

# COUNCIL MEETING

## AGENDA

### INDEX

<b>1.</b>	<b>PRAYERS</b> .....	<b>5</b>
<b>2.</b>	<b>ATTENDANCE</b> .....	<b>5</b>
<b>3.</b>	<b>APOLOGIES</b> .....	<b>5</b>
<b>4.</b>	<b>APPLICATION FOR LEAVE OF ABSENCE</b> .....	<b>5</b>
<b>5.</b>	<b>MINUTES</b> .....	<b>5</b>
5.1	ORDINARY COUNCIL MINUTES .....	5
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> .....	6
5.3.2	<i>Special Committees of Council - Endorsement of Recommendations</i> .....	7
5.4	JOINT AUTHORITIES (ESTABLISHED UNDER DIVISION 4 OF THE LOCAL GOVERNMENT ACT 1993) .....	8
5.4.1	<i>Joint Authorities - Receipt of Minutes</i> .....	8
5.4.2	<i>Joint Authorities - Receipt of Reports (Annual and Quarterly)</i> .....	9
<b>6.</b>	<b>NOTIFICATION OF COUNCIL WORKSHOPS</b> .....	<b>10</b>
<b>7.</b>	<b>QUESTIONS WITHOUT NOTICE</b> .....	<b>11</b>
<b>8.</b>	<b>CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA</b> .....	<b>12</b>
<b>9.</b>	<b>DECLARATIONS OF PECUNIARY INTEREST</b> .....	<b>13</b>
<b>10.</b>	<b>PUBLIC QUESTION TIME (SCHEDULED FOR 12.30 PM)</b> .....	<b>14</b>
10.1	PERMISSION TO ADDRESS COUNCIL .....	15
<b>11.</b>	<b>MOTIONS OF WHICH NOTICE HAS BEEN GIVEN UNDER REGULATION 16 (5) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2005</b> .....	<b>15</b>
	<b>MANAGEMENT COMMENTS</b> .....	<b>16</b>
<b>12.</b>	<b>COUNCIL ACTING AS A PLANNING AUTHORITY PURSUANT TO THE LAND USE PLANNING AND APPROVALS ACT 1993 AND COUNCIL'S STATUTORY LAND USE PLANNING SCHEME</b> .....	<b>18</b>
12.1	DEVELOPMENT APPLICATIONS .....	18
12.1.1	<i>Development Application for Signage (display of Art Work fixed onto side of building) in the Historic Precinct Special Area, at Manceys 67 High St, Oatlands.</i> .....	18
12.2	SUBDIVISIONS .....	32
12.3	MUNICIPAL SEAL (PLANNING AUTHORITY) .....	32

11.3.1	COUNCILLOR INFORMATION:- MUNICIPAL SEAL APPLIED UNDER DELEGATED AUTHORITY TO SUBDIVISION FINAL PLANS & RELATED DOCUMENTS.....	32
12.4	PLANNING (OTHER).....	33
12.4.1	Update on current appeal - R Barnes & J Price (130/13P); F & J Wessing (132/13P), M & S Lester (133/13P) and P & J Loney (134/13P v Southern Midlands Council and Stornoway Projects Pty Ltd	33
12.4.2	Amended Southern Tasmania Regional Land Use Strategy.....	35
12.4.3	Draft Amendments to the Southern Midlands Planning Scheme 1998 Bagdad / Mangalore Area	38
12.4.4	Draft Amendments to the Southern Midlands Planning Scheme 1998: Revision of the Heritage Precincts,.....	80
<b>13.</b>	<b>OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)...</b>	<b>107</b>
13.1	ROADS.....	107
13.2	BRIDGES.....	107
13.3	WALKWAYS, CYCLE WAYS AND TRAILS .....	107
13.4	LIGHTING .....	107
13.5	SEWERS.....	107
13.6	WATER.....	108
13.7	IRRIGATION .....	108
13.8	DRAINAGE.....	108
13.9	WASTE .....	108
13.10	INFORMATION, COMMUNICATION TECHNOLOGY .....	108
13.11	SIGNAGE .....	108
13.12	OFFICER REPORTS – WORKS & TECHNICAL SERVICES (ENGINEERING) .....	109
13.12.1	Manager - Works & Technical Services Report.....	109
<b>14.</b>	<b>OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH) .....</b>	<b>111</b>
14.1	RESIDENTIAL.....	111
14.2	TOURISM.....	111
14.3	BUSINESS .....	111
14.4	INDUSTRY .....	111
14.5	INTEGRATION .....	111
<b>15</b>	<b>OPERATIONAL MATTERS ARISING (STRATEGIC THEME –LANDSCAPES).....</b>	<b>112</b>
15.1	HERITAGE .....	112
15.1.1	Heritage Project Officer's Report .....	112
15.2	NATURAL .....	114
15.2.1	Landcare Unit & Climate Change – General Report.....	114
15.3	CULTURAL .....	116
15.4	REGULATORY (OTHER THAN PLANNING AUTHORITY AGENDA ITEMS).....	116
15.5	CLIMATE CHANGE .....	116
<b>16</b>	<b>OPERATIONAL MATTERS ARISING LIFESTYLE.....</b>	<b>116</b>
16.1	COMMUNITY HEALTH AND WELLBEING.....	116
16.2	YOUTH .....	117
16.2.1	October 2013 - School Holiday Program.....	117
16.4	CHILDREN AND FAMILIES.....	120
16.5	VOLUNTEERS .....	120
16.6	ACCESS .....	120
16.7	PUBLIC HEALTH .....	120
16.8	RECREATION .....	120
16.9	ANIMALS.....	121
16.9.1	Animal Control Officers Report.....	121
16.10	EDUCATION.....	123

<b>17</b>	<b>OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY).....</b>	<b>123</b>
17.1	RETENTION .....	123
17.2	CAPACITY AND SUSTAINABILITY .....	123
17.3	SAFETY .....	123
17.4	CONSULTATION.....	124
17.4.1	2014 Meeting Schedule and Venues .....	124
17.4.2	Committee Membership and Appointments .....	126
	<b>DECISION .....</b>	<b>127</b>
17.5	COMMUNICATION .....	134
<b>18.</b>	<b>OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION) .....</b>	<b>134</b>
18.1	IMPROVEMENT .....	134
18.2	SUSTAINABILITY .....	135
18.2.1	Local Government Board – Review into the Number of Councillors Elected to Tasmanian Councils.....	135
18.2.2	Local Government (Miscellaneous Amendments) Bill 2013 – Ministerial Orders (Draft for Comment) .....	138
18.2.3	Proposed Christmas / New Year arrangements (including office closure) .....	152
18.3	FINANCES.....	155
18.3.1	Monthly Financial Statement (October 2013).....	155
<b>20.</b>	<b>MUNICIPAL SEAL .....</b>	<b>167</b>
<b>21.</b>	<b>CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA.....</b>	<b>167</b>
<b>22.</b>	<b>BUSINESS IN “CLOSED SESSION “ .....</b>	<b>168</b>
<b>23.</b>	<b>CLOSURE .....</b>	<b>171</b>

**ENCLOSED**

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

**Enclosures**

Item 12.4.2 New Southern Tasmania Regional Land Use Strategy 2010-2035.

Item 12.4.3 Bagdad Mangalore Structure Plan July 2010

22<sup>nd</sup> November 2013

Dear Sir/Madam,

**NOTICE OF MEETING**

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

**Municipal Offices  
71 High Street, Oatlands  
Wednesday 27<sup>th</sup> November 2013  
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**

### **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 23<sup>rd</sup> October 2013, as circulated, are submitted for confirmation.

#### **DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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	

**5.2 SPECIAL COUNCIL MINUTES**

Nil.

**5.3 SPECIAL COMMITTEES OF COUNCIL MINUTES**

**5.3.1 Special Committees of Council - Receipt of Minutes**

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

- Lake Dulverton and Callington Park Management Committee – Meeting held 4<sup>th</sup> November 2013.

**RECOMMENDATION**

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

**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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	

**5.3.2 Special Committees of Council - Endorsement of Recommendations**

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

- Lake Dulverton and Callington Park Management Committee – Meeting held 4<sup>th</sup> November 2013.

**RECOMMENDATION**

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

**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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	

**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 – Nil**
- **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 meetings be received.**

**DECISION**

**DECISION NOT REQUIRED**



**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** – 2012/2013 Annual Report
- **Southern Waste Strategy Authority** – 2012/2013 Annual Report

### RECOMMENDATION

**THAT the reports received from the Joint Authorities 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	

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

### 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	

**7. QUESTIONS WITHOUT NOTICE**

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.**

**8. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA**

In accordance with the requirements of Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 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**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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	

**9. 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*.

**10. 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.***

### **10.1 PERMISSION TO ADDRESS COUNCIL**

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

- Nil.

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

Clr A O Green submitted the following Motion

*“THAT the Southern Midlands Council commit to provide up to \$5,000 to match State Government and other funding for preparation of a business case for community ownership of the Levendale Primary School buildings, facilities and land”.*

The Levendale Primary School has projected enrolment of approximately eight students for the 2014 school year. The school community has requested the Education Department initiate a transition process for the closure of the school. With the pending closure of the school an opportunity for the community to retain the school as an important focus of activity and enterprise has arisen.

At a public meeting held at Levendale on Wednesday 6<sup>th</sup> November 2013 about thirty local residents were in attendance. In a wide-ranging discussion, there was a clear indication from the Levendale residents that they believed that the school should be retained as a community resource. People suggested a number of options for the site, and a working group was quickly established with the purpose of exploring these options.

The Levendale Working Group subsequently convened its first meeting on 12<sup>th</sup> November 2013. From a list of ideas collated at the 6<sup>th</sup> November meeting (see below), the concept of a social enterprise delivering sustainability education experiences seems to be firming up. A number of potential partners for the project have already been approached and responded enthusiastically to the concept. The site lends itself to a number of co-located activities. All of the proposed activities need to be examined with rigour to determine whether they are sustainable in the long term.

In order to assess the viability and sustainability of the project it is necessary to engage an expert to develop a robust business case. Without such an assessment it will be extremely difficult to progress any plans for community ownership of the Levendale Primary School site.

Support from the Southern Midlands Council is sought to help pay for the employment of a consultant to engage with stakeholders, identify sustainable activities and develop a business plan for the Levendale Primary School site. Indicative budget for the business plan would be \$10,000.

Suggestions from community meeting of 6<sup>th</sup> November 2013:

- Events of additional classes for home schooled children
- Adult education – be known as a venue for certain classes
- Nutrition classes, fitness classes
- Family Days – businesses, church groups, community groups wanting a venue with full facilities
- “Hire the hall” promote to educational facilities and businesses – conferences workshops etc
- Lease the hall to other businesses – work from home or online (although not sure about WIFI)
- Men’s shed activities
- Cooking classes – who could they cook for? – perhaps working families – pay and pick up their evening meals
- Community kitchen for families in need?
- Accommodation – have a family or couple move in and caretake the property and run it as a place to hire out
- Partnership with the education department – Rural classes etc
- Online access centre
- Camping grounds – motor homes
- Sustainable living park/Eco park
- Community market
- Community garden
- Café

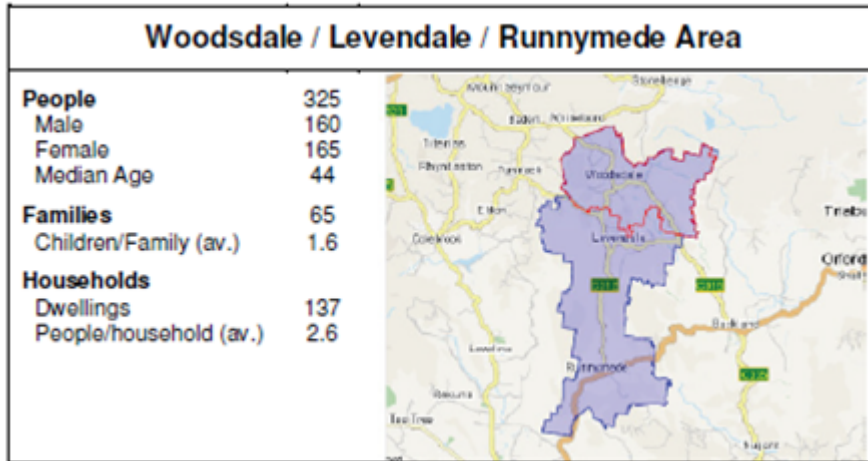
### **Management Comments**

Whilst the population of the area (refer to the attached extract from the ABS Census data) comprises 5.34% of the total population of the Southern Midlands, it is a reasonably self-sufficient segment of our local government area that draws a minimal amount from the annual budget. Funds that are allocated to this area for specific use are:

1. Levendale Cricket Club \$1,000 and Runneymede Cricket Club \$1,000 as Council’s annual contribution to the maintenance of their grounds, given they are both non Council properties;
2. A grant of \$5,000 was provided two years ago to assist the Levendale Community Owned Hall Committee in the removal of asbestos and recladding their Hall;
3. The Woodsdale Road was sealed some eight years ago and
4. There may be some minor Community Small Grants that Council have provided in the area over recent years but they are



In summary this Community is extremely self-sufficient and the small amount of Council funds that have been invested in this area appear to be well and faithfully utilised for the benefit of the broader Community.



**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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	

**12. 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.*

**12.1 DEVELOPMENT APPLICATIONS**

**12.1.1 Development Application for Signage (display of Art Work fixed onto side of building) in the Historic Precinct Special Area, at Manceys 67 High St, Oatlands.**

*File Reference:* T7176199

**AUTHOR:** PLANNING OFFICER (D CUNDALL)  
**DATE:** 20<sup>TH</sup> NOVEMBER 2013

**ATTACHMENTS:**

- 1. Development Application**
- 2. Representation**

**THE PROPOSAL:**

The Applicant Southern Midlands Council is seeking planning approval to attach art work to the northern wall of Manceys shop at 67 High St Oatlands. The art work is a terracotta clay depiction of the Callington Mill with a terracotta sign reading 'Callington Mill Oatlands 2010'.

The works were created by local community members as a celebration of the movement and energy of the newly restored Callington Mill.

The Callington Mill terracotta piece is 2.4m high and approximately 1.3m wide. The terracotta wording is approximately 600mm by 400mm. The complete signage is proposed to be mounted onto a black villa board measuring approximately 2.4m by 2.4m.

**THE SITE**

The location of the artwork is clearly included in the attached Development Application.

The wall is a grey concrete masonry block wall with a meter box and remnants of a former sandstone wall (below the proposed art work). The art work is at street level and can be clearly seen by pedestrians walking on the eastern footpath heading south and may also be noticeable to passing motorists. Visitors and employees of the neighbouring Council Chambers would also be able to clearly see the artwork from the premises or Stutzer St.

## **THE APPLICATION**

The applicant has provided a completed standard application form and provided a photograph of the artwork, a site plan and a photo montage ‘mock up’ of the artwork in its intended location. There is enough information in the application to adequately assess the application and for members of the public to understand the intent and details of the proposal.

## **THE PLANNING SCHEME ASSESSMENT**

### **Use/Development Definition**

The works are defined as a ‘Sign’ under Schedule 6 of the Southern Midlands Planning Scheme. Signs must be developed in accordance with Schedule 6 ‘Signs’.

### **Zoning**

The proposed sign is located in the Commercial Activity Zone.

#### *Commercial Zone*

The Commercial Zone is found in Oatlands and recognises land used, or has the potential to be used, for shops and business that primarily cater for the needs of the local population, tourists and other visitors.

### **Current Use of the Land**

The land is currently used for a shop. The side wall faces a northerly direction and forms the boundary with the shops rear carpark access and the adjoining owners access.

