

Animal Management Statement – February 2018 - March 2018

ISSUE

Consideration of the Animal Management/Compliance Officer's report for the period February 2018 – March 2018.

The purpose of the report is twofold:

1. To inform Council and the Community of infringements issued by Council Officers in relation to Animal Management for the period February 2018 to March 2018; *and*
2. Provide a brief summary of actions and duties undertaken by Council Officers in relation to animal management.

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

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

Resource Sharing

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

Infringement Details

Nil issued for this period.

RECOMMENDATION

THAT the information be received.

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
Agenda Item 15.10.1

**SOUTHERN MIDLANDS COUNCIL
MONTHLY ANIMAL MANAGEMENT STATEMENT
February 2018 – March 2018**

DOG IMPOUNDS	RECLAIMED	ADOPTED	EUTHANISED
3	3		
OTHER IMPOUNDS	RECLAIMED	ADOPTED	EUTHANISED
1	0	1	0

JOBS ATTENDED

	DOGS AT LARGE	DOG ATTACKS	DOG BARKING	DOG GENERAL	NEW KENNEL INSPECT	WELFARE	STOCK	OTHER
Southern Midlands	5		2		1	1	7	
Central Highlands			1					

REGISTERED DOGS: 1703
INFRINGEMENTS ISSUED: 0

16. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

16.1 Retention

Strategic Plan Reference – Page 30

5.1.1 Maintain and strengthen communities in the Southern Midlands.

Nil.

17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

17.1 Improvement

Strategic Plan Reference – Page 32

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

Nil.

17.2 Sustainability

Strategic Plan Reference – Page 33 & 34

- | | |
|-------|--|
| 6.2.1 | Retain corporate and operational knowledge within Council. |
| 6.2.2 | Provide a safe and healthy working environment. |
| 6.2.3 | Ensure that staff and elected members have the training and skills they need to undertake their roles. |
| 6.2.4 | Increase the cost effectiveness of Council operations through resource sharing with other organisations. |
| 6.2.5 | Continue to manage and improve the level of statutory compliance of Council operations. |
| 6.2.6 | Ensure that suitably qualified and sufficient staff are available to meet the Communities needs. |
| 6.2.7 | Work co-operatively with State and Regional organisations. |
| 6.2.8 | Minimise Councils exposure to risk. |

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

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: MARCH 2018

Enclosure:

Southern Midlands Shared Services Council Update (January 2018)
Local Government Shared Services Update (January 2018)

ISSUE

To inform Council of the Common Services Joint Venture activities for the month of January 2018.

BACKGROUND

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

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

DETAIL

Refer 'Common Services Joint Venture Update – January 2018 attached.

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

Councillors will note that the Southern Midlands Council provided 29 hours of service to six Councils: - Brighton, Central Highlands, Derwent Valley, Glamorgan/Spring Bay, Sorell and Tasman during January 2018; and received 3 hours of services from other Councils during this period.

Details of services provided are included in the attachments.

Community Consultation & Public Relations Implications – Nil

Policy Implications – N/A

Priority - Implementation Time Frame – Ongoing.

RECOMMENDATION

THAT the information be received.

DECISION

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

THAT the information be received.

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	√	

ENCLOSURE

Agenda Item 17.2.1

Local Government Shared Services - Council Update

Council

Southern Midlands

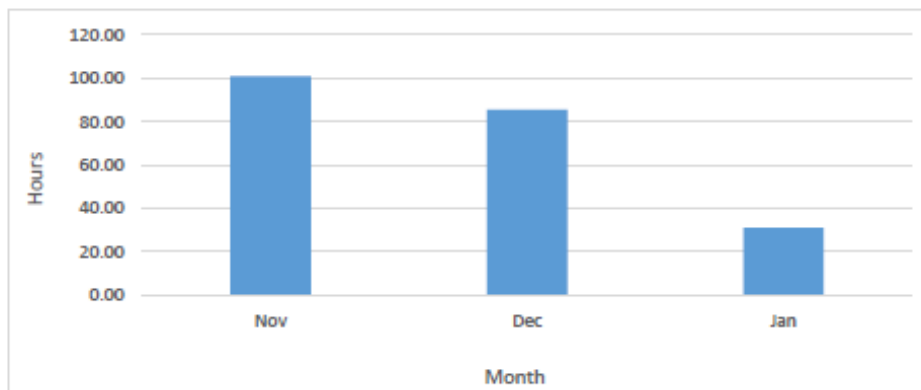
Shared Service Participation in January 2018

32 hours

Summary

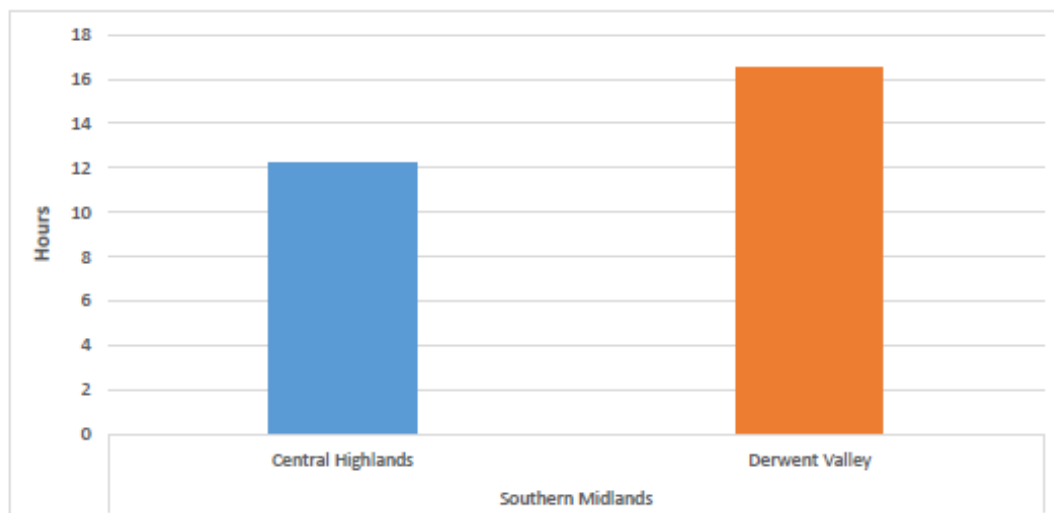
In January 2018, 32 hours of shared services were exchanged by the Southern Midlands Council which was a significant decrease from hours exchanged in December (86). From this total, Southern Midlands provided 29 hours of services to other Councils, and received 3 hours of services from other Councils.

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 January 2018 by Council



*Council is not a member of LG Shared Services Agreement

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

Southern Midlands		Summary of Services Provided
Central Highlands	12	
Planning Services	12	Statutory Planning Services
Derwent Valley	17	
Plumbing Permit Authority	17	Plumbing Inspections & Approvals
Grand Total	29	

*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 January 2018 by Council & Service Category

Southern Midlands		Summary of Services Received
Brighton	3	
Development Engineering	1	Development & Subdivision Advice
Strategic Planning Services	2	Sub-Regional Services
Grand Total	3	

Cost Benefits Achieved by Southern Midlands and Other Councils

32 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 January, it is estimated, Council have achieved a net benefit of approximately \$1,800. 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 \$1,961 for the month of January.

Local Government Shared Services Update January 2018

Summary of Recent Shared Services Activity

841 hours of Shared Services were exchanged between Councils during January 2018, which is a slight increase of approximately 2% when compared to hours exchanged in December 2017 (824 hours) and these hours were lower than the three-month average of 957 hours per month.

