

COUNCIL MEETING

AGENDA

INDEX

1.	PRAYERS.....	5
2.	ATTENDANCE	5
3.	APOLOGIES.....	5
4.	APPLICATION FOR LEAVE OF ABSENCE.....	5
5.	MINUTES.....	6
5.1	ORDINARY COUNCIL MINUTES	6
5.2	SPECIAL COUNCIL MINUTES	6
5.3	SPECIAL COMMITTEES OF COUNCIL MINUTES.....	6
5.3.1	<i>Special Committees of Council - Receipt of Minutes</i>	<i>6</i>
5.3.2	<i>Special Committees of Council - Endorsement of Recommendations.....</i>	<i>6</i>
5.4	JOINT AUTHORITIES (ESTABLISHED UNDER DIVISION 4 OF THE LOCAL GOVERNMENT ACT 1993)....	7
5.4.1	<i>Joint Authorities - Receipt of Minutes.....</i>	<i>7</i>
5.4.2	<i>Joint Authorities - Receipt of Reports (Annual and Quarterly).....</i>	<i>8</i>
6.	NOTIFICATION OF COUNCIL WORKSHOPS.....	10
7.	CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA.....	12
8.	DECLARATIONS OF PECUNIARY INTEREST.....	13
9.	PUBLIC QUESTION TIME (SCHEDULED FOR 12.30 PM).....	14
9.1	PERMISSION TO ADDRESS COUNCIL	15
10.	MOTIONS OF WHICH NOTICE HAS BEEN GIVEN UNDER REGULATION 16 (5) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2005.....	15
10.1	DOG CONTROL ACT 2000 – DOG REGISTRATION	15
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	22
11.1	DEVELOPMENT APPLICATIONS	22
11.1.1	<i>Development Application for Signage in the Historic Precinct Special Area, at the Commonwealth Bank Branch at 76 High St, Oatlands.</i>	<i>22</i>
11.2	SUBDIVISIONS	47
11.2.1	<i>Development Application for a Subdivision (Boundary Adjustment) at Horners Rd Elderslie for Stanshield Pty Ltd.</i>	<i>47</i>
11.2.2	<i>Development Application for a 7 Stage 82 Lot Subdivision at 8 Hall St, Campania.</i>	<i>55</i>
11.3	MUNICIPAL SEAL (PLANNING AUTHORITY).....	98

11.3.1	COUNCILLOR INFORMATION:- MUNICIPAL SEAL APPLIED UNDER DELEGATED AUTHORITY TO SUBDIVISION FINAL PLANS & RELATED DOCUMENTS.....	98
11.4	PLANNING (OTHER).....	98
12.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)	98
12.1	ROADS.....	98
12.2	BRIDGES.....	98
12.3	WALKWAYS.....	98
12.4	LIGHTING.....	99
12.5	SEWERS.....	99
12.6	WATER.....	99
12.7	IRRIGATION.....	99
12.8	DRAINAGE.....	99
12.9	WASTE.....	99
12.10	INFORMATION, COMMUNICATION TECHNOLOGY.....	100
12.11	SIGNAGE.....	100
12.12	PUBLIC AMENITIES.....	100
12.13	OFFICER REPORTS – WORKS & TECHNICAL SERVICES (ENGINEERING).....	101
12.13.1	Manager - Works & Technical Services Report.....	101
13.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH).....	103
13.1	RESIDENTIAL.....	103
13.2	TOURISM.....	103
13.3	BUSINESS.....	117
13.4	INDUSTRY.....	117
13.5	INTEGRATION.....	118
13.5.1	Proposed Development of a Municipal Integrated Economic Development Plan.....	118
14	OPERATIONAL MATTERS ARISING (STRATEGIC THEME –LANDSCAPES).....	122
14.1	HERITAGE.....	122
14.1.1	Heritage Projects Program.....	122
14.1.2	Historic Cultural Heritage Act Amendment Bill 2012.....	124
	REPORT IN BRIEF.....	124
	DECISION.....	128
14.1.3	Assessing relevant heritage aspects of development applications for places listed on the Tasmanian Heritage Register.....	140
14.2	NATURAL.....	148
14.2.1	Landcare Unit – General Report.....	148
14.2.2	Landcare Unit –Councillor Workshop Report - Biodiversity Offsets.....	150
14.3	CULTURAL.....	152
14.4	REGULATORY (OTHER THAN PLANNING AUTHORITY AGENDA ITEMS).....	152
14.5	CLIMATE CHANGE.....	152
15	OPERATIONAL MATTERS ARISING LIFESTYLE.....	153
15.1	YOUTH.....	153
15.1.1	January 2012 School Holiday Program.....	153
15.2	AGED.....	158
15.3	CHILDREN AND FAMILIES.....	158
15.4	VOLUNTEERS.....	158
15.5	ACCESS.....	158
15.6	PUBLIC HEALTH.....	158
15.7	RECREATION.....	158
15.8	ANIMALS.....	159
15.8.1	Animal Control Officer’s Report.....	159

15.9	EDUCATION	161
16	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY).....	161
16.1	RETENTION	161
16.2	CAPACITY	162
16.2.1	<i>Southern Midlands Community Radio Station Inc. (Update and consideration of correspondence)</i>	<i>162</i>
16.3	SAFETY	163
16.4	CONSULTATION.....	163
16.5	COMMUNICATION	163
17.	OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)....	163
17.1	IMPROVEMENT	163
17.2	SUSTAINABILITY	164
17.3	FINANCES.....	164
17.3.1	<i>Monthly Financial Statement (February 2012).....</i>	<i>164</i>
18.	INFORMATION BULLETINS	174
18.1	QUESTION TIME (COUNCILLORS).....	175
19.	MUNICIPAL SEAL.....	176
19.1	SALE OF PROPERTIES (FOR UNPAID RATES AND CHARGES) - IN ACCORDANCE WITH SECTION 137 OF THE LOCAL GOVERNMENT ACT 1993.....	176
20.	CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA.....	181
21.	BUSINESS IN “CLOSED SESSION “.....	182
22.	CLOSURE	201

ENCLOSED

Council Meeting Minutes & Special Committees of Council Minutes General Information Bulletin Enclosures

- Historic Cultural Heritage Act Amendment Bill 2012 (Item 14.1.2)
- Tasmanian Heritage Council’s Practice Note 16 - Installing Modern Services to Heritage Buildings, Heritage Tasmania - *Exempt Works Guidelines and ICOMOS Australia – The Burra Charter*. (Item 14.1.3)

23rd March 2012

Dear Sir/Madam,

NOTICE OF MEETING

Notice is hereby given that the next ordinary meeting of Council will be held at the

**Tunnack Hall
Wednesday 28th March 2012
10.00 a.m.**

I certify under s.65(2) of the Local Government Act 1993 that the matters to be discussed under this agenda have been, where necessary, the subject of advice from a suitably qualified person and that such advice has been taken into account in providing any general advice to the Council.

COUNCILLORS PLEASE NOTE:

- **Public Question Time has been scheduled for 12.30 p.m.**

Yours faithfully,



**Mr T F Kirkwood
General Manager**

OPEN COUNCIL AGENDA

1. PRAYERS

Councillors to recite the Lords Prayer.

2. ATTENDANCE

3. APOLOGIES

Mayor A E Bisdee OAM and Mr T Kirkwood (General Manager)

RECOMMENDATION

THAT the apologies be received due to their attendance at the LGAT General Meeting.

DECISION

Vote For	Councillor	Vote Against
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

4. APPLICATION FOR LEAVE OF ABSENCE

Nil.

5. MINUTES

5.1 ORDINARY COUNCIL MINUTES

The Minutes of the previous meeting of Council held on the 22nd February 2012, as circulated, are submitted for confirmation.

DECISION

Vote For	Councillor	Vote Against
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

5.2 SPECIAL COUNCIL MINUTES

Nil.

5.3 SPECIAL COMMITTEES OF COUNCIL MINUTES

5.3.1 Special Committees of Council - Receipt of Minutes

Nil.

5.3.2 Special Committees of Council - Endorsement of Recommendations

Nil.

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

5.4.1 Joint Authorities - Receipt of Minutes

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

- **Southern Tasmanian Councils Authority** – Meeting held 23rd February 2012.
- **Southern Waste Strategy Authority** - Nil

Note: Issues which require further consideration and decision by Council will be included as a separate Agenda Item, noting that Council's representative on the Joint Authority may provide additional comment in relation to any issue, or respond to any question.

RECOMMENDATION

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

DECISION

Vote For	Councillor	Vote Against
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

5.4.2 Joint Authorities - Receipt of Reports (Annual and 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**
- **Southern Waste Strategy Authority – Nil**

RECOMMENDATION

THAT the reports received from the Joint Authorities be received.

DECISION

DECISION NOT REQUIRED

6. NOTIFICATION OF COUNCIL WORKSHOPS

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2005*, the Agenda is to include details of any Council workshop held since the last meeting.

It is reported that two workshops have been held since the last ordinary meeting of Council.

The first workshop / bus tour, convened by the Facilities and Recreation Committee, was held on 7th March 2012. The workshop commenced at 9.30 a.m. and was attended by the Chairman, Clr C J Beven, Deputy Mayor M Jones OAM, Clr M Connors and Clr D Fish.

Officers in attendance: A Benson and G Hunt.

Refer attached Notes which record the outcomes of the discussions. There is a specific item relating to the provision of an annual contribution of \$500 to the Levensdale Cricket Club to partly offset the increase in annual lease payments of the Levensdale Recreation Ground. The Club is seeking this commitment for a period of ten (10) years.

Council may wish to make a formal decision in relation to this Item, or alternatively, defer pending a formal recommendation from the Committee.

The second workshop was held on 20th March 2012 at the Council Chambers, Kempton commencing at 10.10 a.m.

Attendance: Mayor A E Bisdee OAM, Clrs A R Bantick, B Campbell, M J Connors, D F Fish, and J L Jones OAM.

Apologies: Deputy Mayor M Jones OAM, Clr C J Beven and Clr A O Green.

Also in Attendance: A Benson, D Mackey, D Cundall, Linda Cartledge, M Weeding, Helen Geard and K Brazendale.

The purpose of the workshop was to consider the *Guidelines for the Use of Biodiversity Offsets* document which has been released for public comment. Refer Agenda Item 14.2.1 which details the outcomes of the workshop.

RECOMMENDATION

THAT the information be received.

DECISION

Vote For	Councillor	Vote Against
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

7. 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 2005*, 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.

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 2005*.

DECISION

Vote For	Councillor	Vote Against
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

8. DECLARATIONS OF PECUNIARY INTEREST

In accordance with the requirements of Part 2 Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2005*, 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 2005*.

9. PUBLIC QUESTION TIME (SCHEDULED FOR 12.30 PM)

In accordance with the requirements of Part 2 Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2005*, the agenda is to make provision for public question time.

In particular, Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2005* states:

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

Councillors are advised that, at the time of issuing the Agenda, no Questions on Notice had been received from members of the Public.

Mayor A E Bisdee OAM to invite questions from members of the public.

9.1 PERMISSION TO ADDRESS COUNCIL

Nil.

10. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN UNDER REGULATION 16 (5) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2005

10.1 DOG CONTROL ACT 2000 – DOG REGISTRATION

Clr B Campbell has submitted the following Notice of Motion:

“That all owners (farmers, stock carriers etc) of working dogs be given the opportunity to register a young (namely a pup over six months old) for life with a preference that the dog be micro chipped.

*Registration of Young Working Dogs (pup six months old and over)
Pup be micro chipped one payment for life the preferred method.”*

SMC and / or Councillors calculate cost giving incentive to owners to micro chip and register the working dog (pup) for life.

Reasons:

A number of farmers are not registering their dogs partly because they do not want to pay on an animal basis while other farmers complain about annual registrations. TFGA gets regular complaints about dogs including annual dog registration

Council needs to know where the dogs are in the case of (contagious) disease outbreak that is transmitted animal to human, animal to animal, animal to bird. E.g. Hydatids thankfully the last major outbreak we had a strong State Government department that addressed the problem with help from Councils and farmers around the state. A classic example of a disease that was eliminated but is regrettably returning (partly due to illegal immigrants entering Australia). Many of the viruses can be controlled by quick intervention and good health and hygiene e.g. Chooks carry the TB Virus and can transmit the virus to milking cows and in turn can be transmit the virus to humans in raw milk. Provisions are in place to stop the transmission of the TB virus by sterilizing the milk. Chooks cannot transmit the TB virus direct to Humans. This needs to be noted as bird viruses mutate. Bird flu virus can live in ferrets, where next? (Ferrets are being used to incubate the virus for scientific research).

The last thing we need in the Municipality is some exotic virus being picked up by dogs (i.e. rabies) then spread to humans and we can not control / stop it because council does not know where the dogs are!

Rabies existence has been known since the fifth century and has an erratic record of appearing in countries around the globe. Rabies is transmitted by the canine family including the illusive fox, it is also carried by bats but does not affect bats as is does with dogs and humans. With our modern way of life it is possible for bats to be locked into shipping containers overseas and shipped into Australia and being missed by Customs as Customs Department inspect selected containers only. It is better to be safe than sorry hence all dogs should be micro chipped and registered.

Rabies has a common life cycle of twelve months in most cases but can spread quickly if not detected and there are remedies to cure and eliminate the virus but you need to know where the dogs (fox’s etc.) are hence we need a sound dog registration system especially for young dogs.

There are many other argument, dogs straying, dogs chasing stock, dogs attacking stock, lost dogs, dogs biting people, dogs constantly barking and the list goes on.

General Manager’s Comments:

Procedures for the identification and registration of dogs are specified in the *Dog Control Act 2000* – refer attached extract from the Act.

In principle, the Act would permit the registration of a dog for a longer period than twelve months. It is however necessary to include an expiry date on the registration tag and consideration would need to be given as to how this may be achieved. In addition, Council would need to adopt an alternative charging system for the ‘registration period’, and whether such an option should be provided to all dog owners (as opposed to owners of working dogs as suggested in the Notice of Motion.

An ‘in-principle’ position is sought from Council prior to progressing with detail investigation of options and charging details.

DECISION

Vote For	Councillor	Vote Against
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

PART 2 - Registration and Identification

8. Registering dogs

(1) The owner of a dog that is over the age of 6 months must register the dog.

Penalty:

Fine not exceeding 5 penalty units.

(2) A person must not conceal, or dispose of, a dog to evade registration of the dog.

Penalty:

Fine not exceeding 5 penalty units.

9. Application for registration

(1) The owner of a dog required to be registered is to apply for registration to the general manager of the council in the municipal area in which –

(a) the owner resides; or

(b) if the dog is a guard dog, the premises guarded by the dog are situated.

(2) An application for registration is to be –

(a) in an approved form; and

(b) accompanied by the appropriate registration fee.

10. Registration disc

(1) On the registration of a dog, the general manager is to –

(a) allocate a registration number to the dog; and

(b) issue to the owner a disc or tag clearly and durably marked with –

(i) the name of the council; and

(ii) the registration number of the dog; and

(iii) the expiry date of registration.

(2) A registration disc is valid until the expiry date marked on the registration disc.

(3) A person must not –

(a) use a registration disc that is not valid; or

(b) use a registration disc issued for another dog; or

(c) counterfeit a registration disc or knowingly use a counterfeit registration disc;
or

(d) remove a registration disc from a dog without just cause.

Penalty:

Fine not exceeding 3 penalty units.

11. Collars

(1) The owner or person in charge of a dog, other than a guide dog or hearing dog, must ensure that the dog, while in a public place, has a collar fastened around its neck to which is attached the dog's registration disc.

Penalty:

Fine not exceeding 1 penalty unit.

(2) This section does not apply to –

(a) a working dog engaged in working; or

(b) a hunting dog engaged in hunting; or

(c) a dog engaged in racing; or

(d) a dog engaged in showing; or

(e) a dog engaged in obedience or agility trials; or

(f) a dog engaged in training for any activity referred to in paragraph (a), (b), (c), (d) or (e).

(3) The owner or person in charge of a guide dog or a hearing dog must ensure that the dog, while in a public place, has its registration disc attached to its collar, lead or harness.

Penalty:

Fine not exceeding 1 penalty unit.

(4) A person, without just cause, must not remove a collar from a dog that is in a public place.

Penalty:

Fine not exceeding 2 penalty units.

12. Cancellation of registration

(1) The owner of a dog must notify the general manager in writing within 14 days of –

(a) the dog's death, loss or removal; or

(b) the transfer of the dog to another municipal area.

Penalty:

Fine not exceeding 1 penalty unit.

(2) The general manager, if satisfied of the truth of the notification, is to –

(a) cancel the registration of the dog; and

(b) in the case of a transfer to another municipal area, notify the general manager of the council of that municipal area.

13. Change of owner

(1) A person who becomes the owner of a dog that is already registered, within 14 days after becoming the owner, must notify the general manager in writing of the change of ownership.

Penalty:

Fine not exceeding 1 penalty unit.

(2) If a change of ownership of a registered dog occurs, the former owner of the dog, within 14 days after that change, must notify the general manager in writing of the change of ownership.

Penalty:

Fine not exceeding 1 penalty unit.

14. Change in address

The owner of a dog is to notify the general manager in writing within 14 days of the transfer of a dog to another address in the same municipal area for a period exceeding 60 days.

15. Register

(1) A general manager is to keep a register in respect of registered dogs.

(2) The register is to state –

(a) the name, age, sex and reproductive capacity of the dog; and

(b) the breed of the dog, if identifiable; and

(c) any identifiable feature of the dog; and

(d) whether the dog is a dangerous dog or a restricted breed dog; and

(e) the owner's name and address; and

(f) the registration number of the dog; and

(g) any other information the general manager considers relevant.

(3) The register and its details may be recorded and retained in electronic form.

(4) A general manager may amend or cancel any item in the register in order to maintain the register.

15A. Implanting of microchips

(1) The owner of a dog that is over 6 months of age must ensure that the dog is implanted in an approved manner with an approved microchip.

Penalty:

Fine not exceeding 10 penalty units.

(2) Subsection (1) does not apply to –

(a) a dog in respect of which a veterinary surgeon has issued a certificate stating that to implant the dog with a microchip may adversely affect the health and welfare of the dog; or

(b) a type, class or breed of dog that the Minister, by order, declares is not required to be implanted with a microchip.

(3) If a dog that is required to be implanted with a microchip is not so implanted and is seized in accordance with this Act, a general manager may cause the dog to be implanted in an approved manner with an approved microchip.

(4) The owner of the dog is liable for the costs associated with the implanting.

(5) A person who implants a dog with a microchip must enter the prescribed details in an approved database.

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 Signage in the Historic Precinct Special Area, at the Commonwealth Bank Branch at 76 High St, Oatlands.

File Reference: T5843162

APPLICANT: The SignCraft Group
LAND OWNER: Commonwealth Bank of Australia
REPORT AUTHOR: Planning Officer (D Cundall)
DATE: 10th March 2012

ATTACHMENTS:

- 1. Sign Plans**
- 2. Representation**

THE PROPOSAL:

The applicant the Sign Craft Group, on behalf of the Commonwealth Bank of Australia, seek approval from the Southern Midlands Council for new signage at the Commonwealth Bank Branch at 76 High St Oatlands.

This proposed signage (included as 'Attachment 1' of this report) consists of a new 1270mm square 'Commonwealth Bank Logo' on a black background of 2500mm by 2000mm with a strip of writing reading 'Commonwealth Bank' at 176mm by approximately 2300mm. This is the largest proposed sign; to be located above the doorway on the front façade of the building on a painted brick surface.

The existing illuminated sign is proposed to be replaced with a larger 1287mm 'tilted' square 'Commonwealth Bank Logo' to be also illuminated and extend a total of 1491mm from the building including the bracket.

A wall sign is proposed to be placed alongside the doorway measuring 500mm by 275mm.

It is also proposed to do some minor painting works along the front façade strip and as a backdrop to the large logo sign.

There is currently some smaller signs on the doorway and window of the building and the existing illuminated branch sign (logo and writing on a white background).

THE SITE

The land is located in the High St Oatlands, roughly opposite the Council Chambers. The building is not listed with the Tasmanian Heritage Register or the Southern Midlands Planning Scheme as a building of historic significance. Suggestions would estimate the building to be constructed in either the 1930s or 1950s.

The building is of red brick construction and features a prominent area of cream painted brickwork. Improvements include internal work, some painting and the existing signage.

The building is currently used as bank branch.

THE APPLICATION

The applicant has provided a detailed application indicating all sizes, colours and locations of the proposed sign work. There is enough information to provide an adequate assessment of the development.

The Planning Officer has also had discussions and correspondence with the applicant.

THE PLANNING SCHEME ASSESSMENT

Use/Development Definition

The proposed works are defined as 'signs' under Schedule 6 of the Southern Midlands Planning Scheme. Signs must be developed in accordance with Schedule 6 and in accordance with the relevant 'Special Area'.

Zone: Commercial Zone

The Commonwealth Bank Branch is located in the Commercial Activity Zone. The Commercial Zone is found in Oatlands and recognizes land that used, or has the potential to be used, for shops and businesses that primarily cater for the needs of the local population, tourists and other visitors.

It would be appropriate for the Planning Officer to begin assessing the development by the specified intentions of the zone:

4.2 The intent of the Commercial Zone is to:

- a) *give priority to having suitable areas for shops and businesses and primarily cater for the needs of the local population and visitors to the area;*

As the bank is an existing business, this intent is not really applicable; though it could be argued that signage is an important part of any business. The bank arguably provides for the needs of the local population and visitors to the area.

- b) strengthen the settlement of Oatlands as the primary focus for commercial use within the Council area;*

Banks are an important part of any business area.

- c) provide sufficient land to accommodate expected growth in local business activities that do not adversely impact surrounding residential areas;*

Not Applicable. The application does not interfere with the availability of land for business and commercial development.

- d) encourage consolidation of commercial uses and minimise potential impacts on surrounding residential areas;*

The proposed signage would not have a negative environmental nuisance type impact. It could not impact on the nearby residential zone. The proposal is not something that would need assessment from an environmental health perspective and nor could the bank signs really have a detrimental impact upon residents aside from possible aesthetic grievances.

- e) encourage pedestrian access and improve the amenity and facilities of the public spaces to cater for resident and visitor use; and*

The proposed signage would not affect pedestrian access.

However it could be argued that, large corporate logos in a predominately Georgian historic town, is not what the public or visitors/tourists to the area would expect or want to see. Large signage arguably has an impact on public spaces.

- f) ensure the efficient utilisation of infrastructure services.*

This is not really applicable.

Special Area: Historic Precinct Special Area

The general intent of the Historic Precinct Special Area is to conserve and enhance the historic character of particular areas of Oatlands, Kempton and Campania. More specifically, the intent of the Historic Precinct Special Area is to:

- a) allow for continued development that respects the streetscape qualities of the settlements through appropriate building form, design and finishes and which is compatible with the general heritage values of town settings;*

The proposed signage, especially the 2.5m by 2.0m corporate logo sign does not, in anyway, respect the existing streetscape qualities of the settlement. There is no compatibility with any of the heritage values of the town setting.

- b) give priority to the protection of the historic integrity of the individual buildings, groups of buildings and the general streetscape within the heritage areas of Oatlands, Kempton and Campania;*

The Commonwealth Bank Branch is surrounded by significant heritage listed buildings.

- c) ensure that the design and external appearance of new buildings or additions / adaptations to existing buildings respects and maintains the historic character and heritage values;*

This will be further explored in assessing the signage in the historic precinct standards and sign standards later in the report. It, however, can be argued that large modern corporate logos do not respect the historic character of the town.

- d) ensure that new buildings do not visually dominate neighbouring 19th Century buildings; and*

The proposed signage would draw attention to the building and draw attention away from the more significant buildings that serve to create the Oatlands Historic Precinct.

- e) maintain the visual amenity of the historic buildings when viewed from the Midlands Highway or from streets within the settlements.*

The large corporate logo and large illuminated corporate logo does not maintain the visual amenity of the historic streetscape.

Statutory Status

Under the *Planning Scheme*, signage of this type is a ‘Discretionary Use/Development’ in the Commercial Activity Zone and within the Historic Precinct Special Area. Such a use development:

- I. May be granted a Planning Permit by Council, with or without conditions, provided it complies with all relevant development standards and does not, by virtue of an other provision of this Scheme, invoke Clause 11.6 (prohibited use or development); or
- II. May be refused a Planning Permit by Council

Extract SMPS 1998

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

Public Notification and Representation

The application was advertised, and all adjoining owners notified on the 25th February 2012 for the statutory 14 day period. One (1) representation was received. The application also generated some interest in the area. The representation received by

Council expressed concern for the impacts on the Historic Precinct of Oatlands and streetscape amenity.

EXCLUDED FROM THE AGENDA PURSUANT TO SECTION 15 (2) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2005.

**T F KIRKWOOD
GENERAL MANAGER**

EXCLUDED FROM THE AGENDA PURSUANT TO SECTION 15 (2) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2005.

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T F KIRKWOOD
GENERAL MANAGER

Zone Development Standards

Commercial Zone: Development Standards

The aim of these provisions is to ensure that new development will contribute to the quality of the streetscape and improve the amenity for users.

To satisfy this aim the design and appearance of new development should:

- a) *enhance and maintain the character of the streetscape in terms of scale, proportions, treatment of parapets and openings and decoration;*

The large corporate and illuminated logos are not considered to be of a scale or proportion acceptable to the streetscape.

- b) *respect the inherent aesthetic, cultural and heritage values of Oatlands;*

The large corporate and illuminated logos have little regard for these values.

- c) *respect historic buildings and works neighbouring the site and in the vicinity;*

The applicant has not considered this principle in their proposed design.

- d) *ensure that neighbouring dwellings and their associated private open space are not unreasonably deprived of sunlight or privacy;*

Not applicable.

- e) *provide pedestrian facilities and safe access within the commercial areas;*

Not applicable.

- f) *provide, where possible, spaces for community interaction which incorporate street furniture, lighting, landscaping and public facilities of cultural or civic value;*

Not applicable.

- g) *provide landscaping which creates visual links between development, minimises conflicts of scale, softens hard or bleak areas and provides shelter, shade and screening; and ensure the:*
 - i. *screening of all outdoor storage areas, outdoor work areas and rubbish receptacles from public view;*
 - ii. *placement and design of roof mounted air conditioning equipment, lift motor housings and similar equipment so as to reduce the visual impact on the streetscape; and*

- iii. *exterior pipework, ducts, vents, sign supports, fire escapes and similar structures are painted and/or designed to match existing exterior surface treatment so that these elements are not prominent in the streetscape.*

As the development is largely unacceptable it is difficult to argue that any approval could result in any improvements to the building; aside from further informing visitors to the area that the building is a bank branch.

Historic Precinct Special Area: Development Standards

Signs in the Historic Precinct Special Area must be developed generally in accordance with Schedule 6, and particularly in accordance with Clause S6.4 (b).

The specified intentions of the historic precinct would draw a similar argument to those already put forward by the planning officer under the other intentions of the zone. It would be more appropriate to offer specific argument under the aforementioned Schedule 6 of the scheme, whereby signs are to be developed in accordance with the following principles:

- a) *signs must be of a high standard in terms of design, construction and materials;*

There maybe nothing wrong with the actual quality of the signage or criticism of the Commonwealth Bank's branding. However their location in small rural town in the historic precinct is not appropriate.

- b) *signs must directly relate to the site upon which they are displayed; and*

The signs relate directly to the Commonwealth Branch.

- c) *if located on a site adjacent to a place listed in Schedule 4, Buildings and Works of Historic Significance, signs should respect the character and location of the site listed in Schedule 4.*

The Commonwealth Bank Branch is basically surrounded by buildings listed on both the Tasmanian Heritage Register and in the Southern Midlands Planning Scheme under Schedule 4. Argument for their potential impact will be provided in the next section of the assessment under S6.4 (b) and (c).

Schedule 6.4 (b) and (c):

Signs within an Historic Precinct Special Area or on a site listed in Schedule 4, Buildings and Works of Historic Significance, should be developed in accordance with the following principles:

- i. *signs must be located and designed so that they respect the architectural features of buildings and do not intrude upon the visual qualities of the townscape;*

The proposed sign would be arguably one the biggest Commonwealth Branch Logos outside any major capital city in the country. Signage on the major Hobart Branch is not as big as the one proposed.

- ii. the architectural characteristics of a building must remain visually dominant, with the number of signs kept to a minimum and the size of signs limited to traditional locations;*

The large logos would detract from the architectural characteristics of any building.

Given that the proposed ‘above awning signs’ alone would take up roughly ten percent (10%) of the front façade. The proposed sign is the same size as the entry to the building. Smaller signs or even a sandwich board would be more appropriate.

It could also be argued that the symmetry of the building does make it difficult for designers to find an appropriate location. However this could be achieved by simply not having as much signage; given that the Commonwealth Bank Branch has so far survived without having so much signage.

- iii. the design, materials, colours and layout of signs must be sympathetic to the period of the Historic Area or Site;*

The large corporate logos and illuminated sign do not comply with this principle.

- iv. signs should generally not have internal illumination;*

As the representor argued, there seems to be little reason why the ‘tilted’ square logo sign needs to be illuminated considering the branch is closed at night time. It would be acceptable if the sign was simply a reconditioned replacement of the existing illuminated sign, but as it is much bigger and more attention seeking it would be generally considered unacceptable.

- v. signs must directly relate to the owner, major tenant or principle function of the site;*

The principle function of the site is a rural bank branch, one of only two in the whole township. There is a distinct lack of competition between banks in Oatlands at this point in time. It could be more understandable if the area was cluttered with other signs and buildings or setback from the main street or main trading area. However given it is in the centre of the township on the main street there seems little need to draw in customers that maybe finding it difficult to locate the bank.

The signs do not need to draw people in, given the building is widely recognized as a bank branch.

- vi. surviving early signs should be kept and protected;*

There are no signs on the building that would be worth protecting under any relevant principles or legislation.

- vii. signs should be attached to buildings in such a way that they can be attached and removed without damaging the heritage fabric. Generally, fixings should not be corrosive and should be into mortar joints where possible;*

As the building is not heritage listed there is little regard for having to consider the ‘heritage fabric’. Modern signs of this nature would be attached using modern fixings of little impact to the building or surround amenity.

- viii. *corporate image requirements such as specific colours and logos must be minimised and otherwise adapted to suit the individual location and building;*

It cannot in anyway be argued that the proposed signage has been adapted to suit the location or the building. The sign is arguably the biggest in Oatlands.

- ix. *new signs must not be painted onto previously unpainted surfaces; and*

The applicant should have argued that the existing painted brickwork area could be considered a place where a sign may have been or could be placed. However they have not given such evidence and the representation received has argued that such a sign has never been on that brickwork.

The large logo is proposed to be placed onto a previously painted surface. However a proposed change of colour, from a cream to a black is proposed and would be considered a significant change to the ‘previously painted surface’. Also in painting the surface black, the applicant would in effect be expanding the size of the sign, given that the Commonwealth Bank logo sits on a black background anyway.

- x. *buildings should not have projecting signs placed significantly above awning level.*

The large illuminated bank logo is proposed above awning level. Though it is effectively ‘replacing’ an existing sign its projection and size will be significantly increased. Significant changes such as this would be unacceptable under this principle.

- xi. (c) Council shall not approve any sign that:
- (i) *creates a traffic hazard;*
 - (ii) *interferes with pedestrian or vehicular traffic;*
 - (iii) *obscures any direction, safety, information, warning, traffic control or other like sign;*
 - (iv) *creates a loss of sunlight or daylight to adjoining residential properties;*
 - (v) *is fixed, painted or in any way attached to a residential building which is not on the site of the business to which the sign relates;*
 - (vi) *intrudes in terms of its size, design, colour, location or shape so as to cause a reduction of visual amenity;*
 - (vii) *is not of a high standard of design or construction;*
 - (viii) *substantially reduces the visibility of other signs in the locality;*
 - (ix) *if illuminated, causes or is likely to cause annoyance to residents or confusion with traffic control devices in the vicinity; or*
 - (x) *interferes with any public utility.*

It could only be argued from this set of standards that the sign is not of a high standard of design for a Georgian Historic Precinct and would cause a reduction in the visual amenity of the town.