### **Statutory Status**

Under the *Planning Scheme*, signage of this type is a ‘Discretionary Use/Development’ in 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 25<sup>th</sup> October 2013 for the statutory 14 day period.**

**One (1) representation was received. The representation received expressed concern for the impacts on this particular part of the streetscape and the future and strategic direction of the Historic Precinct Special Area with concern for its relevance and appropriateness to this part of the township.**

Representation:

**The representation has been included in this report in *Italics* in the table below. The representation has also been attached in its entirety (Attachment 2). The comments in the representation have been given a response from the Planning Officer.**

<b>Representation</b>	<b>Planning Officer Response</b>
<p>I refer to the Development Application at reference A regarding the installation of ‘Artwork’ on a 2400mm x 2400mm board at 67 High Street Oatlands (Historic Precinct Special Area).</p> <p>The location forms the southern end of the green space, municipal area, comprising the (Victorian era) old school and the town hall. It also sits within the original colonial military precinct, and is directly in front of the Commandant’s house. The building to which the ‘Artwork’ is to be attached has no heritage significance, but is nevertheless situated in the historic precinct.</p> <p>The ‘Artwork’ is another depiction of the Callington Mill, and given its location, mounting and size, might be better considered as a sign. With a strategic view towards the future heritage restoration of Oatlands, further Mill signage should not be located in the military or municipal precincts.</p> <p>The proposal therefore does not apply the principles of reference B, namely:</p> <ul style="list-style-type: none"> <li>• <b>Article 5. Values.</b></li> </ul>	<p><i>Yes under the Southern Midlands Planning Scheme the proposed art work can be defined as a sign as ‘any sign or display painted on or fixed to a building’.</i></p> <p><i>Although it celebrates the Callington Mill it is more a display of community art work than a direct promotion of the Mill.</i></p> <p><i>The proposed location of the sign is indeed in the Historic Precinct Special Area. This part of the precinct is defined by heritage significant buildings such as the former Commandant’s house, the Council Chambers, the former school, ‘Robinson’s cottage’ and the row of 19<sup>th</sup> Century dwellings on the western side of the street.</i></p> <p><i>The area is also defined by its community uses and public open spaces such as the Council Chambers (public services) and Memorial, the small park on the western side, the large open space in front of the school and the Midlands Memorial Community Centre directly opposite.</i></p> <p><i>Agreed the historic character of the Mill, and the Military Precinct are important draw cards to the town and also form an</i></p>

<p>○ <b>5.1.</b> Conservation of a place should identify and take into consideration all aspects of cultural and natural significance without unwarranted emphasis on any one value at the expense of others.</p> <p>● <b>Article 8. Setting.</b></p> <p>○ Conservation requires the retention of an appropriate visual setting and other relationships that contribute to the cultural significance of the place.</p> <p>○ New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate.</p> <p>Accordingly, the proposed ‘Artwork’ would be more appropriately situated in the Callington Mill historic precinct, but has no place in the proposed location. Also, the proposal runs counter to the guidance of Article 3, which counsels ‘changing as much as necessary but as little as possible’. I can think of no necessity for the work.</p> <p>While the spirit behind the ‘Artwork’ is commendable, the proposed location would adversely affect the cultural landscape.</p> <p>If a suitable position to display the work cannot be found within the Mill precinct, perhaps an alternative might be to offer it to Tourism Tasmania for display in the Hobart visitor centre as an incentive for tourists to visit Oatlands.</p>	<p><i>integral part of the towns character.</i></p> <p><i>However the assessment detailed below shall demonstrate that this artwork does not appear to be at the detriment to the Historic Character of the township and more a feature of a living working community in an historic town.</i></p> <p><i>Visitors to the town should be empathetic to the placement of the Callington Mill artwork and have some understanding that it is a community art installation that celebrates an important historic feature of the town in a way they feel is appropriate.</i></p> <p><i>It is also an opportunity to conceal a grey concrete block wall that also has no great aesthetic qualities or relationship to the historic fabric and landscape.</i></p> <p><i>Although the artwork is proposed to be located outside of the Callington Mill precinct area it still has some generic relationship to the Oatlands township. The artwork is certainly not considered completely ambiguous to the setting.</i></p>
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<p>Oatlands has a diverse cultural and natural environment. The Mill is established, but is only one part of the ongoing restoration of the township. I ask that you preserve our cultural landscape, and disallow the location proposed in this development application.</p>	
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**Historic Precinct Special Area: Development Standards**

Any new signs in the Historic Precinct Special Area (that require development approval), requires a detailed assessment against the Intentions and Standards for new signs in accordance with Schedule 6 (b) of *the Southern Midlands Planning Scheme 1998*.

**Standards Schedule 6.4 (b):**

Signs within a Historic Precinct Special Area should be developed in accordance with the following 10 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 artwork does not interfere greatly in the architectural features of the building. The architectural feature of the parapet wall and grey concrete blockwork are not widely celebrated features. They are not features that a visitor would generally come to appreciate.

The artwork can only be seen from people looking south along the High St. Although it could be seen by those taking photographs or those who have an appreciation for the Georgian/Victorian streetscape it is not considered to be of any great detriment as people are generally empathetic to a living working community and would understand the intent of the artwork.

The artwork is constructed from natural materials considered to be reasonably recessive to the more important and integral features of the historic streetscape. It also brings attention and curiosity to the sandstone blocks at the foot of the wall.

- 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 artwork does not obscure the architectural features of this building or any other building in the area.

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

The Applicant and the creators of the artwork intended this to be sympathetic to the period of the Historic Area. The artwork is supposed to be a celebration of the iconic and historic mill with a more generic celebration of the Oatlands Community spirit.

As the representation stated there are possibly other places where this could be installed. However these alternative locations are not the subject of this application. The art installation location was subject to some informal public consultation over the past 2 years with community representatives and the *Southern Midlands Arts Advisory Committee*. After all this time, it appears that the side of Manceys is the most appropriate location recognising the other community use buildings and land in the immediate area without detracting from the businesses or prominent historic features of the streetscape.

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

Not applicable. The sign does not have internal illumination.

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

As detailed earlier in the report, although this is defined as ‘sign’ by the default definitions in Schedule 6 of the *Planning Scheme* it is also a little different in that its purpose is ‘community art’ to be appreciated by everyone and not related to a single tenant or body. The proposed location of the artwork is in the heart of the community, in close proximity to the school, community buildings and visitors to the town.

Given its more unique status as community art for everyone to appreciate it would be difficult to then limit its exposure.

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

Not applicable.

- 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;*

There is some ‘heritage fabric’ (sandstone blocks) below the proposed sign that would not be affected by this sign. The remainder of the building is not considered ‘heritage fabric’. It is anticipated that the sign can be attached in such a way that’s eventual removal should not significantly damage the building or cause undue or unsightly damage to the building. The artwork should also bring some attention to the sandstone

blocks and help embellish the mythology for visitors and highlight the many historic layers of a developing and progressive historic township.

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

This is not a corporate image or logo.

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

Not applicable.

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

Not applicable.

**Schedule 6.4 (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.*

The proposal meets all of these essential criteria.



## **CONCLUSION**

The applicant has applied to the Council as Planning Authority for approval to install a piece of community artwork in the historic precinct special area on the side of a shop. The artwork is intended to be a celebration of the Callington Mill and celebration of the community spirit.

The site was chosen for its location in an area surrounded by Community type buildings and land. The sign also attempts to conceal and beautify a concrete block wall.

The Development Application was advertised for the required statutory timeframe with one representation lodged with the Council. The representation believed the sign could be more appropriately located either outside of the Military Precinct or somewhere else entirely. The relocation of the sign was not a part of the Development Application. The concerns of the representor have also been adequately addressed in this report.

The Applicant has undertaken some public and committee consultation with representatives of the community (on the location of the artwork) prior to the lodgement of the application.

The signs have been assessed against the relevant standards of the scheme. It can be concluded that although the sign does not directly relate to the tenant or principle function of the site its intent as a piece of community art to be appreciated by all overrides this standard. The creators of the work and the Applicant intend to install the work as a celebration of the town's history and iconic mill. This intention alone makes it difficult to argue that the artwork is in conflict with the standards of the historic precinct special area. The artwork is made from a traditional and natural material and has not been located in a highly prominent position and does not detract from the overall landscape. Considering it can only be viewed by those travelling/looking south along High St or possibly from Stutzer St it can be concluded that the sign is largely recessive to the more significant features of the historic streetscape.

**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 Signage (display of Art Work fixed onto side of building) in the Historic Precinct Special Area, at 67 High, Oatlands with the following conditions:**

**CONDITIONS**

*General*

- 1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.

**The following advice applies to this permit:**

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

**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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  
Kempston  
22 OCT 2013

### Site Plan

Proposed Terracotta Art Work on the North wall of Mancey's Store



Mock up of Artwork Location on the Northern side of Mancey's Store



**Proposed installation site for community terracotta mural: 69 High Street, Oatlands (Kerry & Ros Manceys)**

Artwork is terracotta clay mounted on black villa board. Celebrating the return of movement and energy to the Callington Mill 2010. Features artworks created by community members.

**Mock-up: Not to scale.**

Artist: Lisa Rudd

Actual Artwork in Terracotta



**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**

**12.2 SUBDIVISIONS**

Nil.

**12.3 MUNICIPAL SEAL (PLANNING AUTHORITY)**

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

Nil Report.



**12.4 PLANNING (OTHER)**

**12.4.1 Update on current appeal - R Barnes & J Price (130/13P); F & J Wessing (132/13P), M & S Lester (133/13P) and P & J Loney (134/13P v Southern Midlands Council and Stornoway Projects Pty Ltd**

**AUTHOR** PLANNING OFFICER (D CUNDALL)  
**DATE** 20<sup>TH</sup> NOVEMBER 2013

**BACKGROUND**

On the 9<sup>th</sup> October 2013 Council resolved to grant a Planning Permit subject to conditions for the expansion of a quarry at 294 Blackbrush Rd, Mangalore. The application by Stornoway Quarrying Pty Ltd, was for the expansion of an existing quarry with an existing 5,000 cubic meter per year extraction limit to a proposed 50,000 cubic meter per year limit (90,000 tonnes).

Subsequent to the granting of this permit, any Representor has 14 days to lodge an appeal against the decision with the Resource Management and Appeals Tribunal (RMPAT). There were ten (10) representations received during the Development Assessment Process under the *Land Use Planning and Approvals Act 1993*. Four (4) parties lodged appeals with the Tribunal against the decision of Council and the EPA and against the proposal.

**GROUND OF APPEAL**

The grounds of appeal raise issues regarding the commitments by the Applicant to widen and improve Blackbrush Rd and the associated conditions of the Planning Permit and the EPA Permit regarding the use and transportation of extracted material along Blackbrush Rd.

**PROCESS**

The matter was heard at a preliminary conference on the 5<sup>th</sup> November at the Tribunal Office in Macquarie St, Hobart. The preliminary conference resulted in a direction from the Registrar for all Appellants (those who lodged an appeal) to refine their grounds of appeal in line with the Practice Directions of the Tribunal.

The Appellants had seven (7) days to refine these grounds of appeal and return the revised grounds to be then circulated to all parties.

A law firm acted on behalf of all the Appellants.

The other parties to the Appeal are the Environment Protection Authority (EPA), as the quarry was a Level 2 Activity (and some of the grounds of appeal were relevant to the

EPA’s assessment of the application); also Stornoway as the Applicant; and Council as the Planning Authority.

The matter was last heard at a Mediation at the Tribunal Offices on the 14<sup>th</sup> of November 2013.

A Council Officer will provide a further update and respond to any questions from Elected Members regarding the proceedings at this Council Meeting.

The matter is still being addressed by the Tribunal. Council Officers are not yet in a position to determine the outcome of this Appeal at the date of this report.

**RECOMMENDATION**

**THAT the information be received.**

**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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	

**12.4.2 Amended Southern Tasmania Regional Land Use Strategy**

*File Ref:* 9/084

**AUTHOR** MANAGER STRATEGIC PROJECTS (D MACKEY)  
**DATE** 21<sup>ST</sup> NOVEMBER 2013

**ENCLOSURE** 1. New Southern Tasmania Regional Land Use Strategy 2010-2035.

**BACKGROUND**

In early 2013 the Regional Planning Project Steering Committee recognised the need to proceed with a ‘house-keeping review’ of the Southern Tasmania Regional Land Use Strategy, (STRLUS), which was declared in October 2011.

At the August meeting Council considered and provided comment on the proposed amendments, which were subject to a public consultation process at that time.

The Regional Planning Project Steering Committee subsequently considered the submissions arising from the public consultation process and determined a number of further changes as a result. The STCA Board had previously delegated the resolution of the public consultation issues to the Regional Planning Project Steering Committee.

The Steering Committee then forwarded the amended STRLUS to the Minister for Planning with a request that he declare the document to be the new regional land use strategy for Southern Tasmania.

On 8 November the Minister formally declared the new document, which came into force on 13 November, (refer enclosed copy).

**DISCUSSION**

The more significant amendments are as follows:

- Acknowledging the Role of Local Strategy:
  - This amendment provides a general statement making it clear that local strategic planning work has a role to play in informing new planning schemes. In other words; it is not all up to the Regional Strategy, which only addresses matters of regional significance.
  - This addition is encapsulated in paragraphs 3 and 4 under ‘2.1 Existing Planning Framework’ on page 7 of the document.

- Note that the mooted listing of specific local strategies has not been included.
- Biodiversity: Recognition of Local Policy Differences:
  - This amendment acknowledges that local policy should play a role in determining how and to what extent a Council chooses to recognise and protect biodiversity values within its planning scheme, on behalf of its citizens. This includes whether or not biodiversity offsets should be required in exchange for removing native vegetation.
  - This was particularly considered necessary as the State has not provided a clear state-wide policy direction on this matter.
  - These changes are encapsulated in BNV 1.2, BNV 1.3 and BNV 1.4 on page 25 of the document.
- Geodiversity: Removal of Mandatory Listing from the Regional Strategy:
  - This amendment removes the mandatory requirement for Council planning schemes to recognise and protect geodiversity site as listed on the DPIPWE geoconservation database.
  - Again, there is no clear policy direction from the State Government on this issue, and it is considered premature that sites on the State's informal list be transformed into a statutorily listed sites under Local Government administration.
  - One of the more significant reasons is that the owners of proposed listed sites on private land have not been afforded any process to contest their listing, (for example; as owners of proposed heritage listed properties have).
  - These changes are encapsulated in BNV 6.1 and BNV 6.2 on page 27 of the document.
- Spatial Allocation of the Rural Living Zone:
  - The initial strategic intention of the October 2011 version of the STRLUS was that the amount of Rural Living is not to substantively increase in the new planning schemes.
  - This remains the strategic intention. However, there has been considerable debate and some confusion regarding the practical outcome of the original wording

- The Tasmanian Planning Commission (TPC) interpretation in dealing with amendments to existing planning schemes has been that absolutely no new rural living (i.e. rural residential) land can be created at all.
- The STRLUS now makes it clear that the rural living zone can be applied where no similar zone has been used before in three circumstances:
  - To recognise existing rural living (rural residential) communities that have simply never been zoned that way.
  - To zone land involved in a re-arrangement of rural living (rural residential) land where inappropriately zoned, but undeveloped land is ‘back-zoned’ and new rural living land is created in more appropriate locations.
  - To provide for consolidation and infill of existing rural living communities.
- These three cases are dealt with by subclauses a. b. and c. under SRD 1.3 on pages 94 and 95 of the document.
- Note that the Minister, on the recommendation of the TPC, made a number of minor amendments to the Steering Committee-endorsed wording of these subclauses prior to declaration of the new document.

The changes to the STRLUS were generally supported by Council at the August Council meeting and the finally approved new document is generally in line with the views expressed by Council.

**RECOMMENDATION**

**THAT the new Southern Tasmania Regional Land Use Strategy 2010-2035, as declared by the Minister for Planning and gazetted on 13 November 2013, 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	

**12.4.3 Draft Amendments to the Southern Midlands Planning Scheme 1998  
Bagdad / Mangalore Area**

*File Ref:* 9/084

**AUTHOR** MANAGER STRATEGIC PROJECTS (D MACKEY)  
**DATE** 21<sup>ST</sup> NOVEMBER 2013

- ATTACHMENTS**
1. Planning Scheme Amendment 1.1/2013
  2. Planning Scheme Amendment 1.2/2013
  3. Planning Scheme Amendment 1.3/2013
  4. Planning Scheme Amendment 1.4/2013
  5. Planning Scheme Amendment 1.5/2013
  6. Planning Scheme Amendment 1.6/2013
  7. Planning Scheme Amendment 1.7/2013
  8. Planning Scheme Amendment 1.8/2013
  9. Planning Scheme Amendment 1.9/2013
  10. Planning Scheme Amendment 1.10/2013
  11. Bagdad Mangalore Structure Plan key map

- ENCLOSURE**
1. Bagdad Mangalore Structure Plan July 2010

**1. BACKGROUND**

For some years Council has been working towards the preparation of a new planning scheme for the Southern Midlands. This has included a great deal of local strategic planning work, much of which was done under the Joint Land Use Planning Initiative (JLUPI), a sub-regional planning project with the three other Councils in our subregion that was commenced in 2007. The objective of the JLUPI project was that the four Councils would together develop their new planning schemes based on the same model and supported by the same sub-regional strategy.

However, as the JLUPI project was completing the strategic planning work, and before planning scheme drafting could commence, the broader Southern Tasmania Regional Planning Project (STRPP) was initiated by a Memorandum of Understanding between State Government and Local Government in the region. This had similar aims to the JLUPI project but involved all twelve Southern Councils. Drafting work on the planning schemes was therefore delayed whilst the STRPP developed the Southern Tasmania Regional Land Use Strategy (STRLUS) and then prepared the Southern Tasmania Regional Model Planning Scheme upon which all twelve Southern planning schemes are now to be based.

The Regional Model Planning Scheme has now been completed and Council officers are completing the drafting work to create the new Draft Southern Midlands Interim Planning Scheme. It is anticipated this will be presented to the February 2014 Council meeting for a decision to formally submit it to the Minister for Planning for consideration for declaration as an *interim planning scheme*. The timeframe for declaration is not certain but it is likely to be declared by the Minister late in 2014.

Two years ago the State amended the *Land Use Planning and Approvals Act 1993* to re-introduce the concept of *interim planning schemes*, which had been eliminated in 1993 when the legislation was overhauled. The Regional Planning Project's MoU between the State and the Southern Councils sets down the State's expectation that the new planning schemes will be submitted to the State as draft interim planning schemes. The Minister has continued to emphasise this expectation in recent times.

As Councillors will recall, in August 2012 Councils were advised by the TPC that it had received advice from the Solicitor General to the effect that the interim planning scheme mechanism has a number of limitations in terms of the changes that such schemes can introduce. The key issue is that interim planning schemes come into effect prior to the statutory public consultation and formal hearings process, whilst in the traditional draft planning scheme process new schemes coming into effect at the end of the statutory public consultation and hearings process. Changes brought in by an interim planning scheme can therefore deny due process / natural justice to people impacted by the changes.

It is apparently the Solicitor General's view that significant changes should only be introduced through an interim planning scheme if necessary to implement the relevant Regional Land Use Strategy or to convert from the old scheme to the new State Planning Scheme Template. The Minister and the TPC have since clarified that changes derived from local strategic planning documents that are not inconsistent with the Regional Strategy may also be appropriate in an interim planning scheme under some circumstances. This view has now been strengthened by recent amendments to the STRLUS that acknowledge the role of local strategy.