Fig 1 - Shared Service Exchange Hours in Recent Months

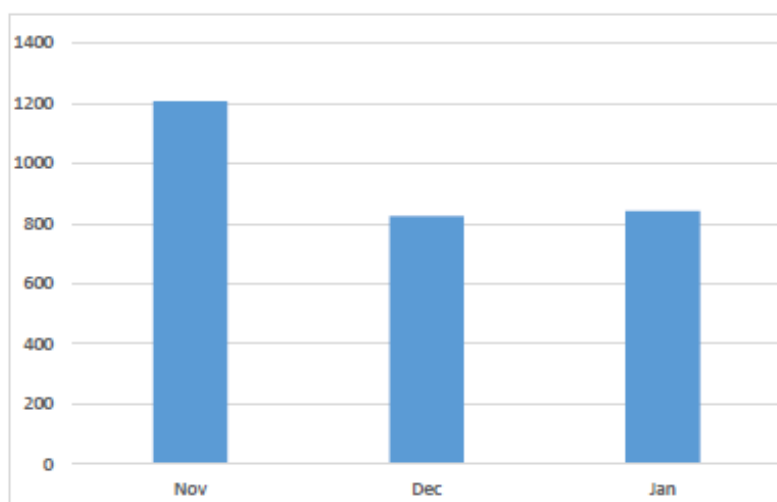
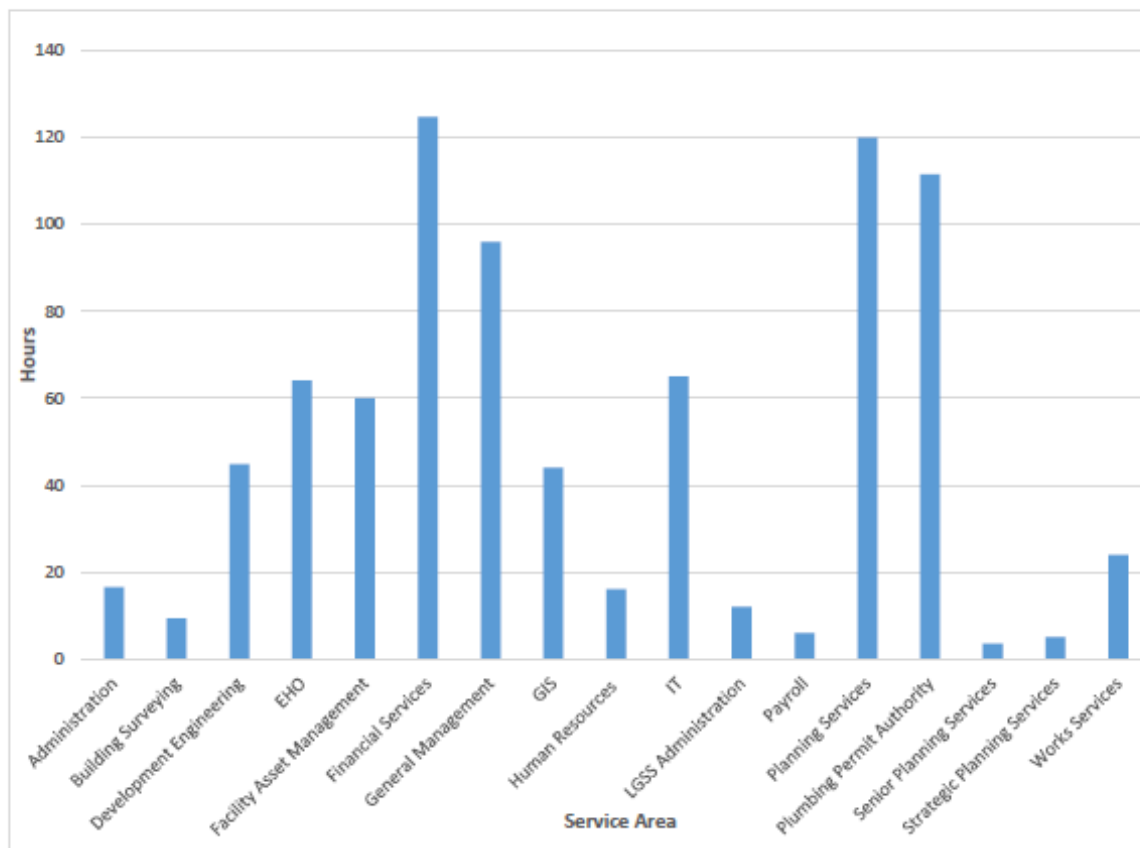


Fig 2 - Details of Current Exchange of Services by Council during January 2018

Provider Council	Client / Organisation									
	Brighton	Central Highlands	Derwent Valley	GSB	Litchfield	LGSS	Palmerston City	Sorell	Southern Midlands	Tasman
Brighton		1	74	89		12			3	90
Central Highlands										
GSB										
Sorell	12			124						305
Southern Midlands		12	17							
Tasman								102		

*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 January 2018



Savings to Local Government

A total of 841 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 \$65,183 for the month of January. 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

- Continued development of Workforce Plans for each member Council to highlight potential gaps in service provisions & staff resources into the future.
- The collation of a 'preferred contractors' list whom could undertake LGSS roles when staff are absent or additional resources are needed.
- 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: 16 MARCH 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 December 2017.

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.

DECISION

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

THAT:

- a) the information be received; and
- b) The Southern Midlands Council seek to engage with the South East Regional Development Association (SERDA), which is made up of Clarence City, Sorell, Tasman and Glamorgan Spring Bay Councils, in terms of participating in SERDA initiated projects or activities that may add value to the Southern Midlands municipal area.

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	√	

Clr R Campbell submitted a proposed Motion for referral to the ALGA conference relating to low cost housing solutions.

Deputy Mayor A Green declared an interest and left the meeting at 11.48 a.m.

17.2.3 2018 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 15 MARCH 2018

Attachment:

National General Assembly of Local Government Call for Motions Discussion Paper

ISSUE

To confirm attendance at the Australian Local Government Association (ALGA) 2018 National General Assembly of Local Government conference and consider any Motions for submission to ALGA.

DETAIL

The National General Assembly (NGA) of Local Government conference will be held from the 17th – 20th June 2018 in Canberra.

The theme for the 2018 conference is *'Australia's Future, Make it Local'*. The program will be focused on not just the wide scope and importance of Local Government, but its ability to influence and effect fundamental change and improvement at the community level.

This event provides a unique opportunity for Local Government to engage directly with the Federal Government, to develop national policy and to influence the future direction of our councils and our communities.

ALGA is also calling for motions for the 2018 NGA conference. Motions are to be submitted online by the 30th March 2018 with a clear national objective, a summary of key arguments in support of the motion and the endorsement of Council.

The early-bird registration fee is \$969.00 if registration is lodged prior to the 4th May 2018. Daily registration fees range from \$320.00 to \$529.00. Please note this fee does not include airfares or accommodation.

Human Resources & Financial Implications – Registration fees to be funded from the 2017/18 budget. Accommodation and airfares to be funded from the 2018/19 budget.

Community Consultation & Public Relations Implications – attendance at the conference assists Council in being proactive and having input into the planning and direction of local government into the future.

Policy Implications – Whilst not a formal Policy, it has been standard practice for the Mayor & General Manager to attend.

Priority - Implementation Time Frame – Delegates registration must be lodged prior to the 4th May 2018 to receive the early bird registration fee. Motions are required to be submitted online no later than the 30th March 2018.

RECOMMENDATION

THAT Council:

- a) confirm attendance at the 2018 National General Assembly of Local Government Conference (ALGA) to be held in Canberra; and
- b) identify any Motions for submission to ALGA by the 30th March 2018.

DECISION

Moved by Clr R Campbell, seconded by Clr D Marshall

THAT

1. Council authorise the Mayor and General Manager to attend the 2018 National General Assembly of Local Government in Canberra;
2. A report on the activities and outcome of the Assembly be prepared for Council; and
3. Council endorse referral of the following Motion for inclusion on the ALGA Assembly Agenda:

“THAT the Australia Local Government Association lobby the Federal Government to take an active role (in conjunction with all State Governments) to address the significant issue regarding the shortage of affordable / low-cost housing that exists in all States and our respective local communities (especially in relation to retirees).

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	√	

Deputy Mayor A Green returned to the meeting at 11.54 a.m.

ENCLOSURE

Agenda Item 17.2.3

NGA 2018

National Convention Centre Canberra
17-20 June 2018

**National General Assembly of Local Government
Call for Motions Discussion Paper**

Australia's Future, Make it Local

The purpose of this discussion paper is to provide guidance to councils for the development of Motions for debate at the 2018 National General Assembly. The paper provides an overview of policy areas in which the NGA has well-established positions and identifies potential new and emerging policy areas which are being developed by ALGA and require detailed consideration. Councils are particularly encouraged to submit Motions on these policy areas.

Highlighting the issues below contributes to implementing ALGA's Strategic Plan 2017-2020 and its objectives to:

- strengthen Local Government in the areas of financial sustainability; delivering services in regional cities; infrastructure; and innovation and digital transformation, as well as,
- facilitating collaboration between state and territory associations in Local Government's role in Indigenous policy issues, scale and capacity; women in Local Government; and diversity in representation.

Criteria for Motions

Motions must meet the following criteria:

- ✓ be relevant to the work of local government nationally
- ✓ be consistent with the theme of the NGA
- ✓ complement or build on the policy objectives of your state and territory local government association
- ✓ be submitted by a council which is a financial member of their state or territory local government association
- ✓ propose a clear action and outcome
- ✓ not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

Your Opportunity

The primary focus of all Motions should be to strengthen the capacity of local government to provide services and infrastructure in Australia. Providing clear actions within areas that are still emerging provides councils with an opportunity to influence the development of ALGA policy and advocacy by ALGA on federal election commitments.

Emerging Issues

Councils across Australia are constantly being asked to do more with less. Changing community needs, including ageing populations, technological advancements and changing economic circumstances, are a challenge for all communities.

Analysis suggests that a Commonwealth election may well be called between August 2018 and May 2019. The 2018 NGA therefore provides an important opportunity to progress Local Government issues in the Federal agenda. Below are some critical areas in which Local Government needs to consider the role it can in local communities on the national stage. In particular, the 2018 NGA is calling for Motions that provide clear policy advice and/or policy initiatives that will help Local Government to address the following policy challenges:

Housing Affordability

Housing affordability is a major challenge in many communities. The Commonwealth frequently asserts that housing affordability is a problem because of the supply of housing. As such there has been a focus on planning reform.

Motions are called for on ways to improve housing supply and improve land use planning and associated local government infrastructure to support increased housing supply.

Financial Sustainability – Oppose Cost Shifting

In 2005 The House of Representatives Inquiry into Cost Shifting from States onto Local Government estimated that cost shifting amounted to between \$500m - 1.4b annually. This includes regulatory and other services that Local Government provided on behalf of states without adequate compensation.

Motions are called for on ways to reduce cost shifting from states and the Commonwealth on to Local Government and on areas of regulatory reform and services that Local Government could provide efficiently and effectively on behalf of states or the Commonwealth if appropriately funded.

Innovation and Digital Transformation – Smart Communities

Technological advancements are changing the way councils communicate with citizens and deliver services and infrastructure.

Motions are called for on ways to improve the ability of councils to support their community to understand and benefit from digital transformation, ways to improve data, protect privacy and increase security of council-held data.

Harmonising Local Government Data

National Local Government data is held in a variety of places and is often of variable quality. National advocacy on behalf of Local Government needs a strong evidence base. ALGA has been working with JRA on the State of the Assets project which collects data on the quality and condition of all local government assets. Increasingly, councils are being required to provide data to third parties.