OTHER CONSIDERATIONS

In making a decision it is worth noting that the planning officer has had discussions with the applicant to encourage them to modify the design to better suit the historic precinct. As a result the applicant only minimised the black plate that contains the large logo and opted to paint the background black instead. From a visual point of view the change in materials from a painted black brick surface or a painted black steel surface makes very little difference. The graphics mounted on a plate or painted on a wall, with a black background, would match the corporate logo colour scheme and defeat the whole purpose of trying to minimise the size of the sign.

Conclusion

The application has been assessed and considered under the principles and standards of the Southern Midlands Planning Scheme. There is very little working in favour of this application albeit the smaller signs proposed for the wall near the doorway and on the actual doorway itself.

The proposed large illuminated sign and large sign above the awning are completely unnecessary for a bank branch located on the only main street in a small rural town. The applicant has not attempted to address the historic values of the town or the values of the planning scheme principles. The township of Oatlands is a significant state asset known for its 19th Century streetscape. Signage such as that proposed will only detract from its values and deteriorate the aesthetic appeal of the township that tourists and visitors alike come to see. Allowing such signs will only set a negative precedent for an already fairly contentious issue.

The application should be refused. The applicant can always re-apply for signage of minimal impact or to tidy or maintain the existing signage in discussion with the planning officer.

I would agree with the representor that, had this application been considered for approval, it would have been a good opportunity to condition for the applicant to remove the existing painted surface and return it to its original brickwork.

RECOMMENDATION

THAT, in accordance with the provisions of the Southern Midlands Planning Scheme 1998 and section 57 of the Land Use Planning & Approvals Act 1993, Council refuse the application for signage at the Commonwealth Bank on the following grounds:

- 1. The proposed signage is not in accordance with the minimum standards for signage or development in the Historic Precinct Special Area or in accordance with Schedule 6 ‘Signs’.**

DECISION

Vote For	Councillor	Vote Against
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

Commonwealth Bank

Roll-out T4

Oatlands, Tasmania

Rev No. 02

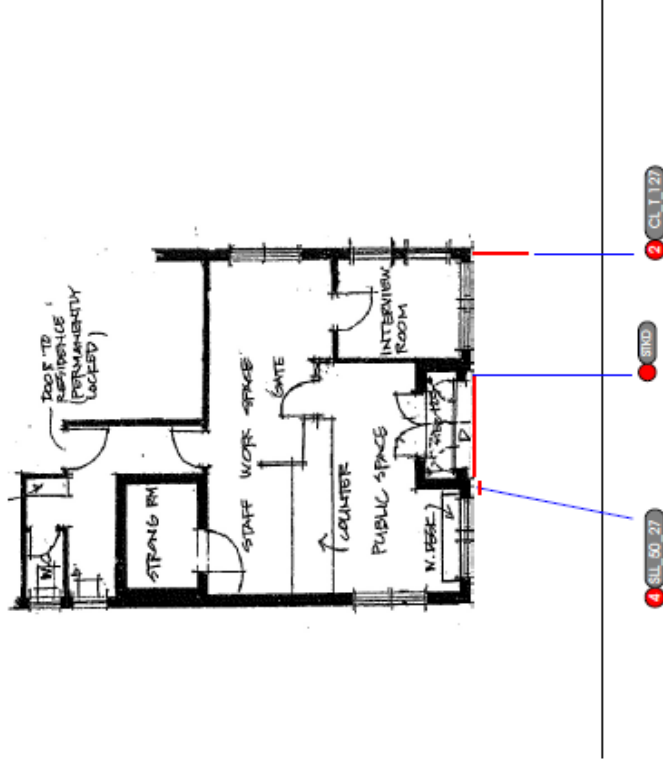


The **Signcraft** Group
C R E A T I N G A N I M A G E

MELBOURNE • SYDNEY • BRISBANE • ADELAIDE • PERTH • INDIA • CHINA



Oatlands
 76 High Street
 Oatlands, Tasmania 7120



A3 scale 1:100

Legend

7 - AIM — Sign Code

8 - Sign Number

CLIENT APPROVAL NAME: _____ SIGNATURE: _____ DATE: _____		File name: Oatlands TA Rev02.cdr Description: Site Plan Scale: @ Drawing Size: <input type="radio"/> A3 <input type="radio"/> A4 <input type="radio"/> Other (W x H)		ENGINEERING MANAGER CHECK NAME: _____ SIGNATURE: _____ DATE: _____		PROJECT MANAGER CHECK NAME: _____ SIGNATURE: _____ DATE: _____		INSTALLATION LOCATIONS Revision Date: 06/07/11 Author: TD Initial Issue: 01 Revised: 02 Revised: 03 Revised: 04 Revised: 05 Revised: 06 Revised: 07 Revised: 08 Revised: 09 Revised: 10	
PRODUCTION READY FILES: Rout/Cutting Files: _____ Print/Cutting Files: _____ Digital Printing Files: _____		PRODUCTION READY FILES: Rout/Cutting Files: _____ Print/Cutting Files: _____ Digital Printing Files: _____		Given by: _____ TO: _____		Revision Date: 06/07/11 Author: TD Initial Issue: 01 Revised: 02 Revised: 03 Revised: 04 Revised: 05 Revised: 06 Revised: 07 Revised: 08 Revised: 09 Revised: 10		Revision Date: 06/07/11 Author: TD Initial Issue: 01 Revised: 02 Revised: 03 Revised: 04 Revised: 05 Revised: 06 Revised: 07 Revised: 08 Revised: 09 Revised: 10	



CLIENT APPROVAL		FILE NAME		PROJECT MANAGER CHECK		INSTALLATION LOCATIONS	
NAME	DATE	NAME	DATE	NAME	DATE	01	02
SIGNATURE		SIGNATURE		SIGNATURE		01	01
						02	02
						03	03
						04	04
The Signcraft Group P.O. Box 100, Warragul, Vic 3108 1300 744 833 www.signcraft.com.au		File name: Oaslands T4 Rev02.cdr Description: 5th Park Scale: <input checked="" type="radio"/> A3 <input type="radio"/> A4 <input type="radio"/> Other (W x H) Drawing Size: <input checked="" type="radio"/> A3 <input type="radio"/> A4		PROJECT MANAGER CHECK NAME: _____ SIGNATURE: _____ DATE: _____		Revision Details Initial Release Revised standard sign Revised standard sign and pole Revision Details Revision Details Revision Details	
ARTWORK FILES: Graphics Design File Path: S:\Project\Trust\Project\Commonwealth Bank\TAS\Outdoor\Design\Graphics Design & Mockups PDF Drawing File Path: S:\Project\Trust\Project\Commonwealth Bank\TAS\Outdoor\Design\PDF Files		PRODUCTION READY FILES: Route/Cutting File: Invert The Path Once Prepared Vinyl Cutting File: Invert The Path Once Prepared Digital Printing File: Invert The Path Once Prepared		ENGINEERING MANAGER CHECK NAME: _____ SIGNATURE: _____ DATE: _____		Revision Date TO: W07/11 TO: M01/08/11 TO: M03/20/11	
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Proposed Works - Location 1

Artic:	1x44 Rectangular Sign
Quantity:	1 (1) masonry
Code:	
Type:	
Illustration(s):	As per drawing
Comments:	

Tavern Sign Logo - 1270mm
No blur available for non-illuminated

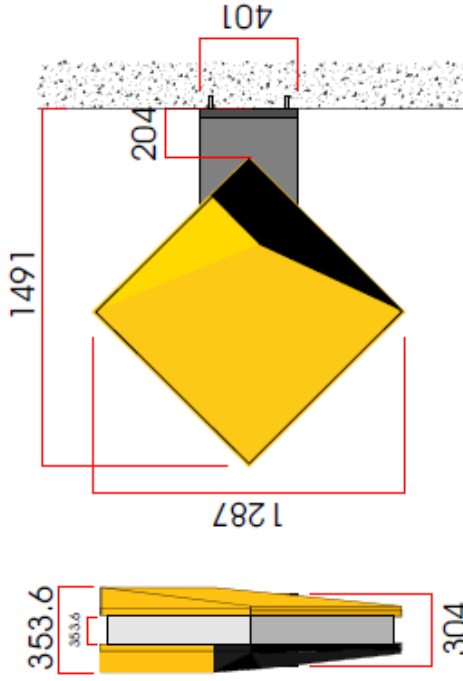
Size TBC (survey measurements may be incorrect)

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INSTALLATION LOCATIONS		Revision Details 02 01 00 00 00 00 00 00					
PRODUCTION READY FILES: Vector Cutting Files: <input type="checkbox"/> Insert File Path Once Prepared Sign Cutting Files: <input type="checkbox"/> Insert File Path Once Prepared Digital Printing Files: <input type="checkbox"/> Insert File Path Once Prepared							

Tavern Sign



CBA0542
Proposed CL_T_127 Tavern Sign
Size: 1491mm x 1287mm
LED Illuminated



Front View

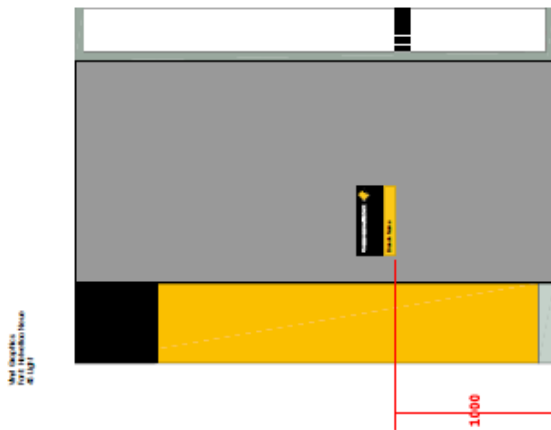
Side View

Proposed Works - Location 2

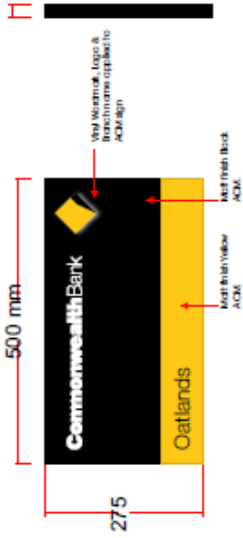
Article:	1491mm x 1287mm LED Illuminated Tavern Sign
Quantity:	1 of make
Code:	CL_T_127
Type:	Signage
Drawn/checked:	WJW/MLD (S - ERF/MLD)
Comments:	

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	PRODUCTION READY FILES: Vector Cutting File: Insert File Path Once Prepared Vinyl Cutting File: Insert File Path Once Prepared Digital Printing File: Insert File Path Once Prepared	INSTALLATION LOCATIONS				

Street Level Locator



CBA0513
SLL_50_27



Proposed Works - Location 4

Job No:	Total Street Level Locator
Client No:	SLL_50_27
Title:	
Drawn/checked:	Edwards / JF/ems
Comments:	

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Rev	Rev Description	Rev Date																						
00	Revised stacked sign	01/09/11																						
01	Revised stacked sign and panel	23/01/11																						
02	Revised stacked sign	01/09/11																						
03	Revised stacked sign and panel	23/01/11																						
04	Revised stacked sign	01/09/11																						

Paint



Light P1
 Pearl Grey N11
 Paint
 approx 15 sqm required
 (tbc)



5 P1

Proposed Works - Location 5

Job No:	Not Starting Yet
Client:	
Code:	
Type:	
Drawn and/or checked:	
Comments:	

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	<p>ARTWORK FILES:</p> <p>Graphic Design File Path: S:\Project Team\Project\Ouslands\Revit\T4\Outdoor\Design\A3 & Mappings</p> <p>PDF Drawing File Path: S:\Project Team\Project\Ouslands\Revit\T4\Outdoor\Design\PDF Files</p>	<p>PRODUCTION READY FILES:</p> <p>Router Cutting File: Insert File Path Once Prepared</p> <p>Vinyl Cutting File: Insert File Path Once Prepared</p> <p>Digital Printing File: Insert File Path Once Prepared</p>	<p>Revision Date</p> <p>Author</p> <p>Initials</p> <p>Revision</p> <p>Revision</p> <p>Revision</p> <p>Revision</p>	<p>Revision Date</p> <p>Author</p> <p>Initials</p> <p>Revision</p> <p>Revision</p> <p>Revision</p> <p>Revision</p>	<p>Revision Date</p> <p>Author</p> <p>Initials</p> <p>Revision</p> <p>Revision</p> <p>Revision</p> <p>Revision</p>

INSTALLATION LOCATIONS

Paint



Dark
P3
Black N61
Paint
approx 23.5 sqm required
(tbc)



6 P3

Proposed Works - Location 6

Job No	Not filling table
Quantity	
Code	
Type	
Drawn and/or Checked	
Comments	

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	PRODUCTION READY FILES: Route Cutting File: Insert File Path Over Prepared Vinyl Cutting File: Insert File Path Over Prepared Digital Plotting File: Insert File Path Over Prepared						

Signage List

Sign No.	Size	SQM	Description
1	2500mm x 2000mm	5.0	Install new stacked logo to wall. Non illuminated.
2	1491mm x 1287mm	1.92	Install new illuminated cantilevered tavern sign.
4	500mm x 275mm	0.14	Install new locator sign to wall.
5	15	Paint selected area Pearl Grey
6	23.5	Paint selected area Black.

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NAME: _____ SIGNATURE: _____ DATE: _____		NAME: _____ SIGNATURE: _____ DATE: _____		NAME: _____ SIGNATURE: _____ DATE: _____		02 01 02 03 04	
ARTWORK RULES: Graphic Design File Path: S:\Project Team\Projects\Commonwealth Bank\T4\Oastlands\Design\MO up\W. Design & Montage PDF Drawing File Path: S:\Project Team\Projects\Commonwealth Bank\T4\Oastlands\Design\PDF Files		ENGINEERING MANAGER CHECK NAME: _____ SIGNATURE: _____ DATE: _____		PROJECT MANAGER CHECK NAME: _____ SIGNATURE: _____ DATE: _____		Revision Details Initial Release Revised standard sign Revised standard sign and plate Revision Details Revision Details	
PRODUCTION READY RULES: Power Cuting File: Invert The Path Once Prepared Vinyl Cutting File: Invert The Path Once Prepared Digital Printing File: Invert The Path Once Prepared						Revision Date 01/08/11 MG 28/1/11	

Existing Signage Location



Existing Signage List

No.	Size	SQM	Description
1	500mm x 700mm	0.35	Remove existing entry decals from glass.
2	500mm x 1 000mm	0.05	Remove existing safety strip decal from doors.
3	1 200mm x 600mm	0.72	Remove existing cantilever lightbox.

EXISTING SIGNAGE LIST

CLIENT APPROVAL	FILE NAME	ENGINEERING MANAGER CHECK	PROJECT MANAGER CHECK	REVISIONS	REVISION DATE
NAME: _____ SIGNATURE: _____ DATE: _____	File name: Oxlands T4 Rev02.cdr Description: 0m Park Scale: <input checked="" type="checkbox"/> A3 <input type="checkbox"/> A4 <input type="checkbox"/> Other (P x H)	NAME: _____ SIGNATURE: _____ DATE: _____ Drawn by: _____ TO: _____	NAME: _____ SIGNATURE: _____ DATE: _____	02 01 02 03 04	01/08/11 03/03/11 03/03/11 03/03/11
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EXCLUDED FROM THE AGENDA PURSUANT TO SECTION 15 (2) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2005.

**T F KIRKWOOD
GENERAL MANAGER**

EXCLUDED FROM THE AGENDA PURSUANT TO SECTION 15 (2) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2005.

**T F KIRKWOOD
GENERAL MANAGER**

11.2 SUBDIVISIONS

11.2.1 Development Application for a Subdivision (Boundary Adjustment) at Horners Rd Elderslie for Stanshield Pty Ltd.

File Reference: T2304593

APPLICANT: Peacock Darcey & Anderson Pty Ltd
LANDOWNER: Stanshield Pty Ltd
REPORT AUTHOR: David Cundall (Planning Officer)
DATE: 13th March 2012

ATTACHMENTS:

- 1. Plan of Subdivision**
- 2. Representation**

THE PROPOSAL:

The applicant, Peacock Darcey and Anderson Pty Ltd on behalf of landowner Stanshield Pty Ltd are applying to adjust the boundary between two titles on Horners Rd. The applicant also proposes to extend a Right of Way to give access to Lot 1 along an existing vehicle track. No new titles are to be created and no new works are proposed or necessary as part of the application. The two titles are currently 57ha and 40ha. The proposed adjustment would modify the difference by 12ha.

The landowner wishes to alter the boundaries to then sell proposed 'Lot 1'. The applicant argues the land is surplus to needs.

THE SITE

The land in question is rural forest and used for mostly forestry and plantation activities. The two titles in question are located beyond the Council maintained section of Horners Rd. The land in question is nearly all plantation timbers, aside from a large part of the proposed lot 1 which contains areas of some pasture and native vegetation.

LEGISLATIVE PERFORMANCE REQUIREMENTS

Council is to assess the application under the *Land Use Planning and Approvals Act 1993*, in consideration to the *Local Government (Building and Miscellaneous Provisions Act) 1993* and the *Southern Midlands Planning Scheme 1998*.

THE APPLICATION

The applicant has provided a site plan and all other necessary documents for Council to assess the application.

Use/Development Definition

Under *Schedule 2 Use or Development Category Definitions* of the *Planning Scheme*, the proposed use and development is defined as an act of ‘Subdivision’ in accordance with Part 10 of the Scheme ‘Variation to Subdivisions’ where the purpose of the subdivision is to ‘...adjust boundaries between existing lots provided that no additional lots are created’.

Statutory Status

Under the *Planning Scheme*, a boundary adjustment is ‘discretionary’; the application

- III. May be granted a Planning Permit by Council, with or without conditions, provided it complies with all relevant development standards and does not, by virtue of an other provision of this Scheme, invoke Clause 11.6 (prohibited use or development); or
- IV. May be refused a Planning Permit by Council

Extract SMPS 1998

A discretionary use or development must be advertised under S.57 of the Land Use Planning and Approvals act 1993 for 14 days.

Zone: Rural Forest Zone

The land is located entirely within the Rural Forest Zone; with some of the land a declared ‘Private Timber Reserve’. Given the ‘Discretionary’ status, applications should not conflict with the intent of the zone. It would therefore be reasonable for the Planning Officer to give a comment in relation to the below listed intentions of the Rural Forest Zone.

The Rural Forest Zone recognises the large areas of Crown Lands and private land that remain as bush land or forestry plantation, that may be utilised for forestry, agriculture, conservation and recreation purposes in the future.

6.2.2 The intent of the Rural Forest Zone is to:

- (a) give priority to maintaining the larger remaining timbered areas for multiple use including forestry, extractive industry, scenic protection, farming, conservation and recreation;*

The land is used for mostly rural and forestry operations. The adjustment does not in anyway change this land use. However the land could be sold to somebody that wishes to build in the area.

- (b) recognise land which will be managed for forestry purposes in accordance with the provisions of the Forest Practices Act 1985 and the Forest Practices Code, or subsequent replacement Acts and Codes;*

Any application for forestry in this area would be subject to a Development Application to Council and in accordance with a Forest Practices Plan (unless the land is declared a Private Timber Reserve).

(c) restrict development of land and resources which would be incompatible with the management of these lands for forestry, scenic protection, farming, extractive industry and conservation and recreation purposes;

The applicant has stated the land owner wishes to sell the lot. It could be possible for a potential buyer to purchase the land and apply to Council for a dwelling or other use/development. It would be the planning officers opinion that such land is not ideally residential land given it is surrounded by plantation timber with poor access and a high bushfire risk.

(d) protect areas of general conservation value or significance, including areas with remnant vegetation, historic cultural heritage and habitat value; and

The boundary adjustment would have no negative impacts upon this intent.

(e) ensure that adjoining non-agricultural use or development does not unreasonably fetter agricultural uses.

This would be subject to any possible Development Applications made to Council at a later date. Rural activities are the primary activities in this area.

Public Notification and Representation

The application was advertised, and all adjoining owners notified on the 24th February 2012 for the statutory 14 day period (extended to take into office closures and public holidays). One (1) representation was received. The representation received by expressed concern for the existing Right of Way and potential intensification of road users.

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**T F KIRKWOOD
GENERAL MANAGER**

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**T F KIRKWOOD
GENERAL MANAGER**

Zone Development Standards

The proposal meets all planning scheme standard requirements applicable to a boundary adjustment of this nature.

Bushfire Risk Reduction

Another matter worth considering under the scheme is that the proposed lots are of sufficient size to contain a dwelling within a ‘Bushfire Protection Zone’ and a ‘Fuel Modified Buffer Zone’. Given the proposed Lot 1 is 28ha a bushfire management plan could be achievable. However buyers should be very much aware that access onto a road maybe difficult if emergency evacuation is necessary.

It would be expected that any future development of the land would take into account the very high fire danger of the area.

Conclusion

The proposed boundary adjustment has been assessed correctly in accordance with the Southern Midlands Planning Scheme, taking into serious consideration the representation received and potential future use of the land. It could be thought that the adjustment better arranges land which currently contains intensive forestry plantations, into a single title, whilst implementing a legal access to the land.

It is the planning officer’s opinion that the application be approved subject to conditions

RECOMMENDATION

THAT, in accordance with the provisions of the Southern Midlands Planning Scheme 1998 and section 57 of the Land Use Planning & Approvals Act 1993, Council approve the application for a Subdivision (Boundary Adjustment), and that a permit be issued with the following conditions.

General

- 1) Subdivision 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) 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 proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.
- 3) All works required by the conditions of approval contained within this Permit will be at the developer's expense.

Easement detail

- 4) Incorporate any existing and necessary services easements or existing road reservations where relevant, in the final survey plans lodged for sealing.

Final Plan – Sealing

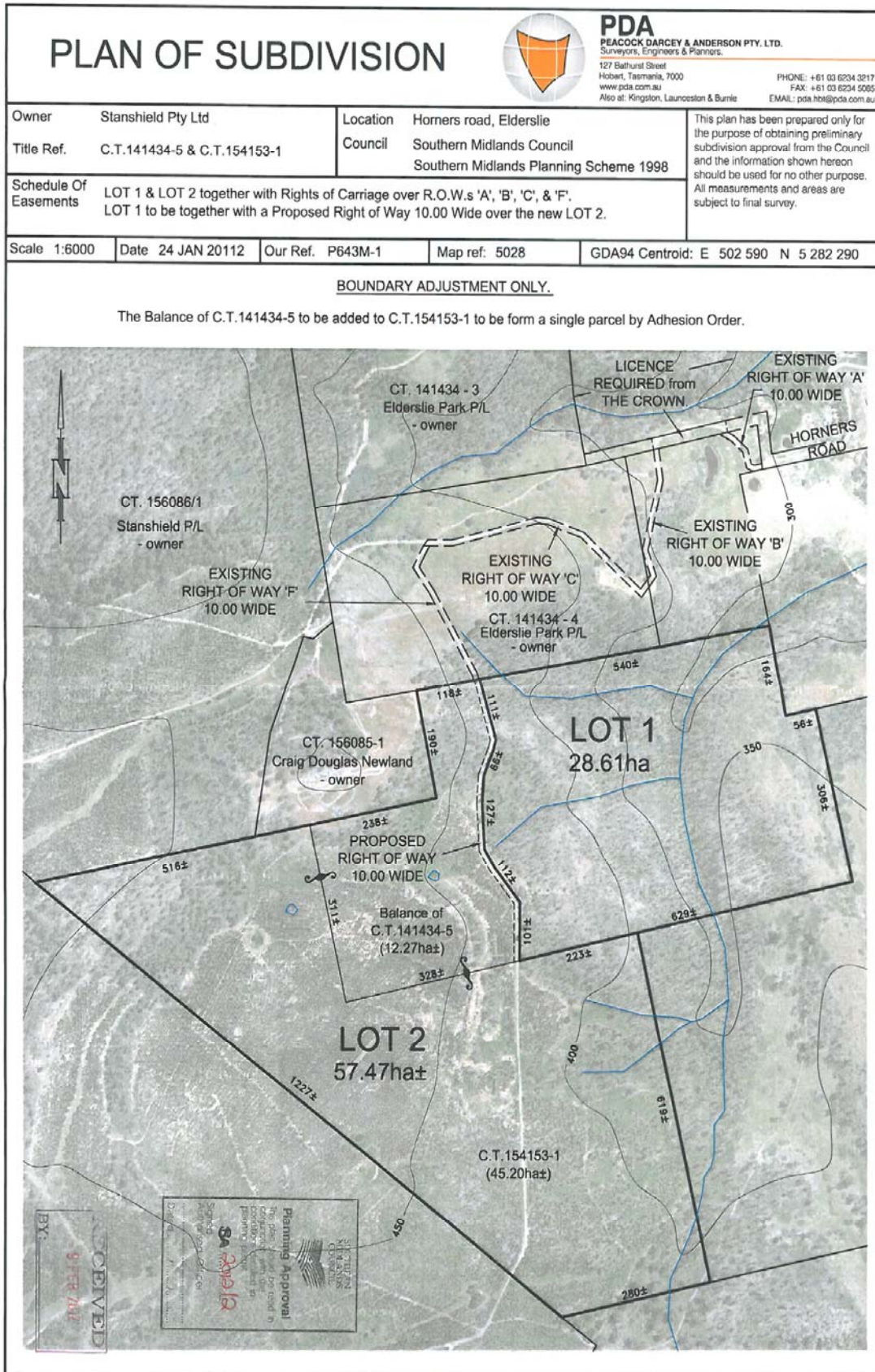
- 5) A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for Sealing. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
- 6) A fee of \$150.00, or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey for each stage.
- 7) All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey. It is the Subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
- 8) The Subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.

DECISION

Vote For	Councillor	Vote Against
	Mayor A E Bisdee OAM	
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	



EXCLUDED FROM THE AGENDA PURSUANT TO SECTION 15 (2) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2005.

**T F KIRKWOOD
GENERAL MANAGER**

11.2.2 Development Application for a 7 Stage 82 Lot Subdivision at 8 Hall St, Campania.

File Reference: T3061028

APPLICANT: Rogerson and Birch Surveyors
LAND OWNER: Joshua French
REPORT AUTHOR: David Cundall (Planning Officer)
DATE: 5th March 2012

ATTACHMENTS:

- 1. Proposed Subdivision Lay-out**
- 2. Council Draft Public Open Space Suggestions and Link Ways**
- 3. Proposed Services Lay-out**
- 4. Southern Water Conditions and Southern Water intended design layout**
- 5. Photographs**
- 6. *Draft Guidelines to Understanding and Reinforcing Village Character in the Southern Midlands***

THE PROPOSAL:

The applicant, Rogerson and Birch Surveyors on behalf of Mr Joshua French has applied to Council for the subdivision of land located at 8 Hall St, Campania. The proposed 82 lot subdivision is on land that was re-zoned from the 'Intensive Agriculture Zone' to 'Village Zone' in 2008 by way of a 'Section 43A re-zoning and planning application'.

The proposed plan is for 80 lots varying in size from 700m² to 1037m² with the majority of lots around 800m². The remaining two lots are lot 63 (4721m²) containing a dwelling and lot 82 (64900m²) which is open pasture and zoned intensive agriculture and cannot be further subdivided.

THE SITE

The land in question is all cleared pasture. The land is currently accessed from the end of Hall St. The land adjoins the 'Campania Recreation Ground' and has direct frontage to Reeve St. There are also four dwellings that adjoin the land.

THE APPLICATION

The applicant has provided a proposed subdivision layout plan depicting the proposed lots, lot sizes, road areas and public open space. The applicant has also had to provide a Traffic Impact Assessment and 'Concept Services Plan'. The concept services plan depicts stormwater, sewer and stormwater. Such a plan is essential to demonstrate that the proposed lots and roadways can in fact be serviced and demonstrate where the applicant intends implement the necessary infrastructure; often in negotiation with the relevant authority.

LEGISLATIVE PERFORMANCE REQUIREMENTS

The proposal must be assessed and developed under various bodies of legislation administered by Council and the State Government, including but not limited to:

- *Land Use Planning and Approvals Act 1993*
- *Southern Midlands Planning Scheme 1998*
- *Environmental Management and Pollution Control Act 1994*
- *Local Government Building and Miscellaneous Provisions Act 1993*

Council is to assess the application under the *Land Use Planning and Approvals Act 1993*, in association with the *Southern Midlands Planning Scheme 1998* and the *Local Government Building and Miscellaneous Provisions Act 1993* regarding subdivisions. Any proposed works must also meet the relevant engineering and construction standards.

THE PLANNING SCHEME ASSESSMENT

Use/Development Definition:

Under *Schedule 2 Use or Development Category Definitions* of the *Planning Scheme*, the proposed use and development is defined as an act of 'Subdivision'.

Intent of the Planning Scheme:

The relevant objectives of the Planning Scheme that specifically mention Campania, or are related to such a development are:

- i. *to acknowledge Oatlands and Kempton as the main centres providing administrative functions for the Southern Midlands and the smaller settlements of Campania, Tunbridge, Colebrook, Bagdad, Parattah and Tunnack as local service centres;*
- ii. *to encourage infilling and consolidation of development primarily in the settlements of Oatlands, Kempton, Bagdad and Campania and, secondarily, in the settlements of Tunbridge, Colebrook, Parattah and Tunnack;*

Zone: Village Zone

The purpose and intent of the Village Zone is provided by Clauses 3.1(d) and 3.2.3 of the Scheme:

3.1(d) The Village Zone recognises the mixture of uses within the towns of Kempton, Bagdad and Campania and the role of a number of smaller settlements as local service centres including Colebrook, Tunbridge, Parattah and Tunnack. The development standards aim to maintain the village settings whilst providing opportunities for a range of non-residential developments. The Scheme distinguishes between sewered and un-sewered townships within the Village Zone insofar as the provisions of the Scheme relate to subdivision.

3.2.3 The intent of the Village Zone is to

- (a) *give priority to maintaining Kempton, Bagdad, Campania, Colebrook, Tunbridge, Parattah and Tunnack as local settlements;*
- (b) *allow for a broad range of uses within the settlements provided they do not adversely affect the amenity of the settlement, nor place undue burden on the Council to provide infrastructure services; and*
- (c) *encourage, where possible, the centralisation of future commercial and business development in positions close to existing facilities.*

Statutory Status

Under the *Planning Scheme*, a Subdivision is a ‘Discretionary Use/Development’. Such a use development:

- V. May be granted a Planning Permit by Council, with or without conditions, provided it complies with all relevant development standards and does not, by virtue of an other provision of this Scheme, invoke Clause 11.6 (prohibited use or development); or
- VI. May be refused a Planning Permit by Council

Extract SMPS 1998

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

Public Notification and Representation

The application was advertised, and all adjoining owners notified on the 28th May 2010 for the statutory 14 day period. Despite interest in the subdivision no representations were received.

Zone Development Standards

Subdivided land must be a minimum 600m² and have a minimum road frontage of 4 metres. All the lots, aside from lot 32, meet this standard. Lot 32 should have frontage increased to 4 metres to meet this standard.

The proposed development should also meet the intent of the zone and provide for lots that should ensure quality residential amenity.

Referral

The application was referred to the Department of Infrastructure Energy and Resources Transport Division (“DIER”) and Southern Water.

DIER:

Below is a summary of the requirements and advice from DIER:

For your information, the following is a summary of DIER’s comments and observations provided to the Southern Midlands Council on the subdivision, associated TIA and engineering drawings:

- *An 82 lot subdivision has been assessed, with Lot 82 comprising sufficient land to allow an additional 60 lots (i.e. up to 142 lots). The future development potential of this lot has also broadly been considered in the TIA.*
- *Traffic generation stated within the TIA is 15-20% below that suggested by RTA Guidelines. All generation figures presume that traffic is generated by the proposed new subdivision road.*
- *The TIA deals with the proposed new subdivision road but doesn’t clearly consider the access arrangements for Lots 1, 2, 5 & 6. These lots will require sealed accesses from the existing edge of seal to at least the property boundary, along with culverts. An alternative and preferred arrangement would be to amend the lot layout to give frontage and access to Lots 2, 3, 4 and 5 to the new subdivision road, being the lower road in the hierarchy. Lot 6 could also possibly be given frontage and access via the new subdivision road between Lots 7 and 8. This rearrangement may require review of the staging proposed.*
- *Expected distribution seems skewed at 60% south and 40% north. DIER considers a more realistic split is 70% south and 30% north.*
- *Sight lines are adequate.*
- *The road width of 7.0 metres with no formed shoulder along with the creation of a new junction and potentially 4 separate accesses (5 new entry points onto Mud Walls Secondary Road) suggests that a sealed Austroads BAR type layout would be a desirable treatment for the junction as a minimum. Staging of the junction upgrading to this standard may be appropriate, depending on the staging arrangements for the subdivision and take up of lots.*
- *In the event that Lot 82 is developed in the future, then a review of the minimum junction standard would be necessary at that time.*
- *Given there is no pedestrian access to Hall Street from the subdivision, the creation of a formal footpath along Mud Walls Secondary Road (Reeve Street) is considered a desirable minimum treatment. The presence of relatively wide verges would allow this*

to be occur, with the existing grassed verge on the eastern roadside having a less than desirable cross section that would be slippery when wet.