Notwithstanding this, at the August 2013 meeting Council determined that certain major changes envisaged in the new scheme that derive substantially from local strategic planning work (such as JLUPI) should be brought in by the 'traditional' planning scheme amendment process. This will provide all members of the community with the opportunity to formally participate in the process and, if they wish, be heard at a public hearing at the TPC. In other words, everyone will be afforded due process and no one will be denied natural justice.

The purpose of this report, therefore, is to propose amendments to the Southern Midlands Planning Scheme 1998 in the Bagdad Mangalore area, which generally derive from recommendations in the Bagdad Mangalore Structure Plan 2010, (BMSP).

## **2. THE JOINT LAND USE PLANNING INITIATIVE, THE SOUTHERN TASMANIA REGIONAL LAND USE STRATEGY and the BAGDAD MANGALORE STRUCTURE PLAN.**

As mentioned above, the Joint Land Use Planning Initiative (JLUPI) project was a sub-regional planning project undertaken by four Councils in the region consisting of Brighton, Central Highlands, Derwent Valley and Southern Midlands. The JLUPI project finished its strategic planning work just as the Southern Tasmania Regional Planning Project commenced its strategic planning work. The JLUPI subregional and local strategic planning work was taken into consideration by the Regional Planning Project and the two bodies of work are generally consistent.

The Southern Tasmania Regional Land Use Strategy, being a high level instrument, does not delve into matters that are ‘local’ only. It is therefore the case that whilst the JLUPI work is consistent with the STRLUS, very little of its detail could be said to be ‘necessary’ to implement the STRLUS.

Nevertheless, much of the JLUPI outputs remain relevant, given that the STRLUS addresses genuinely regional matters only and does not attempt to resolve local strategic planning issues. In terms of providing the strategic foundation of the pending new planning scheme, the JLUPI documents provide a very substantial contribution. The role of local strategic planning work is now recognised in the STRLUS.

A succession of planning exercises working from sub-regional to local resulted in the Bagdad Mangalore Structure Plan:

- JLUPI Phase One: The (Sub) Regional Land Use Strategy.
  - JLUPI Phase Two: The (Sub) Regional Settlement Strategy.
    - JLUPI Phase Two: The Bagdad Mangalore Structure Plan.

All of the above pieces of work involved extensive public consultation, including stakeholder workshops, community workshops, community drop-in sessions and advertising for public comment.

There is a significant level of expectation within the community generally - including the Bagdad Mangalore valley - that the planning scheme will include the changes developed by their council with their input.

## **3. THE BAGDAD MANGLORE STRUCTURE PLAN**

The Bagdad Mangalore Structure Plan (BMSP) was completed and formally endorsed by Council in 2010. A copy of the BMSP is enclosed with the agenda. The key recommendations of the Plan are set out within section 4 of the report and visually



depicted on the map in it's Appendix C – which is included in this report in Attachment 11.

The draft planning scheme amendments are derived from, and supported by, the BMSP in particular and also the higher level JLUPI planning documents more generally. Key overarching objectives particularly relevant to the draft amendments can be summarised and paraphrased as follows:

- To consolidate residential development (including rural-residential development) in nodes and retain the rural landscape between the nodes. In other words, the rural-residential sprawl that has occurred just south of the Bagdad Mangalore valley either side of the Brighton township is not to be repeated in Southern Midlands.
- To retain the expansive productive agricultural areas on the valley floor for long term agricultural use. This includes back-zoning areas of inappropriately zoned but undeveloped rural residential zoned land.

Note that the STRLUS provides additional and more definitive direction in this regard, particularly in respect of the spatial allocation of the State Template Significant Agricultural Zone in the pending new interim planning scheme.

- To zone new rural residential land on the sides of the valley adjacent to existing development, especially where not requiring new accesses on the Midland Highway, thereby consolidating and strengthening these rural living areas.
- To recognise and protect land immediately around the Bagdad village for future residential / village development.

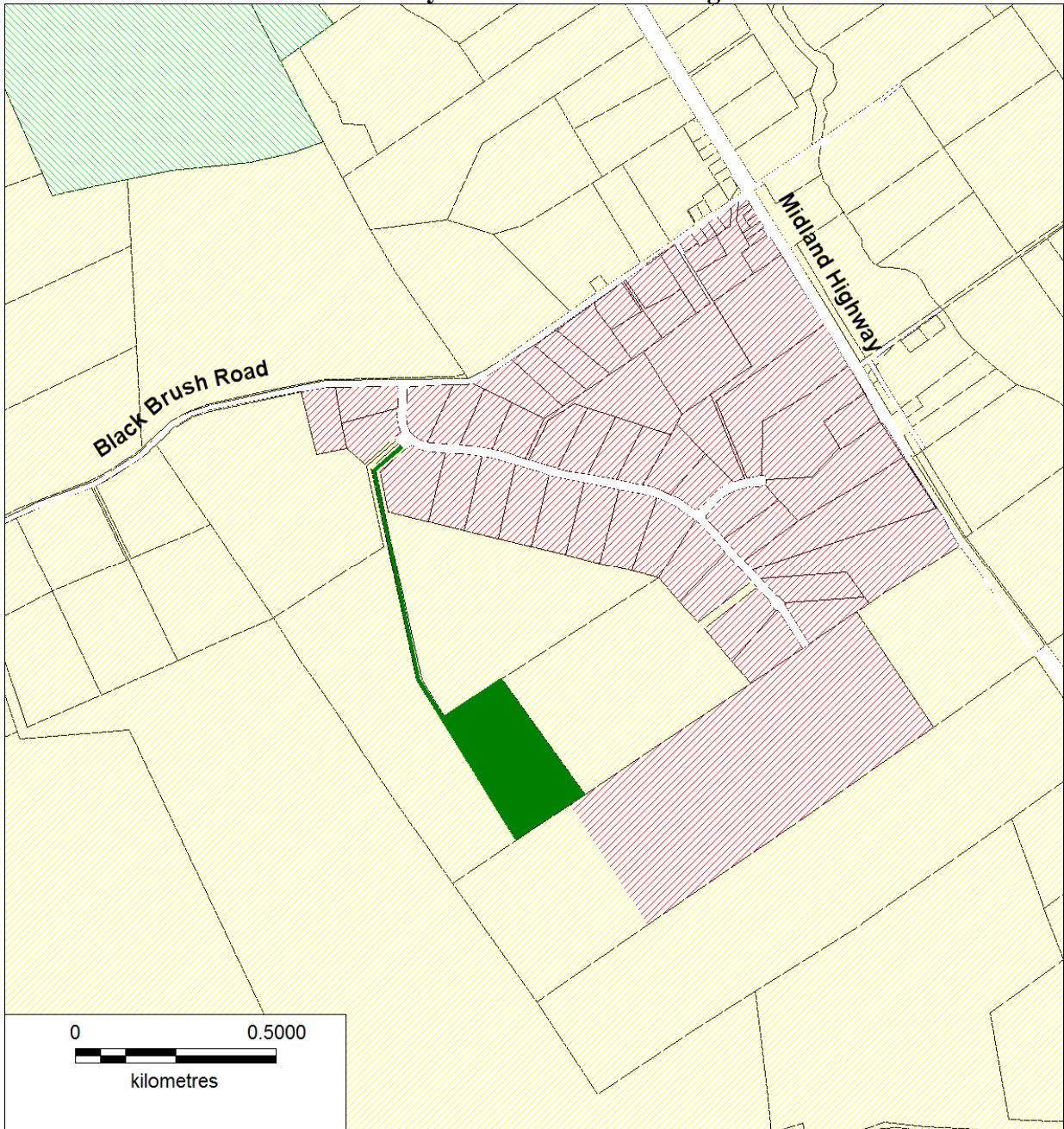
#### **4. THE PROPOSED AMENDMENTS – SPATIAL DETAILS**

The proposed amendments are indicated on the following series of maps, as Area 1 to Area 1.10. These numbers match with the amendment numbers, 1.1/2013 to 1.10/2013.

The maps are presented in pairs, showing current and proposed zoning. Each pair of maps shows several amendment areas.

The final map details an additional rezoning in the Mangalore area which follows Council's decision in 2009 to dispose of public land pursuant to S.178(4) of the *Local Government Act 1993*. This, in turn, followed the creation of the Mangalore Recreation Plan in concert with the community which determined to dispose of this unused land on the basis that the proceeds would be used to fund recreation and community projects in the local area.

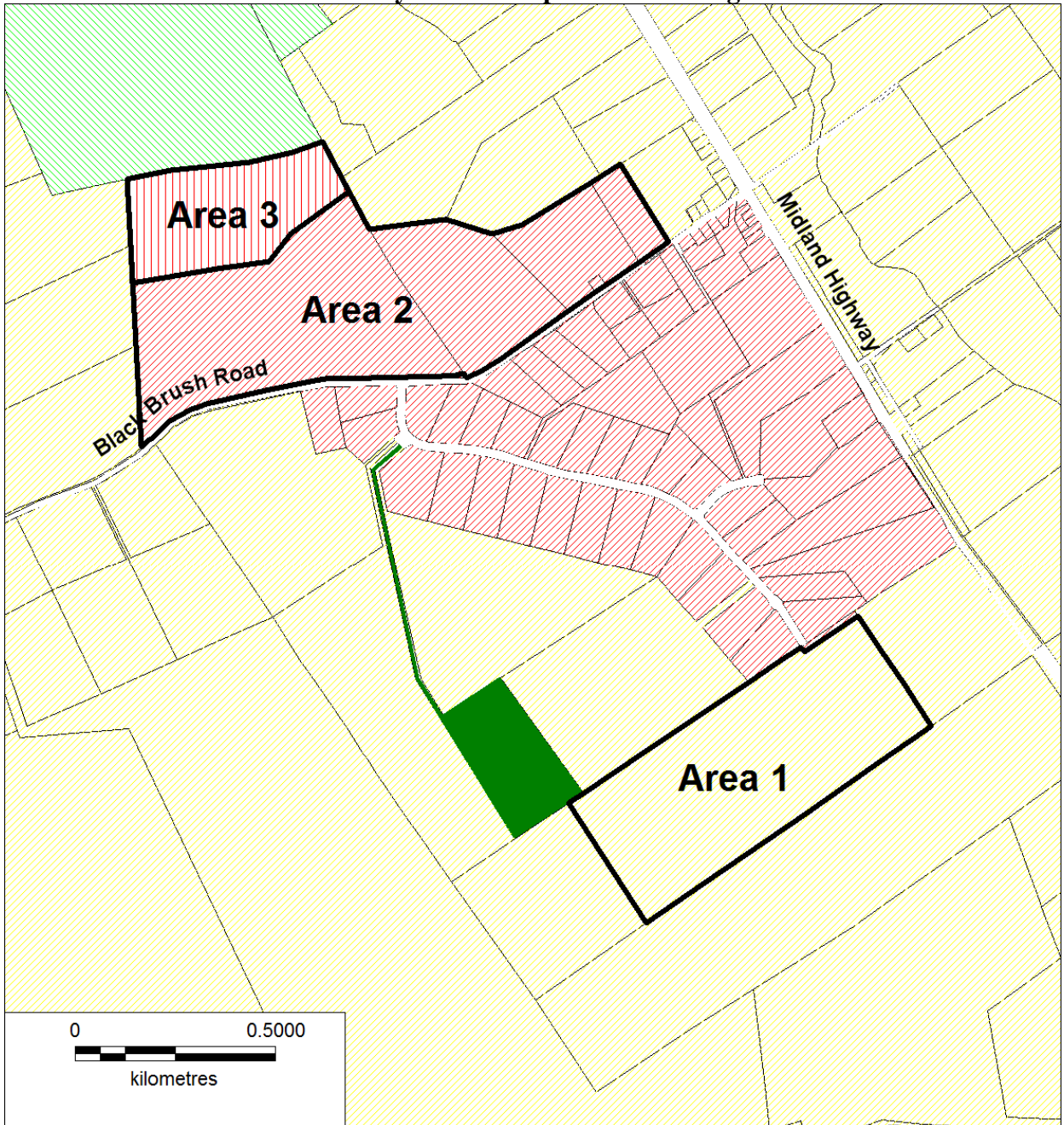
### Lower Valley Area – Current Zoning



#### Current Planning Scheme Legend

- Road
- Rural Agriculture
- Rural Forest
- Rual Residential A
- Future Road
- Village
- Utilities
- Environmental Management
- Rural Agriculture
- Community Use
- Rural Residential B

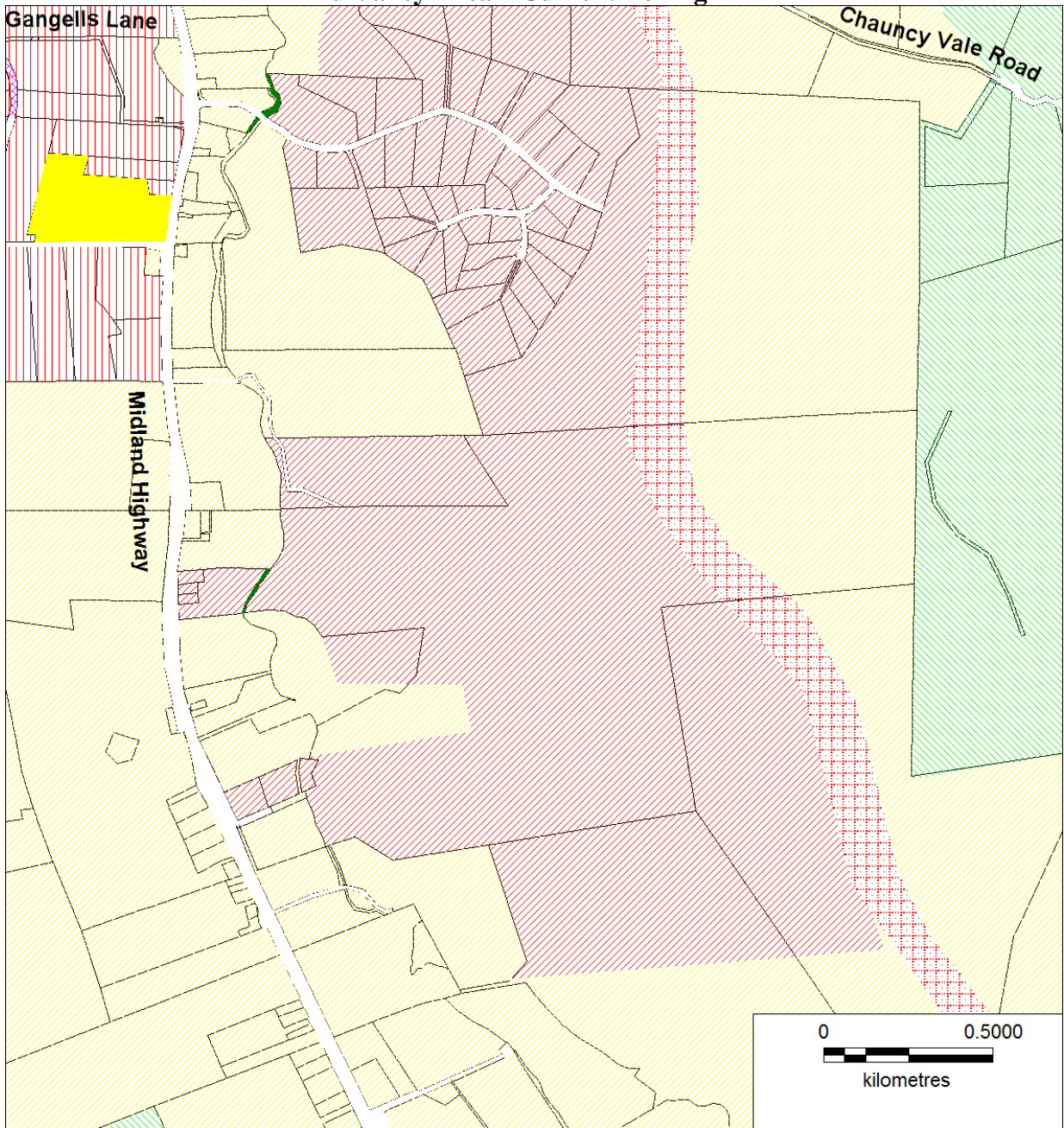
Lower Valley Area – Proposed Re-Zoning



Current Planning Scheme Legend

- Road
- Rural Agriculture
- Rural Forest
- Rural Residential A
- Future Road
- Village
- Utilities
- Environmental Management
- Rural Agriculture
- Community Use
- Rural Residential B