Motions are called for on ways to improve the collection of local government data, how data could be better linked across the sector, and ways to improve the quality of data.

Cyber Security

Recent malware attacks have highlighted the vulnerability of business and government computer systems. Strong measures are required to ensure that all Australians and Australian businesses and governments are aware of the risks and take appropriate measures to ensure cyber security.

Motions are called for on ways to improve local government cyber security.

Environment

Local Government plays a critical role in environmental management, with actions often embedded into other day to day operations as well as included in economic management considerations

Motions are called for on what should be national priorities and on ways to improve environmental management systems, waste management, product stewardship and biodiversity.

Regional Development

Local Government plays a critical role in regional development, with an active role working with neighbouring councils, industry, state government agencies, community and other key stakeholders to set and achieve regional goals.

Motions are called for on ways to improve regional policy approaches, funding ideas on regional sustainability and equity.

Motions should be lodged electronically using the online form available on the NGA webpage at: alga.asn.au. All Motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and the endorsement of your Council.

Motions should be received by ALGA no later than **11:59pm on Friday 30 March 2018**.

Established ALGA Policy Areas

Financial Assistance Grants

Adequate and appropriate Local Government services and infrastructure are critical to all communities. The Commonwealth Financial Assistance Grants are important to all councils. Success has been achieved in the last 12 months by restoration of the indexation of the Financial Assistance Grants (FAGs). ALGA's priority in this area is to continue advocating for FAGs funding to be increased to a level equal to at least one per cent of commonwealth taxation revenue.



Freight Strategy

Local government manages around 75 per cent of Australia's local roads network. These roads were generally built decades ago and today are required to carry increasing amounts of freight, including higher productivity vehicles. Poor and unsafe roads are a barrier to increased productivity. ALGA's priority is the promotion and development of a freight strategy with funding of \$200m per year for five years to address first and last mile access issues, leading to an increase in local, regional and national productivity.



Roads to Recovery

The Roads to Recovery Program provides councils with essential additional funding to help address the backlog of maintenance and renewal of local roads. Success was achieved with Roads to Recovery by having the expiration date removed and essentially creating an ongoing program. Further work in this area is being undertaken to ensure Roads to Recovery funding is permanently doubled.



Additional Local Roads Funding for South Australia

Additional funding for South Australian local roads to address an anomaly in FAGs ceased in 2014. It was reinstated in 2017–18 but only for two years. The focus is now on securing ongoing additional funding for South Australian local roads, indexed annually in line with FAGs.



Climate Change Plans

Many councils are addressing or wish to address climate change. With the important role Local Government can play helping the Australian Government to achieve internationally agreed climate change targets, a priority has been placed on supporting councils to work with local businesses and communities to implement local and regional Climate Change Adaptation Plans.



Indigenous

Addressing Indigenous disadvantage across Australia is a priority for all Australian governments. Advocacy is about closing the gap between Indigenous and non-Indigenous Australians in the areas of housing, health, early childhood development, education, economic participation and remote service delivery.



Community Infrastructure

Funding support for community infrastructure will enable all local councils to plan and deliver adequate and appropriate community infrastructure. ALGA is urging political parties to commit to specific local government community infrastructure funding at the level of \$300 million per annum over the next four years.



DECISION

Moved by Clr A Bantick, seconded by Clr D Fish

THAT the meeting be adjourned to receive a presentation from Huon Regional Care.

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

Jen Wehnert (Health and Wellbeing Coordinator) from Huon Regional Care addressed Council in regard to 'The Right Place Program' (a program to connect people with health and community services).

The Right Place is a community owned and community driven program to connect people with health and community services. Governance of the program is situated within the community in recognition of the importance of community involvement and ownership.

An outline of the concept and Practice Principles was outlined to Council. The program was initially a community led initiative that began in the Huon Valley as a result of a community forum and the need for additional information on care service providers. The 'Right Place Program' was one of several initiatives proposed by the community to improve integration and transfers of care for the community. Since its inception, many other communities have shown interest in bringing 'The Right Place' to their local area. It is intended that the initiative expands to interested communities – to be known as The Right Place communities.

Principles of the 'The Right Place' Program involve the ability for people to ask for information, advice and assistance through any member organisation of The Right Place program and ensuring that people will have access to good quality information, advice and assistance to help them make an informed choice.

The program has developed a number of resources, practice principles, memorandum of understanding, program and evaluation framework as well as a training package for facilitators to train frontline staff in participating businesses/organisations.

Further information is available from <http://therightplace.org.au>

The Mayor thanked Huon Regional Care representatives for their presentation and a report will be provided by the Deputy General Manager for the April Council meeting.

DECISION

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

THAT the meeting be reconvened at 12.40 p.m.

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	√	

9. PUBLIC QUESTION TIME (12.41 PM)

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, one Question on Notice had been received from a member of the Public.

Mr C Williams – 1356 Tea Tree Road Quarry

Question with notice, now the Tribunal has made a decision, what amount of money did the Council pay over the 1356 Tea Tree Rd Quarry amendment.

General Manager's Response:

It is acknowledged that the Resource Management and Planning Appeal Tribunal has made a decision to refuse the application lodged by yourself to amend certain terms of a planning permit issued by the Southern Midlands Council pursuant to an Order of the Tribunal. The reason are detailed in the Tribunal's decision.

I can confirm that legal costs were incurred by Council as part of the Appeal Tribunal process. Costs included assessing the initial application to determine Council's ability to amend the permit. I am unable to advise the amount of costs incurred as this information is exempt under section 31 of the Right to Information Act 2009. This section states that:

"Information is exempt information if it is of such a nature that the information would be privileged from production in legal proceedings on the ground of legal professional privilege."

Further, "legal professional privilege is a rule of substantive law which may be availed of by a person to resist the giving of information or the production of documents which would

reveal communications between a client and his or her lawyer made for the dominant purpose of giving or obtaining legal advice or the provision of legal services, including representation in legal proceedings.”

Information between the Council and its legal advisors in relation to costs is protected by legal professional privilege because it relates to the provision of legal services and in the course of legal proceedings, including those proceedings currently on foot, and the information requested will reveal communications between Council and its lawyers in this context.

There were six (6) members of the public in attendance.

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

Carol Byers - Tunnack

Question regarding street lights and advice that there are currently no lights located outside the Tunnack Hall. This has become an issue with frequent use of the Hall during the evenings. Is there an option of relocating an existing street light (near Uniting Church) to outside the Hall?

The General Manager advised that this certainly is an option. Council is responsible for the provision of street lighting and if there is an existing pole that can be used Council will investigate further and have a street light installed outside the Hall.

Question regarding the old war photos located in the Tunnack Hall that require cleaning and/or restoration works. Is this something Council can assist with?

The Mayor advised that Council has an annual Community Small Grants Program and this item would certainly fit the criteria to receive funding to undertake these works. It was advised that Nick Cook from Kempton does repairs/cleaning jobs and could possibly provide a quote for inclusion with the small grants application.

John Summers - Tunnack

Question regarding the Baden Hall and what is happening with this site? The hall is now beyond repair and has significantly deteriorated. Can it be demolished with the suggestion of a picnic area located in this same site with a map / interpretative signage relating to the history of Baden. Would like some direction from Council on how to go about this.

Clr Fish advised that the Facilities and Recreation Committee are aware of this issue with the Baden Hall. The Deputy Mayor advised that demolition of the Hall would require a planning permit and that there were some issues regarding ownership of the land. The Deputy General Manager provided a commitment that himself and the Manager - Works and Technical Services will be in direct contact with Mr Summers in the near future to discuss a process going forward.

Question regarding the Telstra Tower and the lack of coverage in the Tunnack area.

The General Manager advised that the lack of coverage in the Tunnack area will be referred through to the Telstra Area General Manager. An enquiry has been received from a telecommunications service provider regarding ownership of the pole in the vicinity of the Tunnack Fire Station. This would involve the placement of infrastructure on this existing pole and improve communication services. The provider has been referred to the Tasmania Fire Service.

Mr Summers congratulated Council on the upkeep of gravel roads in the area and would like to see more pressure put on State Government to take over responsibility for Eldon Road.

David Northey – Tunnack

Advised that there is an issue with motorists speeding through the Tunnack township.

The General Manager advised that Council's Road Traffic Counter can be placed on the road which will measure vehicle speeds. This information can then be referred to Tasmania Police to substantiate evidence of speeding.

Request for Council to conduct a follow-up waste survey for the Tunnack township to see if a garbage collection service in the area is viable.

It was advised that Council will conduct a waste management survey for residents to gauge interest on whether this service could be introduced.

Question regarding excessive rubbish on properties within Tunnack. This was raised at the last Council meeting held in Tunnack (specifically property in the vicinity of St Brigid's).

Rowena McDougall - Baden

Question regarding the Baden Hall and that it would be great to see something happen on this site. Interpretation panels etc. should be placed in this location, which should include particular reference to Rumneys Huts.

Comment made in relation to the section of Tunnack Main Road extending from the junction with Woodsdale Road through to Tunnack. This section of road is extremely narrow in places and needs to be upgraded.

To be referred to the Department of State Growth as this is not a Council maintained road.

Terry Loftus – Southern Midlands Regional News

Request for Council to consider the seating arrangement at Council meetings as it is hard to hear when Councillors have their backs to the public gallery. He feels like they are not wanted at meetings.

Noted.

DECISION

Moved by Clr R Campbell, seconded by Clr D Fish

THAT the meeting be adjourned at 1.03 p.m. for lunch.