- *While there are no formal drains apparent the cross section along the eastern roadside is such that the natural fall would suggest that water is distributed into the subject property. The creation of a new side road and potentially 4 new accesses would suggest that this natural flow will be interrupted and drainage will need to be considered.*
- *Subject to an appropriate minimum junction treatment and the installation of a footpath, it is unlikely that the development will compromise the safety, efficiency or amenity of the Secondary Road.*
- *The arrangements for the sewer main are acceptable, subject to the connection to the existing pump station on the western side of the Secondary Road being installed using trenchless technology.*
- *It is not clear if it is intended to direct the stormwater from the subdivision at the northern end of the proposal out to the Secondary Road table drain. This will require further detail.*
- *The stormwater line running adjacent to the reservation boundary from the subdivision into the Macclesfield Pty Ltd property may be located within the Secondary Road reservation, subject to being the ongoing maintenance and management responsibility of the Council.*
- *The arrangements for the water main within the subdivision are noted. The water main connection across the Secondary Road to the existing main will be acceptable, subject to the use of trenchless technology. Trenching may be an acceptable alternative but will only be considered in conjunction with the assessment of the junction design drawings.*
- *DIER is satisfied that the stormwater design for the development will cater for the required average rainfall event. Based on DIER's Standard Specification T8 "Drainage" (February 2005), the size of culverts is to cater for a 1:20 average rainfall interval.*
- *As per the attached sketch plan provided by the Council, the arrangement for emergency access from the subdivision to be gained via the Campania Recreation Ground out to Hall Street is noted.*

In addition, the suggestion has been put forward that a Part 5 Agreement under the Land Use Planning & Approvals Act 1993 be entered into by the landowner, Council and DIER to restrict further development of Lot 82. The intent is to ensure that the future development of Lot 82 does not occur until junction improvements as required were first made to accommodate the additional traffic. The Council has indicated that a condition to this effect could be included in any planning approval and that the final plan would not be sealed until it was provided. DIER would not oppose such a requirement if it can legally be included.

Please note that a works permit giving the consent required under the provisions of the Roads and Jetties Act 1935 to enable construction within the State Road is required before any works within the Mud Walls Secondary Road reservation can commence. The

applicable application form can be found [here](#). Approval of signs and line marking arrangements required under the Traffic Act 1925 will be arranged at the same time.

Despite much discussion between Council Officers and DIER Officers, DIER has no objection to the subdivision in principle but require that the any permit issued should take account any concerns and the need for the relevant permits.

DIER does however indicate that a footpath be created along Reeve St for pedestrians to access the township. Council management has indicated that a footpath will be put in place at some point in time to account for the new subdivision and for the benefit of other residents in Reeve St. In the meantime it would be desirable that the proposed subdivision include an access road for pedestrians and cyclists be formed through the ‘Campania Recreation Ground’ and onto the gravelled section of Hall St. Such an access would provide safe access for users of the school.

Southern Water:

Councillors should be well aware of previous discussions held between Southern Water, Southern Midlands Council and the Applicant/Land Owner since the submission of the subdivision in May 2010. Basically Southern Water would not accept either information supplied by the applicant and requested information and assessment to be conducted and considered by the applicant to be too onerous on the developer. The situation eventuated in minor changes to the staging of the development along with rigorous negotiations. Changes were made to satisfy Southern Water and Southern Midlands Council and too satisfy previous requests for further information.

Information was received in late November 2011 and was reviewed and referred to Southern Water again for assessment. The assessment took considerable time as Southern Water refused to accept the information provided by the applicant’s engineers. The engineers needed to make minor changes to the ‘concept services plan’ to satisfy Southern Water’s basic requirements. It was also evident that such minor changes proved necessary to satisfy questions that DIER and Council still had over the location and sizing of infrastructure.

Everything that Council Officer’s needed to assess the application was finally received in mid March 2012.

OTHER ASSESSMENT

Engineering:

The application was also forward to Council’s Municipal Engineer for the final assessment and conditioning.

It was important that such an assessment would result in the desired look of the subdivision taking into account the *Guidelines to Understanding and Reinforcing Village Character in the Southern Midlands* (Draft Attached). The development should also be consistent with other large subdivisions approved in the Southern Midlands and other

principles of modern landscape and urban design. It is important that any permit issued should take into consideration the unique setting of the subdivision in a small rural town adjoining an intensive and rural outlook. It would be unacceptable for the subdivision to have the look and feel of a suburban subdivision typically found in the Greater Hobart Area.

It was suggested that the corner in front of lots 54 and 55 should be modified into a cul-de-sac. This would better enforce the desired ‘rural village look’ of the subdivision when linked by way of a landscaped link road with the other cul-de-sac in the vicinity of lots 29-32. It is envisioned that such a link road would be considerably narrower than the other roads in the subdivision and would, not only significantly raise the amenity of the area, but also provide for a suitable link into the other public open space area located between lots 64 and 66. The overall design of this link road should be part of a much needed landscape and streetscape plan. Creating a cul-de-sac rather than a corner leading into a loop road would also be a suitable means to slow down traffic.

Public Open Space Areas:

A significant part of any subdivision is the Public Open Space area. Under Southern Midlands Council Policy (2004) (consistent with other Councils across Tasmania) and pursuant to the *Local Government Building and Miscellaneous Provisions Act 1993* Council requires the developer to allocate at least 5% of the total land area as Public Open Space. Such land must be transferred to Council at no cost by way of a ‘Memorandum of Transfer’. If such an area cannot be achieved, for whatever reason, then the subdivider must pay the Council 5% of the total unimproved land value of the area. The percentage payable is normally calculated by a registered Property Valuer at the expense of the subdivider.

The applicant in this case has proposed a public open space area along the ‘Campania Recreation Ground’ and between Lots 64 and 66 in discussion with Council Officers. The areas, along with some necessary landscape works, should satisfy Council’s Public Open Space Policy and the requirements of the *Local Government Building and Miscellaneous Act 1993*.

Conclusion

The proposal is for the biggest subdivision in the Municipality of the Southern Midlands. The land has been purposively rezoned by the landowner with the approval and assessment of the Southern Midlands Council and the Tasmanian Planning Commission to eventually allow for such a development.

The development has been assessed and processed by the Council in accordance with the relevant legislation. A great deal of assessment has gone into the conditioning of the subdivision, given that the applicant, like many others is reticent to provide details as to how they intend to construct the subdivision. Council’s have an important duty to fulfill in making sure that subdivision proceeds in accordance with both engineering standards, (and to the satisfaction of the relevant authorities), and to ensure the development is

designed and constructed in such a way that it will attract people to the area and be of minor burden to Council's Works Department. Given the unique setting of such a big subdivision it is important that it reflects the existing values of Campania and helps to attract more families and people to the Southern Midlands.

The quality of the access onto a state secondary road and its location adjacent to the school and recreation grounds and parks make the location of the subdivision ideal for a safe and welcoming environment.

It is therefore recommended that the subdivision be approved by Council subject to conditions.

RECOMMENDATION

THAT, in accordance with the provisions of the Southern Midlands Planning Scheme 1998 and section 57 of the Land Use Planning & Approvals Act 1993, Council approve the application for a 7 Stage – 82 lot Subdivision at Hall St Campania, and that a permit be issued with the following conditions:

General

1. The subdivision layout 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 permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the *Land Use Planning and Approvals Act 1993*.

Staged development

3. The subdivision development must not be carried out in stages except in accordance with a staged development plan submitted to and approved by Council's Municipal Engineer.

Lot size

4. All lots must comply with the subdivision standards for lot size and road frontage of the Southern Midlands Planning Scheme 1998.

Landscaping and Streetscape

5. Road reserves and Public Open Space areas must be landscaped by trees or plants in accordance with a landscape plan and the conditions of this permit. The plan is to be prepared by a landscape architect or other person approved by Council, and submitted to Council for endorsement with the engineering drawings. The landscape plan must show:

- a) The areas to be landscaped.
 - b) The form of landscaping.
 - c) The species of plants.
 - d) Estimated cost of the works.
 - e) Schedule of works (in accordance with the relevant stage of development).
- No plants listed as noxious weeds within Tasmania, or displaying invasive characteristics shall be used in the landscaping.*
6. The landscape plan must include specific works to the Public Open Space area between Lot 14 and Lot 17 (area adjoining the ‘Campania Recreation Ground’) to include a sealed link road/path from the cul-de-sac to the gravel access road through the ‘Campania Recreation Ground’ pursuant to Condition 9. The plan must depict the following:
 - a) Road surfaces and widths.
 - b) Lockable (removable) bollards on either end of the Public Open Space to prevent general vehicular access, but permitting pedestrians and cyclists.
 - c) Landscape plantings and fencing or other devices to prevent vehicle access to the Public Open Space Area from either the ‘Campania Recreation Ground’ or the cul-de-sac.
 7. The Public Open Space between lots 64 and 66 is to be incorporated into the ‘link road’ road reserve between the middle cul-de-sacs (pursuant to conditions 34 and 37) by way of landscape works. Landscape and streetscape works must be in accordance with the provided Landscape Plan pursuant to condition 4.
 8. Landscape works are to be implemented in accordance with the relevant stage of the subdivision. The health of the plantings must be checked at each successive stage of the subdivision. Any dead plants or trees must be replaced as necessary, to the satisfaction of the Manager of Development and Environmental Services, prior to the sealing of the final plan for the relevant stage.

Hall St Access Road

9. A gravel access road must be constructed from Hall St, through the ‘Campania Recreation Ground’ to the Public Open Space area between Lot 14 and Lot 17 (area adjoining the ‘Campania Recreation Ground’). The access is to provide for bicycle and pedestrian use as well as emergency vehicles. The access is to be designed and constructed in accordance with the requirements of Bushfire Planning Group (2005): *Guidelines for development in bushfire prone areas of Tasmania*, Tasmania Fire Service, Hobart (**attached**) and to the satisfaction of Council’s Municipal Engineer. The access road must be constructed at the stage that would require the establishment of the Public Open Space adjoining the ‘Campania Recreation Ground’.

Public open space

10. Public Open Space lots are to be shown as lots on the final plan of the relevant stage and endorsed as “Public Open Space”. Land shown as public open space on the final plan of survey must be transferred to the Southern Midlands Council by Memorandum of Transfer submitted with the final plan of survey.

Transfer of reserves

11. All roads or footways must be shown as “Road” or “Footway” on the final plan of survey and transferred to the Southern Midlands Council by Memorandum of Transfer submitted with the final plan.

Easements

12. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council’s Municipal Engineer and relevant authority. The cost of locating and creating the easements shall be at the subdivider’s full cost.

Property Services

13. Property services must be contained wholly within each lots served or an easement to the satisfaction of the Council’s Municipal Engineer or responsible authority.

Covenants

14. A covenant in gross (or restrictive covenant to which Council is to be made a party) must be created on lots 3 and 4, to the satisfaction of the Council’s Municipal Engineer to prohibit vehicular access to Reeve Street.

Agreements

15. An agreement pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* must be prepared by the subdivider on a blank instrument form preventing the further subdivision of Lot 82 without further approval from Council. The agreement must be prepared to the satisfaction of the Council and registered with the Recorder of Titles. The subdivider must meet all costs associated with the preparation and registration of the Part 5 Agreement.

Weed management

16. Prior to the carrying out of any works approved or required by this approval, the subdivider must provide a weed management plan detailing measures to be adopted to limit the spread of weeds listed in the *Weed Management Act 1999* through imported soil or land disturbance by appropriate water management and machinery and vehicular hygiene to the satisfaction of Council’s Municipal Engineer and of the Regional Weed Management Officer, Department of Primary Industries Water and Environment.

Water quality

17. Where a development exceeds a total of 250 square metres of ground disturbance 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 Municipal Engineer before development of the land commences.
18. Temporary run-off, erosion and sediment controls must be installed in accordance with the approved SWMP and must be maintained at full operational capacity to the satisfaction of Council’s Municipal Engineer until the land is effectively rehabilitated and stabilised after completion of the development.

19. The topsoil on any areas required to be disturbed must be stripped and stockpiled in an approved location shown on the detailed soil and water management plan for reuse in the rehabilitation of the site. Topsoil must not be removed from the site until the completion of all works unless approved otherwise by the Council's Municipal Engineer.
20. All disturbed surfaces on the land, except those set aside for roadways, footways and driveways, must be covered with top soil and, where appropriate, re-vegetated and stabilised to the satisfaction of the Council's Municipal Engineer.

Existing services

21. The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.

Sizing of services

22. All services must be sized and located to service the ultimate potential development of the site to the satisfaction of Council's Municipal Engineer or the responsible authority.

Telecommunications, electrical and gas reticulation

23. Electrical reticulation and street lighting, telecommunication reticulation and gas reticulation must be installed underground in accordance with the requirements of Aurora Energy Pty. Ltd., Telstra, National Broadband Network and the gas authority.
24. Electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority and the satisfaction of Council's Municipal Engineer.
25. Prior to the work being carried out a drawing of the electrical reticulation and street lighting, telecommunications reticulation and gas conduits in accordance with the appropriate authority's requirements and relevant Australian Standards must be submitted to and endorsed by the Council's Municipal Engineer.
26. A Letter of Release from each authority confirming that all conditions of the Agreement between the Owner and authority have been complied with and that future lot owners will not be liable for network extension or upgrade costs, other than individual property connections at the time each lot is further developed, must be submitted to Council prior to the sealing of the final plan of survey.

Drainage

27. The development shall be designed and constructed in accordance with *Water Sensitive Urban Design Engineering Procedures for Stormwater Management in Southern Tasmania* and best practice environmental management unless approved otherwise by Council's Municipal Engineer.

28. Stormwater from the development is to be connected to a legal point of discharge to the satisfaction of Council's Municipal Engineer.
29. The developer is to obtain ministerial approval for the design and construction of any stormwater discharge from the development into the Mud Walls Secondary Road (Reeve Street) reserve in accordance with provisions of the Roads and Jetties Act 1935 as required under Subsection 84 (1) (c) of the Local Government (Building and Miscellaneous Provisions) Act 1993 (LGBMPA) .

Southern Water

30. Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P (2)(b) Southern Water Imposes conditions on the permit as per Form PL05C (**attached**).

Roadworks

31. The Subdivider is to design and construct the junction of the proposed subdivision road with Mud Walls Secondary Road (Reeve Street) in accordance with the requirements of DIER. Detail design drawings for the intersection upgrade are to be approved by DIER prior to the Council issuing approval of engineering plans for the subdivision. No works are to be carried out within the Mud Walls Secondary Road (Reeve St) reserve until a permit has been issued by DIER.
32. No works on or affecting Mud Walls Secondary Road (Reeve Street) reservation are to be commenced until the Department of Infrastructure, Energy and Resources has issued a permit for same pursuant to Section 16 of the *Roads and Jetties Act 1935*. Application for the issue of the necessary works permit is to be made to the DIER's Permit Officer (Tel: 6233 7177) for the approval required under the provisions of the *Roads and Jetties Act 1935* (the Act) at least twenty-one (21) days prior to the proposed date of commencement of any works associated with the construction of the access and/or vegetation removal.
33. Proposed new services crossing Mud Walls Secondary Road (Reeve Street) are to be installed using trenchless technology, unless approved otherwise by DIER.
34. The lot layout is to be amended to provide a cul de sac head at lot 55. The road fronting lots 56 to 61, between the 2 cul de sacs, is to be designed as a minor link road.
35. The 4 way intersection at lot 44 is to be designed to accommodate a future roundabout which would need to be installed in conjunction with any future subdivision of lot 82.
36. The corners of each road intersection must be splayed or rounded by chords of a circle with a radius of not less than 6.00 metres in accordance with Sections 85(d)(viii) and 108 of the *Local Government (Building & Miscellaneous Provisions) Act 1993* and the requirements of the Council's Municipal Engineer.
37. Roadworks and drainage must be constructed in accordance with the standard drawings prepared by the IPWE Aust. (Tasmania Division) and 'Guidelines to Understanding and Reinforcing Village Character in the Southern Midlands'

(attached) and to the requirements of Council's Municipal Engineer. Unless otherwise approved by Council's Municipal Engineer Roadworks must include -

Mud Walls Secondary Road (Reeve Street)

- Fully paved, sealed and drained road widening to suit the new junction and concrete barrier kerb and channel.
- Provision for a future concrete footpath 1.50 metre wide located 0.10 metres from the property boundary.
- Underground drains.

Main Subdivision Road (from Reeve St to Lot 82)

- Minimum road reserve of 18.00 metres.
- Fully sealed paved and drained carriageway with a minimum seal width of 10.00m and concrete kerb both sides.
- Landscape tree plantings in the road reservation in accordance with an approved landscape plan.
- Concrete footpath 1.50 metres wide located 0.10 metres from the property boundary on both sides.
- Underground drains.

Subdivision Road (Lot 45 to Lot 71)

- Minimum road reserve of 18.00 metres.
- Fully sealed paved and drained carriageway with a minimum seal width of 8.00m and concrete kerb both sides.
- Landscape tree plantings in the road reservation in accordance with an approved landscape plan.
- Concrete footpath 1.50 metres wide located 0.10 metres from the property boundary on both sides.
- Underground drains.

Proposed Culs de sac and Link Road

- Minimum road reserve of 15.00 metres and 25 metres at the cul-de-sac.
- Landscape tree plantings in the road reservation in accordance with an approved landscape plan.
- Fully sealed paved and drained carriageway with a minimum seal width of 6.00m or 17 metres diameter at the cul-de-sac and concrete kerb both sides.
- Concrete footpaths 1.50 metres wide located 0.10 metres from the property boundary on one side.
- Underground drains.

Proposed Cul De Sacs and Link Road

- Minimum road reserve of 15.00 metres and 25 metres at the cul-de-sac.
 - Fully sealed paved and drained carriageway with a minimum seal width of 6.00m or 17 metres diameter at the cul-de-sac and concrete kerb both sides.
 - Concrete footpaths 1.50 metres wide located 0.10 metres from the property boundary on one side
 - Underground drains.
38. The carriageway surface course must be 10 mm nominal size hotmix asphalt with a minimum compacted depth of 50 mm in accordance with standard drawings and specifications prepared by the IPWE Aust. (Tasmania Division) and the requirements of Council's Municipal Engineer unless approved otherwise by the Council's Municipal Engineer.
39. Kerb ramps must be provided to accommodate the needs of people with disabilities in accordance with standard drawings prepared by the IPWE Aust. (Tasmania Division) and to the requirements of Council's Municipal Engineer.
40. A separate reinforced concrete vehicle access must be provided from the road carriageway to each lot. The access must have a minimum width of 3.6 metres at the property boundary and be located and constructed in accordance with the standards shown on standard drawings SD 1003 and SD 1012 prepared by the IPWE Aust. (Tasmania Division) (attached) and the satisfaction of Council's Municipal Engineer.
41. All driveway carriageways providing shared access to more than one lot must be constructed in accordance with Section 107 of the *Local Government (Buildings and Miscellaneous Provisions) Act 1993* and municipal standard drawings. Shared access must include a:
- maximum grade of 1 in 5 (20%) onto the lot;
 - minimum trafficable width of 3.00 metres for up to 50 metres length, or with minimum 5.5 metres wide by 7.5 metre long passing bays at the boundary and every 50 metres along the access otherwise;
 - reinforced concrete in accordance with the construction standards shown on standard drawings SD 1003 unless approved otherwise by Council's Municipal Engineer;
 - stormwater drainage as required.

Street signs

42. A street sign and standard must be provided and installed at the intersection of the proposed access street and Reeve St and each internal intersection at the subdivider's full cost in accordance with the Australian Standard and the requirements of the Council's Municipal Engineer.

Engineering drawings

43. Engineering design drawings to the satisfaction of the Council's Municipal Engineer must be submitted to and approved by the Southern Midlands Council before development of the land commences.
44. Engineering design drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by Council's Municipal Engineer, in accordance with Standards Australia (1992): *Australian Standard AS1100.101 Technical Drawing – General principles*, Homebush, and Standards Australia (1984): *Australian Standard AS1100.401 Technical Drawing – Engineering survey and engineering survey design drawing*, Homebush, and must show -
- (a) All existing and proposed services required by this permit;
 - (b) All existing and proposed roadwork required by this permit;
 - (c) Measures to be taken to provide sight distance in accordance with the relevant standards of the planning scheme;
 - (d) Measures to be taken to limit or control erosion and sedimentation;
 - (e) Any other work required by this permit.
45. Two sets of preliminary engineering design drawings are to be initially submitted to Council for inspection and comment. Following this, four (4) sets of final engineering plans are to be submitted for final approval by Council. The approved engineering design drawings shall form part of this permit when approved.
Council will keep two (2) sets of approved drawings and two (2) sets will be returned to the subdivider's engineer. One (1) set of the approved engineering design drawings must be kept on site at all times during construction.
46. Approved engineering design drawings will remain valid for a period of 2 years from the date of approval of the engineering drawings.
47. All new public infrastructure and subdivision work must be designed and constructed to the satisfaction of Council's Municipal Engineer and in accordance with the following -
- *Local Government (Building & Miscellaneous Provisions) Act 1993*;
 - *Local Government (Highways) Act*;
 - *Drains Act 1954*;
 - *Waterworks Clauses Act*;
 - Australian Standards;
 - Building and Plumbing Regulations;
 - Relevant By-laws and Council Policy;
 - Current IPWEA (Tasmanian Division) and Southern Midlands Council Municipal Standard Drawings;
 - Current IPWEA and Southern Midlands Council Municipal Standard Specification.

Construction amenity

48. The development must only be carried out between the following hours unless otherwise approved by the Council's Manager Environment and Development Services:
- Monday to Friday 7:00 AM to 6:00 PM
 - Saturday 8:00 AM to 6:00 PM
 - Sunday and State-wide public holidays 10:00 AM to 6:00 PM
49. All subdivision works associated with the development of the land must be carried out in such a manner so as not to unreasonably cause injury to, or unreasonably 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 from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property.
 - (b) Transport of materials, goods or commodities to or from the land.
 - (c) Appearance of any building, works or materials.
50. 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 Municipal Engineer.
51. Public roadways or footpaths 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.

Traffic management

52. A Traffic Management Plan prepared by a suitably qualified person in accordance with Section G2.6 of DIER (February 2005): *General Specifications*, Department of Infrastructure, Energy and Resources, Hobart and the referenced document DIER (June 2004): *Traffic Control at Work Sites Code of Practice*, Department of Infrastructure, Energy and Resources, Hobart or the current replacements must be submitted to the council's Municipal Engineer prior to the commencement of any work within a public road reserve. All traffic control is required to be performed and certified by accredited traffic control personnel and all works within the road reserve to comply with all relevant occupational health and safety regulations.

Construction

53. The subdivider must provide not less than 48 hours written notice to Council's Municipal Engineer before commencing construction works on site or within a council roadway. The written notice must be accompanied by evidence of

payment of the Building and Construction Industry Training Levy where the cost of the works exceeds \$12,000.

54. The subdivider must provide not less than 48 hours written notice to Council's Municipal Engineer before reaching any stage of works requiring inspection by Council unless otherwise agreed by the Council's Manager Engineering Services.
55. A fee for supervision of any works to which Section 10 of the *Local Government (Highways) Council 1982* applies must be paid to the Southern Midlands Council unless carried out under the direct supervision of an approved practising professional civil engineer engaged by the owner and approved by the Council's Municipal Engineer. The fee must equal not less than three percent (3%) of the cost of the works.

Survey pegs

56. Survey pegs to be stamped with lot numbers and marked for ease of identification.
57. Prior to the works being taken over by Council, evidence must be provided from a registered surveyor that the subdivision has been re-pegged following completion of substantial subdivision construction work. The cost of the re-peg survey must be included in the value of any security.

'As constructed' drawings

58. Prior to the works being placed on the maintenance period an "as constructed" drawing of all engineering works provided as part of this approval must be provided to Council to the satisfaction of the Council's Municipal Engineer. These drawings must be prepared by a qualified and experienced civil engineer or other person approved by the Municipal Engineer and provided in both digital and "hard copy" format.

Defects Liability Period

59. The subdivision must be placed onto a 6 month statutory defects liability period in accordance with section 86 of the *Local Government (Buildings and Miscellaneous Provisions) Act 1993*, Councils Specification and Policy following the completion of the works in accordance with the approved engineering plans and permit conditions.

Final plan

60. A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing for each stage. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
61. A fee of \$150.00, or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey for each stage.
62. Prior to Council sealing the final plan of survey for each stage, security for an amount clearly in excess of the value of all outstanding works and maintenance

- required by this permit must be lodged with the Southern Midlands Council. The security must be in accordance with section 86(3) of the *Local Government (Building & Miscellaneous Provisions) Council 1993*. The amount of the security shall be determined by the Council's Municipal Engineer in accordance with Council Policy following approval of any engineering design drawings and shall not to be less than \$5,000.
63. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
64. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -

- C. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- D. This permit does not take effect until all other approvals required for the use or development to which the permit relates have been granted.
- E. The issue of this permit does not ensure compliance with the provisions of the *Threatened Species Protection Act 1995* or the *Environmental Protection and Biodiversity Protection Act 1999* (Commonwealth). The applicant may be liable to complaints in relation to any non-compliance with these Acts and may be required to apply to the Threatened Species Unit of the Department of Tourism, Arts and the Environment or the Commonwealth Minister for a permit.
- F. The issue of this permit does not ensure compliance with the provisions of the *Aboriginal Relics Act 1975*. If any aboriginal sites or relics are discovered on the land, stop work and immediately contact the Tasmanian Aboriginal Land Council and Aboriginal Heritage Unit of the Department of Tourism, Arts and the Environment. Further work may not be permitted until a permit is issued in accordance with the *Aboriginal Relics Act 1975*.
- G. The SWMP must 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;

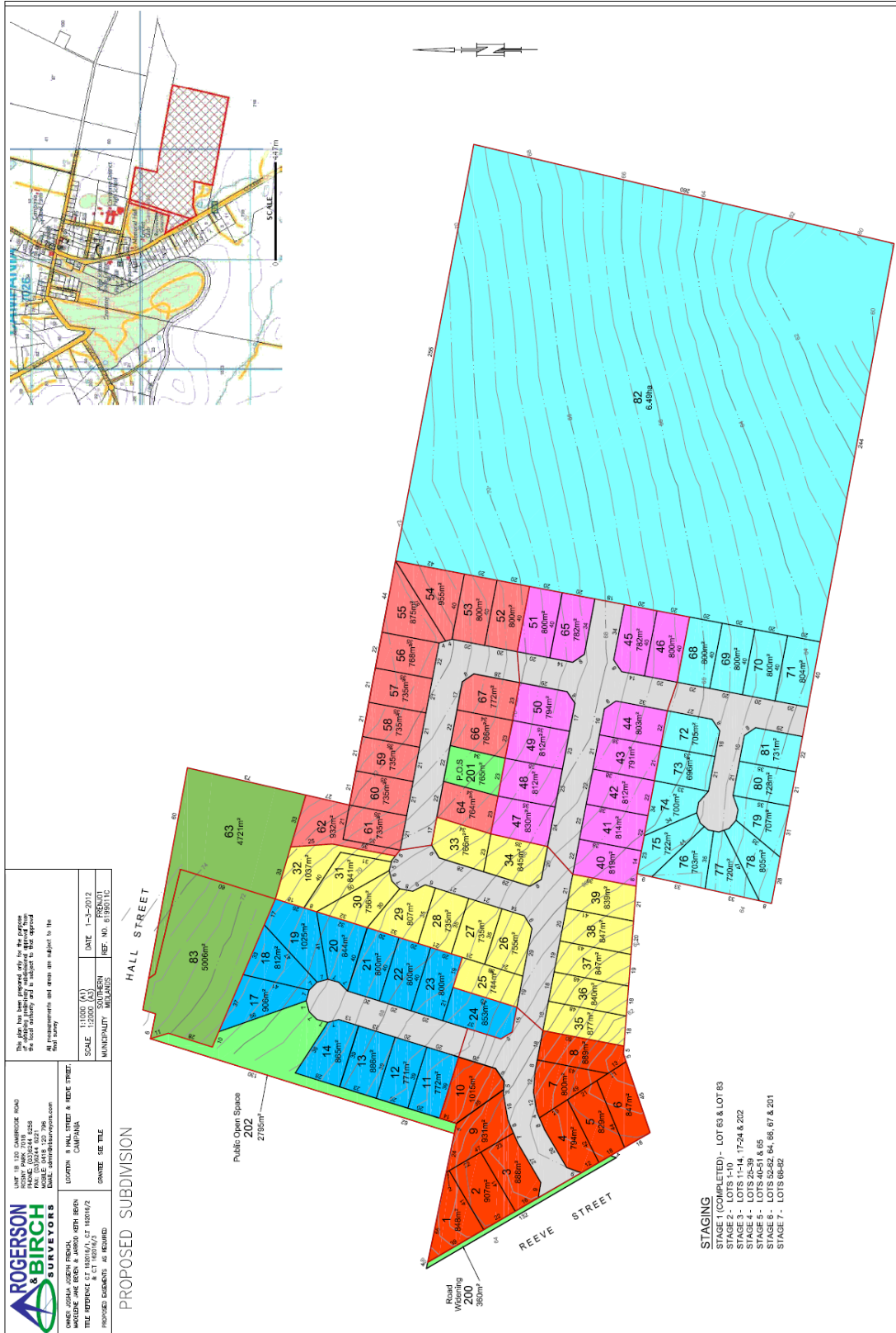
- (e) Details of land clearing and earthworks or trenching and location of soil stockpiles associated with roads, driveways, building sites, reticulated services and fire hazard protection.
- (f) Arrangements to be made for surface and subsurface drainage and vegetation management in order to prevent sheet and tunnel erosion.
- (g) Temporary erosion and sedimentation controls to be used on the site.
- (h) Recommendations for the treatment and disposal of wastewater in accordance with Standards Australia (2000), AS/NZS 1547: *On-site wastewater management*, Standards Australia, Sydney.