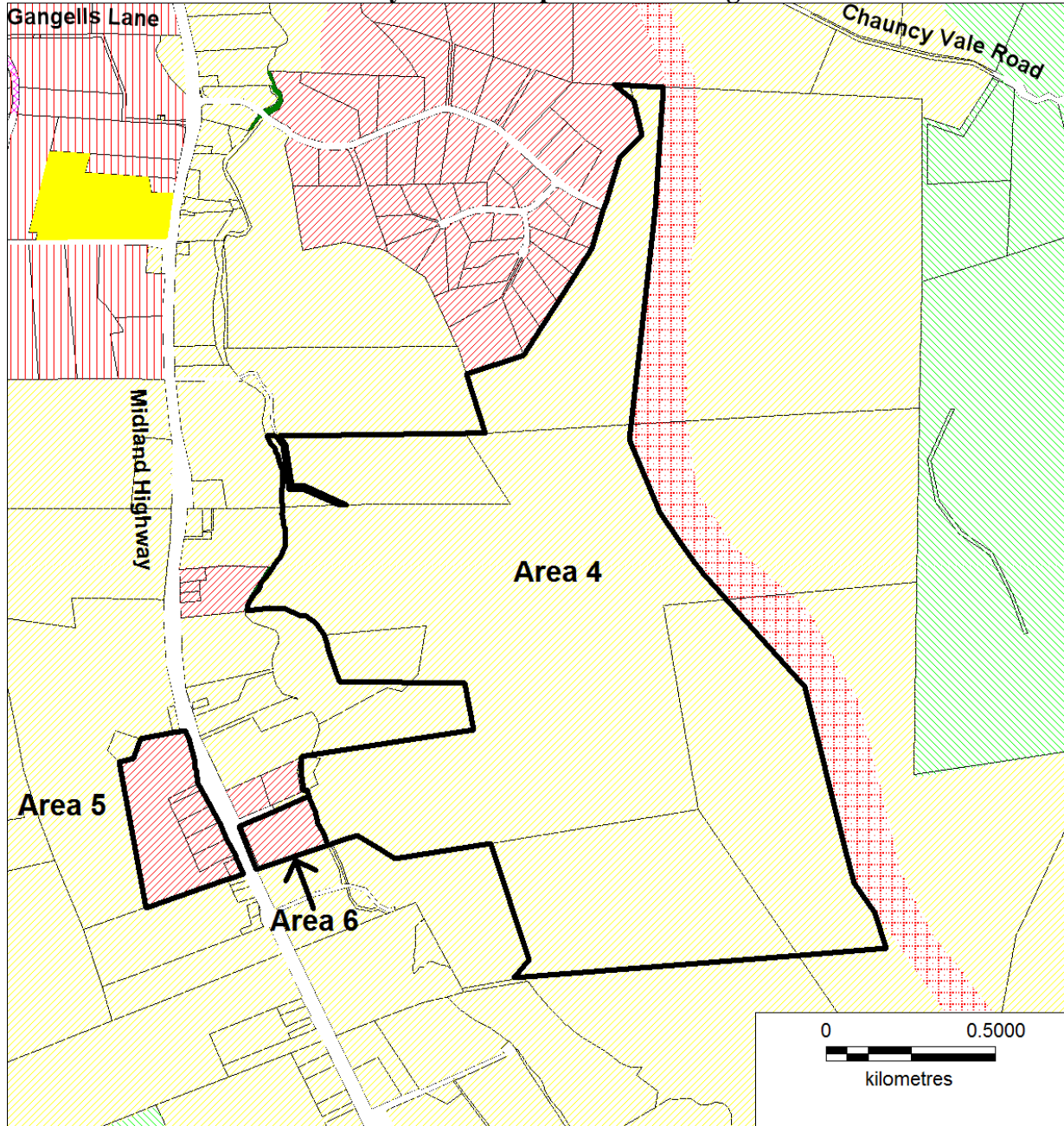
### Mid Valley Area – Current Zoning



#### Current Planning Scheme Legend

- Road
- Rural Agriculture
- Rural Forest
- Rual Residential A
- Future Road
- Village
- Utilities
- Environmental Management
- Rural Agriculture
- Community Use
- Rural Residential B

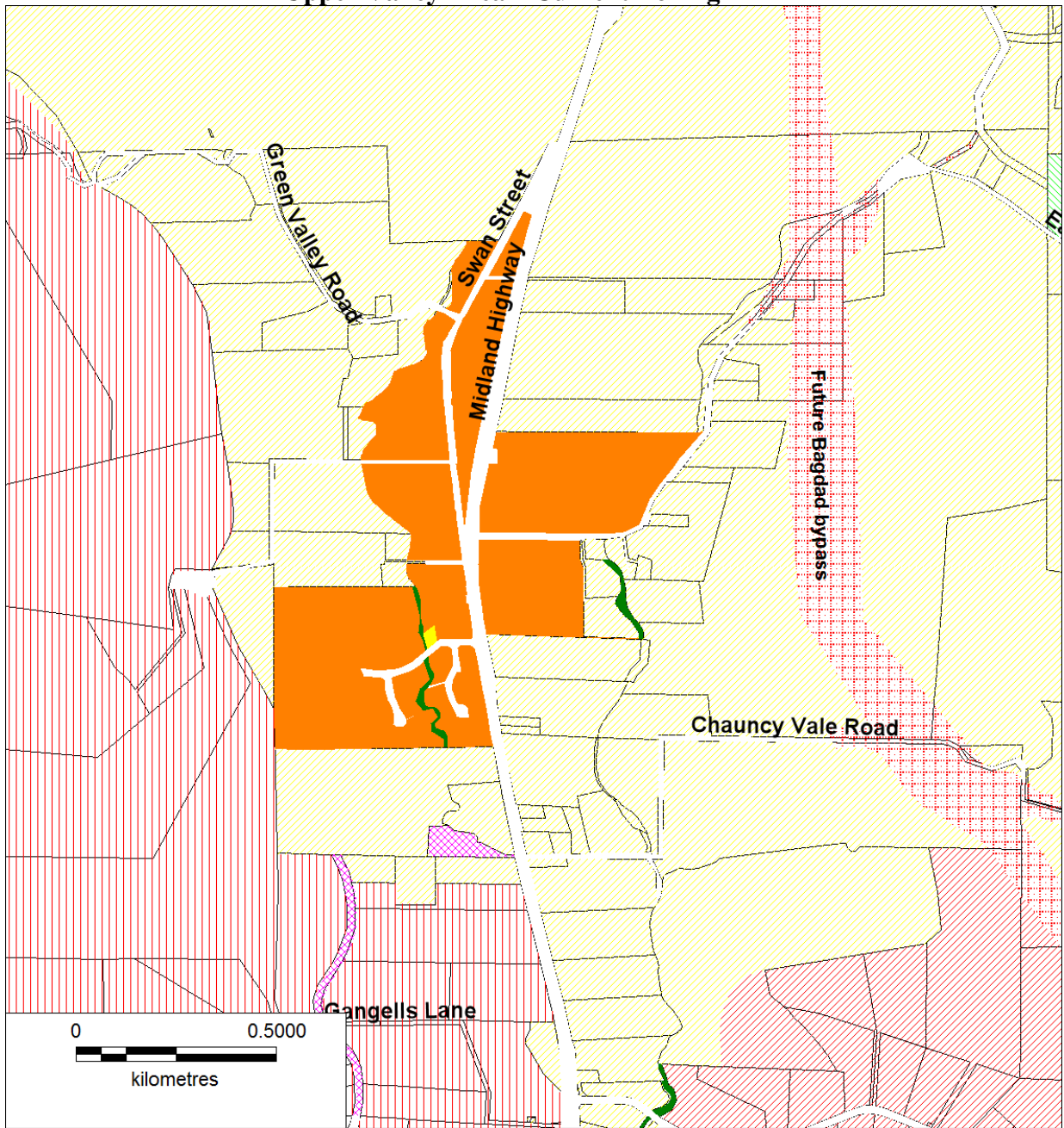
**Mid Valley Area – Proposed Re-Zoning**



**Current Planning Scheme Legend**

-  Road
-  Rural Agriculture
-  Rural Forest
-  Rural Residential A
-  Future Road
-  Village
-  Utilities
-  Environmental Management
-  Rural Agriculture
-  Community Use
-  Rural Residential B

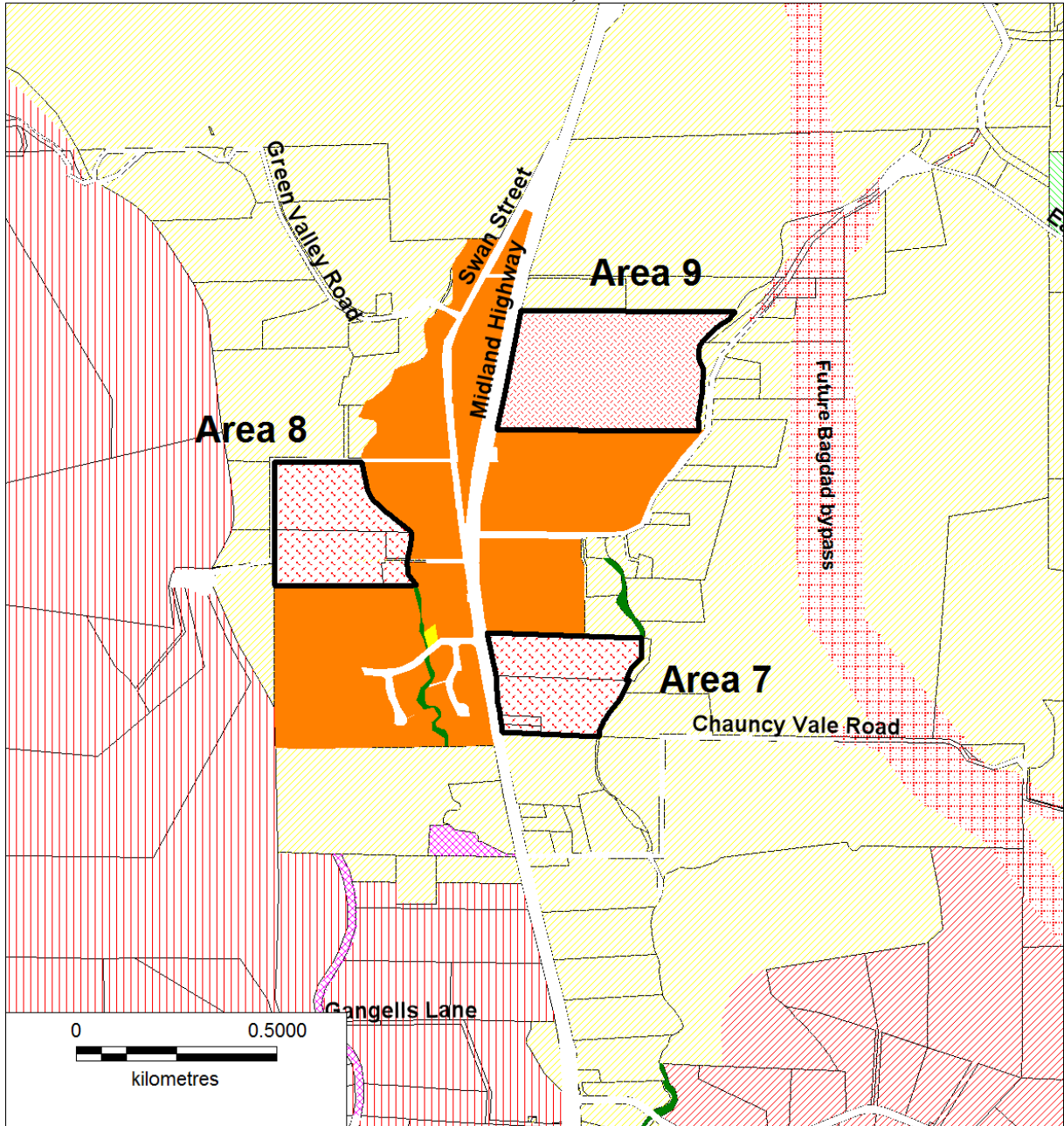
Upper Valley Area – Current Zoning



Current Planning Scheme Legend

- Road
- Rural Agriculture
- Rural Forest
- Rual Residential A
- Future Road
- Village
- Utilities
- Environmental Management
- Rural Agriculture
- Community Use
- Rural Residential B

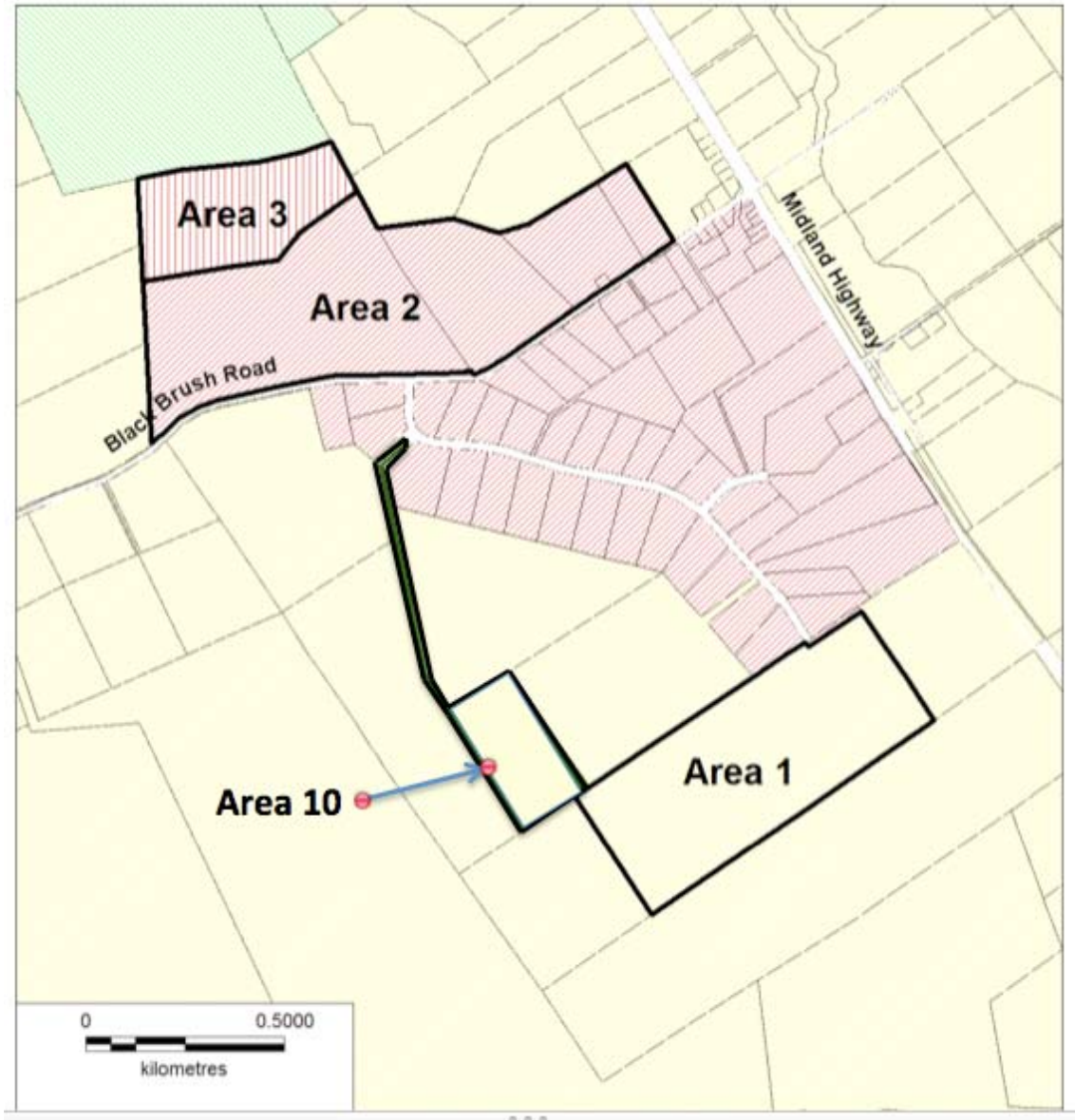
**Upper Valley Area – Proposed Re-Zoning (Three areas to become Future Residential)**



**Current Planning Scheme Legend**

- Road
- Rural Agriculture
- Rural Forest
- Rural Residential A
- Future Road
- Village
- Utilities
- Environmental Management
- Rural Agriculture
- Community Use
- Rural Residential B

**Mangalore Area – Proposed Re-Zoning No.10**





**5. THE PROPOSED AMENDMENTS – PROPERTY DETAILS****Area 1**

<b>Amendment No.</b>	<b>PID</b>	<b>C.T.</b>	<b>Area</b>	<b>Proposed Rezoning</b>	<b>Owner and Property Address</b>
<b>1.1/2013</b>	1638735 (Part)	119147/1 (Part)	30 ha (of 42.3 ha)	Rural Residential A to Rural Resource	Jackman, Andrea Mary. Mountford Drive, Mangalore Tas 7030

**Area 2**

<b>Amendment No.</b>	<b>PID</b>	<b>C.T.</b>	<b>Area</b>	<b>Proposed Rezoning</b>	<b>Owner and Property Address</b>
<b>1.2/2013</b>	2831342 (Part)	152939/6 (Part)	25.8 ha (of 38.0 ha)	Rural Resource to Rural Residential A	Hunter Heritage Developments Pty Ltd. Black Brush Road, Mangalore Tas 7030
	5018461	123830/1	10.24 ha		Southern Midlands Council. Black Brush Road, Mangalore Tas 7030
	5018381	47455/1	0.51 ha		Curtain, David John Curtain, Elaine Maree. 42 Black Brush Road, Mangalore Tas 7030
	5018453	14387/1	5.76 ha		Scrimshaw, David Albert Scrimshaw, Jean Frances. 40 Black Brush Road, Mangalore Tas 7030
	5018445	6519/1	2.02 ha		Bowerman, Graeme Louis. 26 Black Brush Road, Mangalore Tas 7030
			44.33 ha		
Total area:					

**Area 3**

<b>Amendment No.</b>	<b>PID</b>	<b>C.T.</b>	<b>Area</b>	<b>Proposed Rezoning</b>	<b>Owner and Property Address</b>
<b>1.3/2013</b>	2831342 (Part)	152939/6 (Part)	12.2 ha (of 38.0 ha)	Rural Resource to Rural Residential B	Hunter Heritage Developments Pty Ltd. Black Brush Road, Mangalore Tas 7030