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 E Batt, seconded by Clr D Fish

THAT the meeting be reconvened at 1.52 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	√	

PERMISSION TO ADDRESS COUNCIL

Mrs Debbie Wilson addressed Council in relation to the removal of a London Plane Tree in the vicinity of 62 High Street, Oatlands. Mrs Wilson commissioned a report by Jerry Romanski (Arborist/Consultant) following the removal of this tree and provided a copy of this report for Councillors information.

Mrs Wilson gave an overview of the process that was involved in the initial planting of the London Plane trees in August 2008. This included receipt of a community grant for approximately \$35,000.

A request was made for another London Plane tree to be planted where it was removed from and a full apology issued to all ratepayers and residents. A maintenance schedule for street trees also needs to be looked at.

The Mayor advised that Council will be considering the development of a 'Street Tree Policy' for the municipal area which will aim to address the issues that have arisen. The draft policy would be released for public comment and feedback prior to formal approval by Council.

The Deputy Mayor also raised the possible need to develop a By-Law to support of any such policy. This would enable Council to take appropriate action as required.

The Mayor thanked Mrs Wilson for her interest and concern.

10.2 LONDON PLANE TREES

Clr B Campbell has submitted the following Notice of Motion:

THAT the removal of Trees from a Streetscape in a public place area must have approval from the elected members of Council.

BACKGROUND (Comments provided by Clr B Campbell)

Removal of trees from Streetscape in a public space area must have approval from the elected members of council. This motion has been put to council in the interest of the people in the municipality of the Southern Midlands. Trees planted in a public space i.e. High Street Oatlands. To plant a tree in a public space the matter is put on the table for councillors approval. For a tree to be removed (under normal circumstances) from a public space the issue re removal be put on the table for councillors to make a decision yes or no.

This matter has reared its ugly head because a London Plane Tree (*plantanus x acerifolia*) in High Street Oatlands was (poorly) ring barked and was still living and had a strong chance of repairing the ring bark damage but that can not happen as the tree has been removed thus a number of residential people in Oatlands are not happy. The question to the motion to be considered is, if one person wants a tree to be removed and an employee (s) of council remove the tree (without councillors consent) what is to stop others requesting a tree or trees be removed. One must consider the expense to put the trees in and the expense to remove the tree and how removal of a tree or trees can damage the streetscape. How would the people of Colebrook feel if trees were removed from their streetscape, the same applies to Kempton.

It is understandable for trees to be removed due to storm and / or fire damage, this situation is different and is governed by urgency.

London Plane - *Plantanus x Acerifolia* can grow to 136 feet high and develop a trunk circumference of ten feet. Roots and canopy can be pruned. When trees are topped this weaken their structure and the tree continue to grow in a stunted form. The London Plane tree has Royal Consent as a hardy street tree that has the characteristic of cleaning polluted air and can grow in contaminated soils in a frosty / snow area and survive hot dry weather and droughts. Want further information go on-line.

General Manager's Comments:

Recently there has been considerable discussion relating to the removal of a London Plane Tree from High Street in Oatlands. Whilst Councillors have been briefed in regard to the specific reasons for this action, and written comments are provided in response to a 'Question on Notice' submitted by Clr Campbell (refer Item 6.1 in this Agenda), the discussion has raised a number of related issues which warrant further and detailed consideration. These issues include, but are not limited to, the location and type of trees that are planted (taking into account other infrastructure within the road reserve and immediate vicinity); the associated maintenance regime; are there alternatives to removal where there is evidence of any impact by a tree) etc. etc.

Basically, the outcome of these discussions is the recognition of the need to prepare an overall 'Street Tree Policy'. Such a Policy, including any associated guidelines and operational procedures, would address the issue that Clr Campbell has raised in the Notice of Motion.

To reach such a decision that is proposed in this Motion, in the absence of an overall guiding policy, may raise significant risk issue. An immediate example that comes to mind is the need to remove a tree in an emergency situation where it would not be practicable to obtain consent from elected members in advance.

Preliminary research has been undertaken to assess the range of detail that may form part of a Street Tree Policy. The intent is to review this content with the aim of submitting a draft Policy to the next Council Meeting. Given the level of community interest, a draft Policy would be advertised for community assessment and input prior to finalisation by Council.

Moved by Clr R Campbell

THAT the removal of Trees from a Streetscape in a public place area must have approval from the elected members of Council.

THE MOTION LAPSED FOR WANT OF A SECONDER

DECISION

Moved by Clr D Marshall, seconded by Clr E Batt

THAT Council:

- 1. As a matter of priority, proceed to draft a Street Tree Policy; and**
- 2. As part of this process, consider the need to develop an accompanying By-Law.**

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	√	

17.2.4 REVIEW OF COUNCIL'S STRATEGIC PLAN 2014-2023 AND THE CREATION OF THE STRATEGIC PLAN 2018-2027

Author: DEPUTY GENERAL MANAGER/MANAGER COMMUNITY & CORPORATE DEVELOPMENT (ANDREW BENSON)

Date: 22 MARCH 2018

Attachment:
Strategic Plan 2014-2023

BACKGROUND

Council's Strategic Plan in its current format was adopted prior to the commencement of the 2006/07 financial year and it is acknowledged that a review of the Plan has occurred every two years since that date. There have been changes to the *Local Government Act 1993* and those changes require Council to create a plan that encapsulates a ten year period in line with the requirement for Council to have a ten year asset Management Plan.

The enclosed Strategic Plan 2014 – 2023 is the current document.

The following framework is offered for Council's consideration in respect of the scheduling of the Strategic Plan Review process.

1. Following the March Council meeting have a SMC webpage item about the Strategic Plan Review and the program for that review as well as a copy of the current Strategic Plan on the website. Write to all organisations in the SM and advise of the forthcoming workshops and refer to the website information. Advertise in the Mercury is also an option.
Launch information on the SMC website 29th March 2018
2. The Deputy General Manager to facilitate a Managers review of the current document and offer amendments that adjust the status of items already in the Plan as well as offering comments on future directions for possible consideration for inclusion within the proposed draft Strategic Plan 2018 – 2027.
Proposed Managers Workshop on Wednesday, 11th April 2018.
3. The Deputy General Manager to run a workshop for SMC Elected Members on the same basis as the Manager's workshop, with the Manager's responses in the document for Councillor's consideration.
Proposed Elected Members Workshop (approx. four hours) Wednesday 2nd May 2018.
4. Consolidate the Manager's and the Elected Members revisions into one document for sharing at the Public consultation sessions.
5. Three Community 'workshops' say Oatlands, Kempton and Campania. Previously advertised.
From Monday 7th to Thursday 10th May 2018 (Mayor and DGM to facilitate - say two hour sessions).
6. Deputy General Manager to collate all of that external information (from the three sessions) and bring back for a combined Manager's Elected Members Workshop for

consideration, agreeing on a draft final document to go to Council for approval and then on to public circulation.

7. Sign off on the new draft Strategic Plan and release for Public comment.
Council meeting Wednesday 23rd May 2018.
8. Council considers further public comment for inclusion within the Plan and adopts the SMC Strategic Plan 2018 – 2027.
Council meeting Wednesday 27th June 2018

For Discussion.

RECOMMENDATION

THAT Council

1. received and note the report; and
2. adopt the proposed process of the review of the Strategic Plan.

DECISION

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

THAT Council

1. receive and note the report;
2. adopt the proposed process of the review of the Strategic Plan; and
3. invite submissions from members of the public at the commencement of the review process which would enable consideration (and inclusion) of the issues raised in the preliminary draft.

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	√	

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).

Nil.

17.3 FINANCES

Strategic Plan Reference – Page 34 & 35

- | | |
|-------|---|
| 6.3.1 | Communities finances will be managed responsibly to enhance the wellbeing of residence. |
| 6.3.2 | Council will maintain community wealth to ensure that the wealth enjoyed by today's generation may also be enjoyed by tomorrow's generation. |
| 6.3.3 | Council's finance position will be robust enough to recover from unanticipated events, and absorb the volatility inherent in revenues and expenses. |
| 6.3.4 | Resources will be allocated to those activities that generate community benefit. |

17.3.1 MONTHLY FINANCIAL STATEMENT (FEBRUARY 2018)

Author: FINANCE OFFICER (COURTNEY PENNICOTT)

Date: 21 MARCH 2018

ISSUE

Refer enclosed Report incorporating the following: -

- Statement of Comprehensive Income – 1st July 2017 to 28th February 2018 (including Notes)
- Current Expenditure Estimates – as at 28th February 2018
- Capital Expenditure Estimates (*refer to enclosed report detailing the individual capital projects*) – as at 28th February 2018
- Cash Flow Statement – February 2018
- Rates & Charges – 13th March 2018

Note: Expenditure figures provided are for the period 1st July 2017 to 28th February 2018 – 67% of the period.

CURRENT EXPENDITURE ESTIMATES (OPERATING BUDGET)

Strategic Theme - Infrastructure

Nil.

Strategic Theme – Growth

Nil.

Strategic Theme – Landscapes

Sub-Program – Natural – expenditure to date (\$130,738 – 79.30%). An amount of \$27,679 relates to works at the Chauncy Vale Reserve for the implementation of safety upgrades.

Strategic Theme – Lifestyle

Sub-Program – Volunteers – expenditure to date (\$32,865 – 82.16%). Expenditure relates to the near completion of the community small grants program, with only one of the eleven groups/clubs outstanding.

Sub-Program – Public Health – expenditure to date (\$7,280 – 72.13%). An amount of \$4,528 relates to expenditure for the ‘Men’s Shed’ program which is grant funded.

Strategic Theme –Community

Nil.

Strategic Theme –Organisation

Nil.