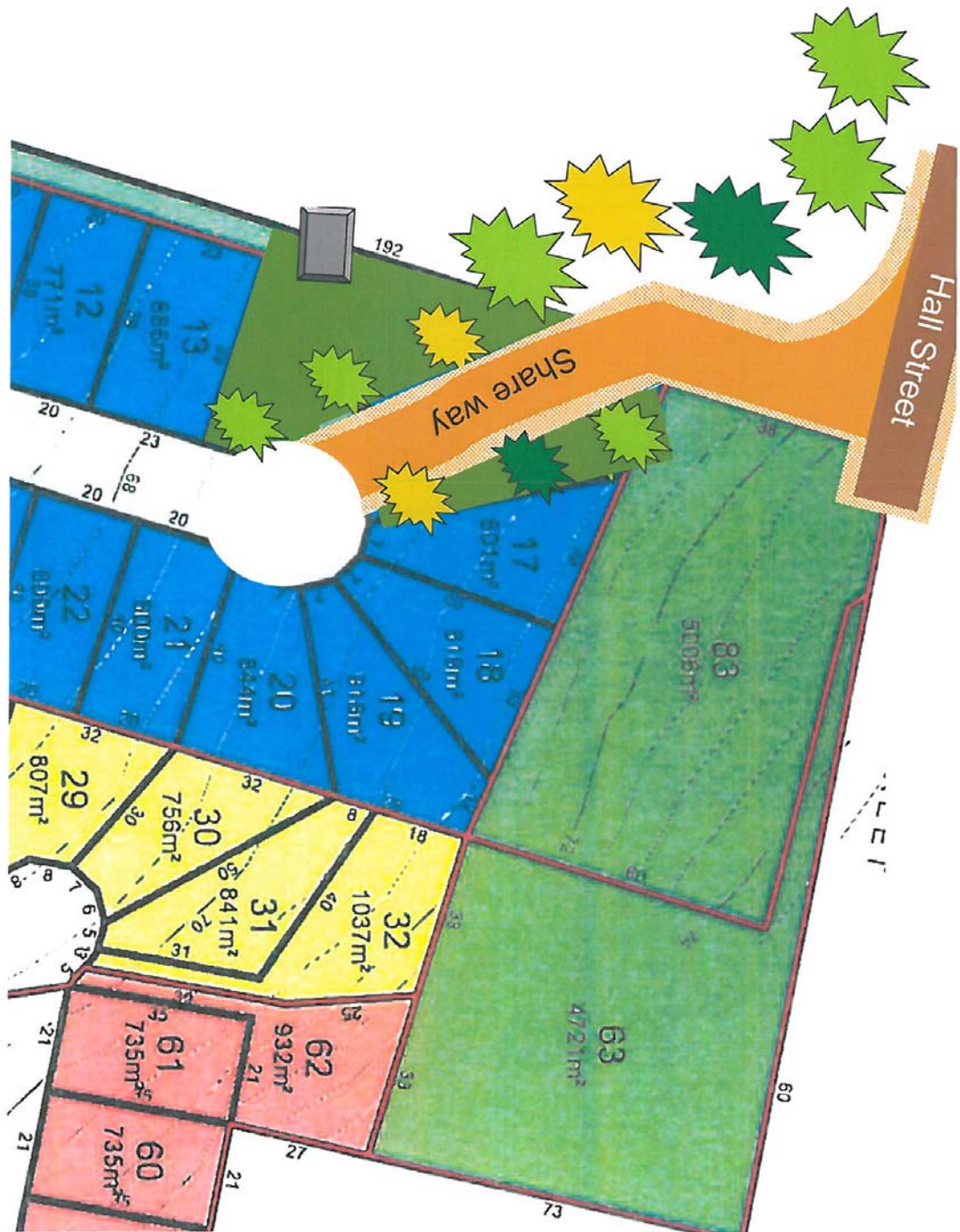
Appropriate temporary control measures include, but are not limited to, the following (refer to brochure **attached**):

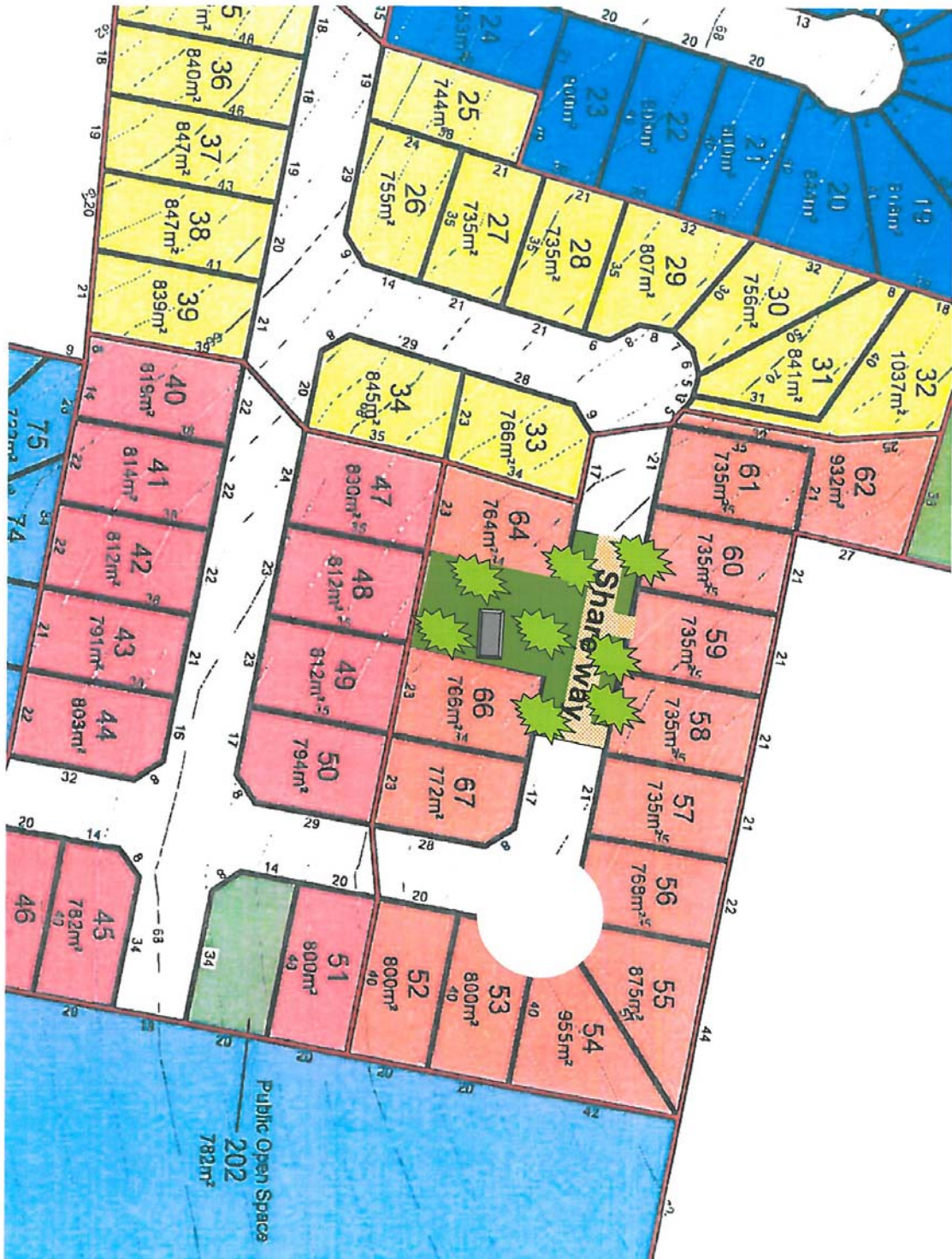
- Minimise site disturbance and vegetation removal;
 - Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (eg. temporarily connected to Council's storm water system, a watercourse or road drain);
 - Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
 - Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains;
 - Stormwater pits and inlets installed and connected to the approved stormwater system before the roadwork's are commenced; and
 - Rehabilitation of all disturbed areas as soon as possible.
- H. The owner is advised that an engineering plan assessment and inspection fee of 1% of the value of the approved engineering works, or a minimum of \$220.00, must be paid to Council in accordance with Council's fee schedule.
- I. The traffic management Code of Practice can be found at <http://www.transport.tas.gov.au/safety/>. Typical details are shown in the relevant Australian Standard field guide.
- J. **This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.**

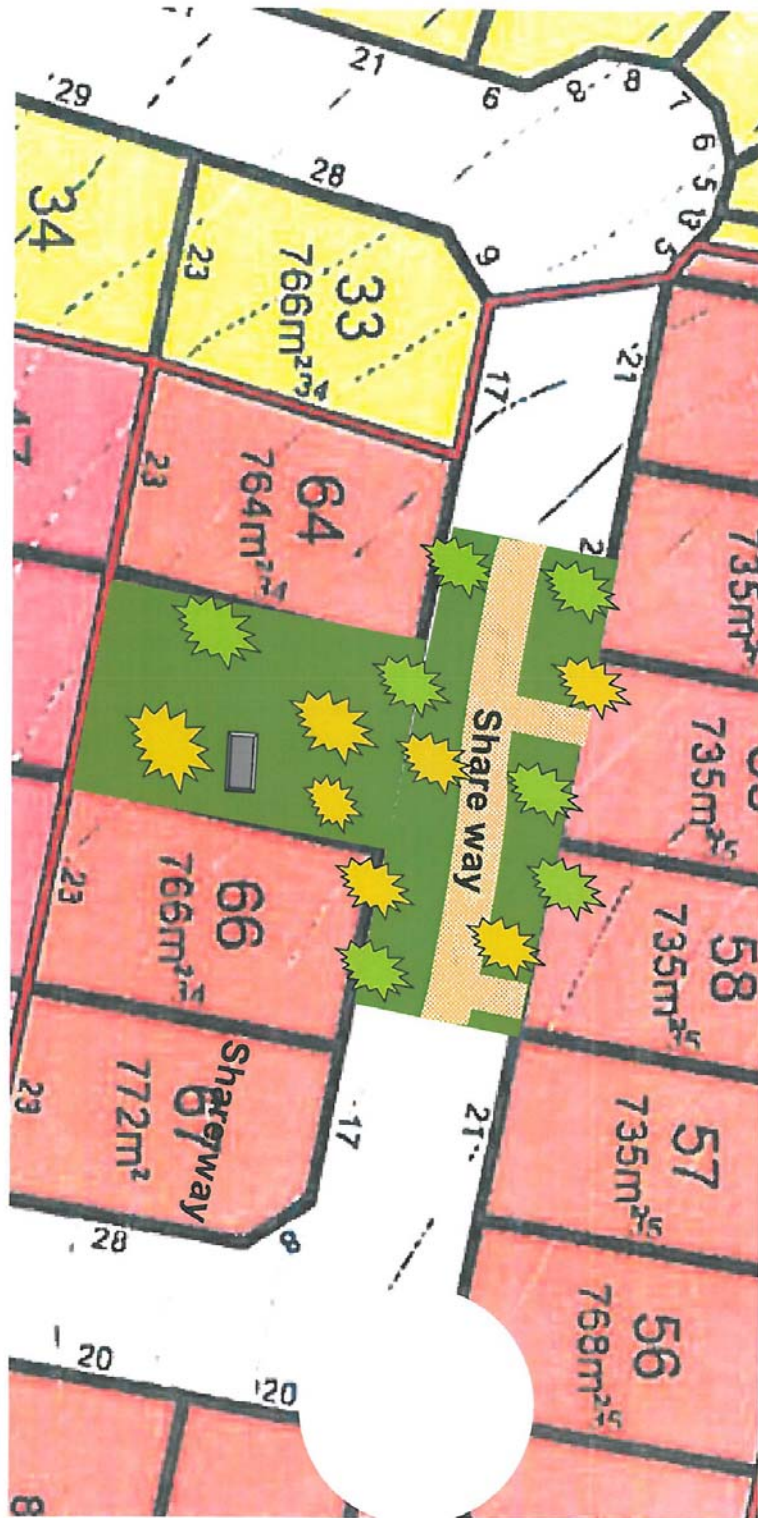
DECISION

Vote For	Councillor	Vote Against
	Mayor A E Bisdee OAM	
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	











<p>Engineering Consultants Civil & Environmental & Surveying Floor 1, 176 Macquarie St ROBERT TAYLOR P 03 8224 4889 F 03 8224 4907 E engineering@ec.com.au</p>	CLIENT	Mr J French	Scale	1:2000	Drawn	
	PROJECT	Hill & Reeve Sts CAMPANIA Preliminary Services Layout	Date	07/02/2012	QC	
	DRAWING	SITE PLAN Sewer & Water Reticulation	Job no:	2009-25 C1	Design	
					Checked	
					Rev	
					A3	





<p>Engineering Consultants Civil & Environmental & Surveying Floor 1, 175 Macquarie St HOBAKT TAS 7000 P 03 6224 4859 F 03 6224 4907 e gpa@pebc.com.au</p>	<p>CLIENT Mr J French</p>	<p>Scale 1:500</p>	<p>Drawn GC</p>
	<p>PROJECT Hdl & Reeve Sts CAMPANIA Preliminary Services Layout</p>	<p>Date 07/02/2012</p>	<p>Designed SW/gh</p>
<p>DRAWING SITE PLAN Stormwater Reticulation</p>	<p>Job no: 2009-25</p>	<p>Days no: 02</p>	<p>Checked</p>
<p>REV. AMENDMENTS</p>			<p>DATE</p>
<p>Engineering 2 Construction</p>			<p>A3</p>



Form	05C
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RESPONSE TO THE COUNCIL NOTICE OF PLANNING APPLICATION REFERRAL			
Southern Water Reference No.	SWSA 2010/00133-STM	Southern Water response date	14 March 2012
Southern Water Contact	Greg Clausen	Phone number	6237 8242
RESPONSE ISSUED TO			
Council name	SOUTHERN MIDLANDS		
Contact details	mail@southernmidlands.tas.gov.au		
DEVELOPMENT			
Address	8 HALL ST, CAMPANIA	Property ID (PID)	7472043
Nature of development	Subdivision		
Council Planning Permit No.	DA2010/37	Council Notice date	10/05/2010
SCHEDULE OF DRAWINGS / DOCUMENTS			
CONSULTANT/Author	DRAWING/DOCUMENT No.	REV No.	DATE OF ISSUE
Southern Water	Document D1 (derived from E2C Site Plan – Sewer and Water Reticulation (Job 2009-25, Drg C1 dated 7 Feb 2012)		6 March 2012
Rogerson & Birch	Proposed Subdivision (showing stage plan)		28 Nov 2011
CONDITIONS			
Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P(2)(b) Southern Water imposes the following conditions on the permit for this application:			
<ol style="list-style-type: none"> 1. Prior to Sealing of the Plan of Subdivision by council the developer must obtain from Southern Water a Certificate of Approval for the Plan of Subdivision. 2. Prior to commencement of construction of infrastructure to be transferred to Southern Water, the developer must apply to Southern Water for Engineering Design Approval and a Permit to construct new Southern Water infrastructure. 3. Prior to the issue of a Southern Water Certificate of Approval for the Plan of Subdivision, infrastructure to be transferred to Southern Water must be constructed by the developer in accordance with Engineering Design Approval issued by Southern Water with all work performed by a contractor approved by Southern Water at the developer's cost. 4. Upon completion of new infrastructure, the developer must apply to Southern Water for connection of new infrastructure to Southern Water's existing infrastructure. This work is to be undertaken by Southern Water at the developer's cost. 5. Sewerage and water supply reticulation must be constructed and connected to existing Southern Water infrastructure at the developer's cost. 6. Engineering designs must generally be in accordance with the drawings and documents listed in the Schedule of Drawings and any additional requirements included in these conditions. 7. Plans must be submitted which show all existing, redundant and/or proposed property services in accordance with the following requirements: <ol style="list-style-type: none"> a) One sewer and one water property service connection must be provided to each lot. b) The property water service for each vacant lot must be minimum 20mm nominal bore, terminating with a meter box, excluding water meter, just inside the property boundary at the road frontage. c) In the event that a lot has an existing building and water is being used and/or required, a water meter must be provided and installed in accordance with the standard property connection details contained in Southern Water's Water Metering Guidelines. 			



Form	05C
PL	

- d) The sewer property service connections for each lot must be minimum 100mm nominal bore and must be located at the low point of the lot just inside the property boundary;
 - e) The developer is responsible for locating the existing connection(s) and clearly showing details on the drawings. Any existing connection(s) that cannot be located may be located by Southern Water at the developer's cost;
 - f) Redundant connection(s) must be shown to be cut and sealed;
 - g) All private water and sewerage service pipes must be separated so that they are wholly contained within the lot they service; and
 - h) All modifications and additions to property services which connect directly onto Southern Water mains must be carried by Southern Water at the developer's cost.
8. Prior to applying for a Permit to Construct new Southern Water infrastructure, the developer must obtain Engineering Design Approval from Southern Water for new Southern Water infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a registered professional engineer - showing the hydraulic servicing requirements for new water and sewerage infrastructure. The engineering design plans must comply with the Sewerage Code of Australia and the Water Code of Australia - Melbourne Retail Water Agencies Integrated Code version(s) published by the Water Services Association of Australia, and as amended by Southern Water's Supplements, and must be to the approval of Southern Water. The engineering design plans must notate and describe all work that is to be performed by Southern Water.
 9. The Developer must engage a registered land surveyor to progressively collect As Constructed details of the infrastructure to be transferred to Southern Water to the requirements of Southern Water's data specification.
 10. At practical completion of the subdivisional works, the developer must apply to Southern Water for a Certificate of On-Maintenance for the newly constructed infrastructure that will be transferred to Southern Water. To obtain a Certificate of On-Maintenance the developer must:
 - a) Provide written confirmation that the works have been completed in accordance with the plans and specifications and that the appropriate level of workmanship have been achieved;
 - b) Provide As-Constructed details of the works certified by a registered land surveyor in Southern Water's data specification format for approval by Southern Water;
 - c) Request a joint on site inspection with Southern Water's authorised representative; and
 - d) Lodge security with Southern Water as required for a twelve (12) month maintenance period. The security is to be 10% of the value of the Southern Water infrastructure. Such security shall be in the form of a bank guarantee.
 11. A 12 month maintenance period shall apply to infrastructure covered by the Certificate of On-Maintenance from the date of issue of the Certificate. During this period all defects must be rectified at the developer's cost and to the satisfaction of Southern Water. A further 12 month maintenance period may be applied to defects after rectification. Southern Water may, at its own discretion, undertake rectification of any defects at the developer's cost. The maintenance period will be deemed to be complete on issue of a Final Certificate from Southern Water.
 12. Upon satisfactory completion of the maintenance period for the newly constructed infrastructure that will be transferred to Southern Water, the developer must request Southern Water to issue a Final Certificate. Upon receipt of this request Southern Water shall issue a Final Certificate and the new infrastructure shall be the transferred to Southern Water.
 13. Prior to Southern Water issuing a Certificate of Approval for the Plan of Subdivision a pipeline



Form	05C
PL	

- easement(s) must be created over existing/proposed sewerage pipeline(s) on Southern Water's standard pipeline easement conditions. The pipeline easement width(s) and location of the easement(s) relative to the pipe(s) must be in accordance with Southern Water's Supplements to the Sewerage Code of Australia and the Water Supply Code of Australia.
14. Prior to Southern Water issuing a Certificate of Approval for Stage 6 of the Plan of Subdivision pipeline easements for future Southern Water sewer mains must be extended to CT 143449/1, (property address 15 Tea Tree Rd, Campania) as indicated on Document D1 on Southern Water's standard pipeline easement conditions.
 15. Prior to Southern Water issuing a Certificate of Approval for Stage 7 of the Plan of Subdivision a pipeline easement(s) must have previously been created over the proposed sewerage pipeline over CT 143449/2, (property address 718 Colebrook Rd, Campania) as indicated on Document D1 on Southern Water's standard pipeline easement conditions.
 16. For the first 10 lots submitted for sealing and prior to Southern Water issuing a Certificate of Approval for the Plan of Subdivision, the applicant or landowner as the case may be, must pay a headworks charge totalling \$20,000.00 to Southern Water for water infrastructure for the first 10 additional Equivalent Tenements, indexed quarterly at the Consumer Price Index, All Groups Hobart rate from the date of this Response to Notice of Planning Application referral until the date it is paid to Southern Water.
 17. For all lots, excluding the first 10 lots, submitted for sealing and prior to Southern Water issuing a Certificate of Approval for the Plan of Subdivision, the applicant or landowner as the case may be, must pay a headworks charge totalling \$286,992.00 to Southern Water for water infrastructure for 72 additional Equivalent Tenements, indexed quarterly at the Consumer Price Index, All Groups Hobart rate from the date of this Response to Notice of Planning Application referral until the date it is paid to Southern Water.
 18. For the first 10 lots submitted for sealing and prior to Southern Water issuing a Certificate of Approval for the Plan of Subdivision, the applicant or landowner as the case may be, must pay a headworks charge totalling \$25,000.00 to Southern Water for sewerage infrastructure for the first 10 additional Equivalent Tenements, indexed quarterly at the Consumer Price Index, All Groups Hobart rate from the date of this Response to Notice of Planning Application referral until the date it is paid to Southern Water.
 19. For all lots, excluding the first 10 lots, submitted for sealing and prior to Southern Water issuing a Certificate of Approval for the Plan of Subdivision, the applicant or landowner as the case may be, must pay a headworks charge totalling \$203,743.00 to Southern Water for sewerage infrastructure for 73 additional Equivalent Tenements, indexed quarterly at the Consumer Price Index, All Groups Hobart rate from the date of this Response to Notice of Planning Application referral until the date it is paid to Southern Water.
 20. In the event that Public Open Space (POS) lot(s) are to be provided with a water and/or sewerage service connection, then prior to Southern Water issuing a Certificate of Approval for the Plan of Subdivision, the applicant or landowner as the case may be, must pay a headworks charge for each lot of \$3,986.00 for water and/or \$2,791.00 for sewer to Southern Water, indexed quarterly at the Consumer Price Index, All Groups Hobart rate from the date of this Response to Notice of Planning Application referral until the date it is paid to Southern Water.
 21. In the event Council approves a staging plan and prior to Southern Water issuing a Certificate of Approval for the Plan of Subdivision for each stage, the developer must pay the headworks charges for each stage commensurate with the number of lots in each stage that are approved in the staging plan approved by Council.
 22. The developer must protect Southern Water assets and any damage to Southern Water's assets must be promptly reported to Southern Water and shall be repaired by Southern Water at the developer's cost.


 Form
 PL 05C

23. Following issue of a certificate of On-Maintenance, ground levels over Southern Water infrastructure must not be altered without written approval of Southern Water.
24. The applicant or landowner as the case may be, must pay the following fee(s) to Southern Water for this proposal:
- All fees quoted in this permit shall be indexed quarterly at the Consumer Price Index, All Groups Hobart rate from the date of this document until invoiced by Southern Water.
 - In the event that development is to be undertaken in stages, the fees reflecting the relevant fee categories pertaining to each stage will be assessed at the time each Application for Certificate of Approval for Final Plan Sealing is made.
 - Payment terms are 30 days from the date of the invoice. Southern Water will not issue a Certificate of Approval for Final Plan Sealing until outstanding fees have been paid.

Description of Fee (GST Inclusive)	Fee	Date from which the Southern Water Invoice will be issued
Assessment for development (subdivision) application	\$2,648.80	The date of the Response to the Council Notice
Application for engineering design approval (EDA)	\$5,105.65	The date of Engineering Design Approval
Application for Permit to Construct (Asset Creation Insp/GIS Update (not including "As Constructed" details)	\$6,103.35	The date of the Permit to Construct
Final Plan Sealing	\$141.35	The date of the Southern Water Certificate of Approval of Plan of Subdivision

ADVICE

Locating Southern Water's Infrastructure

The developer is responsible for arranging to locate existing Southern Water infrastructure and clearly showing it on any drawings. Existing Southern Water infrastructure may be located by Southern Water (call 136 992) on site at the developer's cost, alternatively a surveyor and/or a private contractor may be engaged at the developers cost to locate the infrastructure.

Southern Water Forms

Application forms and information can be found under the 'Your Development' tab on the Southern Water internet page:- <http://www.southernwatertas.com.au>

Explanation of Fees

This proposed development has been assessed as significant in accordance with the Southern Water Development Assessment Services – Fee Schedule as posted on the Southern Water Web site for the whole development.

The fee for the Application for the Permit to Construct does not apply if the developer engages Southern Water to carry out the whole of the work covered by Engineering Design Approval.

Explanation of Headworks Charges

- Southern Water's Developer Charges Policy provides for infrastructure contribution (Headworks charge) based on the burden expressed as Equivalent Tenements (ETs) the proposed development will place on Southern Water's infrastructure. A copy of the policy can be found on Southern Water's website at: <http://www.southernwatertas.com.au>
- The calculation of Headworks charges is based on the following criteria:



Form	05C
PL	

Water headwork charge/Equivalent Tenements (ETs)	\$2,000.00 (Campania) for 10 lots [†]
Water headwork charge/Equivalent Tenements (ETs)	\$3,986.00 (Campania)
Sewer headwork charge/ Equivalent Tenements (ETs)	\$2,500.00 (Campania) for 10 lots [†]
Sewer headwork charge/ Equivalent Tenements (ETs)	\$2,791.00 (Campania)
Total number of lots (ETs) created	83 water 83 sewer
Total number of Equivalent Tenements (ETs) credited	1 x water: Existing service to lot 63 (28 Hall St, CT 162016/3)
Net number of Equivalent Tenements (ETs) created	82 83
Water headworks charge	\$306,992.00
Sewer headworks charge	\$228,743.00
Total headworks charge	\$535,735.00

[†] Lot 63 forms part of Stage 1 of the subdivision and has now been created as 28 Hall St, CT162016/3 and has a water service. Lot 83 is not a billed customer and does not have a water service

⁺ Headworks charges in respect of the first 10 lots submitting for sealing have been levied at \$2,000.00 per ET (water) and \$2,500.00 per ET (sewer) in accordance with Southern Water’s letter dated 11th April 2011.

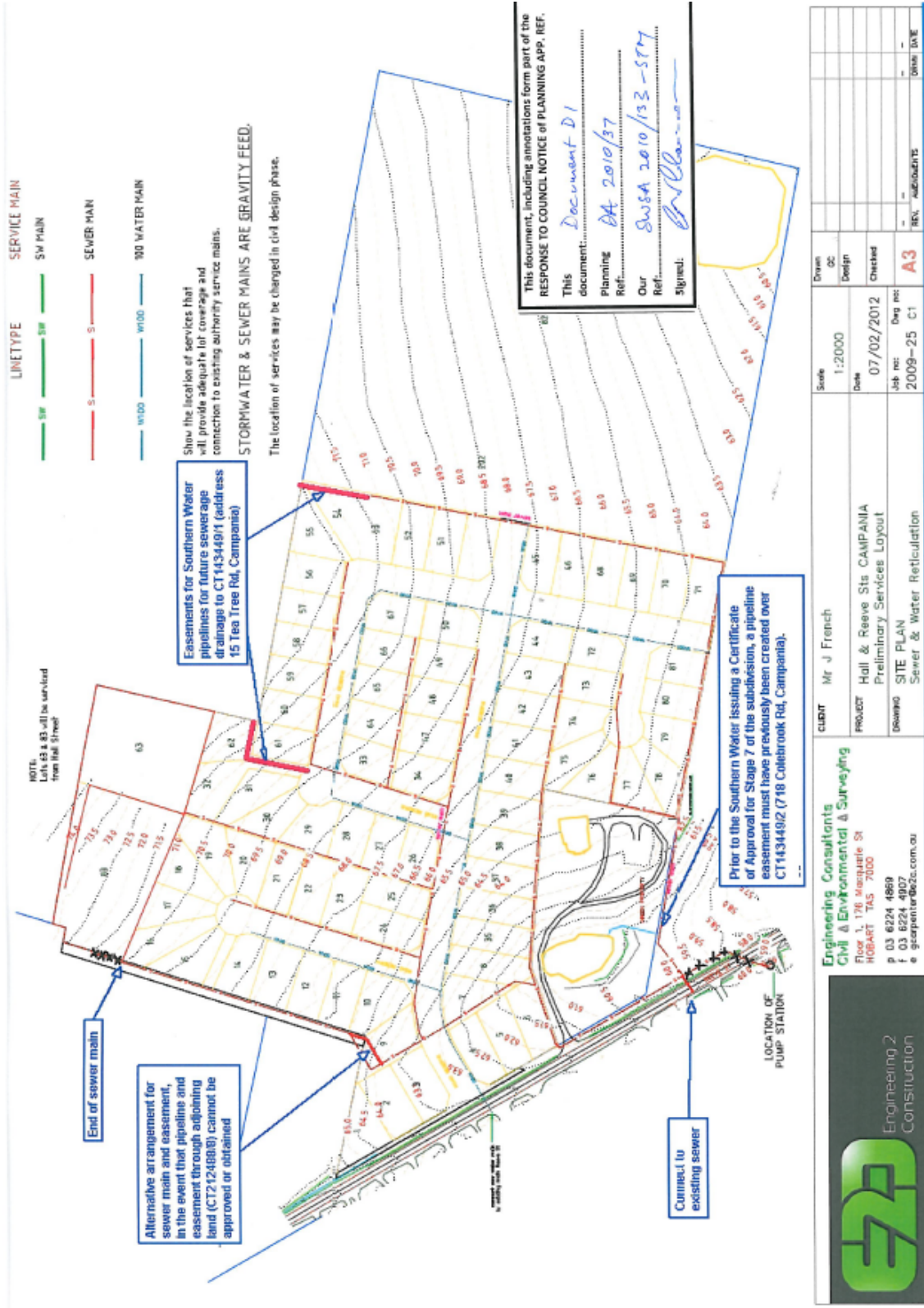
DECLARATION

The drawings / documents and conditions stated above constitute Southern Water’s response to the council notice.

If you need clarification in relation to this request, please contact Southern Water. Please quote the Southern Water Reference Number. Phone: 13 MYWATER (13 6992), Email: development@southernwatertas.com.au

Authorised by

Angela Wright
Executive Manager, Customer Services



Engineering Consultants & Surveying Civil & Environmental Floor 1, 178 Macquarie St HOBBART TAS 7000 p 03 6224 4869 f 03 6224 4907 e gscarpenter@ec2.com.au	CLIENT: Mr J French PROJECT: Hall & Reeve Sts CAMPANIA Preliminary Services Layout DRAWING: SITE PLAN Sewer & Water Retiulation	Scale: 1:2000 Date: 07/02/2012 Job no: 2009-25 C1 Des no: C1	Drawn: GC Design: Design Checked: Checked REV: A3 DATE:
	Engineering 2 Construction		

PHOTOS of SUBDIVISION LOCALITY:



Figure 1: Existing Gap in Pine Trees on Hall - Suitable Secondary Pedestrian Access



Figure 2: Hall St looking toward Reeve St



Figure 3: Looking Toward Hall St from the Rec Ground. New House in photo. The proposed Public Open Space area is in front of this dwelling

Work in Progress

Understanding and Reinforcing Village Character

Discussion Paper

Civil Engineering Standards

For

Subdivision Development in the Southern Midlands

by

Andrew Benson
Manager
Development & Environmental Services

June 2010

The charm and character of the town of Oatlands and the village of Kempton have been espoused by international, interstate and intrastate visitors during the time I have been working for the Southern Midlands Council. People talk in terms of, a gem, a unique place, quaint village, and such terms. How do we, Southern Midlands Council, as a custodian and controlling authority ensure that these qualities are not eroded or lost?

Southern Midlands has embarked on a number of projects that have in many ways sought to reinforce the aforementioned characteristics, eg undergrounding of the power in the High Street of Oatlands, the Oatlands High Street Tree Project, the Kempton Main Street Tree Project, the gentrification of the Kempton Main Street, the Guidelines produced by Robert Vincent for Georgian buildings in the main streets of Oatlands & Kempton, the heritage precinct special areas under the Southern Midlands Planning Scheme 1998, and more.

Whilst all of these initiatives are great in themselves, they predominantly concentrate around the principal streets in Oatlands and Kempton.

The aim of this discussion paper is to:

- Understand current civil engineering development standards in respect to subdivisions in the villages and towns of the Southern Midlands
- Understand the context of the historical village settings of the Southern Midlands;
- Explore a framework within which new subdivisions can be designed to achieve a harmonious streetscape within villages/towns; and
- Enable any new development to be a sensitive addition to the towns/villages without compromising the established character of the Southern Midlands.



1. UNDERSTAND CURRENT CIVIL ENGINEERING DEVELOPMENT STANDARDS IN RESPECT TO SUBDIVISIONS IN THE VILLAGES AND TOWNS OF THE SOUTHERN MIDLANDS

In recent times there have been a number of subdivision applications that have been processed and approved in the villages and towns of the Southern Midlands. These have been a mixture of a small number (3 – 5 lots) that front an existing street and require full servicing (eg reticulated water, sewer, and stormwater), to more recent time, where there have been larger developments in a somewhat 'green fields site'.

Developer	Location	Number of Lots
W Smith's	Main Street Kempton	2 lots plus balance
S Campbell	Main Street Kempton	2 lots
S & J Hay	Louisa Street & Elizabeth Street, Kempton	2 lots plus balance
Oakmore Pty Ltd	Burnett Street & Main Street Kempton	12 lots
Murray Jones & Son	Main Street Kempton	48 lots
C McElwee	Louisa Street Kempton	4 lots plus balance
M Jones	Off Reeve Street Campania	53 lots
M Jones	Reeve Street Campania	3 lots
Rosser	Off the Esplanade, Oatlands	11 lots

Council officers are now processing an 88 lot development application at Campania for J French.