**Area 4**

<b>Amendment No.</b>	<b>PID</b>	<b>C.T.</b>	<b>Area</b>	<b>Proposed Rezoning</b>	<b>Owner and Property Address</b>
<b>1.4/2013</b>	2215179 (Part)	139490/1 (Part)	23.6 ha (of 95.0 ha)	Rural Residential A to Rural Resource	Fehlberg, Alan Lyndon Fehlberg, Marlene Anne  133 Winstead Road, Bagdad Tas 7030
	2250687 (Part)	207323/1	16.7 ha		Wilson, Robert Thomas Wilson, Joan Alwynne.  45 Eddington Road, Bagdad Tas 7030
	2250687 (Part)	139483/1	104 ha (of 150.5 ha)		Wilson, Robert Thomas Wilson, Joan Alwynne  45 Eddington Road, Bagdad Tas 7030
	2250679 (Part)	139367/1 (Part)	4.0 ha (of 15.7 ha)		Chalmers, Geoffrey Keith  1552 Midland Highway, Bagdad Tas 7030
	5019341 (Part)	136058/1 (Part)	30.8 ha (of 141.6 ha)		Love & Hemsworth Pty Limited  "Milford", 76 Goodwins Road, Mangalore Tas 7030
	7820933 (Part)	138017/1 (Part)	34.9 ha (of 125.0 ha)		Besier, Alan Besier, Marie  "Summerville", 79 Ballyhooly Road, Mangalore Tas 7030
			214 ha		
Total area:					

**Area 5**

Amendment No.	PID	C.T.	Area	Proposed Rezoning	Owner and Property Address
1.5/2013	5020780	36778/1	0.20 ha	Rural Resource to Rural Residential A	Baker, Nerise Gai Maxwell, Stephen James 19 Quarrytown Road, Bagdad Tas 7030
	1896443	131036/4	0.59 ha		Clark, Leo 23 Quarrytown Road, Bagdad Tas 7030
	1896435	131036/3	0.60 ha		Harry, Stewart Reginald Harry, Gaybriel 25 Quarrytown Road, Bagdad Tas 7030
	1896427	131036/2	0.59 ha		Hughes, Sharon Maree Hughes, Michael James 27 Quarrytown Road, Bagdad Tas 7030
	1896419	131036/1	0.57 ha		Hughes, Lionel James Hughes, Monica Estelle 29 Quarrytown Road, Bagdad Tas 7030
	5020799	226107/1	0.20 ha		Bennett, Terrence Michael Bennett, Rosemary Joan "Bagdad Post Office", 41 Quarrytown Road, Bagdad Tas 7030
	2030633 (Part)	134943/1 (Part)	8.55 ha (of 46.3 ha)		Saltmarsh, Raymond Stuart Saltmarsh, Brenda Joy "Springvale", 49 Quarrytown Road, Bagdad Tas 7030
			11.3 ha		
Total area					

**Area 6**

<b>Amendment No.</b>	<b>PID</b>	<b>C.T.</b>	<b>Area</b>	<b>Proposed Rezoning</b>	<b>Owner and Property Address</b>
<b>1.6/2013</b>	5019229	112755/1	2.61 ha	Rural Resource to Rural Residential A	Bantick, Rhona Fay Bantick, Keith Henry 1516 Midland Highway, Bagdad Tas 7030

**Area 7**

<b>Amendment No.</b>	<b>PID</b>	<b>C.T.</b>	<b>Area</b>	<b>Proposed Rezoning</b>	<b>Owner and Property Address</b>
<b>1.7/2013</b>	5463418	81509/1	0.20 ha	Rural Resource to Future Residential	Chivers, Meagan Elizabeth 1830 Midland Highway, Bagdad Tas 7030
	5463397	81509/2	0.21 ha		Medhurst, Dorothy Betty 1832 Midland Highway, Bagdad Tas 7030
	5463389	240816/1	3.56 ha		Grasso, Colleen Wynne Grasso, Sabastian 'Cooinda' 1842 Midland Highway, Bagdad Tas 7030
	2620027	143469/2	3.82 ha		Patterson, Tracey Anne 'Red Cotes' 1844 Midland Highway, Bagdad Tas 7030
<b>Total area:</b>			<b>7.79 ha</b>		

**Area 8**

Amendment No.	PID	C.T.	Area	Proposed Rezoning	Owner and Property Address
<b>1.8/2013</b>	2869519 (Part)	153996/2 (Part)	4.30 ha (of 8.38 ha)	Rural Resource to Future Residential	Blake, Maree 9 Blackport Road, Bagdad Tas 7030
	7563324 (Part)	117631/2 (Part)	0.40 ha (of 1.24 ha)		McShane, Sherian Mary "Braemar", 11 Swan Street, Bagdad Tas 7030
	2788452	150929/2	0.43 ha		Denne, Garth Mervyn 17 Cartledge Lane, Bagdad Tas 7030
	2802437	150929/1	3.80 ha		Denne, Robyn Elizabeth Denne, Garth Mervyn 20 Cartledge Lane, Bagdad Tas 7030
Total area:			8.93 ha		

**Area 9**

Amendment No.	PID	C.T.	Area	Proposed Rezoning	Owner and Property Address
<b>1.9/2013</b>	7597276	199860/1	4.03 ha	Rural Resource to Future Residential	Webster, Marianne Millicent 1908 Midland Highway, Bagdad Tas 7030
	7597268	236689/1	10.6 ha		Daniels, Diane Nancy 'Rotan Lodge' 1936 Midland Highway, Bagdad Tas 7030
Total area:			14.63 ha		

**Area 10**

Amendment No.	PID	C.T.	Area	Proposed Rezoning	Owner and Property Address
<b>1.10/2013</b>	7561185	41845/110	7.6 ha	Environmental Management to Rural Resource	Southern Midlands Council 12 Mountford Drive, Mangalore Tas 7030

**6. COMPLIANCE WITH THE OBJECTIVES OF THE ACT AND STATE POLICES**

**Objectives of the Act:**

The proposed rezonings are considered to be in accordance with the objectives of Tasmania's Resource Management & Planning System, as detailed in schedule 1 of the *Land Use Planning & Approvals Act 1993*.

The suite of rezonings contained in these amendments will provide for the orderly and sustainable development of the existing nodes of development in the Bagdad Mangalore Valley.

The land in between these nodes will be preserved for agricultural use. This will also preserve the rural landscape values of the valley and prevent the rural-residential sprawl that afflicts nearby areas closer to greater Hobart.

The overall plan, therefore, provides for the orderly development of the valley without adversely impacting on natural or cultural values and without creating excessive demand on services that cannot be met. It is in accordance with relevant strategic planning documents and will lead to an enhancement of the social and economic well-being of the area.

The information contained in the Bagdad Mangalore Structure Plan, the JLUPI Settlement and Open Space Strategy and the JLUPI Land Use Strategy further demonstrate general compliance with the objectives of the Act.

**State Policies:**

The information contained in the Bagdad Mangalore Structure Plan, the JLUPI Settlement and Open Space Strategy and the JLUPI Land Use Strategy demonstrate general compliance with the State's few State Policies.

The State Policy most relevant to the application is the Protection of Agricultural Land State Policy. The outcome of the suit of amendments within this report is to preserve large expanses of good agricultural land on the valley floor from development that would otherwise remove that land from agricultural production permanently.

**7. CONCORDANCE WITH THE SOUTHERN TASMANIA REGIONAL LAND USE STRATEGY**

Whilst amendments to existing planning schemes do not statutorily have to align with the Southern Tasmania Regional Land Use Strategy (STRLUS), it is highly appropriate that they nevertheless do.

The suite of draft amendments in this report align directly with the STRLUS. Of particular note are the following:

- The third paragraph under *2.1 Strategic Planning Framework* which recognises the important role of local strategic land use planning in the formation of planning schemes.
- CV4, in that the amendments will protect the rural cultural landscape of the valley by preserving the valley floor for agricultural use.
- PI2, in that the plan will provide for the orderly growth of the Bagdad Mangalore valley, clustering new development around existing nodes, avoiding need for new accesses onto the Midland Highway and identifying and preserving land for future settlement use.
- LUIT1, in that the plan protects the current and future Midland Highway corridors. New development is in proximity to the existing Midland Highway to facilitate access and transport but sufficiently separate to avoid use conflict.
- T1, in that the plan preserves the rural landscape of the main approach to Greater Hobart from the north. In retaining the rural landscape of the valley it reinforces the concept that the 'gateway' to/from greater Hobart is at Pontville. The plan also preserves the historic context of numerous important country houses in the valley.
- PR1, in that the plan recognises and preserves the expansive good agricultural land on the valley floor for agricultural use. It should be noted that is intended in the new interim planning scheme to zone the best of this land to the State Template's Significant Agricultural Zone. The removal of inappropriate rural residential zoning as part of this planning scheme amendment will facilitate this process.
- SRD 1.2, in that the plan manages the orderly growth of Bagdad and Mangalore.
- SRD 1.3 b, in that the area of land allocated to rural living use within the valley will be reduced, with the removal of approximately 214 ha of existing inappropriately zoned rural residential land on the valley floor and another 30 ha of inappropriately zoned land within the Heritage Mile Precinct Special Area and replacing it with approximately 71 ha of new rural living land in appropriate locations on the side of the valley, building on and consolidating existing development nodes.

## **8. PREVIOUS REZONING APPLICATION AT BLACK BRUSH ROAD**

In 2010/11, in response to a request from the landowner, Council attempted to rezone an area of 38 ha at Black Brush Road, Mangalore, (opposite Mountford Drive) from Rural Agriculture to part Rural Residential A and part Rural Residential B. These areas correspond to the western section of Area 2 and all of Area 3 on the attached planning scheme amendment maps. This was part of a *combined application* under S.43A of the *Land Use Planning & Approvals Act 1993* and included a subdivision proposal plan with

23 lots in the proposed Rural Residential A area and 3 lots in the proposed Rural Residential B area.

The application was refused by the TPC in late 2011, primarily on the basis that it represented just one part of the overall future of the Bagdad Mangalore area, as envisaged by the BMSP, and therefore should not be implemented in isolation of the other structure plan recommendations. The TPC considered that the BMSP should be implemented as a whole package. The key concern of the TPC centred on the fact that elsewhere the BMSP calls for areas to be back-zoned from Rural Residential to Rural, and that unless this occurred the subject rezoning would result in an overall expansion of rural residential land.

It is now Southern Midlands Councils' intention to implement all of the BMSP recommendations through the draft amendments in this report.

## **9. INFORMAL PLANNING SCHEME PUBLIC CONSULTATION**

In June and July this year Southern Midlands Council and the other twelve Southern Councils put their proposed interim planning schemes out for informal public consultation for 6 weeks. The process included a public information 'drop-in' session at the Bagdad Community Club on 2 July, which was well attended.

The changes encapsulated in the draft amendments to the current planning scheme contained in this report are generally consistent with the proposed interim planning scheme exposed to the public in June/July 2013.

## **10. PUBLIC NOTIFICATION OF THE PLANNING SCHEME AMENDMENTS**

Under the Act Council must determine how long draft amendments are subject to public notification, which must be between 3 weeks and 2 months. Amendments must be advertised twice in the daily newspaper. All impacted landowners must also be notified in writing.

Given the range and size of the amendments, it is suggested that the minimum period of 3 weeks would be inappropriate.

It is recommended that a 6 week period be provided.

It is also recommended that the public notification period be delayed until after the Christmas / New Year period, as many people may be on holidays during this time.



**RECOMMENDATION**

**THAT:**

- A. Draft amendment 1.1/2013 to the Southern Midlands Planning Scheme 1998 be initiated and certified pursuant to S.35 of the *Land Use Planning & Approvals Act 1993*.**
- B. Draft amendment 1.2/2013 to the Southern Midlands Planning Scheme 1998 be initiated and certified pursuant to S.35 of the *Land Use Planning & Approvals Act 1993*.**
- C. Draft amendment 1.3/2013 to the Southern Midlands Planning Scheme 1998 be initiated and certified pursuant to S.35 of the *Land Use Planning & Approvals Act 1993*.**
- D. Draft amendment 1.4/2013 to the Southern Midlands Planning Scheme 1998 be initiated and certified pursuant to S.35 of the *Land Use Planning & Approvals Act 1993*.**
- E. Draft amendment 1.5/2013 to the Southern Midlands Planning Scheme 1998 be initiated and certified pursuant to S.35 of the *Land Use Planning & Approvals Act 1993*.**
- F. Draft amendment 1.6/2013 to the Southern Midlands Planning Scheme 1998 be initiated and certified pursuant to S.35 of the *Land Use Planning & Approvals Act 1993*.**
- G. Draft amendment 1.7/2013 to the Southern Midlands Planning Scheme 1998 be initiated and certified pursuant to S.35 of the *Land Use Planning & Approvals Act 1993*.**
- H. Draft amendment 1.8/2013 to the Southern Midlands Planning Scheme 1998 be initiated and certified pursuant to S.35 of the *Land Use Planning & Approvals Act 1993*.**
- I. Draft amendment 1.9/2013 to the Southern Midlands Planning Scheme 1998 be initiated and certified pursuant to S.35 of the *Land Use Planning & Approvals Act 1993*.**
- J. Draft amendment 1.10/2013 to the Southern Midlands Planning Scheme 1998 be initiated and certified pursuant to S.35 of the *Land Use Planning & Approvals Act 1993*.**
- K. The draft amendments be subject to a 6 week public notification period commencing on Saturday 25 January.**

**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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	

**ATTACHMENT 1**

**SOUTHERN MIDLANDS PLANNING SCHEME 1998**

**DRAFT AMENDMENT 1.1/2013**

The Southern Midlands Planning Scheme 1998 is amended by the alteration of zoning pertaining to a 38 hectare area of land on the northern side of Black Brush Road, Mangalore, opposite the Mountford Drive junction, with property descriptors listed below so that the zone is changed from Rural Residential A to Rural Resource, as indicated on the attached plan as Area 1.

PID	C.T.	Area	Proposed Rezoning
1638735 (Part)	119147/1 (Part)	30 ha (of 42.3 ha)	Rural Residential A to Rural Resource

Pursuant to Section 35 of the *Land Use Planning & Approvals Act 1993* Council hereby certifies Draft Amendment 1.1/2013 to the Southern Midlands Planning Scheme 1998 as being in accordance with the requirements of Section 32 of the Act.

In witness whereof the common seal of Southern Midlands Council has been affixed, pursuant to the resolution of the Council of the said municipality

Passed the 27<sup>th</sup> day of November 2013 in the presence of

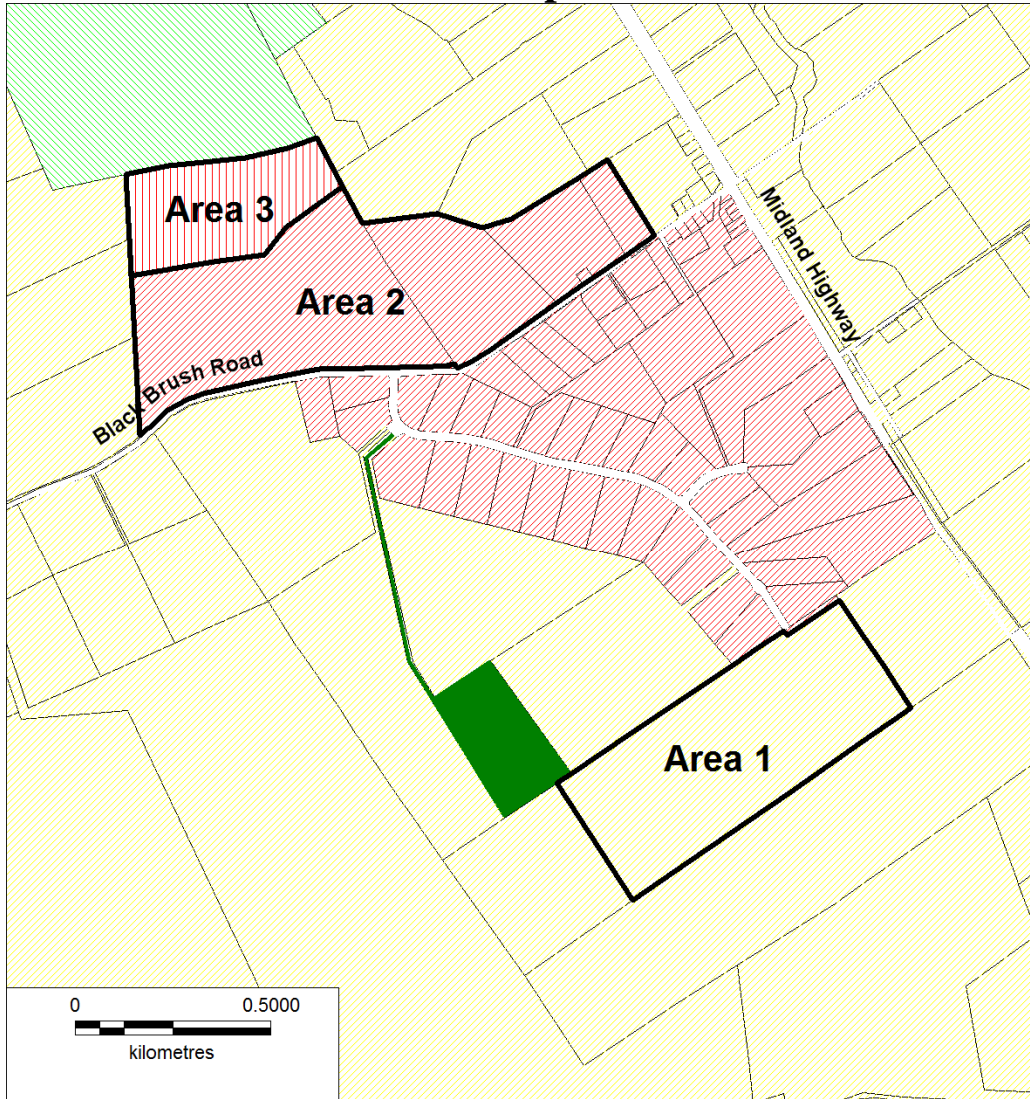
Member .....

Member .....

General Manager .....