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	√	
Dep. Mayor A O Green	√	
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 2017 to 28th FEBRUARY 2018				
	Annual Budget	Year to Date as at 28th FEBRUARY	%	Comments
Income				
General rates	\$ 5,174,991	\$ 5,173,264	100.0%	Budget includes Interest & Penalties to be imposed to end of June 2017
User Fees (refer Note 1)	\$ 968,447	\$ 568,493	58.7%	
Interest	\$ 157,000	\$ 134,528	85.7%	
Government Subsidies	\$ 24,000	\$ 4,750	19.8%	Heavy Vehicle Licence Fees & Road Rescue MAIB reimbursements
Contract Income	\$ 0	\$ 0	0.0%	
Other (refer Note 2)	\$ 162,000	\$ 148,178	91.5%	
Sub-Total	\$ 6,486,437	\$ 6,029,213	93.0%	
Grants - Operating	\$ 3,266,489	\$ 1,241,253	38.0%	\$11,000 Tourism; \$1,230,253 FAGS
Total Income	\$ 9,752,926	\$ 7,270,465	74.5%	
Expenses				
Employee benefits	\$ (3,950,529)	\$ (2,254,427)	57.1%	Less Roads - Resheeting Capitalised
Materials and contracts	\$ (3,227,729)	\$ (2,334,698)	72.3%	Less Roads - Resheeting Capitalised, Includes Land Tax
Depreciation and amortisation	\$ (2,719,500)	\$ (1,813,091)	66.7%	Percentage Calculation (based on year-to-date)
Finance costs	\$ (48,925)	\$ (22,077)	45.1%	
Contributions	\$ (209,622)	\$ (104,811)	50.0%	Fire Service Levies
Other	\$ (161,100)	\$ (115,334)	71.6%	Incls Rate Discounts \$26,200 (annual cost)
Total expenses	\$ (10,317,405)	\$ (6,644,438)	64.4%	
Surplus (deficit) from operations	\$ (564,479)	\$ 626,027	-110.9%	
Grants - Capital (refer Note 3)	\$ 3,177,843	\$ 148,535	4.7%	
Sale Proceeds (Plant & Machinery)	\$ 484,000	\$ 325,457	67.2%	
Net gain / (loss on disposal of non-current assets)	\$ 0	\$ 0	0.0%	
Surplus / (Deficit)	\$ 3,097,364	\$ 1,100,019.15	35.5%	

Surplus (deficit) from operations	\$ (564,479)	\$ 626,027	-110.9%	
Grants - Capital (refer Note 3)	\$ 3,177,843	\$ 148,535	4.7%	
Sale Proceeds (Plant & Machinery)	\$ 484,000	\$ 325,457	67.2%	
Net gain / (loss on disposal of non-current assets)	\$ 0	\$ 0	0.0%	
Surplus / (Deficit)	\$ 3,097,364	\$ 1,100,019.15	35.5%	
NOTES				
1. Income - User Fees (Budget \$968,447) includes:				
- All other Programs	\$ 371,311	\$ 285,641	76.9%	Actual Income Received (i.e. excluding Debtors)
- Private Works	\$ 267,136	\$ 149,195	55.8%	
- Callington Mill	\$ 330,000	\$ 133,657	40.5%	
	\$ 968,447	\$ 568,493		
- Tas Water Distributions	\$ 152,000	\$ 120,656	79.38%	
- HBS Dividend	\$ 10,000	\$ -	0.0%	
- Other	\$ -	\$ 27,522	0.0%	
	\$ 162,000	\$ 148,178	91.5%	
3. Grant - Capital (Budget \$877,860) includes:				
- Commissariat	\$ -	\$ 61,900	0.0%	
- Black Spot Funding	\$ -	\$ -	0.0%	
- Swimming Pool	\$ 2,300,000	\$ -	0.0%	
- Heritage Grant (TCF - Access System)	\$ -	\$ 43,135	0.0%	
- Community Infrastructure Fund	\$ -	\$ 18,500	0.0%	
- Roads To Recovery Grant	\$ 877,843	\$ -	0.0%	To be claimed in March 2018
- Bagdad Hall Lane (Grant Assistance)	\$ -	\$ 25,000	0.0%	
	\$ 3,177,843	\$ 148,535	4.7%	

CAPITAL EXPENDITURE PROGRAM 2017-18
AS AT 28 FEBRUARY 2018

			BUDGET	EXPENDITURE	VARIANCE	COMMENTS
ROAD ASSETS						
Resheeting Program	Various	Roads Resheeting	\$ 700,000	\$ 272,142	\$ 366,312	
	C1020057	Glen Morey Road		\$ 61,546		RTR
Reseal Program		Roads Resealing (as per agreed program)	\$ 600,000	\$ -	\$ 560,717	
	C1010067	Woodsdale Road Resealing		\$ 15,805		
	C1010075	Elderslie Road				RTR
	C1010074	East Bagdad Road		\$ 23,478		RTR
	C1010073	Woodsdale Road	\$ 135,000	\$ -	\$ 135,000	RTR
		2 x 50 mtr sections - Runnymede end				
		1 x 100 mtr section - vicinity of Runnymede Fire Station				
		1 x 200 mtr section - vicinity of 'Questlands'				
		1 x 200 mtr section - vicinity of Woodsdale Cemetery				
		1 x 200 mtr section - vicinity of Back Woodsdale Road				
	C1010072	Stonor Road (200 metres - approx. 5 klns in from Highway)	\$ 36,000	\$ -	\$ 36,000	RTR
	G1010002	Hall Lane (Bagdad Community Club)		\$ 1,564	\$ (1,564)	Incl. \$40K Grant
Reconstruct & Seal	C1020033	Yarlington Road (Smarts Hill - 150 metres)	\$ 22,500	\$ -	\$ 22,500	Budget c/fwd
Construct & Seal (Unsealed Roads)		Blackbrush Road - new seal (400 metres each end)	\$ 144,000	\$ -	\$ 144,000	
Incls. widening component	C1020052	Eldon Road (extend seal from Tunnack end for 1.0 klm)	\$ 180,000	\$ 2,550	\$ 177,450	RTR
	C1020059	Native Corners Road - new seal (500 metres)	\$ 90,000	\$ -	\$ 90,000	RTR
Minor Seals (New)	C1020006	Various Locations (subject to valuation - Policy)	\$ 20,000	\$ 24,871	\$ (4,871)	Rhyndaston Road
		Church Road (Brighton Council end)	\$ 10,000	\$ -	\$ 10,000	Budget c/fwd
	C1020032	Hasting Street Junction	\$ 15,000	\$ 959	\$ 14,041	Budget c/fwd - WIP 30/6/17
Unsealed - Road Widening		Clifton Vale - (Cliff Section)	\$ 40,000	\$ -	\$ 40,000	
		Chauncy Vale Road, Bagdad	\$ 20,000	\$ -	\$ 20,000	Budget c/fwd
	C1020058	Grices Road (Section Widening)	\$ 36,000	\$ 16,285	\$ 19,715	RTR
Junction / Road Realignment / Other	C1010037	Campania - Reeve St / Clime Street (includes Footpath)	\$ 48,827	\$ 104	\$ 48,723	Budget c/fwd WIP 30/6/17
	C1020028	Eldon Road - Guard Rail	\$ 20,000	\$ 15,896	\$ 4,104	
		East Bagdad Road - Subsidence Areas	\$ 20,000	\$ -	\$ 20,000	
	C1020055	Yarlington Road - Realignment	\$ 240,000	\$ 190,046	\$ 49,954	RTR WIP 30/6/17 \$185,828
	C1020047	Lovely Banks Road (junction with Colebrook)	\$ 210,000	\$ 209,349	\$ 651	WIP 30/6/17 \$196,787 - Budget includes \$40K c/fwd
		Reeve St - Hall Street to Rec Ground (K&G) - 70 metres	\$ 17,882	\$ -	\$ 17,882	Budget includes \$8,800 c/fwd
		Campania - Reeve St / Hall Street (K&G)	\$ 5,000	\$ -	\$ 5,000	Budget c/fwd
	C1010028	Woodsdale Road - Landslip Area (vicinity Scott's Quarry)	\$ 15,000	\$ -	\$ 15,000	Budget c/fwd
	C1010039	Woodsdale Road - Landslip Area(s) - Engineering Assessment	\$ 9,700	\$ -	\$ 9,700	
			\$ 2,634,909	\$ 834,596	\$ 1,800,313	