The normal engineering standards have varied in relation to these projects. If the development is along the Main Street in Kempton the requirement is for kerb and channel, whereas if the development is in a 'lesser' or back street there is no requirement to provide kerb and channel, rather for the storm water to be captured and carried away via a swale. In some cases there is a requirement for a footpath and in some cases not. In making these determinations at the approval/conditioning stage Council officers are mindful not to raise unrealistic public expectations that if a small development is required to provide a footpath, then it is not unrealistic to expect that Council has as part of its works program to at some stage in the near future construct out of its own capital works funds the extension to the footpath put in by the developer.

Up until approximately three years ago, Council employed its own Engineer (part time), Nick Marstrand and these matters were his domain. Following Nick's retirement Council contracted the services of Brighton Council to provide engineering assessment and support services in relation to these types of engineering matters. For a time those services were unavailable from Brighton and Council contracted Pitt & Sherry in the interim period.

I believe that the time has come for Council to determine its engineering standards in a policy sense after working through what it believes is appropriate for a development stand for our towns and villages in the Southern Midlands.



Louisa Street Kempton



Burnett Street Kempton



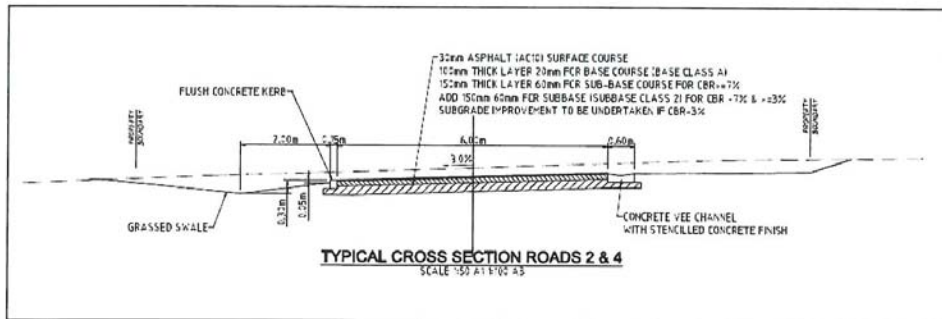
Off Jamison Street Glenorchy

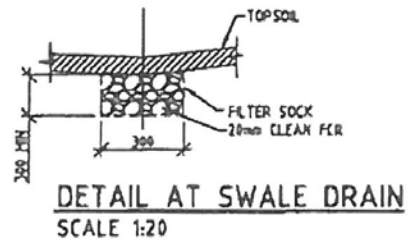
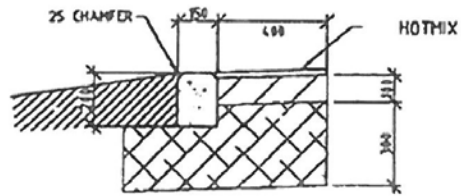
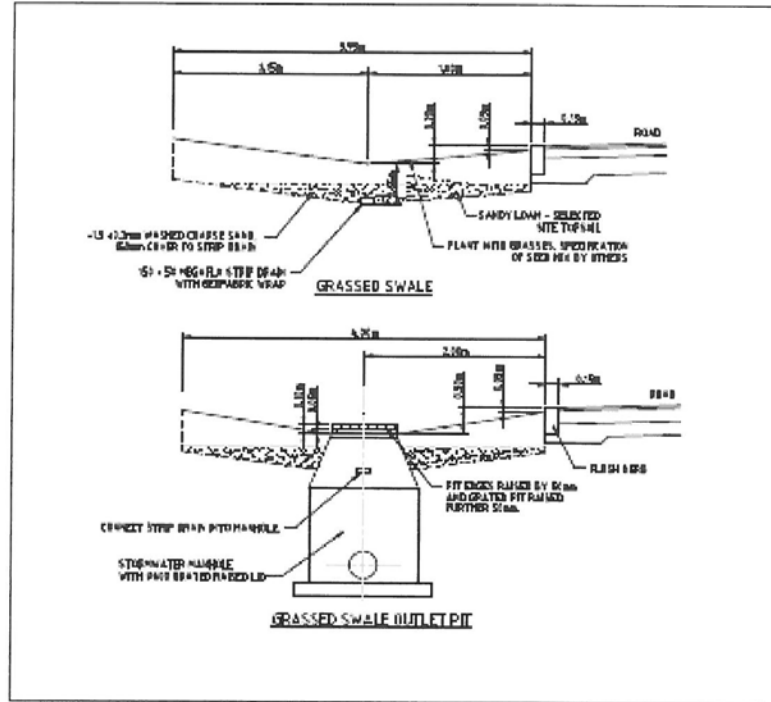


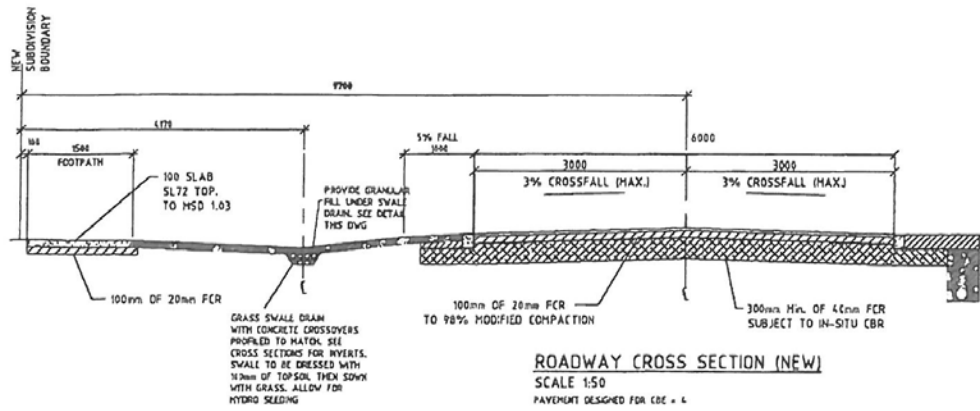
Turriff Lodge New Norfolk



Turriff Lodge New Norfolk







11.3 MUNICIPAL SEAL (PLANNING AUTHORITY)

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

File Ref: (Refer PID numbers in table below)

Nil Report.

11.4 PLANNING (OTHER)

Nil.

12. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)

12.1 ROADS

Strategic Plan Reference – Page 13

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

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

Strategic Plan Reference – Page 14

1.3.1 Maintenance and improvement of the standard and safety of walkways and pedestrian areas.

Nil.

12.4 LIGHTING

Strategic Plan Reference – Page 14

- 1.4.1 Improve lighting for pedestrians.

Nil.

12.5 SEWERS

Strategic Plan Reference – Page 14

- 1.5.1 Increase the number of properties that have access to reticulated sewerage services.
1.5.2 Ensure that sewerage treatment that meets the required environmental performance standards.

Nil.

12.6 WATER

Strategic Plan Reference – Page 15

- 1.6.1 Increase the number of properties that have access to reticulated water.
1.6.2 Continue to provide domestic drinking water that meets the Australian Drinking Water Guidelines.

Nil.

12.7 IRRIGATION

Strategic Plan Reference – Page 15

- 1.7.1 Increase access to irrigation water within the municipality.

Nil.

12.8 DRAINAGE

Strategic Plan Reference – Page 15

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

Nil.

12.9 WASTE

Strategic Plan Reference – Page 16

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

12.10 INFORMATION, COMMUNICATION TECHNOLOGY

Strategic Plan Reference – Page 16	
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1.10.1	Improve access to modern communications infrastructure.
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Nil.

12.11 SIGNAGE

Strategic Plan Reference – Page 16	
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1.11.1	Signage that is distinctive, informative, easy to see and easy to understand.
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Nil.

12.12 PUBLIC AMENITIES

Strategic Plan Reference – Page	
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1.12.1	Develop a policy framework along with design guidelines for public amenities
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Nil.

12.13 OFFICER REPORTS – WORKS & TECHNICAL SERVICES (ENGINEERING)

12.13.1 Manager - Works & Technical Services Report

File Ref: 3/075

AUTHOR MANAGER – WORKS & SERVICES (J LYALL)

DATE 22ND MARCH 2012

ROADS PROGRAM

Huntington Tier Road, Bagdad – reconstruction and seal works completed by Andrew Walters and Roadways. The next road scheduled for re-stabilisation and seal is Brown Mountain Road, Campania.

Preliminary works are planned to start on 26th March 2012 at Stonor Road, Stonor in preparation for the re-stabilisation. Works will then progress to Inglewood Road, Andover.

Maintenance Grading - continuing in the Woodsdale / Inglewood / York Plains areas. Rhyndaston / Eldon / Stonor and Yarlinton areas just completed.

Table drain clearing is being undertaken at Rhyndaston Road at present.

BRIDGE PROGRAM

Eddington Road, Bagdad - Bridge has been installed with minor finishing works required e.g. fence.

White Kangaroo Road, Campania - Bridge will be installed on Tuesday 27th March, some preparatory works have been undertaken. Signage installed, advising of upcoming road closure for effected properties (three).

Elderslie Road Bridge - Works are progressing. Centre pier now in position and northern abutment installed. The southern abutment being poured 22nd March 2012.

Other bridge works – Inglewood road and Eldon Road are being programmed at present.

WASTE MANAGEMENT PROGRAM

No operational issues.

TOWN FACILITIES PROGRAM

Nil.

RECOMMENDATION

THAT the information be received.

DECISION

Vote For	Councillor	Vote Against
	Mayor A E Bisdee OAM	
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

13.1 RESIDENTIAL

Strategic Plan Reference – Page 17

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

Nil.

13.2 TOURISM

Strategic Plan Reference – Page 17

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

13.2.1 PROPOSED TARGA TASMANIA ROAD CLOSURE SUNDAY 22ND APRIL 2012 - WOODSDALE ROAD BETWEEN TUNNACK ROAD AND CUTTING GRASS ROAD FROM 12.26 TO 16.56

File Ref:

AUTHOR GENERAL MANAGER (T KIRKWOOD)

DATE 22ND MARCH 2012

ATTACHMENTS: Letter from Octagon
Proposed Route
Certificate of Insurance Currency

BACKGROUND

[Extract – Targa Tasmania Web Site]

The History

Targa Tasmania had its beginnings in the mid-eighties when Tasmania was potentially seen as a perfect location to re-invent the great rallies of Europe which had run for the last time long ago.

The opportunity for such an event was expanded on and its competition parameters were defined in a plan. The primary objective was to create a brand new and unique event to utilise and promote the special features of Tasmania, then to develop that event into a high-prestige occasion

recognised throughout the world of automobile competition as an essential activity for owners and collectors of sporting automobiles.

A three-day event was designed, using the three major centres - Launceston, Hobart and Burnie. This was then expanded into a five-day format by adding two loops based on Launceston and Hobart. The addition of the Prologue in 1994 has resulted in the six day event that now exists.

Targa Tasmania is held at a similar time each year, in order to support the tourism industry during what is known as the "shoulder period" - that is, when the summer season starts to dip towards the winter nadir.

It is important to recognise that Targa Tasmania is more than a motorsport competition. It is a total event. A competition run in the context of a public festival environment.

Unlike most rallies, it runs directly in front of the public - in the public eye and under public scrutiny. Also unlike most rallies, it involves up to 300 vehicles which must run at 30-second intervals in order to make the road-closing schedule achievable. The resulting pressure at control points is compounded by the fact that some of the navigators are relatively inexperienced and are not familiar with control procedures.

Targa Tasmania is surrounded by a great deal of hype and adrenalin, powered by a high level of media involvement - not to mention the exuberance of some of the competitors. All this makes Targa Tasmania the Ultimate Tramac Rally.

Now in its 19th year, Targa Tasmania has grown to become one of the world's true classic motor sport events, and a name that is known around the world.

Targa Tasmania aims to be bigger and better 2012

The Targa Tasmania course has been reshaped for the first time in five years, delivering an extra 70 competitive kilometres to entrants and an additional night to the state's west coast.

The new 2012 course will see Launceston maintain its status as the event's base for the first five nights – from Sunday to Thursday - but rally headquarters will then move to Strahan for Friday and Saturday nights, with the traditional finish in Hobart on Sunday afternoon.

George Town will still host the Prologue on Tuesday April 17, with the competitors tackling stages to the north of Launceston on the Wednesday with the traditional run to the East Coast maintained on the Thursday.

After a street festival in Launceston city on Thursday night, competitors will head towards Strahan where they will now spend two nights, taking advantage of the brilliant, but historically under utilised, roads of the west. Cars will still return to Ulverstone on Saturday, April 21 for the lunch break before returning to Strahan for a second night.

Event Director, Mark Perry, believes the changes will boost the appeal of the event for competitors and provide a stimulus to the towns on the west coast. "Five years ago we totally revamped the event and we said then we'd do it again after the 20th anniversary event in 2011. "We need to keep the event fresh to maintain its appeal to competitors."

"We also like to spread the economic benefits that flow from hosting this major event around the state. Competitors like being based out of Strahan, and the surrounding towns like Queenstown and Zeehan will all benefit by drivers and crew spending an extra night there.

"It allows us to build the competitive kilometres up to 570, that's 70 more than last year and 120 more than in 2010, and nearly 200 kilometres more than it was before the 2006 revamp.

"The feedback we are getting is that the competitors want more bang for their buck, and that means extra competitive kilometres.

CURRENT

The letter from Octagon requests Council's consideration of a road closure for one event in the Southern Midlands, i.e. Woodsdale Road between Tunnack Road and Cutting Grass Road on the 22nd April 2012 from 12.26 to 16.26 (refer to the attached map).

Given Targa has not operated in Southern Midlands for some years, Council officers contacted Northern Midlands Council to seek their advice on what is required of Council. Deputy General Manager, Lindsay Harwood advised that Northern Midlands have a

significant number of stages of the Targa Tasmania event in their local government area and the following is his experience.

1. The road closures are undertaken by Targa under S56A of the Vehicle and Traffic Act 1999;
2. Targa's insurance cover is adequate;
3. No Council insurance is impacted upon – (Council Officers are seeking verification from MAV Insurance in respect of this point);
4. Council would sweep the road prior to the event;
5. Council may be asked to provide Road Closure signs;
6. Council ensures that there is no roadworks in the area before the event, leaving an unsafe surface to be negotiated during the event;
7. Targa undertake their own risk management assessment; and
8. Some fences have been “lost” in the past and Targa have arranged for a speedy rectification of damages.

In conclusion Lindsay stated that it is a well managed event

TARGA SAFETY MEASURES

[Extract – Targa Tasmania Web Site]

Spectator Safety

GUIDE TO SAFE SPECTATING

WARNING! MOTOR SPORT CAN BE DANGEROUS - PLEASE OBSERVE THE FOLLOWING GUIDE

The road will be officially closed with the passage of a police car with red flashing lights and a siren approximately one hour before the first car is due. After closure, do not move onto or cross the road, as cars will pass at approximately 30 second intervals. The road will be closed up to 4 1/2 hours. Exact road closure times will be published in the local press, one week before the event. The road will be officially opened with the passage of a marked police car with flashing bar lights and a siren soon after the last car has passed. Do not move onto the road until after the police car has passed.

ALWAYS

STAY ALERT! The unexpected may happen.

Wait until the police car with the flashing lights and siren passes your location before moving onto or across the road as there ...may have been a delay in the passage of the competing cars.

Stand where you can see the competing cars coming and going.

Leave yourself room to move away quickly.

Spectate from behind the GREEN and WHITE or ORANGE (town stages) tapes

Keep children under constant and close supervision.

Keep animals on a lead.

Do as the spectator marshals and senior officials direct - they have been trained in safe spectating procedures. If necessary the Targa Stage will not start, or continue, until the Official's instructions are obeyed!

NEVER

Stand in prohibited areas or sit close to the edge of the road (study the spectator viewing diagrams)

Stand below the level of the road in gutters, culverts or in run-off (escape) routes for the competing cars

Sit down at a location on the same level as the cars - you need to be standing so that you are able to move away quickly if ...necessary

Stand behind the red and white striped tape, in front of arrows or signs relevant to the running of the event

Be distracted - always face the competing cars

Stand on or cross the road while it is officially closed

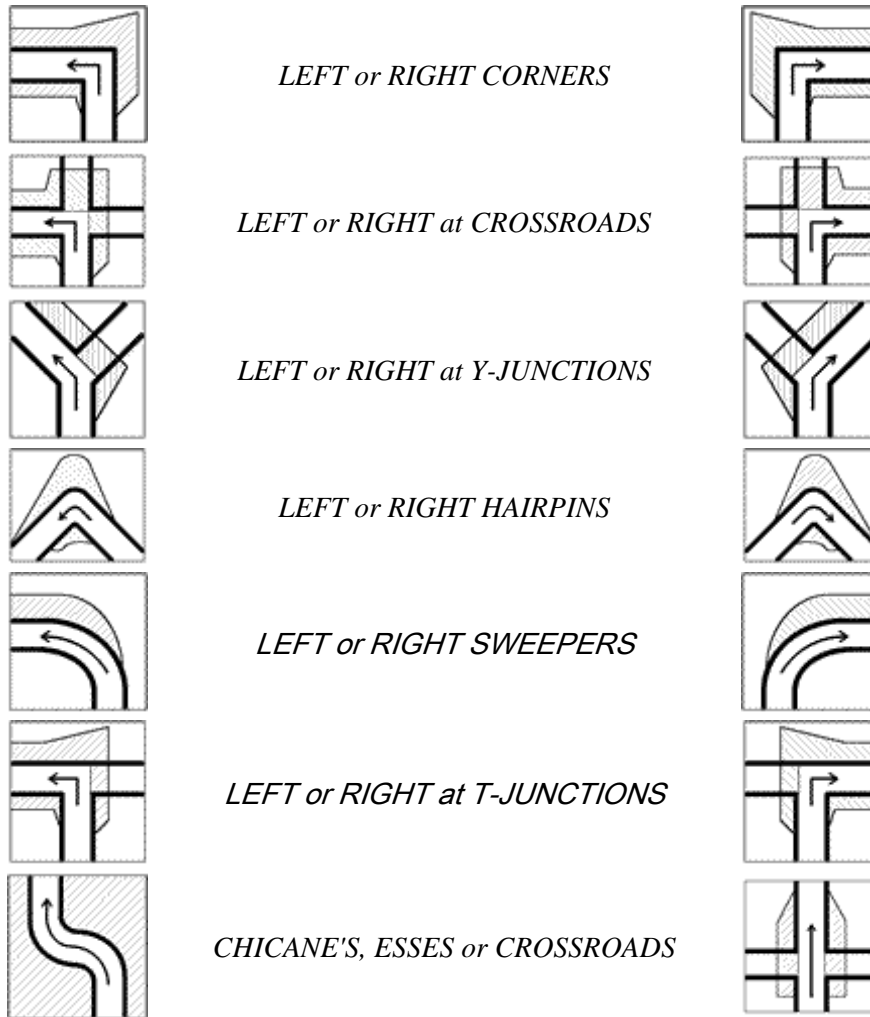
Play games with your safety, or with that of the competitors

SPECTATOR EXCLUSION AREAS

*Use the diagrams below to ensure safe viewing in areas outside designated spectator points. No standing areas are shown with stripes.
For your safety be aware and always follow any Officials' directives.*

SPECTATOR ACCESS

(Exclusion zones are shown with the shaded areas)



RECOMMENDATION

THAT Council:

- 1. Support the Targa Tasmania event (noting that any road sweeping requirement will be the responsibility of Targa);**
- 2. Approve the proposed closure of Woodsdale Road between Tunnack Road and Cutting Grass Road on the 22nd April 2012 from 12.26 to 16.26 p.m.**

DECISION

Vote For	Councillor	Vote Against
	Mayor A E Bisdee OAM	
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	



23 January 2012

Mr Tim Kirwood
General Manager
Southern Midlands Council
PO Box 21
OATLANDS TAS 7120

Dear Tim

Targa Tasmania 2012 – Road Closure Application

I wish to make application seeking in principal support of proposed road closures in connection with the international tarmac rally Targa Tasmania.

The event is scheduled to cover a statewide route from Tuesday 17 April to Sunday 22 April 2012, with all activities relating to the Southern Midlands municipality concentrated on Sunday 22 April.

In accordance with the conditions of the Tasmania Police motor sport permits policy; I request approval in principal for the use and closure of the following roads for a maximum period of four and a half hours:

LEG FIVE - SUNDAY 22 APRIL

MUNICIPALITY OF SOUTHERN MIDLANDS

'WOODSDALE'

Road Closure: 12:26 – 16:56

ROAD CLOSED:
Woodsdale Road

BETWEEN FOLLOWING ROADS:
Tunnack Road and Cutting Grass Road

I confirm that as has been past practice on targa stages within Southern Midlands, all residents affected by road closures will be contacted twice prior to the event, advising full details of the road closure and of the safety and emergency response plans. This information will be distributed under contract by Australia Post to ensure the greatest level of coverage. Additionally Octagon will also contact a wide variety of organisations and individuals including schools, harvesting contractors, transport companies, milk companies, tourism authorities and tourism operators advising details of the route and road closures as well as place advertisements in the three major newspapers and provide information to localised newspapers.

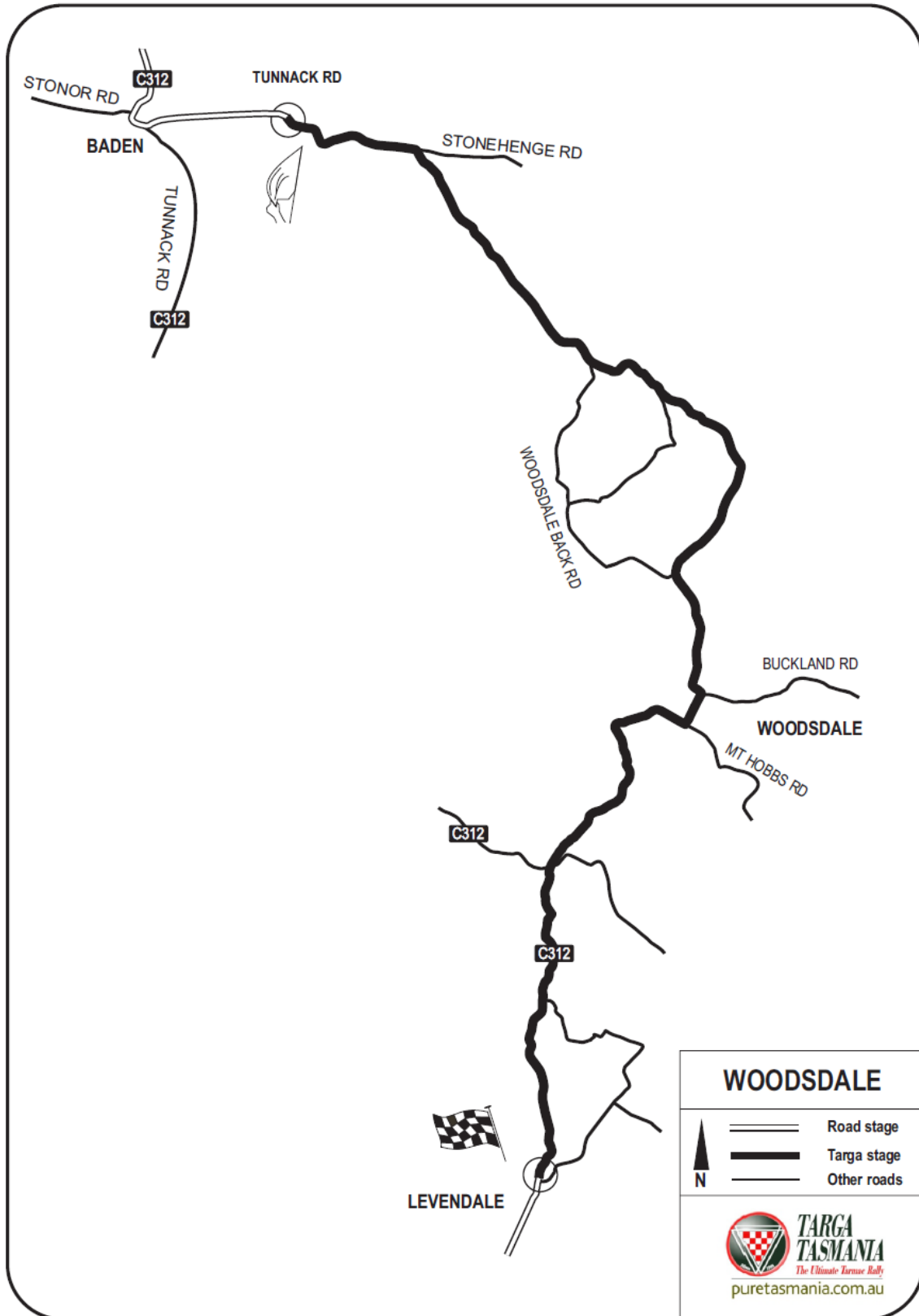
Targa Tasmania will remain in contact with council to ensure minimum disruption to community and council plans further to confirming specific road closure times closer to the event.

Thank you in anticipation, should you require further information please do not hesitate to contact me.

Yours sincerely



Stuart Benson
Sporting Director





30 September, 2011

OAMPS Insurance Brokers Limited
 PO Box 852, East Melbourne Vic 8002
 Phone: 1800 776 785
 (1800 SPORT 5)
 Fax: 03 9412 2426
 Direct phone: 03 9412 1142
 Email: sport.melbourne@oamps.com.au

CERTIFICATE OF INSURANCE 2011-2012

Combined Public and Products Liability including Professional Indemnity Insurance

In our capacity as Insurance brokers to **Confederation of Australian Motor Sport Ltd**, we hereby certify that the insurance referred herein is current as at the above date.

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy detailed below.

INSURED

CAMS Property Holdings Pty Ltd
 Confederation of Australian Motor Sport Ltd
 Australian Motor Sport Foundation Limited
 Australian Motor Sport Commission Limited
 Australian Institute for Motor Sport Safety Limited
 Rally Australia Pty Ltd

Together with and including:

The President, Board Members, Commissioners, Commercial Board, FIA Delegate and Deputy FIA Delegate including Persons appointed by CAMS to represent CAMS on FIA Commissions and other advisory bodies, Committees, Trustees, State Councils, State Executives and Advisory Panels, Executive Officers, Partners, Shareholders, Employees, Members, Licence Holders, Volunteers and Officials and/or promoters for the time being, Persons appointed by CAMS to a specific duty or position in conjunction with an event, series, or championship.

The President, Chief Executive Officer, Committees, Trustees, Employees, Volunteers, Officials of the following entities including subsidiary or controlled companies now or previously existing or hereafter formed or acquired.

Entity	Circuit
South Australian Motor Sport Board	Adelaide Parklands
WA Sporting Car Club (Inc)	Barbagallo Raceway
Motorsports Tasmania Pty Ltd	Baskerville Raceway
Australian Racing Drivers Club Ltd	Eastern Creek Raceway
Department of Natural Resources, Environment, Arts & Sport (Northern Territory)	Hidden Valley
Mallala Motorsport Park Pty Ltd, Clem Smith Nominees	Mallala Motorsport Park
Warwick & District Car Club Inc	Morgan Park
Bathurst Regional Council	Mt Panorama
PI Operations Pty Ltd	Phillip Island
Queensland Raceways Operations Pty Ltd t/as Qld Raceways	Queensland Raceway
Melbourne Racing Club	Sandown Raceway
Motorsports Tasmania Pty Ltd	Symmons Plains
Wakefield Park Motorsport Pty Ltd	Wakefield Park
Winton Motor Raceway Pty Ltd, Benalla Auto Club Inc	Winton
Motoring South West Inc.	Collie Motorplex



All of the above together with their individual affiliated clubs and their respective members, competitors, drivers, co-drivers, navigators and officials, crew members and pit crew members and Confederation of Australian Motor Sports Ltd track licence holders, Series Category Managers and event organisers and/or landowners and Land Managers and Land Administrators and/or lessees of property and sponsors for their respective rights and interests.

And Including

- * Northern Territory Government & it's Departments
- * The State of New South Wales
- * The New South Wales Police Service
- * Ipswich City Council
- * Queensland Event Corporation
- * ACT Department of Territory and Municipal Services
- * Rally of Canberra Board
- * The Australian Capital Territory
- * Octagon Australia Pty Ltd
- * AVESCO Unit Trust
- * AVESCO Events Unit Trust
- * Tourism Tasmania through its division known as Events Tasmania
- * Forests NSW
- * Off Road Racing Commercial Development Inc
- * Department of Environment and Climate Change NSW
- * V8 Supercar Television Pty Ltd (only in relation to Sanctioned CAMS events in Australia & New Zealand)
- * V8 Supercar Unit Trust (only in relation to Sanctioned CAMS events in Australia & New Zealand)
- * NSW Department of State & Regional Development representing the Crown in the right of NSW (only in respect of their activities associated with the Telstra Sydney 500 at Homebush)
- * NT Major Events Company
- * The New South Wales Government
Departments of:
Sport and Recreation
Consumer Affairs.
- * The State of Queensland, The Queensland Government and its Departments including Department of Natural Resources and the Primary Industries Corporation
- * ACT Parks, Conservation and lands
- * Canberra Tourism Events Corporation
- * MSR Corporate Pty Ltd
- * V8 Supercars Australia Pty Ltd
- * V8 Supercars Events Pty Ltd
- * Touring Car Entrants Group Australia Pty Ltd
- * Victorian Government including DSE, PV and Municipalities
- * International Management Group of America Pty Ltd
- * Rallycorp Pty Ltd

All for their respective rights and interests

Business: Administrators, regulators, organisers and promoters of motor sport, provider of medical facilities &/or fire services &/or rescue services &/or ambulance services and all incidental activities thereto including social clubs, members services and other non-motor sport activities as agreed and declared from time to time and/or property owners and/or lessors/lessees and/or all ancillary and associated activities and activities of affiliated clubs.

Territorial Limits: Worldwide but in respect of the United States of America and Canada cover if limited to:
(a) the Insured whilst on business travel within such countries;
and
(b) any accompanying family member whilst an Insured is on business travel within such countries

Period of Insurance: From: 16:00 hours on 30 September 2011 } Local Standard
To: 16:00 hours on 30 September 2012 } Time

Insurer(s): XL Insurance Company Limited

Primary Policy Number: AU00002385L111A



Limit(s) of Liability:

Section 1

Public and/or Products Liability;
 - Public Liability – any one Occurrence \$100,000,000
 - Products Liability – any one period of Insurance \$100,000,000

Section 2

Professional Liability - any one period of Insurance \$ 10,000,000

Policy Excess:

Section 1:

Public and Products Liability
 \$10,000 each and every occurrence (inclusive of costs) the sole responsibility for which shall rest with CAMS

Note:

The Event entity will be responsible for the first (up to \$5,000) of each occurrence in respect to Property Damage only. The sole responsibility for the balance up to the policy excess of \$10,000 shall rest with CAMS

Section 2:

\$10,000 each and every claim the sole responsibility for which shall rest with CAMS

Policy Coverage:

Section 1 – Public and/or Products Liability

Legal Liability to third parties for Personal Injury and/or Property Damage occurring during the period of insurance and arising in connection with the insured's business or products:

Section 2 – Professional Liability

Legal Liability for claims first made against the Insured and reported to the Insurers during the period of insurance arising from a breach of professional duty in the conduct of the insured's business.

Scope of Events: Applicable to Section 1 only:

Those activities as permitted or approved by CAMS, and any such additional events for which CAMS may elect to specifically notify to Underwriters, from time to time.

Special Comment:

The policy is deemed to be an eligible insurance contract in terms of the Terrorism Act 2003. Accordingly, whilst the Policy contains an Act of Terrorism Exclusion, then subject to all other terms and conditions of the Policy, cover is amended to the extent provided by the Terrorism Insurance Act 2003.