# SOUTHERN MIDLANDS PLANNING SCHEME 1998 DRAFT AMENDMENT 1.1/2013

## PLAN Area 1 on the plan below:



### Current Planning Scheme Legend

- Road
- Rural Agriculture
- Rural Forest
- Rural Residential A
- Future Road
- Village
- Utilities
- Environmental Management
- Rural Agriculture
- Community Use
- Rural Residential B

**ATTACHMENT 2**

**SOUTHERN MIDLANDS PLANNING SCHEME 1998**

**DRAFT AMENDMENT 1.2/2013**

The Southern Midlands Planning Scheme 1998 is amended by the alteration of zoning pertaining to a 38 hectare area of land on the northern side of Black Brush Road, Mangalore, opposite the Mountford Drive junction, with property descriptors listed below so that the zone is changed from Rural Resource to Rural Residential A, as indicated on the attached plan as Area 2.

PID	C.T.	Area	Proposed Rezoning
2831342 (Part)	152939/6 (Part)	25.8 ha (of 38.0 ha)	Rural Resource to Rural Residential A
5018461	123830/1	10.24 ha	
5018381	47455/1	0.51 ha	
5018453	14387/1	5.76 ha	
5018445	6519/1	2.02 ha	
Total area:		44.33 ha	

Pursuant to Section 35 of the *Land Use Planning & Approvals Act 1993* Council hereby certifies Draft Amendment 1.2/2013 to the Southern Midlands Planning Scheme 1998 as being in accordance with the requirements of Section 32 of the Act.

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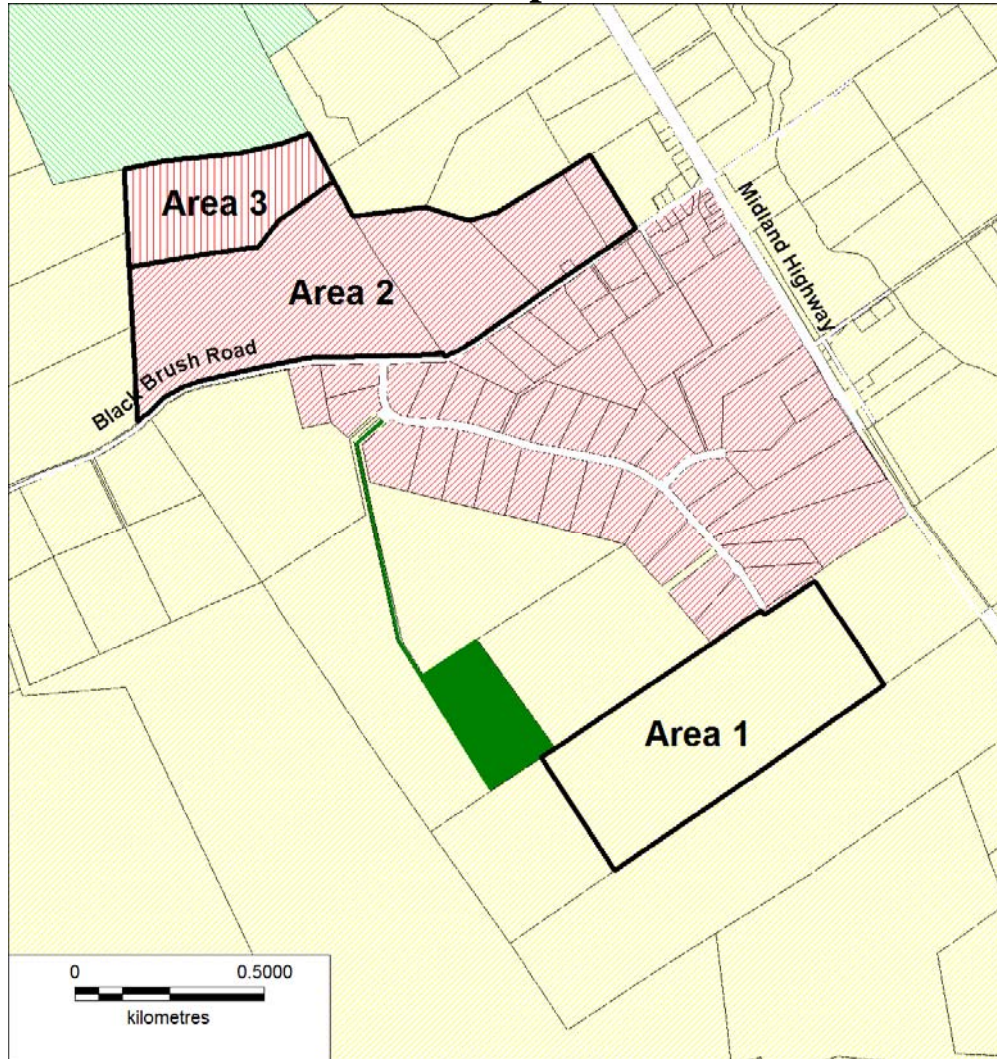
Member .....

Member .....

General Manager .....

# SOUTHERN MIDLANDS PLANNING SCHEME 1998 DRAFT AMENDMENT 1.2/2013

## PLAN Area 2 on the plan below:



### Current Planning Scheme Legend

- Road
- Rural Agriculture
- Rural Forest
- Rural Residential A
- Future Road
- Village
- Utilities
- Environmental Management
- Rural Agriculture
- Community Use
- Rural Residential B

**ATTACHMENT 3**

**SOUTHERN MIDLANDS PLANNING SCHEME 1998**

**DRAFT AMENDMENT 1.3/2013**

The Southern Midlands Planning Scheme 1998 is amended by the alteration of zoning pertaining to a 38 hectare area of land on the northern side of Black Brush Road, Mangalore, opposite the Mountford Drive junction, with property descriptors listed below so that the zone is changed from Rural Resource to Rural Residential B, as indicated on the attached plan as Area 3.

<b>PID</b>	<b>C.T.</b>	<b>Area</b>	<b>Proposed Rezoning</b>
2831342 (Part)	152939/6 (Part)	12.2 ha (of 38.0 ha)	Rural Resource to Rural Residential B

Pursuant to Section 35 of the *Land Use Planning & Approvals Act 1993* Council hereby certifies Draft Amendment 1.3/2013 to the Southern Midlands Planning Scheme 1998 as being in accordance with the requirements of Section 32 of the Act.

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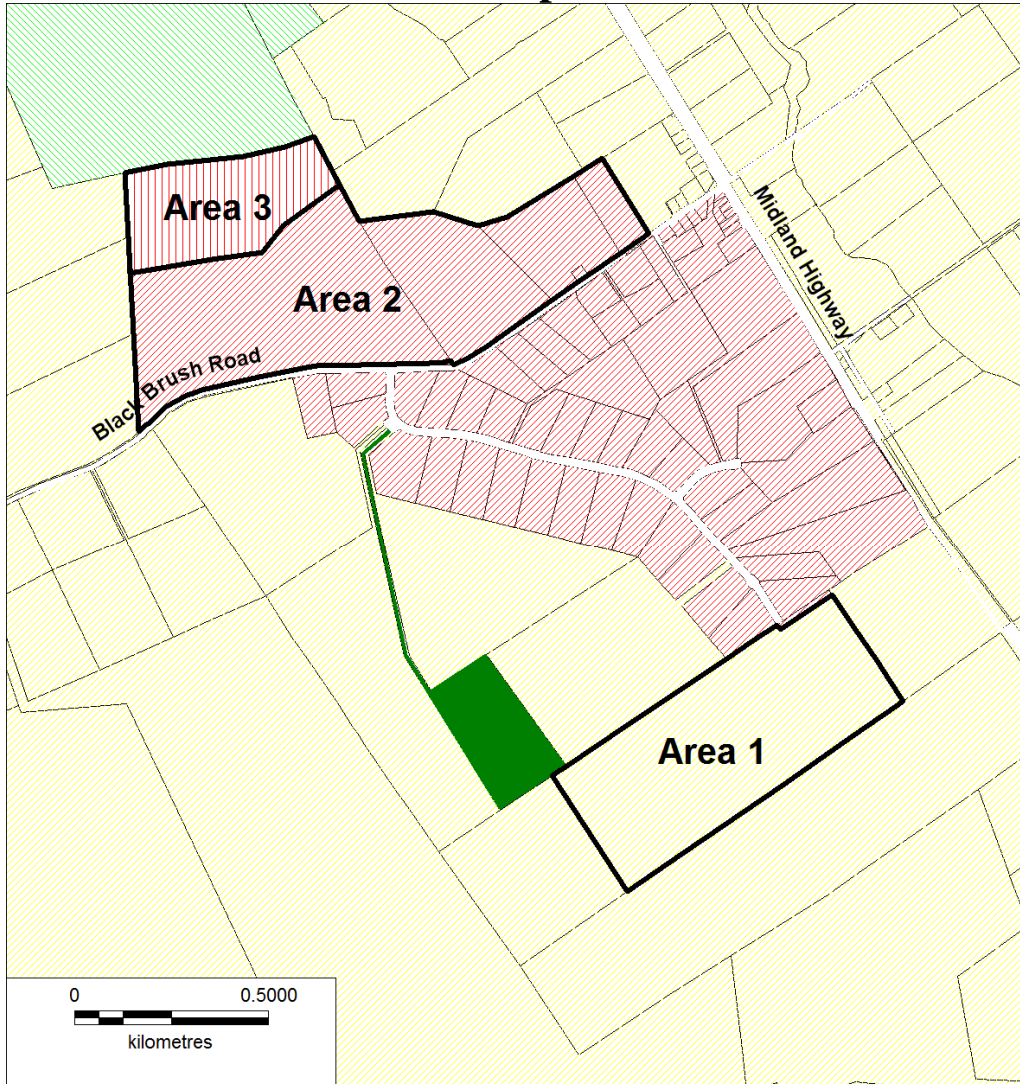
Member .....

Member .....

General Manager .....

# SOUTHERN MIDLANDS PLANNING SCHEME 1998 DRAFT AMENDMENT 1.3/2013

## PLAN Area 3 on the plan below:



### Current Planning Scheme Legend

- Road
- Rural Agriculture
- Rural Forest
- Rural Residential A
- Future Road
- Village
- Utilities
- Environmental Management
- Rural Agriculture
- Community Use
- Rural Residential B



**ATTACHMENT 4**

**SOUTHERN MIDLANDS PLANNING SCHEME 1998  
DRAFT AMENDMENT 1.4/2013**

The Southern Midlands Planning Scheme 1998 is amended by the alteration of zoning pertaining to a 38 hectare area of land on the northern side of Black Brush Road, Mangalore, opposite the Mountford Drive junction, with property descriptors listed below so that the zone is changed from Rural Residential A to Rural Resource, as indicated on the attached plan as Area 4.

PID	C.T.	Area	Proposed Rezoning
2215179 (Part)	139490/1 (Part)	23.6 ha (of 95.0 ha)	Rural Residential A to Rural Resource
2250687 (Part)	207323/1	16.7 ha	
2250687 (Part)	139483/1	104 ha (of 150.5 ha)	
2250679 (Part)	139367/1 (Part)	4.0 ha (of 15.7 ha)	
5019341 (Part)	136058/1 (Part)	30.8 ha (of 141.6 ha)	
7820933 (Part)	138017/1 (Part)	34.9 ha (of 125.0 ha)	
Total area:		214 ha	

Pursuant to Section 35 of the *Land Use Planning & Approvals Act 1993* Council hereby certifies Draft Amendment 1.4/2013 to the Southern Midlands Planning Scheme 1998 as being in accordance with the requirements of Section 32 of the Act.

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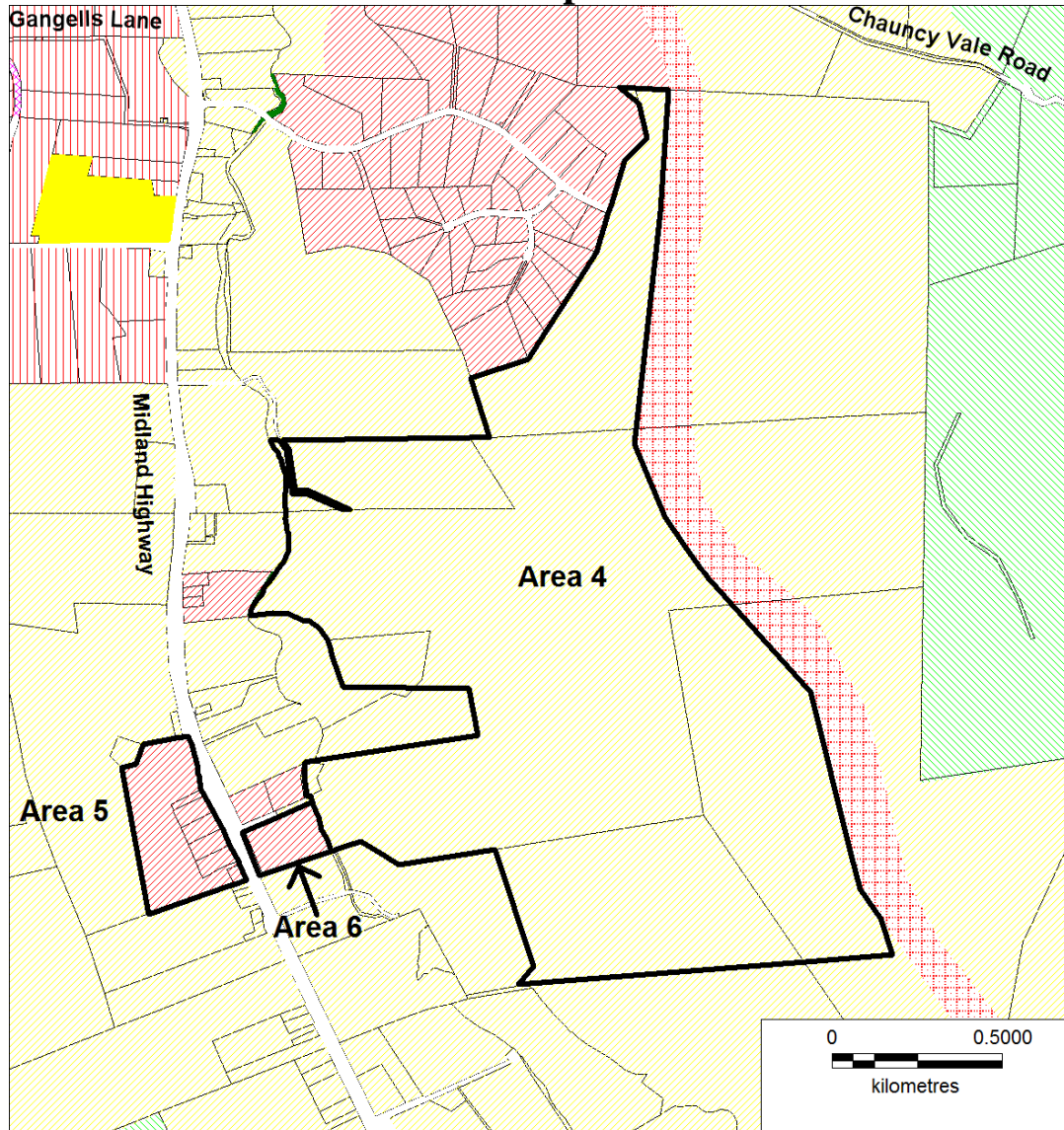
Member .....

Member .....

General Manager .....

## SOUTHERN MIDLANDS PLANNING SCHEME 1998 DRAFT AMENDMENT 1.4/2013

### PLAN Area 4 on the plan below:



**Current Planning Scheme Legend**

- Road
- Rural Agriculture
- Rural Forest
- Rural Residential A
- Future Road
- Village
- Utilities
- Environmental Management
- Rural Agriculture
- Community Use
- Rural Residential B

**ATTACHMENT 5**

**SOUTHERN MIDLANDS PLANNING SCHEME 1998  
DRAFT AMENDMENT 1.5/2013**

The Southern Midlands Planning Scheme 1998 is amended by the alteration of zoning pertaining to a 38 hectare area of land on the northern side of Black Brush Road, Mangalore, opposite the Mountford Drive junction, with property descriptors listed below so that the zone is changed from Rural Resource to Rural Residential A, as indicated on the attached plan as Area 5.

PID	C.T.	Area	Proposed Rezoning
5020780	36778/1	0.20 ha	Rural Resource to Rural Residential A
1896443	131036/4	0.59 ha	
1896435	131036/3	0.60 ha	
1896427	131036/2	0.59 ha	
1896419	131036/1	0.57 ha	
5020799	226107/1	0.20 ha	
2030633 (Part)	134943/1 (Part)	8.55 ha (of 46.3 ha)	
Total area:		11.3 ha	

Pursuant to Section 35 of the *Land Use Planning & Approvals Act 1993* Council hereby certifies Draft Amendment 1.5/2013 to the Southern Midlands Planning Scheme 1998 as being in accordance with the requirements of Section 32 of the Act.

In witness whereof the common seal of Southern Midlands Council has been affixed, pursuant to the resolution of the Council of the said municipality

Passed the 27<sup>th</sup> day of November 2013 in the presence of

Member .....