BRIDGE ASSETS	C1030006	Fields Road Bridge (B1851)	\$ -	\$ 1,469	\$ (1,469)	WIP 30/6/17
	C1030021	Wattle Hill Road Bridge (B1402)	\$ -	\$ 2,692	\$ (2,692)	
	C1030028	Rotherwood Road Bridge (B1137)	\$ -	\$ 1,088	\$ (1,088)	
	C1030044	Grahams Creek Road (Grahams Creek B2510)	\$ -	\$ 56,883	\$ (56,883)	RTR - WIP 30/6/17
	C1030046	Kheme Road (Biralee Creek BT468.0)	\$ -	\$ 2,815	\$ (2,815)	Capitalised 16/17
	C1030049	Inglewood Road (B 4289)	\$ -	\$ 221	\$ (221)	Capitalised 16/17
	C1030054	Bellevale Road (B2723)	\$ -	\$ 368,372	\$ (368,372)	RTR - WIP 30/6/17
	C1030055	Link Road (Craigbourne Creek B3820)	\$ -	\$ 156,738	\$ (156,738)	RTR - WIP 30/6/17
	C1030056	Noyes Road (Limekiln Creek T268.00051)	\$ -	\$ 43,048	\$ (43,048)	WIP 30/6/17
	C1030057	Reynolds Road (Burns Creek B5301)	\$ -	\$ 72,172	\$ (72,172)	WIP 30/6/17
			\$ -	\$ 705,497	\$ (705,497)	
WALKWAYS	C1040003	Footpaths - General (Program to be confirmed)	\$ 30,000	\$ 1,043	\$ 28,957	Street Furniture
		Bagdad Township				
		- Swan Street (Blackport Rd to Green Valley Rd)	\$ 109,557	\$ 2,687	\$ 106,870	WIP 30/6/17 \$2,687 - Budget c/fwd
		- Midland Highway (Bus Shelter)	\$ 5,000	\$ -	\$ 5,000	Budget c/fwd
		Campania Township				
		- Review Management Plan (Site Plan) / Walking Tracks (Bush F	\$ 5,000	\$ -	\$ 5,000	Budget c/fwd
		Colebrook Township				
		- K&G Renewal (Richmond St -southern end)	\$ 30,000	\$ -	\$ 30,000	Budget c/fwd
	C1040023	- Streetscape Plan Development & Implementation (Part)	\$ 60,000	\$ 19,425	\$ 40,575	WIP 30/6/17
		Kempton Township				
	C1040004	- Streetscape Plan (Review & Implementation (Part)	\$ 40,000	\$ 1,812	\$ 38,188	
					\$ -	
		ParratahTownship				
		- Tunnack Main Road Kerb & Gutter	\$ 14,478	\$ -	\$ 14,478	
					\$ -	
		Tunbridge Township				
		- Main Road Kerb & Gutter	\$ 22,000		\$ 22,000	Budget C/fwd \$7k
	C1040024	- Streetscape Project (Part Implementation) - 2 yr program	\$ 67,954	\$ 8,747	\$ 59,207	Subject to \$50K Grant Application (Infrastructure Fund)
			\$ 383,989	\$ 33,714	\$ 350,275	

DRAINAGE		Bagdad					
		- Midland Hwy/Swan St Drainage (McShane property)	\$ 22,500	\$ -	\$ 22,500	Budget c/fwd	
		Campania			\$ -		
		- Estate Road (School Farm - Easement)	\$ 10,000	\$ -	\$ 10,000	Budget c/fwd	
		- Reeve Street Open Drain (north of Telephone Box)	\$ 35,000	\$ 4,124	\$ 30,876	WIP 30/6/17 \$3,750 - Budget c/fwd	
		Oatlands					
		- Barrack Street (towards Mason Street)	\$ 10,000	\$ -	\$ 10,000	Budget c/fwd	
		- High St/Wellington Street Junction	\$ 5,000	\$ -	\$ 5,000	Budget c/fwd	
		- Queen Anne Street	\$ 7,500		\$ 7,500		
			\$ 90,000	\$ 4,124	\$ 85,876		
WASTE		Oatlands WTS - General Improvements	\$ 25,000	\$ -	\$ 25,000	Budget includes \$5K c/fwd	
		Dysart WTS - General Improvements	\$ 20,000	\$ -	\$ 20,000		
	C110001	Wheelie Bins and Crates	\$ 7,500	\$ 1,037	\$ 6,464		
			\$ 52,500	\$ 1,037	\$ 51,464		
PUBLIC TOILETS	G3020011	Lake Dulverton (New facilities - design & approvals)	\$ 83,915	\$ 106,862	\$ (22,947)	Budget includes \$12K c/fwd	
		Colebrook History Room Toilets (Conversion Family Change Room)	\$ 12,000	\$ -	\$ 12,000		
			\$ 95,915	\$ 106,862	\$ (10,947)		
SIGNAGE	C113001	Oatlands Signage (Info Bays) - Town Maps etc. - 2 Small & 2 Large	\$ 9,282	\$ 4,991	\$ 4,292	Budget c/fwd	
			\$ 9,282	\$ 4,991	\$ 4,292		
TOURISM	C2020004	Building (Wool Press Cover)	\$ 9,170	\$ 407	\$ 8,763	Budget c/fwd	
	C4070033	Lake Dulverton (Aquatic Club Fit-Out) - Shower / Toilet Facility	\$ 18,000	\$ 21,905	\$ (3,905)	Budget c/fwd	
	C4070033	Lake Dulverton (Aquatic Club Fit-Out) - Roof Replacement	\$ 30,000	\$ 37,325	\$ (7,325)	Budget c/fwd	
	C2020002	Beacon Tourism Sub-Regional Project	\$ 18,000	\$ 17,745	\$ 255		
		Lake Dulverton - Cows	\$ 12,000	\$ -	\$ 12,000		
		\$ 87,170	\$ 77,382	\$ 9,788			

HERITAGE						
		Callington Mill (Asset Renewals)	\$ 15,000		\$ 15,000	
	C1010010	Callington Mill (Blacksmith Project)		\$ 1,200	\$ (1,200)	
2016-17		Callington Mill (Mill Tower - Fire Detection System & Exit Lighting)	\$ 6,500	\$ -	\$ 6,500	Budget c/fwd
	G3010010	Commissariat (79 High Street)	\$ 464,250	\$ 469,761	\$ (5,511)	WIP 30/6/17 \$196,481 - Budget c/fwd \$384,250
Wood Stove (Women's Kitchen)		Oatlands Court House (Stabilisation & Gaol Cell)	\$ 5,000	\$ -	\$ 5,000	Budget c/fwd
	C3010002	Oatlands Gaol - Minor Capital Works	\$ 5,351	\$ -	\$ 5,351	Budget c/fwd
	G3010011	Heritage Building (Key Card System)	\$ 47,000	\$ 30,385	\$ 16,615	
		Kempton Watch House (Fitout)	\$ 7,500	\$ -	\$ 7,500	Budget c/fwd
		Parattah Railway Station - Guttering & Fascia	\$ 9,600	\$ -	\$ 9,600	Budget includes \$2.6K c/fwd
			\$ 560,201	\$ 501,347	\$ 58,854	
NATURAL						
	G3020012	Chauncy Vale - Day Dawn Cottage (Toilet Upgrade)	\$ 5,000	\$ 21,781	\$ (16,781)	Budget c/fwd CIF grant
	G3020010	Dulverton Walkway Safety Upgrade	\$ -	\$ 216	\$ (216)	Grant c/fwd
	C3020007	Chauncy Vale - Interps Hut Repairs	\$ -	\$ 15,069	\$ (15,069)	
			\$ 5,000	\$ 37,065	\$ (32,065)	
REGULATORY						
	C3040001	Kempton Council Chambers - Building & Office Improvements	\$ 23,704	\$ 12,189	\$ 11,515	WIP 30/06/17 \$577 - Budget includes \$23,704 c/fwd
		Kempton Council Chambers - External repainting (Windows etc.)	\$ 7,500	\$ -	\$ 7,500	Budget c/fwd
		Kempton Council Chambers - Office Furniture & Equipment	\$ 3,000	\$ 312	\$ 2,688	
			\$ 34,204	\$ 12,501	\$ 21,703	
ACCESS						
	C4070035	All Buildings (Priority Approach - Year 2 of 5)	\$ 50,000	\$ 60,495	\$ (10,495)	
			\$ 50,000	\$ 60,495	\$ (10,495)	
RECREATION						
	C4070005	Recreation Committee	\$ 30,000	\$ 3,684	\$ 26,316	
		Blue Place - external repainting	\$ 20,000	\$ -	\$ 20,000	
		Colebrook Hall - Heating	\$ 3,000	\$ 560	\$ 2,440	WIP 30/06/17 \$560 - Budget includes \$3k c/fwd
		Kempton Hall - external repainting	\$ 40,000	\$ -	\$ 40,000	Budget includes \$20k c/fwd
		- Alexander Circle & Lyndon Road (Stage 2)	\$ 8,000	\$ -	\$ 8,000	
		Playground Equipment	\$ -	\$ -	\$ -	
		Rec Ground - Campania (Stormwater - eastern side)	\$ 3,000	\$ -	\$ 3,000	
	C4070034	Oatlands Aquatic Centre (New Pool)	\$ 3,130,000	\$ 277,742	\$ 2,852,258	WIP 30/0/17
	C4070033	Oatlands Aquatic Club Building	\$ 18,000	\$ 19,693	\$ (1,693)	WIP 30/6/17 \$19,693 - Budget includes \$18K c/fwd
		Rec Ground - Mt Pleasant (Upgrade Toilets)	\$ 13,000	\$ -	\$ 13,000	Budget c/fwd
		Rec Ground - Mangalore		\$ 150	\$ (150)	WIP 30/0/17
	C4070001	Rec Ground - Parattah (Facility Development)	\$ 14,000	\$ 407	\$ 13,593	Budget c/fwd
	G4070015	Stables & Carriage Shed	\$ -	\$ 724	\$ (724)	
		Tunbridge Park - Perimeter Fence (Safety)	\$ 7,500	\$ -	\$ 7,500	
	G4070021	Mangalore Recreation Ground (New Truss Roof)		\$ 12,090	\$ (12,090)	Community Infrastructure Grant
			\$ 3,286,500	\$ 315,050	\$ 2,971,450	