Principal Extensions (refer to policy document for full details):

Section 1 – Public and/or Products Liability

<ul style="list-style-type: none"> ▪ The President, Committees, Trustees, Executive Officers, Partners, Shareholders, Employees, Members, Volunteers and Officials and Promoters acting within the scope of their duties. 	<ul style="list-style-type: none"> ▪ Principal's liability including in respect of building or plant operations, extensions, renovations or demolition up to \$200,000
<ul style="list-style-type: none"> ▪ Liability for vehicles as specifically provided for by Policy 	<ul style="list-style-type: none"> ▪ General Liability Extension in respect of Motor Racing Circuit Operators.
<ul style="list-style-type: none"> ▪ Principal's Indemnity 	<ul style="list-style-type: none"> ▪ Boilers and Pressure Vessels
<ul style="list-style-type: none"> ▪ Lifts, escalators, elevators 	<ul style="list-style-type: none"> ▪ Building Alterations
<ul style="list-style-type: none"> ▪ Defined Property in physical or legal control 	<ul style="list-style-type: none"> ▪ Car Parks including those operated for reward
<ul style="list-style-type: none"> ▪ Medical facilities including first aid, fire, rescue and 	<ul style="list-style-type: none"> ▪ Contractual liability including liability of the Insured's



ambulance services	principals
▪ Pollution sudden and accidental.	▪ Advertising Liability.
▪ Cross Liability	▪ Waiver of Subrogation
▪ Damage to leased/rented premises	▪ First Aid Costs
▪ Students engaged in work experience	▪ Non motor sport liabilities as specifically provided for by the Policy
▪ Australasian Safari including motor cycle activities (separate motor cycle public liability insurance not required) and including interests of Motor Cycling Australia and related parties	▪ Participants liability but excluding liability for the damage to vehicles/motor bikes of other participants whilst both are competing in the same event or practicing in any form. Participant to participant liability for bodily injury is limited to \$5,000,000.
▪ Practice and qualifying sessions including private practice sessions involving Motor Cycles	▪ Permissive Occupancy Hold Harmless Agreements
▪ Interest of Commonwealth of Australia in regard to land owned or occupied by Commonwealth noted.	▪ Aircraft landing area.
Section 2 - Professional Indemnity	
▪ Retroactive cover subject to a retroactive date of 30 th November 1989	▪ Appointments held individually by the insured as trustees, receivers, managers, liquidators, directors, secretaries, operations manager, advisers or consultants including provision of administrative, commercial and technical advice and service
▪ Australian Formula One Grand Prix	

Subject to the terms and conditions of the policy.

Yours faithfully

Rob Richard
Senior Account Executive

NB

This Confirmation of Insurance is for information purposes only and in no way amends, extends or modifies the terms, conditions or coverage of the insurance detailed, nor does it confer any rights upon the holder. The insurance referred to is current at the date of issue of this Confirmation of Insurance and whilst a due date has been indicated it should be noted that the subject to the client's instructions the insurance may be cancelled at any time in the future. Accordingly reliance should not be placed on the expiry date.

13.3 BUSINESS

Strategic Plan Reference – Page 18

- | | |
|--------|---|
| 2.3.1a | Increase the number and diversity of businesses in the Southern Midlands. |
| 2.3.1b | Increase employment within the municipality. |

Nil.

13.4 INDUSTRY

Strategic Plan Reference – Page 19

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

Nil.

13.5 INTEGRATION**Strategic Plan Reference – Page 19**

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

13.5.1 Proposed Development of a Municipal Integrated Economic Development Plan

File Ref: *Municipal Integrated Economic Development Plan*

AUTHOR MANAGER STRATEGIC PROJECTS (D MACKEY)

DATE 22nd MARCH 2012

ATTACHMENTS Nil

ISSUE

Consideration of a proposal to development of a municipality-wide integrated economic development plan.

THE PROPOSED INITIATIVE

Councillors will be aware of the Oatlands Integrated Development Strategy (OIDS) that was completed in October 2008 and has proven to be a worthwhile document in setting out a coordinated approach to a range of land use planning, economic development and social infrastructure & services issues within the town. The OIDS has provided a strong basis upon which a number of initiatives have been progressed, and has been successfully used to support a number of associated grant applications to higher levels of government.

A similar initiative is now proposed to formulate a municipality-wide plan. As the Oatlands strategy focussed on particular town-centred matters, a municipality-wide plan would look at specific issues, opportunities and initiatives that exist across broader areas. In this way it would provide for focussed outcomes with real relevance.

Suggested scope and aims include:

1. Understanding, supporting and facilitating the potential significant increase in intensive agriculture expected to flow from the advent of the Midlands Water Scheme.
2. Understanding the likely demand and providing for new and/or expanded rural support industries that result from point 1.

3. Understanding and facilitating opportunities that may arise for down-stream processing and service industries for agriculture, and other spin-off industries.
4. Renewing and reinvigorating Council's long-held strategy for identifying and attracting industries that require sites with large attenuation distances and ready access to major transport routes, for which Southern Midlands is uniquely placed. This would include potentially identifying favourable areas / locations and providing for their protection in the new planning scheme.
5. Identifying opportunities for attracting new businesses and expanding existing businesses generally, by further exploring the region's unique competitive advantages and building on existing initiatives.
6. Assessing the outcomes of the recently completed Tasmanian Historic Heritage Tourism Strategy (developed by Tourism Tasmania) to 'ground' its recommendations within Southern Midlands.
7. Reviewing population growth strategies for the municipality, in light of new information and new developments, such as the Brighton Bypass, the Brighton freight hub and the associated rapidly expanding industrial precinct, and the Midlands Irrigation Scheme.
8. Assessing the implications, from an economic development and a strategic land use planning point of view, of the proposed Buddhist Temple and University for the municipality and nearby parts of neighbouring municipalities.
9. Other elements that Council and/or a project steering committee may identify.

The land use planning outcomes of the plan would feed into the new planning scheme currently under development. Other outcomes would be pursued through the appropriate means. As in the case of the OIDS, a range of specific council initiatives and actions may be identified, and many may be in partnership with other organisations.

In summary, the plan would form an integrated strategic approach to the future economic development of our municipal area.

POTENTIAL FUNDING

Discussions have been held with officers from the Department of Economic Development Tourism and the Arts, (DEDTA). A funding program run by the Department– the *Planning Reform Support Program* – appears suitable for an application for funds to assist Council in undertaking a municipal economic development plan. DEDTA is particularly interested in assisting with the land use planning components of such a plan.

To this end, DEDTA have advised that \$15,000 could be provided to Council, but on the basis that Council provides matching cash funding.

With a total of \$30,000 in cash plus a substantial in-kind contribution from Council resources of up to another \$15,000 of value, it is envisaged that sufficient resources would be available for the project to achieve real and worthwhile outcomes.

The DEDTA funding opportunity is available until the end of May 2012. If Council wishes to proceed, a decision needs to be made at the March or April Council meetings.

This would enable a steering committee to be established (which would have to include one or two representatives from DEDTA) and for that committee to be able to refine and confirm the scope and aims of the project by 31 May 2012.

Human Resources & Financial Implications

The proposal is for Council to budget an amount of \$15,000 for the 2012/2013 financial year.

This would then be matched by DEDTA.

Council officer time would be required for project management and technical input. A number of Council officers would be involved.

Community Consultation & Public Relations Implications

It is envisaged consultation would be targeted consultation with particular stakeholder groups and organisations during the formulation of a draft document.

The penultimate version of the document could be subject a broad community consultation process.

In addition to confirming the project scope and aims, one of the first tasks of the project steering committee would be to confirm a project plan. This would set out the appropriate level and key points for stakeholder and community consultation.

Policy Implications:

The process will likely result in recommendations to Council for new or altered policy directions. Such recommendations would be considered by Council at the time.

Web Site Implications:

If the process is initiated, the website should advise of this. The website should be used as a key method of information dissemination at the time of the community consultation process.

RECOMMENDATION

THAT Council:

- A. Agree to develop a municipal economic development plan,**
- B. Provide a \$15,000 budget allocation in the 2012/2013 financial year,**
- C. Seek matching cash funding from DEDTA.**
- D. Establish a project steering committee and invite DEDTA to provide a representative.**
- E. Appoint the following Councillors as elected representatives on the steering committee:(Councillors to determine).**

DECISION

Vote For	Councillor	Vote Against
	Mayor A E Bisdee OAM	
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

14 OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)

14.1 HERITAGE

Strategic Plan Reference – Page 20

3.1.1	Maintenance and restoration of significant heritage structures.
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3.1.2	Retain and enhance the heritage values of towns within the municipality.
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14.1.1 Heritage Projects Program

File Ref: 3/097

AUTHOR MANAGER HERITAGE PROJECTS (B WILLIAMS)

DATE 28th MARCH 2012

ISSUE

Southern Midlands Heritage Projects – report from Manager Heritage Projects

DETAIL

During the past month, Southern Midlands Council heritage projects have included:

- Continuing to implement the Oatlands Gaol interpretation plan.
- Lodgement of the development applicant and THC works application for the gaol arch relocation project.
- Completion of the gabion walls at the Oatlands Gaol.
- Ongoing collection management, with the assistance of volunteer Maria Raiti.
- Follow-up from the Oatlands summer archaeological excavation program. Negotiations with 5 students for follow-on projects for throughout 2012.
- Input into the draft southern regional planning code (heritage provisions).
- Preparation of SMC's submission towards the *draft Historic Cultural Heritage Act Amendment Bill 2012*.
- Near completion of works at the Kempton Watch House.
- Brad Williams and Karen Bramich attended an archaeological collections management workshop at Port Arthur, which highlighted the need for better management statewide/nationally of archaeological collections.

- Working with Kris Herron on final details for the unveiling of the recently restored Jillett crypt in the Oatlands Anglican Cemetery.
- Preparing heritage projects input for the strategic plan review, as well as planning for the upcoming review of the Southern Midlands Council Historic Heritage Strategy.

RECOMMENDATION

THAT the information be received.

DECISION

Vote For	Councillor	Vote Against
	Mayor A E Bisdee OAM	
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

14.1.2 Historic Cultural Heritage Act Amendment Bill 2012

File Ref: 3/097

AUTHOR MANAGER HERITAGE PROJECTS (B WILLIAMS)

DATE 28th MARCH 2012

ATTACHMENT

1. Southern Midlands Council's submission to previous select consultation on the *Draft Historic Heritage Bill 2010*.
2. Legislative Reform Fact Sheet
3. Draft Southern Midlands Council submission on the draft *Historic Cultural Heritage Act Amendment Bill 2012*.

ENCLOSURE

1. Draft *Historic Cultural Heritage Amendment Bill 2012*

ISSUE

Historic Cultural Heritage Act Amendment Bill 2012 – Southern Midlands Council submission on draft legislative amendment.

REPORT IN BRIEF

This report seeks endorsement of a Council submission to Heritage Tasmania on the *Draft Historic Cultural Heritage Act Amendment Bill 2012*.

DETAIL

In 2005, the Tasmanian Government commissioned Professor Richard Mackay to undertake a review of the *Historic Cultural Heritage Act 1995* (HCHA95), as well as certain processes and functions of the Tasmanian Heritage Council (THC) and Heritage Tasmania (HT). The Mackay report made 82 recommendations as to how historic cultural heritage management in Tasmania might better be undertaken in order to streamline processes and bring Tasmania up to a more consistent national approach. The Tasmanian Government, through HT, have been working towards the implementation of a number of these recommendations, both through non-legislative (procedural) reforms and the current proposed legislative reform.

In November 2007, in response to the Tasmanian Government's *Managing Our Heritage Position Paper* (September 2007), Council provided a submission to the then Minister for Heritage (Wriedt) outlining a general support for the principles of the reforms, in particular supporting the clarification of management roles arising from the proposed

‘state/local’ split, pursuant to the Council of Australian Governments 1997 agreement on a tiered heritage management system. Whilst Council’s submission gave support to the reforms, the submission made it clear that this support was wholly conditional upon the Tasmanian Government providing the necessary resourcing to local government to implement these reforms, pursuant to the pledges made during the initial consultation (2005) regarding the findings of the Mackay report.

In early February 2010, Council received a copy of the draft *Historic Heritage Bill 2010* (HHB10). That draft bill was aimed at completely replacing the HCHA95.

On the 24th March 2010, Council resolved to make a submission to the Tasmanian Government (via Heritage Tasmania, and cc’d to the Local Government Association of Tasmania) to the following effect:

- *Support the intent the draft Historic Heritage Bill 2010, as being generally consistent with the previous comments provided by Council.*
- *Make submission noting that some detail yet needs to be resolved, in particular the need to reconcile inconsistencies with LUPAA, and that some detail is inconsistent with the 2007 position paper and previous consultation.*
- *Suggest the need for wider and more open consultation on the draft bill.*
- *Seek detail as to the transitional arrangements and supporting guidelines/regulations which will be required to support the implementation and operation of any new Historic Heritage Act.*
- *Indicate non-support of the Historic Heritage Bill 2010 until such time as the Tasmanian Government provides the necessary resourcing support for planning authorities and Heritage Tasmania.*
- *Indicate non-support for any new Historic Heritage Act unless provision is made for mandatory adoption by planning authorities (and with adequate resourcing support).*

This submission was made (ATTACHMENT 1), and no acknowledgement or indication of progress was received until December 2011, when Council was provided with a legislative reform Fact Sheet (ATTACHMENT 2) which detailed that the draft HHB10 would not be implemented, and that the Tasmanian Government were considering amendments to the HCHA95 instead.

In March 2012, Council received a copy of the *draft Historic Cultural Heritage Amendment Bill 2012* (HCHAAB12 – ENCLOSURE), and were invited to make comment on the draft bill. Generally, the bill addresses;

- A number of ‘housekeeping issues’ required to make the HCHA95 more consistent with definitions and terminology in other Acts.
- Redefinition of the criteria for entry to the Tasmanian Heritage Register, consistent with the national HERCON criteria as detailed in Heritage Tasmania’s *Thresholds Guidelines* (towards which Council has previously provided positive comment).
- A complete re-write of Part 6 of the HCHA95 (works), which aims to better integrate the works application process under the HCHA95 with development application processes under the *Land Use Planning and Approvals Act 1993* (LUUPA93), namely:
 - o A single integrated planning/heritage works permit.
 - o A more clearly defined process and timeframes for interaction between planning authorities and the Tasmanian Heritage Council (THC).
 - o Ability for the THC to ‘opt out’ of input into development applications which will have no heritage impact.
 - o Ability for the THC to call for further information for a works application, and to ‘stop the clock’ on an application until such information is received.
 - o A legislative basis for the issuing of exemptions for heritage works which would have no impact (more akin to planning scheme exemptions).

The draft HCHAAB12 does not attempt to legislatively implement the proposed state/local split – and is much more focussed on streamlining the works process (as opposed to registration and the population of local heritage schedules) accordingly most of the concerns of Council’s previous resolution (on the draft HHB10) are not relevant to the current draft bill.

The draft HCHAAB12 is not considered to require onerous transitional arrangements, will not require any consequent planning scheme amendments, and will not require the extent of guideline development that would have arisen from the *HHB10*, also alleviating many of Council’s previous concerns.

Planning authority take-up of the requirements of the HCHAAB12 will be mandatory where a municipal area has places listed on the THR (as is the current HCHA95).

Whilst the HCHAAB12 does not address all the proposed heritage reforms of the 2005 Mackay report (noting that many of these have been achieved through non-legislative mechanisms), and similarly does not achieve all of the desired outcomes of the Tasmanian Government’s 2007 *Managing Our Heritage Position Paper*, the draft bill goes a long way to achieving a more straightforward and integrated works/development

assessment process, and is not inconsistent with any previous council submission on the reforms.

As outlined in the draft submission (ATTACHMENT 3) there are a number of points which require clarification, and some points which are not supported (mostly surrounding deregistration of places on the THR). It is proposed that Council provide general support to the HCHAAB12, subject to the satisfactory outcome of the questions and concerns detailed in the draft submission.

CONSULTATION

Council's Manager Heritage Projects, Manager Strategic Projects, and Planning Officer have attended a number of workshops on the legislative review. Council's Manager Strategic Projects will be attending a Heritage Tasmania workshop on this issue on April 4th.

No public consultation has been undertaken by Council on this issue, as it is considered that the open and transparent consultation undertaken by the Tasmanian Government is adequate.

HUMAN RESOURCES/FINANCIAL IMPLICATIONS

Unlike the probable outcomes of the draft HHB10, the implementation of the draft HCHAAB12 is unlikely to cause any additional impost on Council through the statutory planning/heritage process. Whilst processes will change, it is not considered that these will be any more onerous than current processes (in fact may be less with what is likely to be a more straightforward system).

The proposed submission makes it clear that the Tasmanian Government (probably through HT) will need to provide comprehensive training and assistance to local government during the implementation phase of the legislation.

RECOMMENDATION

That Council resolve to:

- **Adopt the position detailed in the draft submission (ATTACHMENT 3).**
- **Provide general support for the *draft Historic Cultural Heritage Act Amendment Bill 2012*, subject to the satisfactory outcome of the questions/comments raised in that submission.**

DECISION

Vote For	Councillor	Vote Against
	Mayor A E Bisdee OAM	
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

Mr. Pete Smith
Director – Heritage Tasmania
103 Macquarie Street
HOBART TAS 7001

ATTACHMENT ONE

Dear Mr. Smith

Thank you for providing the opportunity to make comment on the draft *Historic Heritage Bill 2010*. Council has taken a keen interest in the development of the draft bill, from its inception in 2005, and appreciates and commends the extensive consultation with local government undertaken thus far.

At its meeting of March 24th 2010, Southern Midlands Council resolved to make the following submission to the current round of consultation on the draft bill.

Council provides in-principle support to the intent and content of the draft bill, as it is largely consistent with the directions of the 2007 *Managing our Heritage Position Paper*, and is largely consistent with the submission made by Council during consultation on the position paper. It is recognised that, with some refinement, the draft bill does provide the basis for a better system of heritage management within Tasmania, and applaud the Tasmanian Government and Heritage Tasmania for the work done thus far. Whilst there are some minor operational matters within the draft bill which we consider will not work, it is understood that these will be refined as a result of the current round of consultation. Council Officers will be making a separate submission on some of these points.

Nonetheless, Council are not willing to provide conclusive support for the draft bill until such time as the transitional arrangements are known, and such time as the raft of accompanying guidelines have been produced (after consultation). The draft bill is considered to be very 'process' driven, rather than 'outcome' driven – those outcomes being managed by regulations and guidelines pursuant to the Act. Whilst Council is not opposed to the detail being contained within guidelines (in fact this is likely to be desirable), detail is needed on these regulations and guidelines before Council can commit to full support of the draft bill.

Council cannot provide support for the draft bill in the absence of defined transitional arrangements – as a transition to a new system has the potential to be very complicated and

require substantial resource inputs. In the absence of a clear and thorough explanation of transition, it is considered unlikely that local government in general will support the draft bill.

Council is unclear as to whether the take-up of the bill by planning authorities will be mandatory, as the draft bill would indicate so, however all consultation thus far has indicated that take-up would be on an 'opt-in' basis. We seek clarification on this question, and whether provisions for take-up will be contained within any transitional bill to accompany any new Act. Nonetheless, Council has resolved not to support the draft bill unless it is mandatory that all planning authorities are required to manage local heritage places under a single Act. It is considered that an opt-in approach would result in ad-hoc approaches to local heritage management (i.e. under two different systems – LUPAA and any new heritage Act), which would not achieve the consistency and certainty of approach that planning authorities (and indeed owners) require. Council sees that the new system has the potential to be much more effective in the management of local heritage, but this effectiveness will be diminished unless it is implemented across the state.

Above all, Council is not willing to support heritage reforms of any kind unless the Tasmanian Government meets its long-running promises that these reforms would be adequately resourced. In addition, it is recognised that Heritage Tasmania appears not to have the current capacity to provide the required support to planning authorities. All Councils, in particular small rural Councils, will face an added resourcing impost resulting from any heritage reforms (however better any system is deemed to be). Council's support provided during the 2005 and 2007 consultation was conditional upon a demonstrated commitment from the Tasmanian Government that Councils would not be required to meet the costs of implementation and ongoing operation of the new system. That commitment has not been forthcoming, therefore until such time as that commitment is demonstrated, then Council do not support the draft bill.

Council is willing to review this position if the following occurs:

- That the Tasmanian Government provides a clear and definite commitment to providing adequate resourcing to Councils and Heritage Tasmania for the implementation and ongoing operation of any new heritage system.
- That draft (at-least) regulations/guidelines for all aspects of the operation of any new Act are provided for consideration (with consultation during drafting).
- That clear transitional arrangements are provided which state how any new act is to be implemented, particularly with regard to the changeover from a LUPAA local heritage model to a new heritage act model.

- That, with adequate resourcing, the adoption of the new act by planning authorities is mandatory, or at least a definite timeframe is provided for such mandatory adoption.

Should you have any queries, please contact Damian Mackey (Manager – Strategic Projects) or Brad Williams (Manager – Heritage Projects) at Southern Midlands Council.

Yours sincerely

Anthony Bisdee

MAYOR

cc. Local Government Association of Tasmania.

STREAMLINING THE MANAGEMENT OF HISTORIC HERITAGE FACT SHEET

Overview

The State Government is committed to cutting red tape, introducing efficiencies and creating a more streamlined approach to managing historic heritage in Tasmania. Reforms to amend the *Historic Cultural Heritage Act 1995* alongside a range of non-legislative activities have begun.

This Fact Sheet details the proposed amendments to the Act, along with an overview of the non-legislative reforms that have been completed or will be pursued in 2012.

Proposed Legislative Amendments

1. Better defining entries in the Tasmanian Heritage Register

Defining the physical location and boundary of a registered place is critical to the proper management of heritage values. Proposed amendments will more clearly outline what is required. In urban areas this may be the property title. In rural areas or industrial sites where heritage values are limited to only one part of a title, or for places such as bridges where no title exists, the development of a Central Plan Register (CPR) will be mandatory. This aims to ensure that in the future heritage listings are focused only on the heritage values of greatest significance.

2. Better identifying heritage values

Introducing aesthetics as an eighth criteria against which a place may be assessed as being of historic heritage significance and entered on the Heritage Register is among the proposed amendments. This will bring Tasmania into line with other states and meet national best practice standards, in accordance with a Council of Australian Governments agreement.

3. Increasing flexibility to amend or remove entries

Historic heritage is not static. Changes occur, both planned and through the unfortunate potential for destruction resulting in the total loss of heritage values. It is important that entries in the Heritage Register can be amended or removed without the need for excessive administrative processes. Reviewing entries to ensure remaining values are protected will continue, but the proposed amendments will streamline administrative processes to reduce red tape. This will make processes easier for owners and developers.

4. Streamlining works approval processes

The current process of assessing works for places on the Heritage Register requires two separate applications, two advertisements, two assessments and two permits. This is an unnecessary impost on applicants and a waste of scarce resources.

Proposed amendments will better integrate the works approval process with the *Land Use Planning and Approvals Act 1993* and introduce a single application, advertisement, assessment and permit process. This will also mean the Heritage Council will be able to seek extensions of time to obtain information from an applicant and more easily amend or revoke works

applications. This is a major focus of proposed amendments and will benefit many stakeholders.

The 42 day period for approval will not change. However, for major or complex cases, additional time may be required. Another proposed amendment will allow an additional 10 working days to determine an application, where required, but only in exceptional circumstances.

Also proposed is the ability to exempt certain types of works from needing works approval, including allowing emergency works to be undertaken without a permit. Measures like this introduce greater flexibility and responsiveness to challenging issues than currently allowed.

5. Increasing accountability and transparency

Notwithstanding the importance of maintaining the independence of the Heritage Council, it is also important that the State Government identifies its objectives for historic heritage and the role of the Heritage Council in supporting those objectives. Proposed amendments will require the development of a Ministerial *Statement of Expectation* and a corresponding Heritage Council *Statement of Intent* within a specified three year period. This will increase accountability and transparency, and bring the Heritage Council in line with similar statutory bodies like the Environment Protection Authority.

6. Validating entries in the Heritage Register

There are currently more than 5,500 entries in the Heritage Register. It is not feasible to review all these entries to align with the proposed amendments. Instead, it is proposed that all existing entries be validated until the Heritage Council is able to update them to comply with any new requirements brought about by these amendments.

Non-Legislative Reforms

7. Seeking heritage advice on major developments

Heritage Tasmania is becoming increasingly involved in providing proactive advice on major private and public sector developments. The release of *Pre-Development Assessment Guidelines* has seen an increase in the number of developers identifying historic heritage values as part of the scoping phase of developments. This has achieved greater protection of historic heritage values, improved issues management and reduced unforeseen hurdles for developers.

8. Reducing subjectivity in assessing heritage values

The Resource Management and Planning Appeals Tribunal has commented on the subjective nature of assessing historic heritage values. Heritage Tasmania has released its *Guidelines for Assessing Historic Heritage Significance* to outline the approach used to assess whether or not a place meets a criteria for entry to the Heritage Register. The guidelines will help generate greater consistency and clarity in assessing heritage values, whether the assessment is for an entry to the Heritage Register, or for a listing on a planning scheme's local heritage schedule.

9. Managing local heritage values

The Tasmanian Planning Commission and Heritage Tasmania have been working together with local planning authorities to develop a standard *Historic Heritage Code*. The Code will help to recognise, protect and manage local heritage places and precincts. Once finalised, the Code will form part of planning schemes and provide a more consistent approach to listing and managing places and precincts of local heritage significance.

10. Exempting certain works from works approval

Not all works on a heritage listed property require the approval of the Heritage Council. The release of the Heritage Council's *Exempt Works Guidelines* in 2010 provides a list of works that do not require the Heritage Council's approval. The guidelines make the system fairer and easier to navigate. By using the guidelines a property owner or site manager can self-assess proposed works and determine if they require works approval or not.

Seeking advice before lodging a works application is becoming common practice. The applicant can discuss works before lodging a works application form. This assists in better understanding a place's heritage values, understanding the issues that may arise, and discussing the best options and solutions available. The approach minimises impacts on heritage values and reduces the risk of works applications or developments being refused or heavily conditioned.

11. Increasing access to information on heritage listings

In 2012, Heritage Tasmania aims to create a *Heritage Overlay* in the *Land Information System Tasmania (LIST)*. LIST is a whole of government service that delivers integrated land information online. The end result will be a 'heritage flag' on the LIST for any land titles entered on the Heritage Register. The information available will be limited at first, but will increase in the future. This is an important development. Creating a heritage overlay will allow any person to see whether or not a place is entered on the Tasmanian Heritage Register.

12. Developing practical and more user-friendly resources

The past few years have seen the release of a number of resources including *Heritage Solutions*, *Installing Modern Services on Heritage Buildings* and the *Heritage Services Directory*. In 2012 a new publication, *Residential Solutions*, will be released. It will provide general guidance and tips to the owners of heritage properties on how to approach alterations and additions. It will include local case studies illustrating what other heritage owners have been able to achieve with their houses and homes. Case studies in the publication focus on heritage-listed properties, but the advice is equally as useful to owners of places that are not heritage listed.

13. Sharing and disseminating information

Heritage Tasmania's *monthly e-newsletter* has been embraced by heritage property owners, interested members of the community and the wider heritage sector. It is an important forum for sharing information; providing updates on grant, funding and professional development opportunities; promoting upcoming events and activities; and sharing insights about important heritage places. This small but important service of sharing information will continue as an important forum and network to share insights.

Mr. Pete Smith
Director – Heritage Tasmania
103 Macquarie Street
HOBART TAS 7000

1 April 2012

Dear Mr. Smith

Thank you for the opportunity to comment on the Draft Historic Cultural Heritage Act Amendment Bill 2012. At its meeting of March 28th 2012, Council resolved to provide the following comments.

It is very pleasing to see that the Bill has picked up on several key points which have arisen from the years of consultation, namely around an integrated works/planning process, better synchronised timeframes, and general better alignment to LUPAA.

There are several points which Council believe require clarification or further refinement (underlined numbers refer to Sections of the Draft Bill – i.e. not Sections of the Act):

S4 – Local public notice.

There is concern as to *local public notice* possibly being limited solely to electronic means. Whilst it is useful that the Act allows for electronic notice, this should not be the sole means of notification.

S8 – Statements of expectation

The provision of triennial Statements of Expectation are supported, as this injects a degree of democratic accountability into the system and provides for each Government to implement a policy agenda (noting that the statements of expectation cannot run contrary to the Act, or not purport to enlarge or diminish the Council's responsibilities).

S10 - Criteria for entry into register

Whilst the intent of the proposed Criterion (i) is supported, it is questioned whether 'a combination of criteria' should be a criterion in its own right. This is inconsistent with the Thresholds Guidelines, and may be better included as a statement rather than a criterion.

S15 - Removal of a place from register

Only parts of this are supported.

Proposed 22 (a) (1A) (b) - This is not supported, as it implies that a place may be deregistered through deterioration or damage – this may encourage ‘neglect’ of heritage places and set dangerous precedents.

Proposed 22 (a) (1A) (d) - This is not supported, as it is contrary to the current (and presumably remaining) s17(3). The Current s17(3) should not be removed in response to this comment.

Generally - Should there be some provision here to allow expedient removal of a place which does not meet the threshold for state listing, but is already on a local list? - although (c) might be applicable to that scenario.

Proposed s22(b) - Removal of the need for applicant for de-registration to provide information.

Omitting current Subsection (2) is not supported. The onus should be on the applicant for deregistration to justify that application – this will decrease the likelihood of frivolous applications for reregistration.

Proposed s22(d) - Notification of removal from register.

This is not supported due to the consequent confusion/impracticalities that would arise from non-notification of removal from the register under any circumstance.

Proposed s22 -(a)(c)(e) & (f) - are supported.

S21 – Heritage Works

Generally, the provisions of S21 (i.e. the replacement of Part 6 of the HCHA95) are supported, however the overlying comment is that we do not feel that this will be achievable in the timeframe prescribed. As we have detailed in a number of previous submissions, receipt of notification from the THC on day 35 will usually not give the planning authority time for the THC’s determination to be incorporated into a report (which will require the checks and balances outlined below), for that report to be incorporated into a council/planning authority meeting agenda, for that meeting to be held, and for the notice to be issued (within 42 days). Our suggestion is that applications which involve a place on the THR are subject to a 60 day process, which will allow the integrated planning/works process to run without the constant need to seek (or impose) extensions of time. Whilst in some cases (indeed where the proposed S39 is applied) it will be possible to meet the 42 days, however a default of 60 days is recommended. It is also felt that a 35 day timeframe will place undue burden on Heritage Tasmania and the THC. Whilst we are aware that previous consultation has tended to shy away from an extended timeframe, we feel that the process will generally run more effectively (and result in less confusion from constant extensions of time) with this extended timeframe (given that the apparent theme of the amendment is to provide more certainty to property owners). We feel that an up-front 60 day timeframe will attract less criticism than ad-hoc voluntary/mandatory extensions of time – and considering that proposed s36(4)(b) can invoke a mandatory 10 day extension anyway, we consider this little added impost.

Proposed s34(1) - Works taken to be development

This should clearly state that exempt works (as defined in proposed s43) are not to be considered as development under the Planning Act – otherwise all works to places listed on the THR will trigger a discretionary application.

Proposed s35(4)(c)

The current Act requires advanced notice of liturgical works. This notification requirements should be retained in order to avoid room for ambiguity, and scrutiny of proposals to ensure compliance with genuine liturgical works.

Proposed s36 *et. al.*

We assume that ‘days’ mean ‘calendar days’? (as opposed to ‘business days’) – please clarify.

Proposed s37 – Additional information

This is supported, however there will need to be careful process in-place to manage the small window of opportunity whereby this information may be called for (i.e. between day 14 and 21) – and in conjunction with an array of other information which a planner will need to coordinate.

Proposed s39 & 40.

Intent of these sections is supported. However, there are several questions as to how this will work in practice, e.g.:

- Why is there no implicit requirement (akin to current s38) for representations to be forwarded to the THC for consideration?
- What if the THC exercises proposed s39, then further information comes to hand (e.g. through representation) that there may be a previously unrecognised heritage impact? It seems that the provisions of proposed s40 cannot then be called in.
- How will it be ensured that a planning permit does not contain conditions (imposed by the planning authority) which alter the outcome of the application resulting in heritage impact (whether or not the THC have input into the application)? For example, conditions may require tree removal which is not part of the application that the THC may have determined to have no interest in, yet this may have an impact. Engineering conditions may require excavations which are not detailed in the application, and may have archaeological impact etc. (noting that is the current case anyway).

Proposed s40(2)(2) - Guidelines (and proposed s90(a))

Will current THC practice notes be re-badged as guidelines?