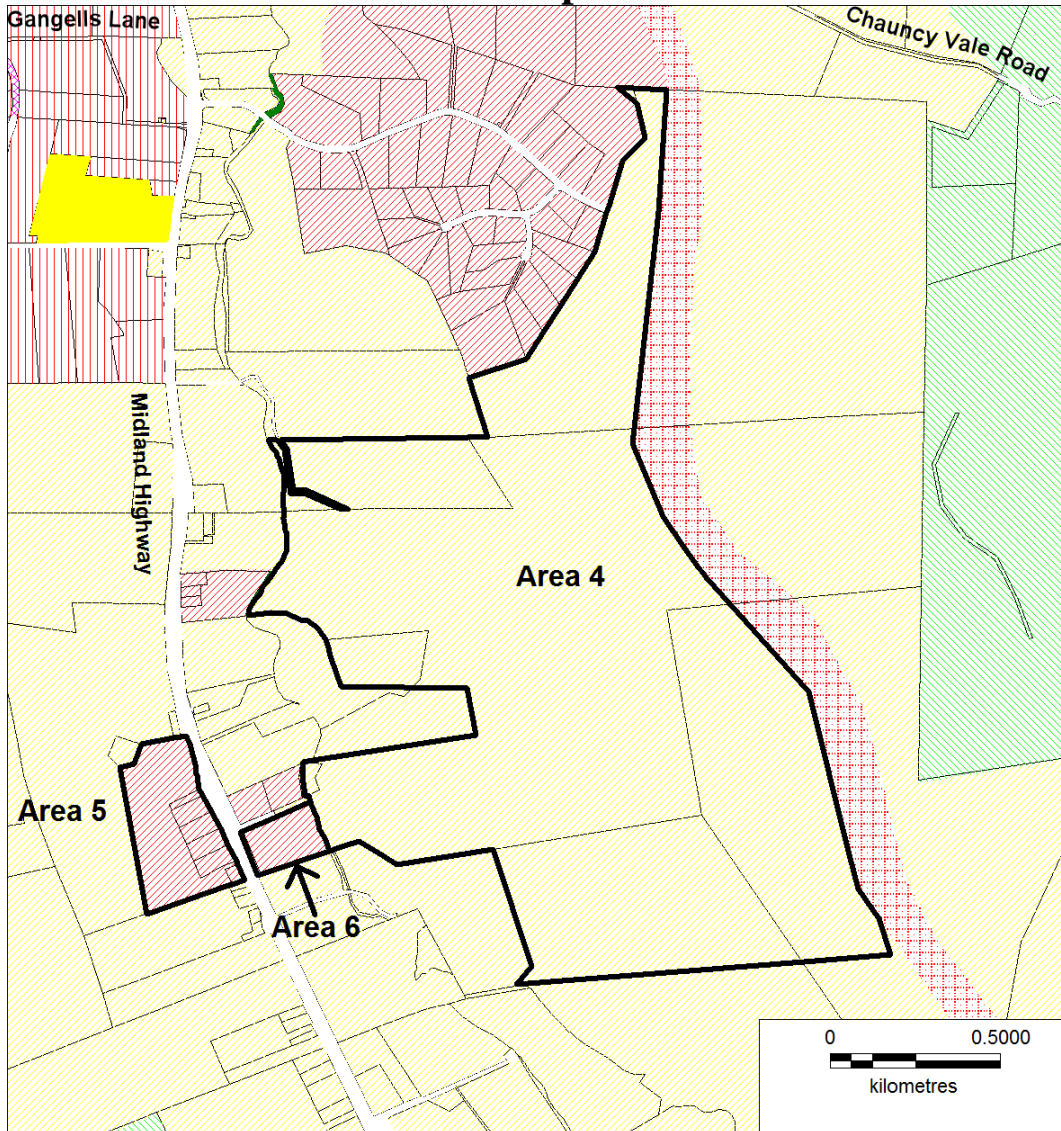
Member .....

General Manager .....

# SOUTHERN MIDLANDS PLANNING SCHEME 1998 DRAFT AMENDMENT 1.5/2013

## PLAN

Area 5 on the plan below:



### Current Planning Scheme Legend

- Road
- Rural Agriculture
- Rural Forest
- Rural Residential A
- Future Road
- Village
- Utilities
- Environmental Management
- Rural Agriculture
- Community Use
- Rural Residential B

**ATTACHMENT 6**

**SOUTHERN MIDLANDS PLANNING SCHEME 1998**

**DRAFT AMENDMENT 1.6/2013**

The Southern Midlands Planning Scheme 1998 is amended by the alteration of zoning pertaining to a 38 hectare area of land on the northern side of Black Brush Road, Mangalore, opposite the Mountford Drive junction, with property descriptors listed below so that the zone is changed from Rural Resource to Rural Residential A, as indicated on the attached plan as Area 6.

PID	C.T.	Area	Proposed Rezoning
5019229	112755/1	2.61 ha	Rural Resource to Rural Residential A

Pursuant to Section 35 of the *Land Use Planning & Approvals Act 1993* Council hereby certifies Draft Amendment 1.6/2013 to the Southern Midlands Planning Scheme 1998 as being in accordance with the requirements of Section 32 of the Act.

In witness whereof the common seal of Southern Midlands Council has been affixed, pursuant to the resolution of the Council of the said municipality

Passed the 27<sup>th</sup> day of November 2013 in the presence of

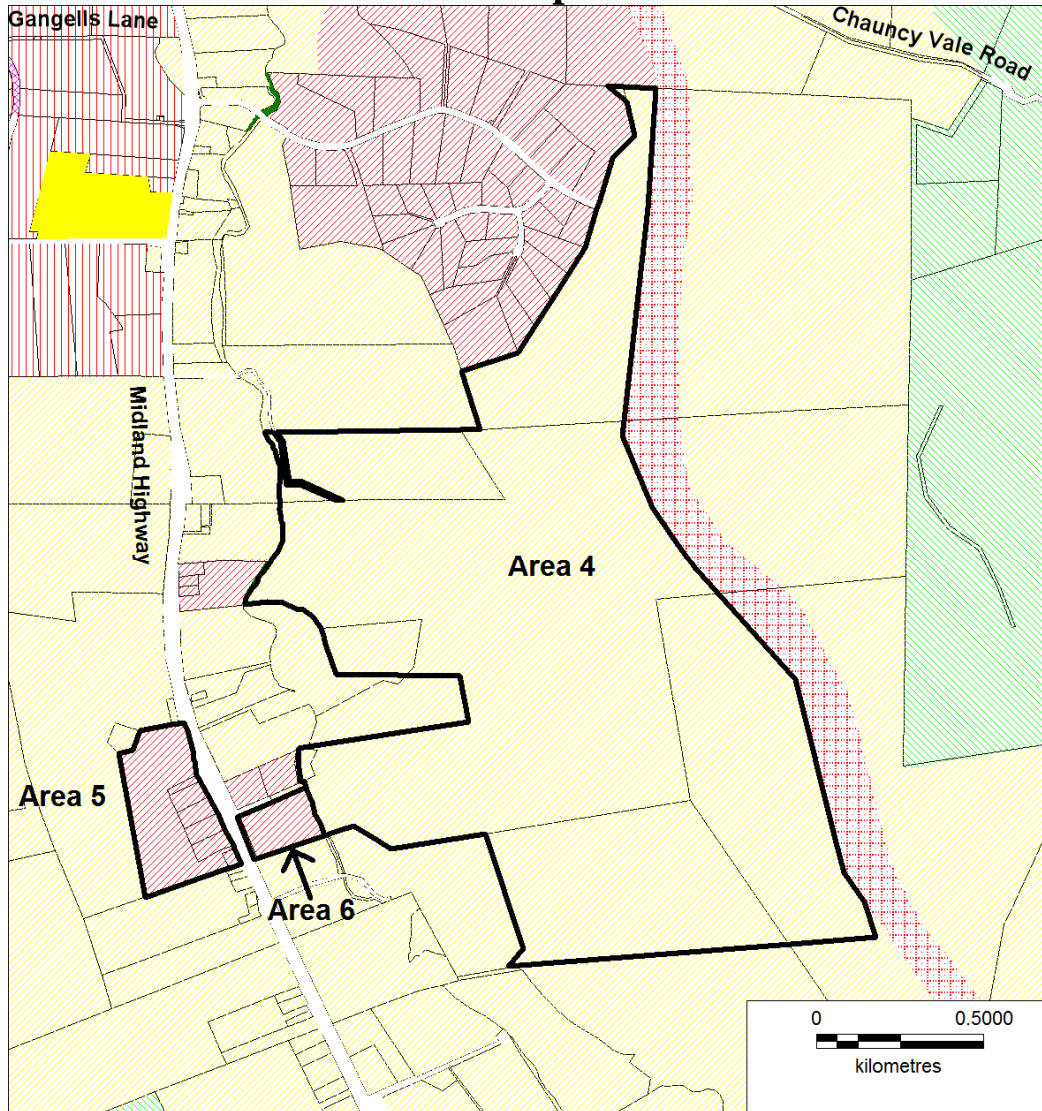
Member .....

Member .....

General Manager .....

# SOUTHERN MIDLANDS PLANNING SCHEME 1998 DRAFT AMENDMENT 1.6/2013

## PLAN Area 6 on the plan below:



### Current Planning Scheme Legend

- Road
- Rural Agriculture
- Rural Forest
- Rural Residential A
- Future Road
- Village
- Utilities
- Environmental Management
- Rural Agriculture
- Community Use
- Rural Residential B

**ATTACHMENT 7**

**SOUTHERN MIDLANDS PLANNING SCHEME 1998**

**DRAFT AMENDMENT 1.7/2013**

The Southern Midlands Planning Scheme 1998 is amended by the alteration of zoning pertaining to a 38 hectare area of land on the northern side of Black Brush Road, Mangalore, opposite the Mountford Drive junction, with property descriptors listed below so that the zone is changed from Rural Resource to Future Residential, as indicated on the attached plan as Area 7.

PID	C.T.	Area	Proposed Rezoning
5463418	81509/1	0.20 ha	Rural Resource to Future Residential
5463397	81509/2	0.21 ha	
5463389	240816/1	3.56 ha	
2620027	143469/2	3.82 ha	
Total area:		7.79 ha	

Pursuant to Section 35 of the *Land Use Planning & Approvals Act 1993* Council hereby certifies Draft Amendment 1.7/2013 to the Southern Midlands Planning Scheme 1998 as being in accordance with the requirements of Section 32 of the Act.

In witness whereof the common seal of Southern Midlands Council has been affixed, pursuant to the resolution of the Council of the said municipality

Passed the 27<sup>th</sup> day of November 2013 in the presence of

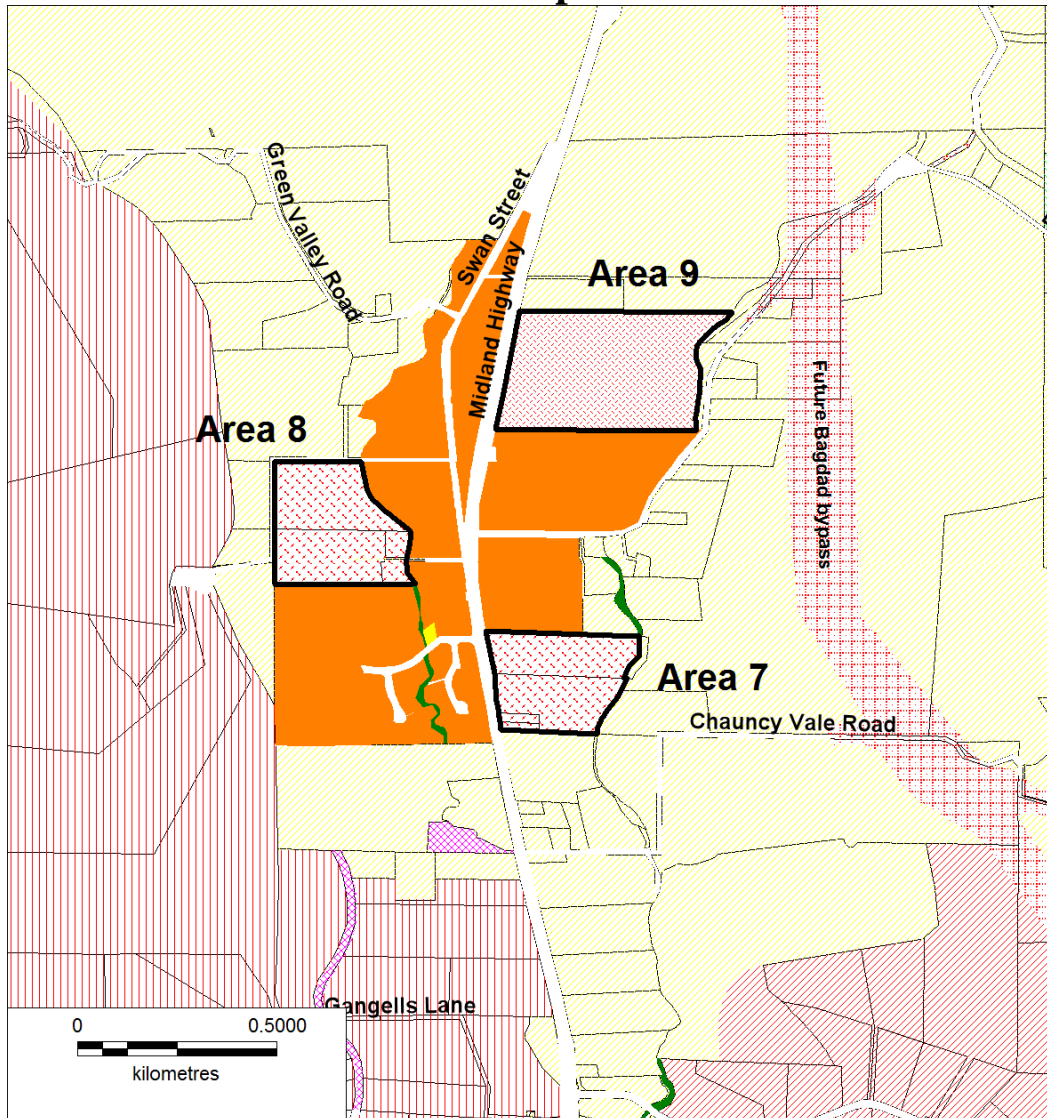
Member .....

Member .....

General Manager .....

# SOUTHERN MIDLANDS PLANNING SCHEME 1998 DRAFT AMENDMENT 1.7/2013

## PLAN Area 7 on the plan below:



### Current Planning Scheme Legend

- Road
- Rural Agriculture
- Rural Forest
- Rural Residential A
- Future Road
- Village
- Utilities
- Environmental Management
- Rural Agriculture
- Community Use
- Rural Residential B



**ATTACHMENT 8**

**SOUTHERN MIDLANDS PLANNING SCHEME 1998**

**DRAFT AMENDMENT 1.8/2013**

The Southern Midlands Planning Scheme 1998 is amended by the alteration of zoning pertaining to a 38 hectare area of land on the northern side of Black Brush Road, Mangalore, opposite the Mountford Drive junction, with property descriptors listed below so that the zone is changed from Rural Resource to Future Residential, as indicated on the attached plan as Area 8.

<b>PID</b>	<b>C.T.</b>	<b>Area</b>	<b>Proposed Rezoning</b>
2869519 (Part)	153996/2 (Part)	4.30 ha (of 8.38 ha)	Rural Resource to Future Residential
7563324 (Part)	117631/2 (Part)	0.40 ha (of 1.24 ha)	
2788452	150929/2	0.43 ha	
2802437	150929/1	3.80 ha	
Total area:		8.93 ha	

**Pursuant to Section 35 of the *Land Use Planning & Approvals Act 1993* Council hereby certifies Draft Amendment 1.8/2013 to the Southern Midlands Planning Scheme 1998 as being in accordance with the requirements of Section 32 of the Act.**

In witness whereof the common seal of Southern Midlands Council has been affixed, pursuant to the resolution of the Council of the said municipality

Passed the 27<sup>th</sup> day of November 2013 in the presence of

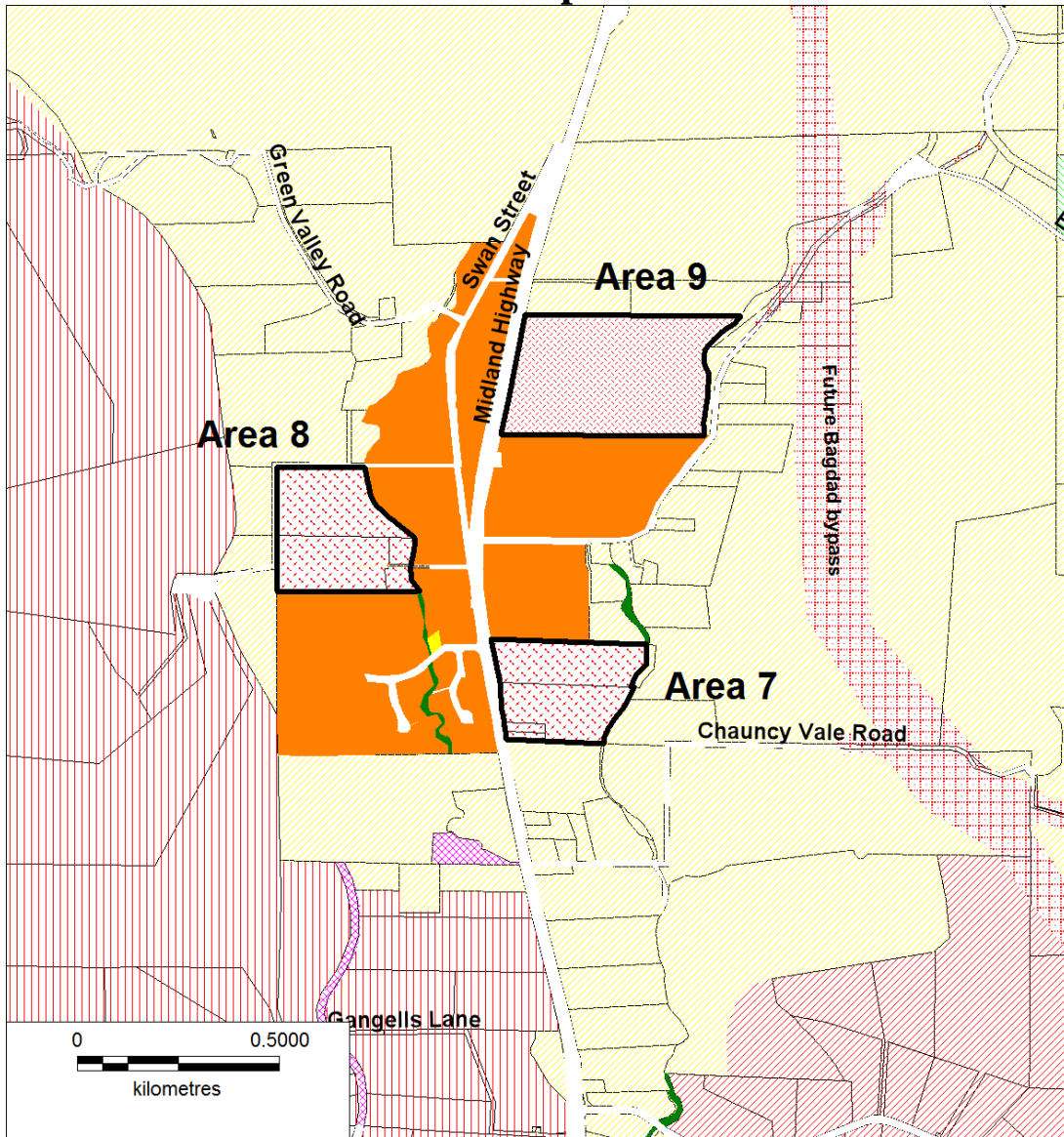
Member .....