CAPACITY						
	C5020001	Levendale Community Centre	\$ 8,000	\$ -	\$ 8,000	Budget c/fwd
		Memorial Avenue Development (Island)	\$ 47,000	\$ 14,330	\$ 32,670	
		Memorial Avenue Development (Survey; Fencing & Aquisition)	\$ 15,100	\$ -	\$ 15,100	
			\$ 70,100	\$ 14,330	\$ 55,770	
SAFETY						
		Road Accident Rescue Unit	\$ 3,000	\$ -	\$ 3,000	
			\$ 3,000	\$ -	\$ 3,000	
SUSTAINABILITY						
	C4070011	Council Chambers - Building Improvements	\$ 15,500	\$ 7,963	\$ 7,537	Budget includes \$7,500 c/fwd
		Photo Reframing	\$ 3,000	\$ -	\$ 3,000	Budget c/fwd
		Council Chambers - Damp Issues & Stonemasonry	\$ 15,000	\$ -	\$ 15,000	Budget c/fwd
		Council Chambers - Server Room (Fireproofing)	\$ 10,000	\$ 8,670	\$ 1,330	Budget c/fwd
	C6020009	Computer System (Hardware / Software)	\$ 67,338	\$ 61,282	\$ 6,056	
		Telephone / Comms System	\$ 35,000	\$ -	\$ 35,000	
	C9990001	Town Hall (General - Incl. Office Equip/Furniture)	\$ 8,000	\$ 5,391	\$ 2,609	
			\$ 153,838	\$ 83,306	\$ 70,532	
WORKS						
		Kempton Depot - External Painting	\$ 10,000	\$ -	\$ 10,000	Budget c/fwd
	C6020001	Depot Relocation (Site / Concept Plans etc.)	\$ 300,000	\$ 166,630	\$ 133,370	
					\$ -	
		Minor Plant Purchases	\$ 9,500	\$ 10,253	\$ (753)	
		Radio System	\$ 2,000	\$ -	\$ 2,000	
					\$ -	
		Plant Replacement Program			\$ -	
		Refer separate Schedule (Gross)	\$ 552,500	\$ -	\$ 552,500	
		Light Vehicles (Gross)	\$ 192,000	\$ 157,316	\$ 34,684	
		(Trade Allowance - \$180K)			\$ -	
		Slasher Extra H/Duty (7ft Cut)	\$ 10,500		\$ 10,500	
			\$ 1,076,500	\$ 334,199	\$ 742,301	
		GRAND TOTALS	\$ 8,593,108	\$ 3,126,494	\$ 5,466,614	

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

PROGRAM	TOTAL	REVISED BUDGET (GRANTS & OTHER REIMBURSEMENTS)	ACTUAL AS AT 28th FEBRUARY 2018 67%	VARIANC E (+/-)	% BASED ON REVISED BUDGET 100%
INFRASTRUCTURE					
Roads	3,077,714	3,077,714	1,975,538	1,102,176	64.19%
Bridges	350,040	350,040	214,046	135,994	61.15%
Walkways	212,309	212,309	104,005	108,303	48.99%
Lighting	85,680	85,680	54,864	30,816	64.03%
Irrigation	0	0	0	0	0.00%
Drainage	85,132	85,132	36,748	48,384	43.17%
Waste	748,167	748,167	478,724	269,443	63.99%
Public Toilets	58,994	58,994	35,070	23,924	59.45%
Communications	0	0	0	0	0.00%
Signage	6,675	6,675	3,515	3,160	52.66%
INFRASTRUCTURE TOTAL:	4,624,711	4,624,711	2,902,510	1,722,201	62.76%
GROWTH					
Residential	0	0	288	-288	0.00%
Tourism	241,582	241,582	161,063	80,519	66.67%
Business	997,261	247,261	134,202	113,058	54.28%
Mill Operations	493,706	493,706	316,352	177,354	64.08%
Agriculture	0	0	0	0	0.00%
Integration	7,500	7,500	0	7,500	0.00%
GROWTH TOTAL:	1,740,049	990,049	611,906	378,143	61.81%
LANDSCAPES					
Heritage	289,968	289,968	170,040	119,928	58.64%
Natural	164,875	164,875	130,738	34,137	79.30%
Cultural	9,600	9,600	0	9,600	0.00%
Regulatory	768,365	768,365	441,504	326,861	57.46%
Climate Change	11,181	11,181	947	10,234	8.47%
LANDSCAPES TOTAL:	1,243,989	1,243,989	743,229	500,761	59.75%
LIFESTYLE					
Youth	226,638	226,638	157,413	69,225	69.46%
Aged	2,500	2,500	175	2,325	6.98%
Childcare	7,500	7,500	5,000	2,500	66.67%
Volunteers	40,000	40,000	32,865	7,135	82.16%
Access	0	0	0	0	0.00%
Public Health	10,093	10,093	7,280	2,813	72.13%
Recreation	490,033	490,033	258,542	231,491	52.76%
Animals	103,767	103,767	65,951	37,816	63.56%
Education	0	0	0	0	0.00%
LIFESTYLE TOTAL:	880,531	880,531	527,225	353,306	59.88%
COMMUNITY					
Retention	0	0	0	0	0.00%
Capacity	27,925	27,925	15,325	12,600	54.88%
Safety	56,650	56,650	22,053	34,597	38.93%
Consultation	7,300	7,300	2,917	4,382	39.97%
Communication	12,125	12,125	7,751	4,374	63.93%
COMMUNITY TOTAL:	103,998	103,998	48,046	55,952	46.20%
ORGANISATION					
Improvement	7,590	7,590	0	7,590	0.00%
Sustainability	2,203,826	2,203,826	1,466,822	737,004	66.56%
Finances	277,707	277,707	168,692	109,015	60.74%
ORGANISATION TOTAL:	2,489,123	2,489,123	1,635,514	853,609	65.71%
TOTALS	11,082,400	10,332,400	6,468,430	3,863,971	62.60%

	INFLOWS (OUTFLOWS) (July 2017)	INFLOWS (OUTFLOWS) (August 2017)	INFLOWS (OUTFLOWS) (September 2017)	INFLOWS (OUTFLOWS) (October 2017)	INFLOWS (OUTFLOWS) (November 2017)	INFLOWS (OUTFLOWS) (December 2017)	INFLOWS (OUTFLOWS) (January 2018)	INFLOWS (OUTFLOWS) (February 2018)	INFLOWS (OUTFLOWS) (Year to Date)
Cash flows from operating activities									
Payments									
Employee costs	- 261,471.56	- 263,280.28	- 257,356.08	- 544,634.16	- 266,411.05	- 277,912.09	- 165,820.28	- 233,511.84	- 2,270,397.34
Materials and contracts	- 619,314.92	- 215,561.82	- 343,225.01	- 263,264.43	- 474,926.40	- 206,956.83	- 200,007.46	- 292,715.69	- 2,615,972.56
Interest	- 4,693.83	-	-	-	- 4,045.40	- 13,338.03	-	-	- 22,077.26
Other	- 19,434.44	- 58,081.58	- 43,517.34	- 110,418.36	- 25,191.81	- 24,772.79	- 81,764.21	- 20,582.61	- 383,763.14
	- 904,914.75	- 536,923.68	- 644,098.43	- 918,316.95	- 770,574.66	- 522,979.74	- 447,591.95	- 546,810.14	- 5,292,210.30
Receipts									
Rates	92,911.15	813,684.96	1,586,157.29	174,981.88	472,984.37	281,319.82	447,553.99	310,519.35	4,180,112.81
User charges	235,490.50	96,854.23	115,773.17	71,598.56	77,851.43	37,146.20	75,170.58	43,034.38	752,919.05
Interest received	18,986.07	16,609.32	16,094.00	17,976.72	17,463.91	13,720.41	17,835.69	15,841.63	134,527.75
Subsidies	-	-	-	-	-	-	-	-	-
Other revenue grants	-	410,084.25	-	-	410,084.25	-	-	435,084.25	1,255,252.75
GST Refunds from ATO	-	-	-	-	-	-	-	-	-
Other	11,533.48	19,250.73	1,427.15	- 11,957.12	34,113.02	- 33,685.27	- 40,207.08	- 37,029.18	- 56,554.27
	358,921.20	1,356,483.49	1,719,451.61	252,600.04	1,012,496.98	298,501.16	500,353.18	767,450.43	6,266,258.09
Net cash from operating activities	- 545,993.55	819,559.81	1,075,353.18	- 665,716.91	241,922.32	- 224,478.58	52,761.23	220,640.29	974,047.79
Cash flows from investing activities									
Payments for property, plant & equipment	- 42,952.75	- 265,587.42	- 111,945.72	- 528,171.31	- 373,452.78	- 315,109.26	- 115,431.21	- 310,737.00	- 2,063,387.45
Proceeds from sale of property, plant & equipment	-	89,389.93	90.91	-	52,309.09	15,000.00	147,613.64	21,053.64	325,457.21
Proceeds from Capital grants	61,635.00	11,000.00	-	-	-	-	61,900.00	-	134,535.00
Proceeds from Investments	-	-	-	-	-	-	-	-	-
Payment for Investments	-	-	-	-	-	-	-	-	-
Net cash used in investing activities	18,682.25	- 165,197.49	- 111,854.81	- 528,171.31	- 321,143.69	- 300,109.26	94,082.43	- 289,683.36	- 1,603,395.24
Cash flows from financing activities									
Repayment of borrowings	- 6,514.75	-	-	-	- 13,498.32	- 22,863.12	-	-	- 42,876.19
Proceeds from borrowings	-	-	-	-	-	-	-	-	-
Net cash from (used in) financing activities	- 6,514.75	-	-	-	- 13,498.32	- 22,863.12	-	-	- 42,876.19
Net increase/(decrease) in cash held	- 533,826.05	654,362.32	963,498.37	- 1,193,888.22	- 92,719.69	- 547,450.96	146,843.66	- 69,043.07	- 672,223.64
Cash at beginning of reporting year	11,637,204.77	11,103,378.72	11,757,741.04	12,721,239.41	11,527,351.19	11,434,631.50	10,887,180.54	11,034,024.20	11,637,204.77
Cash at end of reporting	11,103,378.72	11,757,741.04	12,721,239.41	11,527,351.19	11,434,631.50	10,887,180.54	11,034,024.20	10,964,981.13	10,964,981.13