Proposed s43 - Certificates of exemption

This exemption process is strongly supported as a much more rigorous means of ‘ticking off’ works which clearly have no heritage impact, whilst ensuring that the planning authority is notified and that records of changes to a place are maintained (consistent with Article 32 of the Burra Charter) – this is currently an unacceptably ad-hoc process. Proposed s43(3)(b) should be re-worded however – it is assumed that this means that the application for exemption is refused (i.e. that a works application must be lodged) – not that the works are necessarily refused.

Proposed s45 – Appeals

It is good to see that explicit provisions for the THC to defend any appeals arising from works determinations. What is not clear is who will be responsible for managing compliance with

works determinations. This might not be necessary in the Act, however a policy stance from the THC is required to reassure planning authorities that this will not fall to their responsibility. Can the THC act to (directly) follow-up compliance matters on a permit issued by a planning authority? – this requires clarification.

Proposed s46 - Sanctioning of ‘demolitions’

We do not believe that ‘demolition’ is appropriate terminology, and suggest that the wording of the current s41 be retained.

s.38 – Guidelines

Proposed s90A – Guidelines.

Statutory recognition of guidelines is supported. Suggest that the word ‘must’ would be more appropriate than ‘may’ in (3)(d) & (3)(e).

s.42 – Validity of certain entries in heritage register

This is strongly supported, and we stress the importance of this Section in ensuring that early (and somewhat information deficient) listings are valid.

With the changes to Part 6 radically changing the process, as well as the process by which the THC and planning authorities interact, we strongly urge the need for comprehensive liaison with planning authorities prior to the implementation of the amendment. Supporting documentation to outline the mechanics of the process (i.e. flowcharts outlining timeframes, planning authority responsibilities etc.) would have been a helpful guide to understanding the draft bill. The lack of explanatory material accompanying the draft bill (i.e. a rationale behind individual changes) has made comment difficult (although the fact sheet does assist in a broad sense). Nonetheless, we commend the Tasmanian Government on the open consultation process undertaken for this draft bill, which is an improvement on previous instances of ‘select’ consultation.

Notwithstanding the above comments/concerns, this draft bill has come a long way to addressing long standing issues with the synchronisation of the HCHA95 and LUPAA, and offers a substantial improvement over the overly-complicated and ineffective system that we believe would have arisen from the draft *Historic Heritage Bill 2010*. This draft bill appears likely to achieve substantial benefits, without the cumbersome transitional arrangements and guideline development that would have arisen from that previous draft bill.

Our previous submissions to the various consultation processes since the 2006 Mackay Report have stressed the point that the Tasmanian Government must resource local government/planning authorities commensurate with any added onus on heritage management. Whilst the likely system arising from the draft bill will require a different process, we perceive this process to require similar inputs at a local level for its implementation (pending clarification of the comments above, e.g. enforcement responsibility) therefore no concerns are raised as to the impost of the proposed changes to local government.

We look forward to further progress and consultation on heritage reform, in particular the progression of the state/local split.

If you have any queries, please contact Damian Mackey – Manager Strategic Projects, or Brad Williams - Manager Heritage Projects.

Yours sincerely

Anthony Bisdee OAM
MAYOR

(cc – Local Government Association of Tasmania).

14.1.3 Assessing relevant heritage aspects of development applications for places listed on the Tasmanian Heritage Register.

File Ref:

AUTHOR MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)
DATE 28th March 2012

ATTACHMENT Tasmanian Heritage Council’s Practice Note 1 - Roofing.

ENCLOSURE Tasmanian Heritage Council’s Practice Note 16 - Installing Modern Services to Heritage Buildings.
Heritage Tasmania - *Exempt Works Guidelines*.
ICOMOS Australia – *The Burra Charter*.

ISSUE

Utilising Tasmanian Heritage Council Practice Notes, as well as the Australia ICOMOS Burra Charter as a policy basis for the assessment of development applications on heritage listed places.

REPORT IN BRIEF

This report seeks endorsement of policy direction when assessing development applications for heritage places within the Southern Midlands, namely:

- That the Tasmanian Heritage Council’s Practice Notes 1 (Roofing) and 16 (Installing Modern Services on Heritage Buildings) be adopted as guidelines (as per the relevant Clauses of the SMPS98) as appropriate for assessing relevant heritage aspects of development applications for places listed on the Tasmanian Heritage Register, Schedule 4 (Heritage) and Clause 10.1 (Heritage Precincts) of the Southern Midlands Planning Scheme 1998 (some discretion will be required for non-listed places within heritage precincts). Accordingly, proposals not in accordance with those Practice Notes would be recommended for refusal.

- That the assessment of development applications of relevance to heritage places, and Council’s general approach to heritage management, will have regard to the principles of the ICOMOS Australia *Burra Charter*.

BACKGROUND

The Tasmanian Heritage Council (THC) has a series of Practice Notes (PN's) which provide policy guidance to the THC for assessing applications for works to heritage places – providing a consistent benchmark for such assessments. Of particular relevance are Practice Notes 1 (Roofing) and 16 (Installing Modern Services to Heritage Buildings) (ATTACHMENTS 1 & 2).

The *Southern Midlands Planning Scheme 1998* (SMPS98) provides general clauses for the assessment of such works, but it lacks the specific detail required to adequately and consistently assess potential impact of such works.

Heritage Tasmania (HT) has also issued *Exempt Works Guidelines*, which detail works which do not have any conceivable heritage impact, therefore do not require an application to the THC under the Historic Cultural Heritage Act 1995 (ATTACHMENT 3) – noting also that the general Exemptions under Schedule 1 of the SMPS98 lack specific detail to adequately and consistently apply the exemptions.

The guiding policy for heritage management in Australia is the International Convention on Monuments and Sites (ICOMOS – a division of UNESCO) *Burra Charter* (ATTACHMENT 4). This charter has been adopted by the THC as the overarching principle by which heritage management in Tasmania should be undertaken.

DETAIL

Often, SMC receives pre-application advice for works to heritage places – particularly common are requests for advice on roofing and the installation of modern services (e.g. solar panels and heat pumps).

Council Officers generally take the approach to these enquiries as:

- Works which are consistent with the THC Practice Notes 1 and 16, and are covered by HT's *Exempt Works Guidelines* (or are otherwise unambiguously demonstrable to have no conceivable heritage impact), will not require a Works Application to the THC, nor a Development Application to SMC (i.e. are covered by the exemptions detailed in Schedule 1 of the *Southern Midlands Planning Scheme 1998*).
- Works which are inconsistent with the THC's PN's, and are not covered by HT's *Exempt Works Guidelines*, will require a Works Application to the THC, and a Development Application to SMC, with the advice to the applicant that such application is unlikely to be approved.

Council officers seek more formal direction from Council as to the policy direction outlined above, i.e. that Council are unlikely to approve applications for works to places listed on the Tasmanian Heritage Register, and/or Schedule 4 (Heritage) of the Southern Midlands Planning Scheme which are contrary to the provisions of those PN's, and that applicants be advised of that policy in any pre-application discussions.

Note that some flexibility in this policy is required in terms of assessing development applications to places within heritage precincts (and not on the Tasmanian Heritage Register or Schedule 4 of the SMCPS), where a more contemporary approach may be allowable (according to the nature/context of the building) provided that no impact to the overall precinct or nearby heritage listed places results.

Further it is recommended that Council adopt the policy that the assessment of impact upon heritage places (either on the THR, Schedule 4 of the SMCPS98, and/or within heritage precincts) be guided by the *Burra Charter*, and that Council's general approach to heritage management also be guided by that charter.

CONSULTATION

This principle has been formulated by Council's Manager Heritage Projects, Manager Strategic Projects and Planning Officer.

Heritage Tasmania's Works Manager has been consulted on this approach and is satisfied that this policy direction will assist in demonstrating rigour and consistency in the works/development assessment process.

It is recommended that if Council formally adopt this policy, that a communications strategy be developed to inform the community of the policy direction (e.g. article in Southern Midlands News, Council newsletter etc).

HUMAN RESOURCES/FINANCIAL IMPLICATIONS

This policy is not expected to require any additional human resources or have any financial implications. The policy will add rigour and accountability to a process which is already (generally) in-place, and provide Council officers with a firmer stance (hence ability to give more sound advice) on Council's approvals process for works to heritage places.

RECOMMENDATION

That Council resolve to:

- **Endorse the that the Tasmanian Heritage Council’s Practice Notes 1 (Roofing) and 16 (Installing Modern Services on Heritage Buildings) be adopted as guidelines as appropriate for assessing relevant heritage aspects of development applications for places listed on the Tasmanian Heritage Register, Schedule 4 (Heritage) and Clause 10.1 (Heritage Precincts) of the Southern Midlands Planning Scheme 1998 (some discretion will be required for non-listed places within heritage precincts).**
- **That the assessment of development applications of relevance to heritage places, and Council’s general approach to heritage management, will have regard to the principles of the ICOMOS Australia *Burra Charter*.**

DECISION

Vote For	Councillor	Vote Against
	Mayor A E Bisdee OAM	
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	



Practice Note No 1

GUIDELINES FOR WORKS TO THE ROOFS OF HERITAGE PLACES



Corrugated galvanized iron

GENERALLY

The roofs of heritage buildings contribute to a place's heritage values.

While roofs clearly have a practical function, they are also a strong visual element, either as the main feature of the building itself or as a visual element in the streetscape.

Some roofs are intrinsically significant, demonstrating past styles or fashions, construction techniques that are no longer mainstream practice, or unusual construction materials.

All roof cladding materials deteriorate over time with exposure to weather. Roof systems, including gutters and downpipes, need to be maintained and may eventually need partial or full replacement. The upkeep of a roof is building maintenance, but it is also *conservation* work.

Basic maintenance actions that will increase the longevity and effectiveness of a roof include ensuring that gutters are free draining and clear of leaf litter, ensuring that sheeting is firmly secured, and checking that flashings are in good repair. The functional life of rusted galvanized iron can often be extended by maintaining a painted finish, by the selective replacement of deteriorated sheets, or by slipping short sections of new sheeting into the laps. The thickness of older roof sheeting is such that surface rust does not normally impair its function.

A key principle of good conservation practice is to retain as much heritage fabric as possible. Substantial or total replacement should be undertaken only when patching and repair are no longer feasible.

Where a roof material is rare (eg slate, timber shingles, copper, lead, or iron tile roofing), it is likely to be of high heritage significance. Any repairs and replacements should be in like material to retain its significance. Where this is not prudent or feasible, we suggest you call us and seek our advice on options.



Iron tiles (see page 2)

For further information contact:

TASMANIAN HERITAGE COUNCIL
103 Macquarie Street, HOBART TAS 7000
GPO Box 618, HOBART TAS 7001

TEL: 1300 850 332 (local call cost) |
6233 2037

FAX: 6233 3186

EMAIL: enquiries@heritage.tas.gov.au

WEB: www.heritage.tas.gov.au

METAL SHEETING

Corrugated galvanised iron (CGI) roof sheeting custom orb profile or equivalent is the most common material found on historic buildings in Tasmania. It is preferable that any replacement is with the same type of material.

The replacement of CGI sheeting, whether painted or not, with new CGI sheeting of the same profile and sheet lengths as exists would generally qualify for exclusion from the Works Application process (see Works Application Process box – page 4).

However replacement of CGI sheeting (whether painted or not) with Colorbond or Zinalume is considered to be a change of material, and for this a Works Application would generally be required.

A Works Application will generally also be required if a change of construction method (including sheet length) is proposed.

Examples of this type of work include replacing CGI with Colorbond or Zinalume corrugated sheeting in full length sheets. In certain cases the Heritage Council will require that sheet lengths be of the same length as that which currently exists, especially on roof faces relating to the principal elevations or those clearly visible to the public.

In situations where the roof is not a visible element, the Heritage Council is more likely to consider changes to the construction method and may agree to these works being excluded from the Works Application process.

Fixings

The Heritage Council accepts that new fixings for steel roof sheeting will generally be Tek screws rather than nails. In rare cases, such as roofs that are part of a museum display or an historic building open to the public, it may not be appropriate or desirable to use modern screw fixings. In such



Old lead-headed nails

instances, it is recommended that a traditional type of nail fixing is used. Tek screws can also be used for repairs to existing roofs, alongside original fixings.

Iron Tiles

Roofs of iron tiles such as those produced by Morewood & Rogers are rare and should be retained if at all possible. Where iron tiles have failed, replacements need to be manufactured by a metal worker using heavy gauge galvanized steel.

SHINGLES

Renewing shingled roofs

Existing timber shingled roofs may be renewed with new timber shingles, and this work does not require formal Heritage Council approval. Advice on the sourcing of shingles and technical aspects of repair and renewal can be sought from Heritage Tasmania.

Shingle roofs surviving under CGI

Where old shingled roofs exist beneath CGI roofing, these should be retained as significant historic fabric. Apart from providing evidence of the original construction materials and techniques, retention of shingles improves the thermal insulation of a roof.

If you believe that parts of the shingled roof need to be removed, we recommend you contact Heritage Tasmania for advice on how to proceed. Depending on the extent of intervention, a Works Application may be required.



Timber shingled roof

SKYLIGHTS OR DORMER WINDOWS

New skylights or dormer windows in visible roof faces will generally require a Works Application. The Heritage Council will in most instances require skylights to be of a low profile and not in the front roof face. New dormers should be of a traditional placement, size and proportion.

When upgrading existing skylights, it is preferable to retain the original dimensions. Where existing dormers are to be renovated, original or early details such as flashings, cladding materials, and joinery details (including glazing divisions in sashes) should be retained and any replacement material should replicate the existing.

SLATE ROOFING

Slate roofs are relatively rare in Tasmania and all reasonable effort should be made to maintain them.

The common maintenance scenario for slate roofs is that partial replacement and patching occurs effectively for a period of 80-100 years, then the overall accumulation of patches combined with accelerated decay requires a full removal and relaying of slate.



Practical issues

The deterioration of slate roofs can normally be attributed to:

- Design and installation; were the roof is of a shallow pitch or inappropriately laid, the slates may fail prematurely.
- Human impact, mainly from people walking on the slate roof or from carrying out inappropriate repairs.
- Slippage of slates, due to failure of the nails or enlargement of the nail holes in the slate.
- Inferior quality of the slate, which delaminates or fractures because of faults inherent in its composition (eg: mineral impurities).
- Salt attack, which has a most severe effect on porous slates. The source of the salt may be internal (ie: mineral impurities within the slate) or external (ie: airborne salts from the ocean or pollutants). Salt attack is most visible from the underside where white discolouration (efflorescence) and spalling or delamination may be seen. However, a white bloom is often evident on the surface of affected slates. Affected slates are susceptible to breakage (including frost damage) or may develop holes, either event requiring their replacement.
- Deterioration of cappings, flashings and gutters, allowing water to seep through. This does not usually have a direct impact on the condition of the slates, apart from in some instances rust streaks that may discolour the slate.

Maintenance tips

Use copper nails for fixing. These are non-corrosive and can be cut away without damaging surrounding slates when it is necessary to replace a broken slate. Steel nails with corrosion resistant finishes are used in some instances, but have the disadvantage that they cannot be cut away.

Do not install fixings through the visible face of the slate. This is a common but inappropriate practice.

Use lead or copper ridge capping and flashing for slate roofs in preference to galvanized iron. Grey Colorbond steel is an inferior, but in many instances acceptable, substitute material for ridge cappings. Lead cappings have the advantage of inhibiting lichen growth on the roof surface.

Be careful when removing slates to maximize the salvage of those in acceptable condition that can be reused. It is common for up to 70 per cent of original slates to be in sufficiently good condition to allow their re-use.

To maintain the roof's appearance, each roof slope should have either all old or all new slates. A mix of old and new on one slope rarely looks good.

In some instances, the Heritage Council may allow the rear portion of the roof to be re-clad in a different material (because it is not visible) with slate cladding maintained only on visible roof faces.

FLASHINGS

Flashings around chimneys are often a visible and distinctive feature of an historic roof. The Heritage Council encourages the continued use of traditional stepped flashings, particularly in highly visible locations.

In many cases, the substitution of an existing timber over-flashing for a metal over-flashing on gables is acceptable, but will require approval through the Works Application process.

The replacement or re-cladding of timber fascias or barges with a metal cover is not normally considered appropriate for heritage buildings.

When submitting your Works Application, it is recommended that you provide specific details on any proposed changes being proposed to the form or material of flashings.



TERRACOTTA TILES



Early terracotta roofing is uncommon, but not rare, in Tasmania. The decorative elements (finials, gargoyles and ridgings) found on some of these roofs are the most distinctive elements and often irreplaceable. They are therefore of high heritage significance.

Practical issues

Extreme care should be taken when walking on a tiled roof. Place feet on the laps rather than in the centre of the tile.

Most early forms of roof tiles are unglazed, and are sometimes under-fired. They can be quite porous and become susceptible to breakage in severe frost.

Porous tiles will also be vulnerable to salt attack, which in turn increases the tiles' susceptibility to breakage in severe frost. Salt attack is generally only visible from the underside where white discolouration (efflorescence) and spalling or delamination may be seen.

Roof inspections should be scheduled annually, in spring, to secure loose tiles and replace broken tiles. Secure loose tiles with galvanised or copper wire, or with steel nails in a galvanised or silicone bronze finish.

Some tile patterns are no longer available, making it difficult to source replacements. In such instances, it may be appropriate to strip the tiles off one roof face to provide tiles for the repair and replacement of other faces. A new tile of similar colour and pattern can be re-laid on the stripped face.

Total replacement of tiles is rarely necessary; however, repair and partial replacement of defective flashings is common. Lead sheeting should be used for flashings on tiled roofs as it can be dressed to the profile of the tile. Ridge tiles and cappings are set in mortar which can become dislodged. Use colour-matched lime mortar.

Mould, dirt and lichens can be removed with hot water spray and gentle scrubbing. A neutral pH soap can be used without detriment. Another effective way to remove lichen is to spray the roof with a compatible hydro-phobic solution. On porous tiles this also has the added advantage of reducing water absorption. Most treatments need to be repeated from time to time. At the time of treatment, disconnect any pipes directing rainwater to tanks to avoid polluting drinking water.

GUTTERS AND DOWNPIPES

Replacement of original gutters and downpipes with Colorbond or Zincolume is acceptable provided that the sectional profiles match the original or are historically appropriate. These works would normally qualify for exclusion from the Works Application process (see below). However a Works Application may be required for the use of plastic or PVC as these materials are not generally considered appropriate.

In situations where the gutters or downpipes are a distinctive detail or an unusual material (eg cast iron), every reasonable effort should be made to maintain the existing elements and any replacement material should match the original.

WORKS APPLICATION PROCESS

Under the *Historic Cultural Heritage Act 1995*, a Works Application is required for any works or development which may impact on the significance of a heritage-listed property.

A Works Application form and information sheet can be obtained from your local planning authority or downloaded from our website.

All Works Applications need to be lodged with the local planning authority along with such planning, building or plumbing applications as may be required for the work proposed.

Where your proposed works are minor, and won't affect the significance of the place, the Heritage Council may provide you with an 'exclusion' from the normal works application process. Please contact Heritage Tasmania to check whether your works would be excluded from the normal works application process. For works that qualify as an exclusion, a certificate is issued to you and your local planning authority, confirming that a Works Application is not required.

How long does it take to obtain approval?

The Heritage Act requires that a decision on your Works Application be delivered within 42 days of the date it is received by the local council.

Are there any penalties for not abiding by the Act? Yes. However the Heritage Council tries to work proactively with owners to resolve issues through discussion and mediation; rather than by conflict, objection, and using penalties.

14.2 NATURAL

Strategic Plan Reference – Page 20

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

14.2.1 Landcare Unit – General Report

File Ref: 03/082

AUTHORS NRM PROGRAMS MANAGER – M WEEDING
(CLIMATE CHANGE – G Green)

DATE 20th MARCH 2012

ISSUE

Southern Midlands Landcare Unit & Climate Change Report.

DETAIL

- Graham has been very busy developing a grant application to submit to the Australian Government under the Community Energy Efficiency Program. The grant total is \$59,000 (includes in kind), and \$25,646 is being sought as grant funding. The application seeks to significantly improve the Oatlands Town Hall building in term of its energy efficiency and usage. The application also links in with the Centre for Heritage courses.
- A funding application through the Lake Dulverton & Callington Park Management Committee has been submitted to the Tasmanian Community Fund. The application is for the purchase of push bikes to use on the Dulverton Corridor track. The application has contribution funding support from the Southern Midlands Rural Primary Health Services. Support from Oatlands Rotary and several pages of signatures from the local community members and visitors to the area were also obtained.
- Helen has been busy with a funding application to NRM South for the purchase of trees bags and stakes. The application closes on the 23rd March. Grant funding of \$4960 is being sought (maximum available is \$5000.00 per application).
- Helen has been assisting Jack with various correspondence and other issues as required.
- Helen has been working on a Caring for Our Country – Community Action Grant for funding that will be available for 2013 year should it be successful. The application

closes on the 27th March. Grant funding of around \$13,000 is being sought (maximum available is \$20,000.00).

- Maria has been busy with organising the concreting of the culverts on the Dulverton Walking track and the seating. The concrete was poured on Thursday 15th March – 10 M³ over 4 culvert crossings. The seats should arrive by the end of March after a lengthy delay due to a production problem.
- A workshop on the Biodiversity Offsets proposal was held with Councillors and Planning staff. – see separate report.

RECOMMENDATION

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

DECISION

Vote For	Councillor	Vote Against
	Mayor A E Bisdee OAM	
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

14.2.2 Landcare Unit –Councillor Workshop Report - Biodiversity Offsets

File Ref:

AUTHORS NRM PROGRAMS MANAGER – M WEEDING

DATE 20th MARCH 2012

ISSUE

Report on the Biodiversity Offsets Workshop held Tuesday 20th March for Councillors and NRM and Planning Staff at the Southern Midlands Council Kempton Office.

DETAIL

The *Guidelines for the Use of Biodiversity Offsets* document has been released for public comment. The following is a summary of the workshop proceedings:

Maria Weeding briefly spoke about the background and the process that has led to the development of the Guidelines.

Damian Mackey, in his capacity as an STCA Planner informed Council as to the developing Regional Planning Model and how that will be an overlay to the individual municipal planning schemes. Under the Model there will be recognition of different planning issues between urban and rural Councils.

Emma Riley in her role from the Southern Tasmanian Councils Authority (STCA) briefed the Councillors and Southern Midlands staff in detail in regard to the background and development of the Guidelines. Ms Riley went on to explain how vegetation communities are dealt with under current legislation and where a gap exists and this has been compounded due to changes in the Forest Practices Act. Discussion occurs on a diagrammatic form of how vegetation communities would be dealt with under the range of existing legislation, and where the gap exists. Consideration was given to a map showing the Threatened Vegetation Communities listed in Southern Midlands. A second map was tabled showing the extent of these Threatened Vegetation Communities currently under some form of covenant or other protection mechanism.

It was noted that the Biodiversity Code is currently being developed and will be available for consideration in the near future. An offer was made by Ms Riley for Southern Midlands to have a second briefing if desired, after Biodiversity Offsets the public comment period closed and once the code was available.

Questions from Councillors and staff were taken. There was no firm decisions formally agreed. The application period for comment by the public closes in mid April, however the workshop participants were advised that Councils can respond under an extended timeframe, which can accommodate the Southern Midlands April Council meeting.

RECOMMENDATION

THAT

- 1. the information on the Biodiversity Offsets Councillor Workshop be noted.**
- 2. Council nominate a working group consisting of interested Councillors and relevant Staff to meet and formulate a draft Southern Midlands Council response to the STCA Biodiversity Offsets proposal.**
- 3. The draft response be submitted to the April Council meeting for consideration prior to lodgement with the STCA.**

DECISION

Vote For	Councillor	Vote Against
	Mayor A E Bisdee OAM	
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

14.3 CULTURAL

Strategic Plan Reference – Page 21

3.3.1 Increase the retention, documentation and accessibility of the aboriginal convict, rural and contemporary culture of the Southern Midlands.

Nil.

14.4 REGULATORY (OTHER THAN PLANNING AUTHORITY AGENDA ITEMS)

Strategic Plan Reference – Page 21

3.4.1 A regulatory environment that is supportive of and enables appropriate development.
Identify and protect areas that are of high conservation value

Nil.

14.5 CLIMATE CHANGE

Strategic Plan Reference – Page 21

3.5.1 Develop strategies to address issues of climate change in the Southern Midlands.

Nil.

15 OPERATIONAL MATTERS ARISING LIFESTYLE**15.1 YOUTH****Strategic Plan Reference – Page 22**

4.1.1 Increase the retention of young people in the municipality.

15.1.1 January 2012 School Holiday ProgramAUTHOR COMMUNITY RECREATION OFFICER - COMMUNITY &
CORPORATE DEVELOPMENT DEPARTMENT (G HUNT)DATE 2ND MARCH 2012

ATTACHMENTS: School Holiday Program - January 2012 Flyer

BACKGROUND

Council has provided a School Holiday program for the young people of the municipality (age range 9 – 16 years) since May 2008. A varied and stimulating program is provided and feedback from both participant children and parents is very positive.

Current Situation

Please refer to attached flyer outlining the January 2012 activities. Four days of various activities were provided, with first time experiences at several activities being encountered by participants.

Financial Implications

Attached budget demonstrates that our partnerships with the local Rural Primary Health Service and Communities for Children through their “Connecting Families and School Communities” program provides a very cost effective holiday program for our young people. Council’s actual ‘cash’ contribution is less than 5% of the in excess of \$4,300 costs to run the January 2012 program.

Council staff however do provide an enormous amount of time and energy into all human resource sections of the activities, ie take all bookings (including medical and permission forms), organise all activities / venues and transport, provide at least one adult supervisor per day of the program, as well as conducting research and debriefing sessions post activities.

Participation

As can be seen from the flyer, a diverse and interesting program was provided in January 2012. We noticed that the average age of participants was reduced this time, with a large proportion in the 9-12 age bracket. No real evidence why this trend has evolved, but will monitor on an ongoing basis. Numbers attending the days were 128 - as follows:-

Day 1 31 Day 2 26 Day 3 33 Day 4 38

Seventeen different townships were represented over the four days as follows; Bagdad, Broadmarsh, Colebrook, Dysart, Jericho, Kempton, Lemont, Levendale, Mangalore, Melton Mowbray, Mt Seymour, Oatlands, Pawtella, Tea Tree, Tunnack, Whitefoord and York Plains.

Conduct of the children was very good and supervisor numbers (SMC, RPHS, and CfC staff on a rostered basis) were in accordance with regulations at all times.

For information purposes only, we did encounter one incident whereby our Bus Driver Danny Blyth had a serious health issue whilst on Day 4 of our program (whilst bus was parked thankfully). Medical assistance was given on site, ambulance officers arrived in a timely manner and a back up Bus Driver was arranged so as not to disturb our original timetable. The children were ‘sheltered’ from all of these activities, and advised once we were back on the road of ‘generally ‘what had happened. Danny subsequently spent a few days in hospital and is now out and appears to have recovered well.

RECOMMENDATION

That the information be received

DECISION

Vote For	Councillor	Vote Against
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	



YOUTH SCHOOL HOLIDAY PROGRAM – JANUARY 2012

Southern Midlands Council, in conjunction with Rural Primary Health Service - Oatlands, and the "Connecting Families and School Communities" Program are once again pleased to announce an exciting array of excursions being held during the upcoming January 2012 school holiday period .

Day 1

Wednesday 11 January 2012

A coach trip to the fun filled Launceston Aquatic Centre. Children are to bring their own lunch or purchase from the Aquatic Centre or Epping Forest on the way up (bus will also stop off again on the return). Full and unlimited access to the huge water slide is included.

Cost is \$10.00 per child

Day 2

Wednesday 18 January 2012

Get your belly ready for a good giggle and check out the amazing works of the Cartoonist Man at Tolosa Street Park. He will demonstrate and teach the Art of Cartooning in two informative sessions. Of course, we'll have some games and running around too. Then we'll head off for some Splish and Splash fun at Glenorchy pool. Participants are to provide their own lunch.

Cost is \$10.00 per child

Day 3

Wednesday 25 January 2012

A day at Hobart Police Citizens Youth Club where we will be greeted by "The Glimar Man" who will teach us about the art of airbrushing and help us create our own cool masterpieces. An exercise and games workout will be conducted by the PCYC alongside the airbrushing session and an optional visit to "The Link" Youth Health Service close by is also available for attendees. BBQ lunch will be provided.

Cost is \$10.00 per child

Day 4

Wednesday 01 February 2012

A fun filled day of outdoor activities and games, bushwalking, flying fox, water slide, damper making and lots more at the Woodfield Centre, Dysart – just a short coach trip down the Highway for most. BBQ lunch will be provided and we can even eat our own bread. Please bring appropriate footwear for bush activities, your bathers and a change of clothes.

Cost is \$10.00 per child

Bookings are essential and are to be made prior to close of Business on Friday 9th December 2011 Age limits of 9 – 16 apply and numbers are limited. Please dress appropriately for the relevant activities. BYO snacks, drinks, sun hat and sunscreen for all days. If you have any special dietary needs please bring own food with you. **Any participants with significant medical conditions should provide a full emergency plan and appropriate medication/treatment – Failure to do so will result in exclusion from program/s.**

Bookings can be made through Belynda at Council's Kempton office on 6259 3011 during office hours, and will be on a "first come – first served" basis. Parent permission forms are required for all excursions and medical history forms are also required for all children. Payment is to be made at the time of booking. If you find that your child is unable to attend prior to the day's excursion, please let us know immediately as we invariably have waiting lists for each day.

Come along and join the fun.

Greg Hunt &
Belynda Loveless

Karla Otten &
Corina McCarthy

Kelly Woodward

SMC

RPHS

CFaSC

SCHOOL HOLIDAY PROGRAM BUDGET (JAN/FEB 2012) FINAL

Date	Event	Atten d	Program Cost/Entry Fees	Extra Cost	Caterin g (BBQ)	Transpor t	Day Cost
11th Jan 2012	Launceston Aquatic	31	\$3.50	\$37.20	\$0.00	\$700.00	\$845.90
18th Jan 2012	Cartoon Man/ G Pool	26	\$400.00	\$173.00	\$0.00	\$500.00	\$1,073.0 0
25th Jan 2012	Glimar Man / PCYC	33	\$200.00	\$200.00	\$120.00	\$500.00	\$1,020.0 0
1st Feb 2012	Woodfield Lodge	38	\$20.00	\$0.00	\$120.00	\$500.00	\$1,380.0 0
Total Costing for All Programs							\$4,318.9 0
Communities for Children							1,400.00
RPHS							1,440.00
Southern Midlands Council							198.90
Attendance Fees							1,280.00
Total Costing for All Programs							\$4,318.9 0

* NB \$240.00 BBQ supplies provided and purchased direct by RPHS Oatlands

15.2 AGED

Strategic Plan Reference – Page 22

4.2.1 Improve the ability of the aged to stay in their communities.

Nil.

15.3 CHILDREN AND FAMILIES

Strategic Plan Reference – Page 22

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

Nil.

15.4 VOLUNTEERS

Strategic Plan Reference – Page 22

4.4.1 Encourage community members to volunteer.

Nil.

15.5 ACCESS

Strategic Plan Reference – Page 22

4.5.1 Continue to meet the requirements of the Disability Discrimination Act.

Nil.

15.6 PUBLIC HEALTH

Strategic Plan Reference – Page 23

4.6.1 Monitor and maintain a safe and healthy public environment.

Nil.

15.7 RECREATION

Strategic Plan Reference – Page 23

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

Nil.

15.8 ANIMALS

Strategic Plan Reference – Page 23

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

15.8.1 Animal Control Officer’s Report

File Ref: 3/027

AUTHOR ANIMAL CONTROL OFFICER (G DENNE)

DATE 20th MARCH 2012

ISSUE

Consideration of Animal Control Officer’s monthly report.

DETAIL

Refer Monthly Statement on Animal Control for period ending 29th February 2012.

Notes:

Ongoing assessment of complaint relating to Dog Barking / Nuisance – Sophia Street, Kempton

Dogs Impounded: 2

1 – adopted out to new owner.