SOUTHERN MIDLANDS COUNCIL				
SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED				
	This Financial Year		Last Financial Year	
	13th March 2018		13th March 2017	
Arrears brought forward as at July 1		\$ 379,430.89		\$ 415,003.63
ADD current rates and charges levied		\$ 5,113,865.33		\$ 4,822,762.74
ADD current interest and penalty		\$ 63,172.34		\$ 60,219.45
TOTAL rates and charges demanded	100.00%	\$ 5,556,468.56	100.00%	\$ 5,297,985.82
LESS rates and charges collected	71.89%	\$ 3,994,433.38	71.09%	\$ 3,766,362.73
LESS pensioner remissions	4.11%	\$ 228,444.16	4.13%	\$ 218,624.19
LESS other remissions and refunds	0.15%	\$ 8,154.13	0.37%	\$ 19,395.11
LESS discounts	0.47%	\$ 26,244.14	0.45%	\$ 23,689.28
TOTAL rates and charges collected and remitted	76.62%	\$ 4,257,275.81	76.03%	\$ 4,028,071.31
UNPAID RATES AND CHARGES	23.38%	\$ 1,299,192.75	23.97%	\$ 1,269,914.51

**17.3.2 2017/2018 BUDGET ESTIMATES – FORMAL REVISION AND ALTERATION
(IN ACCORDANCE WITH SECTION 82 OF THE LOCAL GOVERNMENT
ACT 1993)**

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 14 MARCH 2018

ISSUE

Formal review and alteration of the 2017/18 Budget Estimates in accordance with section 82 of the *Local Government Act 1993*.

BACKGROUND

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

“S 82. Estimates

(1) *The general manager must prepare estimates of the council's revenue and expenditure for each financial year.*

(2) *Estimates are to contain details of the following:*

- (a) the estimated revenue of the council;*
- (b) the estimated expenditure of the council;*
- (c) the estimated borrowings by the council;*
- (d) the estimated capital works of the council;*
- (e) any other detail required by the Minister.*

(3) *Estimates for a financial year must –*

- (a) be adopted by the council, with or without alteration, by absolute majority; and*
- (b) be adopted before 31 August in that financial year; and*
- (c) not be adopted more than one month before the start of that financial year.*

(4) *A council may alter by absolute majority any estimate referred to in [subsection \(2\)](#) during the financial year.*

(5) *A council may make adjustments to individual items within any estimate referred to in [subsection \(2\)](#) by a simple majority so long as the total amount of the estimate is not altered.*

(6) *A council, by absolute majority, may authorise the general manager to make minor adjustments up to specified amounts to individual items within any estimate referred to in [subsection \(2\)](#) so long as the total amount of the estimate is not altered.*

(7) *The general manager is to report any adjustment and an explanation of the adjustment at the first ordinary meeting of the council following the adjustment.”*

DETAIL

The following alterations are proposed to the 2017/18 Budget Estimates based on the individual reasons provided:

Operating Budget:	Original Budget	Revised Budget	Comment:
Expenditure:			
Materials and Contracts:			
Callington Mill – Retail Purchases	\$45,000	\$3,000	Actual purchases as at date of closure \$3,033.
Callington Mill – Café Supplies	\$27,500	\$4,000	Actual purchases as at date of closure \$4,125.
Income:			
User Charges / Fees:			
Callington Mill – Retail Sales; Café and Tours (excluding Milling Operations)	\$170,000	\$35,000	Actual Income from retail sales; Café and Tours (as at date of closure) - \$34,812
Operating Grants Income:			
Commonwealth Financial Assistance Grant	\$3,266,489	\$1,664,336	\$1,644,434 received in advance (June 2017) and accounted for in 2016/17 financial year.
Capital Grants Income:			
Department of State Growth - Hall Lane Reconstruction	\$0	\$40,000	Grant Deed signed with Department of State Growth
Capital Program Budget:			
Capital Expenditure:			
Hall Lane Reconstruction	\$0	\$48,730	Grant Deed signed with Department of State Growth
Tunbridge Township (Streetscape Project)	\$67,954	\$17,954	\$50K Grant Application Unsuccessful

Human Resources & Financial Implications – Refer above detail.

Community Consultation & Public Relations Implications – N/A.

Policy Implications – N/A.

Priority - Implementation Time Frame – Immediate

RECOMMENDATION

THAT in accordance with section 82 of the *Local Government Act 1993*, the 2017/2018 Budget estimates be altered as follows (to incorporate the above amendments):

3. 2017-18 Statement of Comprehensive Income:

	2017-2018 Original Budget \$	2017-2018 Revised Budget \$
Operating Expenditure		
Employee Costs	3,950,529	3,950,529
Materials & Contracts	3,227,729	3,162,229
Depreciation & Amortisation	2,719,500	2,719,500
Borrowing Costs	48,925	48,925
Contributions	209,622	209,622
Commercial Expenses	765,000	765,000
Other	161,100	161,100
Total Operating Expenditure	\$11,082,405.00	\$11,016,905.00
Operating Revenue		
General Rates	5,174,991	5,174,991
User Charges	968,447	833,447
Interest	157,000	157,000
Government Subsidies	24,000	24,000
Commercial Revenue	765,000	765,000
Other	162,000	162,000
Grants – Operating	3,266,489	1,664,336
Donations	0	0
Total Operating Income	\$10,517,927.00	\$8,780,774.00
Operating Surplus / (Deficit)	(564,479)	(2,236,131)
Grants – Capital	3,177,843	3,217,843
Proceed from Disposal of Non-Current Assets	484,000	484,000
	\$3,661,843	\$3,701,843
Net Surplus / (Deficit)	\$3,097,364	\$1,465,712

4. 2017-18 Capital Expenditure Budget:

Addition:
Hall Lane Reconstruction - \$48,730
Reduction:
Tunbridge Township (Streetscape Project) - \$50,000

DECISION

Moved by Deputy Mayor A Green, seconded by Cllr B Campbell

THAT in accordance with section 82 of the *Local Government Act 1993*, the 2017/2018 Budget estimates be altered as follows (to incorporate the above amendments):

1. 2017-18 Statement of Comprehensive Income:

	2017-2018 Original Budget \$	2017-2018 Revised Budget \$
Operating Expenditure		
Employee Costs	3,950,529	3,950,529
Materials & Contracts	3,227,729	3,162,229
Depreciation & Amortisation	2,719,500	2,719,500
Borrowing Costs	48,925	48,925
Contributions	209,622	209,622
Commercial Expenses	765,000	765,000
Other	161,100	161,100
Total Operating Expenditure	\$11,082,405.00	\$11,016,905.00
Operating Revenue		
General Rates	5,174,991	5,174,991
User Charges	968,447	833,447
Interest	157,000	157,000
Government Subsidies	24,000	24,000
Commercial Revenue	765,000	765,000
Other	162,000	162,000
Grants – Operating	3,266,489	1,664,336
Donations	0	0
Total Operating Income	\$10,517,927.00	\$8,780,774.00
Operating Surplus / (Deficit)	(564,479)	(2,236,131)
Grants – Capital	3,177,843	3,217,843

Proceed from Disposal of Non-Current Assets	484,000	484,000
	\$3,661,843	\$3,701,843
Net Surplus / (Deficit)	\$3,097,364	\$1,465,712

2. 2017-18 Capital Expenditure Budget

Addition:

Hall Lane Reconstruction - \$48, 730

Reduction:

Tunbridge Township (Streetscape Project) - \$50,000

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	√	

18. MUNICIPAL SEAL

Nil.

19. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

RESOURCING – WEEDS MANAGEMENT STRATEGY (CLOSED SESSION)

Prior to the meeting being closed to the public, the General Manager mentioned three items that Mrs Helen Scott intended to raise during Public Question Time. Unfortunately she was unable to attend the meeting.

The issues related to:

- 1. Location of Council's Annual General Meeting. Mrs Scott has noted that the previous two AGM's have been held at the Kempton Council Chambers, yet it was intended to alternate between Oatlands and Kempton. The December 2018 AGM is also scheduled for Kempton.*

Council to consider relocating the December 2018 Annual General Meeting.

- 2. Signage at Runnymede – indicates distance to Oatlands, however the signage should also indicate the distance to the localities in between (i.e. Levendale; Woodsale; Whitefoord etc.)*

Options to improve signage to be investigated. One option is to install an additional sign which would be placed on Woodsdale Road.

- 3. Woodsdale Museum / Fire Shed – follow-up request for a 'concealed entrance sign'.*

To be actioned.

RECOMMENDATION

THAT the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting.

DECISION

Moved by Clr E Batt, seconded by Clr R Campbell

THAT the Meeting be closed to the public to consider Regulation 15 matters, and that members of the public be required to leave the meeting.

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	√	

CLOSED COUNCIL MINUTES

20. BUSINESS IN “CLOSED SESSION”

20.1 CLOSED COUNCIL MINUTES - CONFIRMATION

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

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

20.2 APPLICATIONS FOR LEAVE OF ABSENCE

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

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

20.3 AUDIT PANEL MINUTES

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

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

20.4 COUNCILLOR QUESTION TIME (CLR B CAMPBELL)

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

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

20.5 PROPERTY MATTER - OATLANDS

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

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

20.6 RESOURCING – WEEDS MANAGEMENT STRATEGY

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

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

20.7 LEGAL MATTER

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

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

RECOMMENDATION

THAT Council move out of “Closed Session”.

DECISION

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

THAT Council move out of “Closed Session”.

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	√	

OPEN COUNCIL MINUTES

21. CLOSURE

The meeting closed at 3.50 p.m.