1 – reclaimed (to be microchipped)

RECOMMENDATION

THAT the Animal Control Officer’s Monthly report be received.

DECISION

Vote For	Councillor	Vote Against
	Mayor A E Bisdee OAM	
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

**SOUTHERN MIDLANDS COUNCIL
MONTHLY STATEMENT ON ANIMAL CONTROL
FOR PERIOD ENDING 29/2/2012**

Total of Dogs Impounded: 2
Dogs still in the Pound: _____

Breakdown Being:

ADOPTED	RECLAIMED	LETHALISED	ESCAPED
1	1	-	-

MONEY RECEIVED

Being For:

Pound	\$18.18
Reclaims	\$54.55
Dog Registrations	
Kennel Licence Fee	
Infringement Notices	
Complaint Lodgement Fee	
TOTAL	\$72.73

COMPLAINTS RECEIVED FOR PERIOD ENDING 29/2/2012

Dog at Large: 2
Dog Attacks: 0
Request Pick-ups: 2
After Hours Calls: 1
TOTAL 5

Number of Formal Complaints Received: 0
Number of Infringement Notices Issued: -

Animal Control Officer: **Garth Denne**

15.9 EDUCATION

Strategic Plan Reference – Page 23

4.9.1 Increase the educational and employment opportunities available in the Southern Midlands.

Nil.

16 OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

16.1 RETENTION

Strategic Plan Reference – Page 24

5.1.1 Maintain and strengthen communities in the Southern Midlands.

Nil.

16.2 CAPACITY

Strategic Plan Reference – Page 24

5.2.1 Build the capacity of the Community to help itself.

16.2.1 Southern Midlands Community Radio Station Inc. (Update and consideration of correspondence)

File Ref:

AUTHOR GENERAL MANAGER
 DATE 23rd MARCH 2012

ISSUE

Report to be circulated prior to meeting.

BACKGROUND

DETAIL

Human Resources & Financial Implications –

Community Consultation & Public Relations Implications –

Council Web Site Implications:

Policy Implications –

Priority - Implementation Time Frame –

RECOMMENDATION

To be submitted.

DECISION

Vote For	Councillor	Vote Against
	Mayor A E Bisdee OAM	
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

16.3 SAFETY

Strategic Plan Reference – Page 24

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

Nil.

16.4 CONSULTATION

Strategic Plan Reference – Page 24

5.4.1 Improve the effectiveness of consultation with the Community.

Nil.

16.5 COMMUNICATION

Strategic Plan Reference – Page 25

5.5.1 Improve the effectiveness of communication with the Community.

Nil.

17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

17.1 IMPROVEMENT

Strategic Plan Reference – Page 26

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 Improve the Council records management system and processes.
6.1.6 Develop an overall Continuous Improvement Strategy and framework.

Nil.

17.2 SUSTAINABILITY**Strategic Plan Reference – Page 27**

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.

Nil.

17.3 FINANCES**Strategic Plan Reference – Page 28**

6.3.1	Maintain current levels of community equity.
6.3.2	Major borrowings for infrastructure will reflect the inter-generational nature of the assets created.
6.3.3	Council will retain a minimum cash balance to cater for extra-ordinary circumstances.
6.3.4	Operating expenditure will be maintained in real terms and expansion of services will be funded by re-allocation of service priorities or an increase in rates.
6.4.4	Sufficient revenue will be raised to sustain the current level of community and infrastructure services.

17.3.1 Monthly Financial Statement (February 2012)

File Ref: 3/024

AUTHOR FINANCE OFFICER

DATE 23rd MARCH 2012

Refer enclosed Report incorporating the following: -

- a) Current Expenditure Estimates
- b) Capital Expenditure Estimates

Note: Refer to enclosed report detailing the individual capital projects.

- c) Rates & Charges Summary – Period Ending 17th March 2012
- d) Cash Flow Statement - completed to 29th February 2012.

Note: Expenditure figures provided are for the period 1st July to 29th February 2012 - approximately 67% of the period.

Comments

A. Current Expenditure Estimates (Operating Budget)

Strategic Theme – Infrastructure

- **Sub-Program –Roads** - expenditure to date (\$1,030,003 – 87.47%). This program will be monitored in the coming months.

Strategic Theme – Growth

- **Sub-Program – Business** - expenditure to date (\$83,569 – 161.49%). This Program is Private Works undertaken on a recharge basis.

Strategic Theme – Landscape

- **Sub-Program – Heritage** - expenditure to date (\$131,758 – 78.75%). This program will be monitored in the coming months.
- **Sub-Program – Natural** - expenditure to date (\$91,716 – 90.71%). This program will be monitored in the coming months. ‘One-off’ annual costs have been paid.

Strategic Theme – Community

- **Sub-Program – Consultation** - expenditure to date (\$21,988 – 433.69%) Additional expenditure associated with the Southern Midlands Education Working Group and school viability project. Budget to be closely monitored.

B. Capital Expenditure Estimates (Capital Budget)

Nil.

RECOMMENDATION

THAT the information be received.

DECISION

Vote For	Councillor	Vote Against
	Mayor A E Bisdee OAM	
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

SOUTHERN MIDLANDS COUNCIL : CURRENT EXPENDITURE 2011/12
SUMMARY SHEET

PROGRAM	TOTAL	REVISED BUDGET (GRANTS & OTHER REIMBURSEMENTS)	ACTUAL AS AT 29 FEBRUARY 2012 67%	VARIANCE (+/-)	% BASED ON REVISED BUDGET 100%
INFRASTRUCTURE					
Roads	1177492	1177492	1030003	147489	87.47%
Bridges	103225	103225	39291	63933	38.06%
Walkways	164055	164055	101671	62384	61.97%
Lighting	77792	77792	42782	35010	55.00%
Irrigation	2450	2450	0	2450	0.00%
Drainage	32090	32090	7679	24410	23.93%
Waste	472642	472642	252420	220223	53.41%
Public Toilets	49710	49710	31898	17812	64.17%
Communications	0	0	0	0	0.00%
Signage	12300	12300	8017	4283	65.18%
INFRASTRUCTURE TOTAL:	2091756	2091756	1513763	577993	72.37%
GROWTH					
Residential	2900	2900	25	2875	0.85%
Mill Operations	910348	910348	527731	382617	57.97%
Tourism	33610	33610	12341	21269	36.72%
Business	51750	51750	83569	-31819	161.49%
Agriculture	11548	11548	1055	10493	9.13%
Integration	11548	11548	0	11548	0.00%
GROWTH TOTAL:	1021704	1021704	624721	396983	61.15%
LANDSCAPES					
Heritage	167308	167308	131758	35549	78.75%
Natural	101107	101107	91716	9391	90.71%
Cultural	0	0	0	0	0.00%
Regulatory	696156	696156	461471	234685	66.29%
Climate Change	35754	35754	26625	9129	74.47%
LANDSCAPES TOTAL:	1000324	1000324	711570	288754	71.13%
LIFESTYLE					
Youth	176541	176541	70384	106157	39.87%
Aged	0	0	0	0	0.00%
Childcare	16535	16535	5237	11298	31.67%
Volunteers	41757	47945	24880	23065	51.89%
Access	1405	1405	0	1405	0.00%
Public Health	7258	7258	2963	4295	40.83%
Recreation	334317	334317	272252	62065	81.44%
Animals	66375	66375	34297	32078	51.67%
Education	0	0	106	-106	0.00%
LIFESTYLE TOTAL:	644188	650376	410119	240257	63.06%
COMMUNITY					
Retention	0	0	0	0	0.00%
Capacity	27025	27025	14986	12039	55.45%
Safety	51400	51400	31053	20347	60.41%
Consultation	5070	5070	21988	-16918	433.69%
Communication	21125	21125	6240	14885	29.54%
COMMUNITY TOTAL:	104620	104620	74267	30353	70.99%
ORGANISATION					
Improvement	5850	5850	352	5498	6.02%
Sustainability	1317109	1317109	884207	432901	67.13%
Finances	227529	227529	121657	105872	53.47%
ORGANISATION TOTAL:	1550488	1550488	1006216	544272	64.90%
TOTALS	6413080	6419268	4340666	2078612	67.62%

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2011-12
AS AT 29 FEBRUARY 2012

INFRASTRUCTURE	ROAD ASSETS	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
	Resealing Program				
	Reseal Program	\$ 680,000	\$ 382,545	\$ 297,455	
	Reconstruct & Seal	\$ 382,460	\$ -	\$ 382,460	
		\$ 45,000	\$ 1,163	\$ 43,837	
		\$ 50,000	\$ 2,328	\$ 47,674	
		\$ 60,000	\$ 3,490	\$ 56,510	
		\$ 45,000	\$ 1,136	\$ 43,864	
		\$ 45,000	\$ -	\$ 45,000	
		\$ 110,000	\$ 1,272	\$ 108,728	
		\$ 55,000	\$ 5,364	\$ 49,646	
	Minor Seals (New)	\$ 15,000	\$ -	\$ 15,000	
		\$ 10,000	\$ -	\$ 10,000	
		\$ 10,000	\$ -	\$ 10,000	
	Unsealed - Road Widening	\$ 20,000	\$ 12,814	\$ 7,186	
		\$ 20,000	\$ -	\$ 20,000	
		\$ 16,000	\$ -	\$ 16,000	
		\$ 15,000	\$ -	\$ 15,000	
		\$ 60,000	\$ 53,263	\$ 6,637	Includes \$40K Budget 2010/11
	Other:				
		\$ 35,000	\$ -	\$ 35,000	
		\$ 8,000	\$ -	\$ 8,000	
		\$ 10,000	\$ 300	\$ 9,700	
		\$ 10,000	\$ -	\$ 10,000	
		\$ 20,000	\$ -	\$ 20,000	
		\$ 1,680,460	\$ 443,782	\$ 1,236,678	
	BRIDGE ASSETS				
		\$ 26,440	\$ -	\$ 26,440	
		\$ -	\$ 1,385	\$ 1,385	
		\$ 804,160	\$ 254,895	\$ 549,265	
		\$ 111,220	\$ 4,126	\$ 107,094	
		\$ 59,430	\$ 1,652	\$ 57,778	
		\$ 73,830	\$ 1,724	\$ 72,106	
		\$ -	\$ 641	\$ 641	
		\$ 91,840	\$ 56,929	\$ 34,911	
		\$ 125,480	\$ 1,540	\$ 123,940	
	Carried Forward:				
		\$ -	\$ 6,515	\$ 6,515	Capitalised 30/6/11
		\$ -	\$ 6,243	\$ 6,243	Capitalised 30/6/11
		\$ -	\$ 15,474	\$ (15,474)	WIP - Carry Forward 2009/10
		\$ -	\$ 1,469	\$ 1,469	WIP - Carry Forward 2010/11
		\$ -	\$ 1,653	\$ 1,653	WIP - Carry Forward 2010/11
		\$ -	\$ 1,231	\$ 1,231	WIP - Carry Forward 2010/11
		\$ 1,282,400	\$ 385,427	\$ 936,973	

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2011-12
AS AT 29 FEBRUARY 2012

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
WALKWAYS				
Footpaths - General (Program to be confirmed)	\$ 130,000	\$ -	\$ 130,000	
Bagdad Township	\$ -	\$ -	\$ -	
- School Rd Bagdad	\$ -	\$ -	\$ -	
Campania Township	\$ -	\$ -	\$ -	
- Nil	\$ -	\$ -	\$ -	
Colebrook Township	\$ -	\$ -	\$ -	
- Nil	\$ -	\$ -	\$ -	
Kempston Township	\$ -	\$ -	\$ -	
- Nil	\$ -	\$ -	\$ -	
Oatlands Township	\$ -	\$ -	\$ -	
- Nil	\$ -	\$ -	\$ -	
Turnbridge Township	\$ -	\$ -	\$ -	
- Nil	\$ -	\$ -	\$ -	
Turnmuck Township	\$ -	\$ -	\$ -	
- Nil	\$ -	\$ -	\$ -	
Carried Forward:				
Bagdad Township	\$ 25,000	\$ -	\$ 25,000	
- Swan Street	\$ -	\$ -	\$ -	
Campania Township	\$ 10,000	\$ -	\$ 10,000	
- Reeve Street (Vicinity of Stone)	\$ 5,000	\$ -	\$ 5,000	
- Review Management Plan (Site Plan) / Walking Tracks (Bush Reserve)	\$ -	\$ -	\$ -	
Oatlands Township	\$ 7,000	\$ -	\$ 7,000	
- High Street (Tree Planting)	\$ 7,000	\$ -	\$ 7,000	
Turnmuck Township	\$ -	\$ -	\$ -	
- Nil	\$ -	\$ -	\$ -	
	\$ 184,000	\$ -	\$ 184,000	
LIGHTING				
Nil Projects	\$ 270,000	\$ 335,503	\$ (66,503)	\$270K Grant Funded Final Costs
	\$ 270,000	\$ 335,503	\$ (66,503)	
DRAINAGE				
Bagdad	\$ 18,000	\$ -	\$ 18,000	
- Hill Lane (Junction with Midland Highway) - Pipe Open Drain	\$ 25,000	\$ -	\$ 25,000	
- Swan Street - Kerb & Gutter	\$ 12,000	\$ -	\$ 12,000	
- Winsford Road - SW Drainage Imp's	\$ -	\$ -	\$ -	
Campania	\$ 28,000	\$ 3,750	\$ 24,250	
- Reeve Street (Open Drain - north of Telephone Box)	\$ 7,000	\$ -	\$ 7,000	
- Jones Subdivision - check with AP (requirements?)	\$ -	\$ -	\$ -	
Colebrook	\$ -	\$ 10,588	\$ (10,588)	
- Franklin Street- Stormwater	\$ -	\$ -	\$ -	
Kempston	\$ -	\$ -	\$ -	
- Nil	\$ -	\$ -	\$ -	
Oatlands	\$ 6,140	\$ -	\$ 6,140	
- Stanley St LHS - between Albert Terrace & Nelson St - Pipe Open Drain	\$ 5,000	\$ -	\$ 5,000	
- High Subdivision Street Junction	\$ -	\$ -	\$ -	
	\$ 101,140	\$ 14,349	\$ 86,791	
WASTE				
Oatlands WTS - Capital Improvements	\$ 7,500	\$ 2,030	\$ 5,470	Carried Forward:
	\$ 7,500	\$ 2,030	\$ 5,470	
PUBLIC TOILETS				
Colebrook - Power Connection & Lighting	\$ 5,000	\$ -	\$ 5,000	
	\$ 5,000	\$ -	\$ 5,000	

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2011-12
AS AT 29 FEBRUARY 2012

SIGNAGE	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
Dailands Signage	\$ 25,000	\$ -	\$ 25,000	
GROWTH	\$ 25,000	\$ -	\$ 25,000	
RESIDENTIAL				
Kandara Court - Stage 1	\$ -	\$ 33,612	\$ (33,612)	
Kandara Court - Stage 2	\$ -	\$ 3,942	\$ (3,942)	Prelim Survey & Engineering Design
	\$ -	\$ 37,554	\$ (37,554)	
TOURISM				
Avenues of Honour	\$ 4,000	\$ -	\$ 4,000	
History of Southern Midlands	\$ -	\$ 29,391	\$ (29,391)	Grant Funded
	\$ 4,000	\$ 29,391	\$ (25,391)	
HERITAGE				
Court House (Restoration - Toilet & Kitchen/Fac's)	\$ 22,767	\$ 3,865	\$ 18,912	
Court House (Landscaping)	\$ -	\$ -	\$ -	
Kempton Watch House (Fitout)	\$ 46,000	\$ 36,780	\$ 9,220	Includes \$30K Budget 2010/11)
Callington Mill (Master Precinct Plan)	\$ 10,000	\$ 11,116	\$ (1,116)	
Gaol (Interps & Landscaping) - commitment to TCF application	\$ 25,000	\$ 54,159	\$ (29,159)	Balance Grant Funded
Gaol (Furnishings & Fitout)	\$ 8,000	\$ 2,715	\$ 5,285	
Collections Management - Equip / Supplies / Labour Component	\$ -	\$ -	\$ -	
Paratiah Railway Station	\$ -	\$ 831	\$ (831)	
	\$ 110,767	\$ 109,442	\$ 1,325	
LANDSCAPES				
NATURAL				
Jericho Trees	\$ 4,000	\$ -	\$ 4,000	
	\$ 4,000	\$ -	\$ 4,000	
REGULATORY				
Kempton Council Chambers - Building & Office Improvements	\$ 10,000	\$ -	\$ 10,000	
Kempton Council Chambers - Office Equipment	\$ 2,000	\$ -	\$ 2,000	
	\$ 12,000	\$ -	\$ 12,000	

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2011-12
AS AT 29 FEBRUARY 2012

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
LIFESTYLE				
RECREATION				
Recreation Committee	\$ 35,000	\$ 230	\$ 34,770	
Playground Equipment	-	-	-	
Kempston Memorial Hall	\$ 10,000	-	\$ 10,000	
Campagna - Dirt Track	\$ 5,000	\$ 38,910	\$ (33,810)	Balance Grant Funded
Colebrook Recreation Ground (Amortiffes)	\$ 16,367	-	\$ 16,367	
	\$ 66,367	\$ 39,040	\$ 27,327	
RLCIP Projects				
Community Library Extension	\$ 290,000	\$ 279,145	\$ 10,855	Includes \$45K RLCIP2 Funds & \$95K Grant
Melton Mowbray Roadside Park	-	\$ 750	\$ 750	RLCIP Round 3
Bagdad Walking & Riding Path	-	\$ 691	\$ 691	
Station Park Kempston	-	\$ 50	\$ 50	
Flour Mill Park Redevelopment	-	\$ 145	\$ 145	
Dulverton Corridor Walkway	-	\$ 42,439	\$ 42,439	
	\$ 290,000	\$ 323,221	\$ (33,221)	
COMMUNITY				
Road Accident Rescue Unit	\$ 3,000	\$ 1,451	\$ 1,549	
	\$ 3,000	\$ 1,451	\$ 1,549	
ORGANISATION				
SUSTAINABILITY ADMINISTRATION				
Computer System (Hardware / Software)	\$ 20,000	\$ 21,755	\$ (1,755)	
Town Hall (External Windows - Repair)	\$ 5,000	-	\$ 5,000	
Town Hall (Chairs)	\$ 5,000	-	\$ 5,000	
Town Hall (General)	\$ 10,000	-	\$ 10,000	
Town Hall (Upstairs) - Refitting	\$ 5,000	-	\$ 5,000	
Asset Management - Computer Software	\$ 25,000	\$ 20,149	\$ 4,851	
WORKS				
Depot - Church Street - paling fence - South Parade boundary	\$ 4,550	-	\$ 4,550	
Minor Plant Purchases	\$ 6,500	\$ 5,039	\$ 1,461	
Radio System	\$ 2,000	-	\$ 2,000	
Security Key System	\$ 6,000	-	\$ 6,000	
Depot - Glenelg Street (Security Fencing)	\$ 3,000	-	\$ 3,000	
Land Acquisition (General disposal / storage area)	-	-	-	
Refer separate Schedule (Net Chargeover)	\$ 734,152	\$ 602,829	\$ 131,323	
Light Vehicles	\$ 180,000	\$ 130,881	\$ 49,119	
Excavator (Approx. 2.70 tonne)	\$ 60,000	-	\$ 60,000	
Water Tank Replacement (Truck)	-	-	-	
	\$ 1,056,202	\$ 781,554	\$ 284,648	
GRAND TOTALS	\$ 5,121,836	\$ 2,473,724	\$ 2,648,112	

SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED

	17/03/2012	17/03/2011
Arrears Brought Forward	\$212,537.06	\$244,859.30
ADD Current Rates and Charges Levied	\$3,749,767.48	\$3,531,501.58
ADD Current Interest	\$45,110.11	\$45,632.31
TOTAL Rates and Charges Demanded	\$4,007,414.65	\$3,821,993.19
LESS Rates and Charges Collected	\$2,888,729.74	\$2,771,844.05
LESS Pensioner Remissions	\$185,617.58	\$171,631.01
LESS Other Remissions	-\$8,617.80	-\$7,036.51
LESS Discounts	\$13,009.28	\$11,306.39
TOTAL Rates and Charges Collected and Remitted	\$3,078,738.80	\$2,947,744.94
UNPAID RATES AND CHARGES	\$928,675.85	\$874,248.25
	23.17%	22.87%
	76.83%	77.13%

	INFLOWS (OUTFLOWS) (July 2011)	INFLOWS (OUTFLOWS) (August 2011)	INFLOWS (OUTFLOWS) (Sept 2011)	INFLOWS (OUTFLOWS) (Oct 2011)	INFLOWS (OUTFLOWS) (Nov 2011)	INFLOWS (OUTFLOWS) (Dec 2011)	INFLOWS (OUTFLOWS) (Jan 2012)	INFLOWS (OUTFLOWS) (Feb 2012)	INFLOWS (OUTFLOWS) (Year to Date)
Cash flows from operating activities									
Payments	-	-	-	-	-	-	-	-	-
Employee costs	- 361,843.26	- 242,430.63	- 239,666.71	- 235,416.16	- 240,288.52	- 264,770.30	- 269,445.85	- 250,685.09	- 2,104,546.52
Materials and contracts	- 422,272.33	- 406,661.77	- 261,552.09	- 320,240.90	- 261,426.83	- 315,856.31	- 196,945.43	- 395,680.41	- 2,580,636.07
Interest	- 1,134.37	-	-	-	-	-	-	-	-
Other	- 9,030.87	- 16,960.94	- 70,256.75	- 16,757.49	- 19,139.30	- 56,321.94	- 34,800.53	- 17,676.48	- 29,898.68
	- 794,280.83	- 666,053.34	- 571,475.55	- 572,414.55	- 531,306.39	- 655,261.12	- 501,191.81	- 664,041.98	- 4,956,025.57
Receipts									
Rates	42,056.70	385,831.55	1,341,089.15	148,102.79	383,455.78	178,030.51	368,289.25	174,679.18	3,021,534.91
User charges	124,241.49	48,334.99	79,680.21	71,292.83	57,562.90	43,554.43	72,194.90	82,830.46	579,692.21
Interest received	25,369.29	42,111.25	28,758.03	34,709.61	35,699.50	22,268.21	22,120.20	16,775.30	227,811.39
Subsidies	-	-	-	-	-	-	-	-	-
Other revenue grants	3,198.00	540,880.72	4,500.00	6,636.36	552,245.70	-	9,374.25	543,671.45	1,641,757.98
GST Refunds from ATO	-	-	-	-	-	-	-	-	-
Other	63,206.37	92,601.90	37,253.54	27,156.20	45,986.05	4,294.52	13,362.97	108,107.22	273,270.73
	258,071.85	1,097,604.41	1,491,280.93	287,897.79	982,977.83	248,147.67	439,867.13	945,762.61	5,763,766.22
	- 536,208.98	443,707.07	919,805.38	- 284,516.76	451,671.44	- 407,113.45	61,324.68	281,720.63	807,740.65
Net cash from operating activities									
Cash flows from investing activities									
Payments for property, plant & equipment	- 61,243.40	- 160,457.10	- 25,981.10	- 149,223.56	- 162,179.09	- 319,285.10	- 373,836.34	- 411,048.43	- 1,663,254.12
Proceeds from sale of property, plant & equipment	-	-	-	-	-	-	-	-	-
Proceeds from Capital grants	-	14,275.45	-	25,642.00	343.48	-	177,977.73	94,744.35	312,983.01
Proceeds from Investments	-	41,006.25	-	-	47,100.00	-	-	-	88,106.25
Payment for Investments	-	-	-	-	-	-	-	-	-
Net cash used in investing activities	- 61,243.40	- 105,175.40	- 25,981.10	- 123,581.56	- 114,735.61	- 319,285.10	- 195,858.61	- 316,304.08	- 1,262,164.86
Cash flows from financing activities									
Repayment of borrowings	- 4,197.41	-	-	-	-	-	-	-	-
Proceeds from borrowings	-	-	-	-	-	-	-	-	-
Net cash from (used in) financing activities	- 4,197.41	-	-	-	-	-	-	-	-
Net increase/(decrease) in cash held	- 601,649.79	338,531.67	893,824.28	- 408,098.32	327,962.64	767,613.26	257,183.29	34,583.45	- 508,809.52
Cash at beginning of reporting year	8,152,371.61	7,550,721.82	7,889,253.49	8,783,077.77	8,374,979.45	8,702,942.09	7,935,328.83	7,678,145.54	8,152,371.61
Cash at end of reporting year	7,550,721.82	7,889,253.49	8,783,077.77	8,374,979.45	8,702,942.09	7,935,328.83	7,678,145.54	7,643,562.09	7,643,562.09

18. INFORMATION BULLETINS

Refer enclosed Bulletin dated 23rd March 2012.

Information Bulletin dated 3rd & 15th March 2012 circulated since previous meeting.

RECOMMENDATION

THAT the Information Bulletins dated 3rd, 15th & 23rd March 2012 be received and the contents noted.

DECISION

Vote For	Councillor	Vote Against
	Mayor A E Bisdee OAM	
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

18.1 QUESTION TIME (COUNCILLORS)

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

Comments / Update will be provided in relation to the following:

1.

2.

3.

4.

19. MUNICIPAL SEAL

19.1 SALE OF PROPERTIES (FOR UNPAID RATES AND CHARGES) - IN ACCORDANCE WITH SECTION 137 OF THE LOCAL GOVERNMENT ACT 1993

File Ref:

AUTHOR GENERAL MANAGER
DATE 15th MARCH 2012

ATTACHMENT: Nil
ENCLOSURE: Nil

ISSUE

Council to apply the Seal to Lands and Title Office Transfer Forms for the following properties:

- Lot 1 – Link Road, Colebrook (CT Volume 204198 Folio 1)
- Youngs Road, Rhyndaston (CT Volume 222535 Folio 1)
- Coombes Road, Rhyndaston (PID 7735552)
- Sugarloaf Road, Kempton (CT Volume 213039 Folio 1)

BACKGROUND

The following is an extract from the *Local Government Act 1993* relating to Sale of Land for unpaid rates:

“ 137. Sale of land for unpaid rates

(1) If any rates in respect of land that is not Crown land have been outstanding for 3 years or more, the council may –

(a) sell that land or part of that land as if it were the owner of the land –

(i) by public auction; or

(ii) if the proceeds of the sale are unlikely to meet the costs of the public auction, by direct sale; or

(b) apply to the Minister for an order that the land be transferred to the council if it is not possible after reasonable inquiry to identify the owner of the land or the whereabouts of the owner.

(1A)

(1B)

(2)

(3) Before a council sells land or takes any action under subsection (2), the general manager must serve a notice in writing on the ratepayer stating–

(a) the period for which the rates have been in arrears; and

(b) the amount of the total rates outstanding in relation to the land; and

(c) that if that amount is not paid in full within 90 days the council intends to sell the land for non-payment of rates.

(4) The general manager is to send a copy of the notice to–

(a) any owner of the land who is not the ratepayer; and

(b) any registered mortgagee of the land; and

(c) any other person who has a registered interest in the land.

(5) The general manager is to cause the details of the notice as specified in subsection (5A) to be advertised on at least 2 occasions in a daily newspaper circulating in the municipal area.

(5A) A notice referred to in subsection (5) is to specify –

(a) the land or lands to which the notice relates; and

(b) the owner or owners of the land or lands; and

(c) the matters referred to in subsection (3).

(6) The general manager may effect service of the notice by leaving it in a conspicuous place on the land if the general manager–

(a) having made reasonable enquiries cannot ascertain the name or address of the person on whom the notice is to be served; or

(b) considers it unlikely that the notice would otherwise come to the attention of the person on whom it is to be served.

(7) If the outstanding amount –

(a) is not paid within 90 days, a council may sell the land in accordance with this Division; or

(b) is paid within 90 days, the general manager must cancel the auction.

(7A) If the ratepayer pays the outstanding amount within 90 days, the council may recover any costs incurred by it under this Division in relation to the matter as a debt owed to it under this Part.

(8) If the land fails to be sold, the council may retain the land as though it had purchased it.

138. Title vests in purchaser

.....

139. Application of money from sale

(1) Any money received on the sale of land is to be applied as follows:

(a) firstly – in paying the costs of the sale and any other costs incurred in proceeding under this Division;

(b) secondly – in discharging any liabilities to the council and the Crown in respect of the land, the money, if it is insufficient to discharge the liabilities in full, being applied between the council and the Crown in the same proportions as the respective liabilities bear to the total amount of the liabilities combined;

- (c) thirdly – in discharging any liabilities secured by registered mortgages, encumbrances or charges;
- (d) fourthly – in discharging any other mortgages, encumbrances and charges of which the council has notice;
- (e) fifthly – in payment to the previous owner of the land if that person becomes known within 3 years of the sale.

(2) This section prevails over section 10(3) of the *Land Tax Act 2000*.

139A. Register of money

- (1) The general manager is to keep a register of any money remaining after payments and discharges are made under section 139.
- (2) The register is to include details of the previous owner of the land.
- (3) The general manager is to cause prescribed details of the register in respect of prescribed amounts to be published at least once a year in a daily newspaper circulating in the municipal area.
- (4) Any money received by a council from the sale of land that is not claimed by the owner of the land within 3 years of the sale vests in the council.

140. Procedure if council cannot sell land

.....

DETAIL

Following compliance with the above statutory procedures, Council proceeded to list the four properties with Roberts Real Estate with the instruction that they be sold by public auction.

The Auction was held at the Colebrook Hall on Saturday 3rd March 2012.

The following table indicates the Sale Price and the amount of rates outstanding for each of the properties:

Property	Outstanding Rates Amount	Sale Price
Lot 1 Link Road, Colebrook (PID 7851860)	\$6,396.80	\$26,000
Young's Road, Rhyndaston (PID 5896977)	\$5,574.27	\$39,500
Coombes Road, Rhyndaston (PID 7735552)	\$5,574.28	\$27,000
Sugarloaf Road, Kempton (PID 5463629)	\$2,560.45	\$5,000
	\$20,105.80	\$97,500.00

Administrative, legal and Real Estate fees have yet to be finalised and/or confirmed.

Human Resources & Financial Implications – Refer above extract from the *Local Government Act 1993* in terms of the application of monies from sale.

Community Consultation & Public Relations Implications – N/A.

Council Web Site Implications: N/A

Policy Implications – N/A.

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

THAT Council apply the Seal to the following Land Titles Office Transfer Forms:

- **Lot 1 – Link Road, Colebrook (CT Volume 204198 Folio 1)**
- **Youngs Road, Rhyndaston (CT Volume 222535 Folio 1)**
- **Coombes Road, Rhyndaston (PID 7735552)**
- **Sugarloaf Road, Kempton (CT Volume 213039 Folio 1)**

DECISION

Vote For	Councillor	Vote Against
	Mayor A E Bisdee OAM	
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

20. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

RECOMMENDATION

THAT Council move into “Closed Session” and the meeting be closed to the public.

DECISION

Vote For	Councillor	Vote Against
	Mayor A E Bisdee OAM	
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

CLOSED COUNCIL AGENDA

21. BUSINESS IN “CLOSED SESSION “

EXCLUDED FROM THE AGENDA PURSUANT TO SECTION 15 (2) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2005.

**T F KIRKWOOD
GENERAL MANAGER**

EXCLUDED FROM THE AGENDA PURSUANT TO SECTION 15 (2) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2005.

**T F KIRKWOOD
GENERAL MANAGER**

EXCLUDED FROM THE AGENDA PURSUANT TO SECTION 15 (2) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2005.

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**T F KIRKWOOD
GENERAL MANAGER**

EXCLUDED FROM THE AGENDA PURSUANT TO SECTION 15 (2) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2005.

**T F KIRKWOOD
GENERAL MANAGER**

RECOMMENDATION

THAT Council move out of “Closed Session”.

DECISION

Vote For	Councillor	Vote Against
	Mayor A E Bisdee OAM	
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

RECOMMENDATION

THAT Council endorse the decisions made in “Closed Session”.

DECISION

Vote For	Councillor	Vote Against
	Mayor A E Bisdee OAM	
	Dep. Mayor M Jones OAM	
	Clr A R Bantick	
	Clr C J Beven	
	Clr B Campbell	
	Clr M Connors	
	Clr D F Fish	
	Clr A O Green	
	Clr J L Jones OAM	

22. CLOSURE