Member .....

General Manager .....

## SOUTHERN MIDLANDS PLANNING SCHEME 1998 DRAFT AMENDMENT 1.8/2013

### PLAN Area 8 on the plan below:



**Current Planning Scheme Legend**

- Road
- Rural Agriculture
- Rural Forest
- Rural Residential A
- Future Road
- Village
- Utilities
- Environmental Management
- Rural Agriculture
- Community Use
- Rural Residential B

**ATTACHMENT 9**

**SOUTHERN MIDLANDS PLANNING SCHEME 1998**

**DRAFT AMENDMENT 1.9/2013**

The Southern Midlands Planning Scheme 1998 is amended by the alteration of zoning pertaining to a 38 hectare area of land on the northern side of Black Brush Road, Mangalore, opposite the Mountford Drive junction, with property descriptors listed below so that the zone is changed from Rural Resource to Future Residential, as indicated on the attached plan as Area 9.

PID	C.T.	Area	Proposed Rezoning
7597276	199860/1	4.03 ha	Rural Resource to Future Residential
7597268	236689/1	10.6 ha	
Total area:		14.63 ha	

Pursuant to Section 35 of the *Land Use Planning & Approvals Act 1993* Council hereby certifies Draft Amendment 1.9/2013 to the Southern Midlands Planning Scheme 1998 as being in accordance with the requirements of Section 32 of the Act.

In witness whereof the common seal of Southern Midlands Council has been affixed, pursuant to the resolution of the Council of the said municipality

Passed the 27<sup>th</sup> day of November 2013 in the presence of

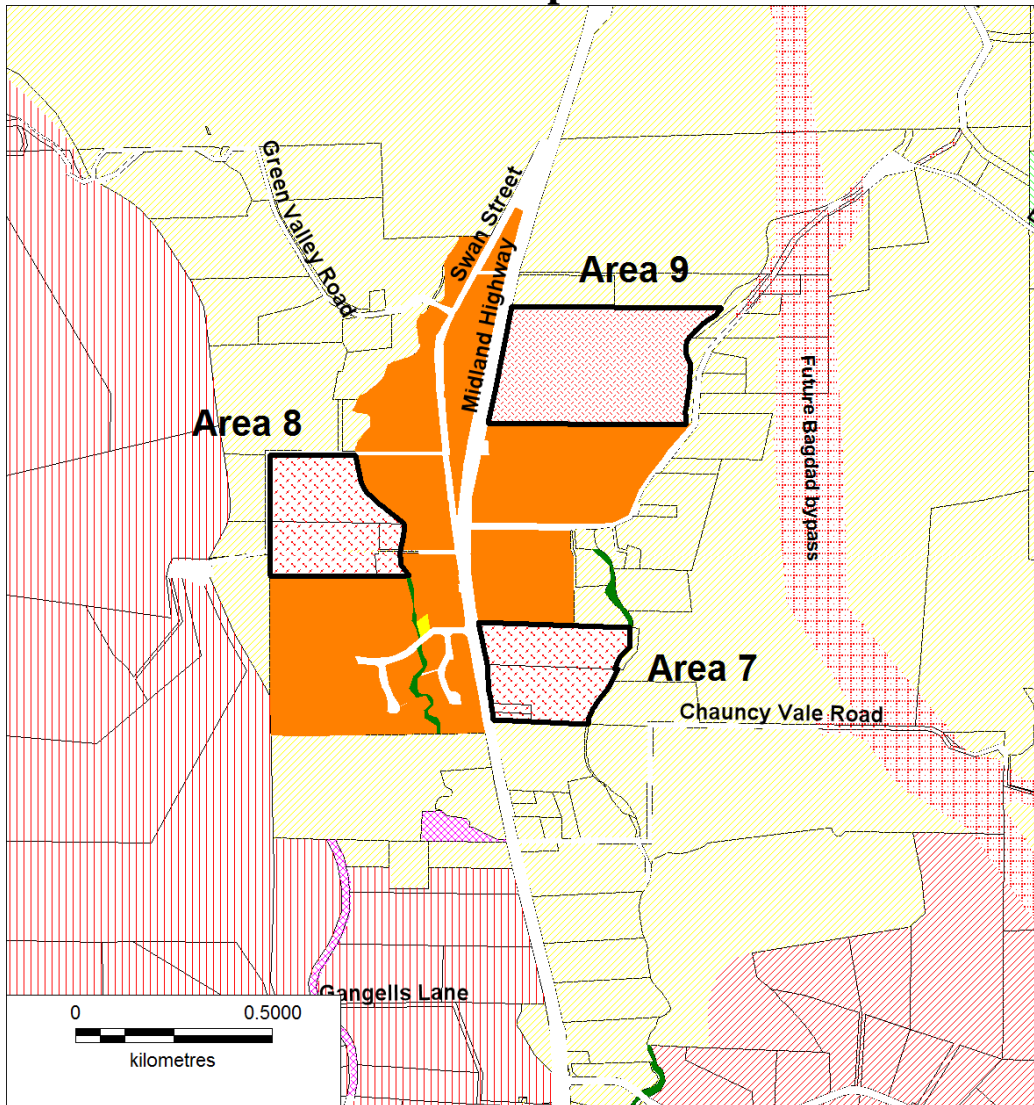
Member .....

Member .....

General Manager .....

## SOUTHERN MIDLANDS PLANNING SCHEME 1998 DRAFT AMENDMENT 1.9/2013

### PLAN Area 9 on the plan below:



**Current Planning Scheme Legend**

- Road
- Rural Agriculture
- Rural Forest
- Rural Residential A
- Future Road
- Village
- Utilities
- Environmental Management
- Rural Agriculture
- Community Use
- Rural Residential B

**ATTACHMENT 10**

**SOUTHERN MIDLANDS PLANNING SCHEME 1998**

**DRAFT AMENDMENT 1.10/2013**

The Southern Midlands Planning Scheme 1998 is amended by the alteration of zoning pertaining to a 38 hectare area of land on the northern side of Black Brush Road, Mangalore, opposite the Mountford Drive junction, with property descriptors listed below so that the zone is changed from Environmental Management to Rural Resource, as indicated on the attached plan as Area 10.

PID	C.T.	Area	Proposed Rezoning
7561185	41845/110	7.6 ha	Environmental Management to Rural Resource

Pursuant to Section 35 of the *Land Use Planning & Approvals Act 1993* Council hereby certifies Draft Amendment 1.10/2013 to the Southern Midlands Planning Scheme 1998 as being in accordance with the requirements of Section 32 of the Act.

In witness whereof the common seal of Southern Midlands Council has been affixed, pursuant to the resolution of the Council of the said municipality

Passed the 27<sup>th</sup> day of November 2013 in the presence of

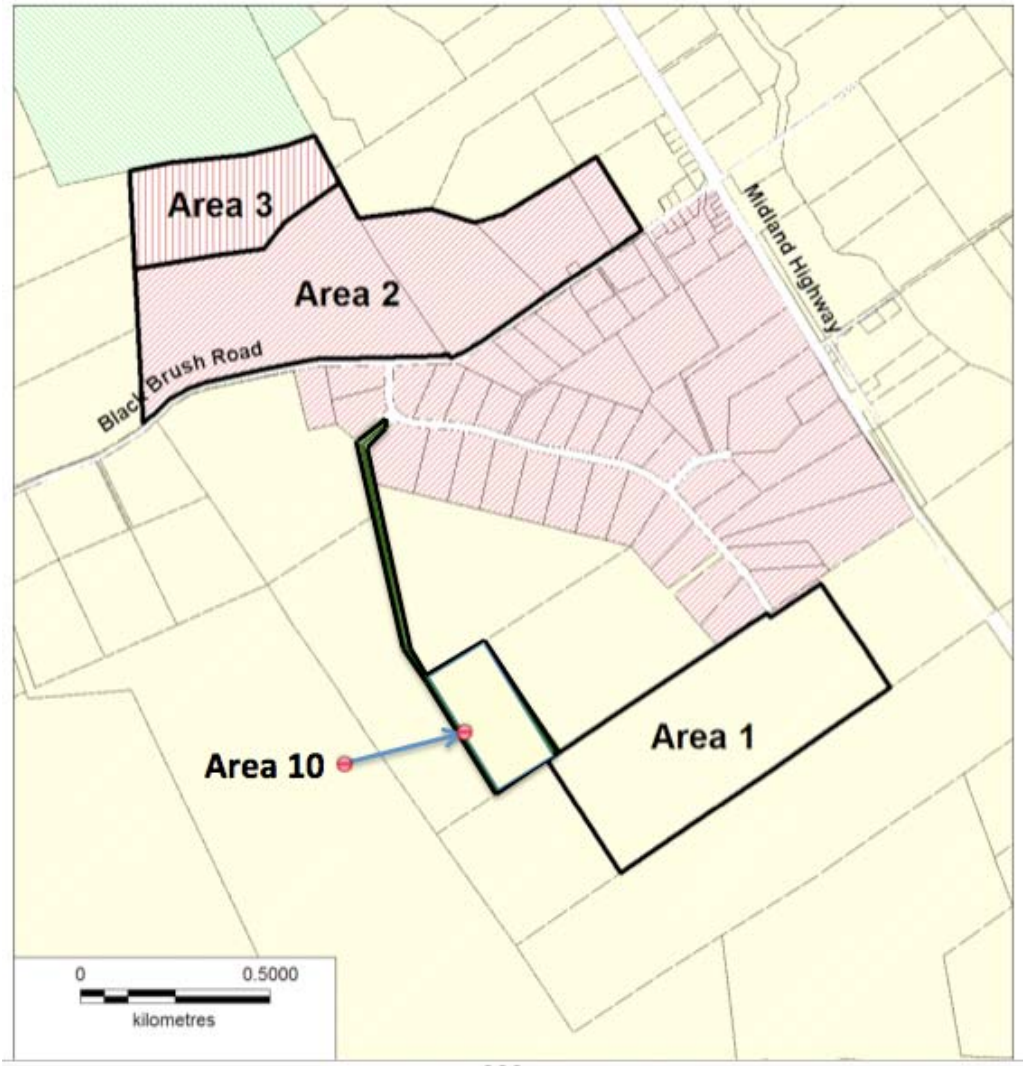
Member .....

Member .....

General Manager .....

# SOUTHERN MIDLANDS PLANNING SCHEME 1998

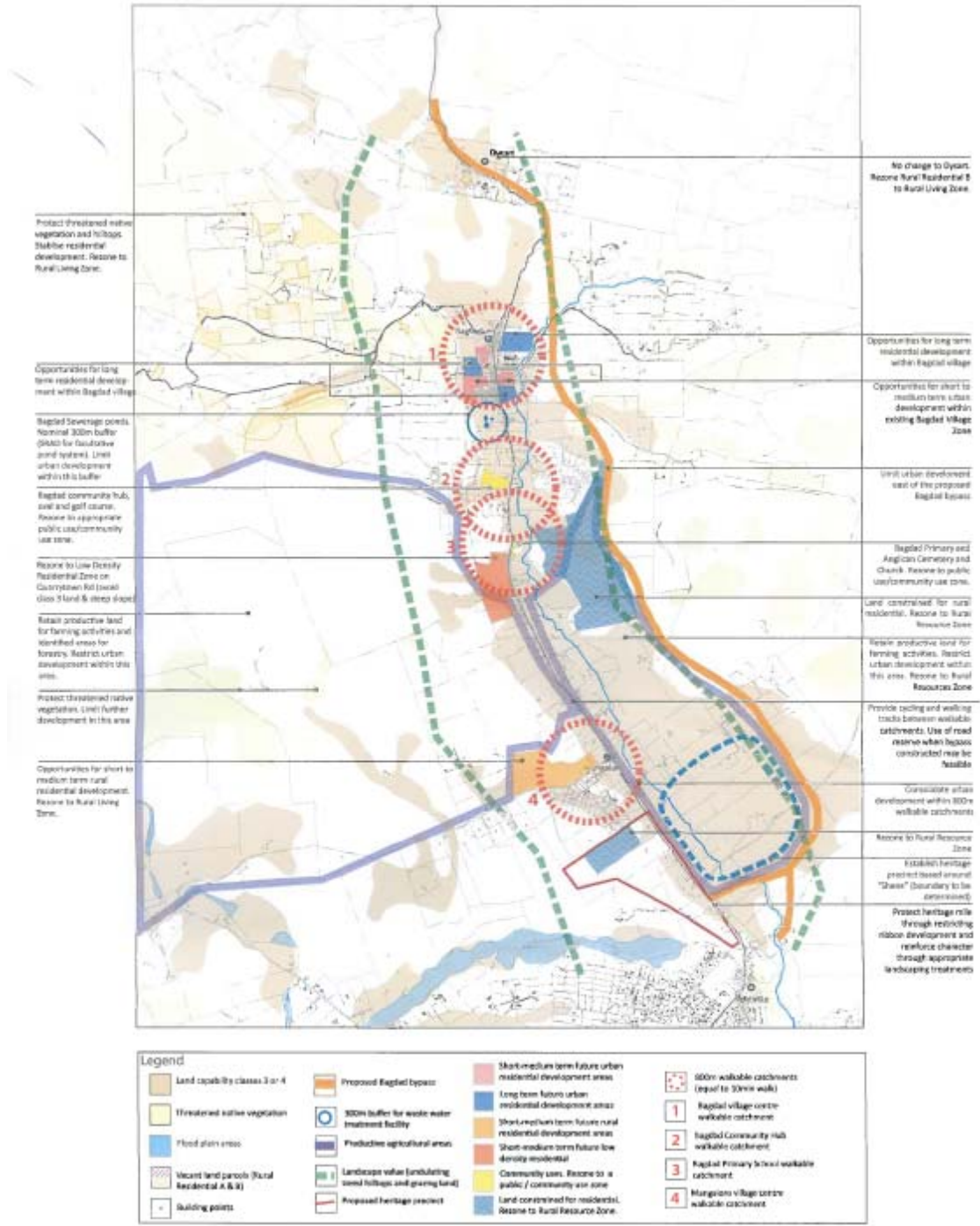
## DRAFT AMENDMENT 1.10/2013 PLAN



### Current Planning Scheme Legend

- Road
- Rural Agriculture
- Rural Forest
- Rural Residential A
- Future Road
- Village
- Utilities
- Environmental Management
- Rural Agriculture
- Community Use
- Rural Residential B

**ATTACHMENT 11**  
**BAGDAD MANGALORE STRUCTURE PLAN - KEY MAP**



**BAGDAD - MANGALORE STRUCTURE PLAN**



Date: 2/06/10  
 Created by: FR  
 Reviewed by: MC  
 Project No: 21/09/04

**12.4.4 Draft Amendments to the Southern Midlands Planning Scheme 1998:  
Revision of the Heritage Precincts,**

**INCLUDING:**

- **A REVISED AND EXPANDED OATLANDS HERITAGE PRECINCT SPECIAL AREA**
- **A NEW CALLINGTON MILL PRECINCT SPECIAL AREA**
- **A NEW OATLANDS LANDSCAPE PROTECTION SPECIAL AREA**
- **AN EXPANDED CAMPANIA HERITAGE PRECINCT SPECIAL AREA**
- **A REDUCED KEMPTON HERITAGE PRECINCT SPECIAL AREA**
- **A NEW COLEBROOK LANDSCAPE PROTECTION SPECIAL AREA**

*File Ref:* 9/084

**AUTHOR** MANAGER STRATEGIC PROJECTS (D MACKEY)  
**DATE** 21<sup>ST</sup> NOVEMBER 2013

- ATTACHMENTS**
1. Plan of the Existing Oatlands Heritage Precinct Special Area.
  2. Draft Planning Scheme Amendment 2/2013, Oatlands Heritage Precinct Special Areas (plan).
  3. Draft Planning Scheme Amendment 2/2013, Oatlands Heritage Precincts Special Areas (text).
  4. Plan of the Existing Campania Heritage Precinct Special Area.
  5. Draft Planning Scheme Amendment 3/2013, Campania Heritage Precinct Special Area.
  6. Plan of the Existing Kempton Heritage Precinct Special Area.
  7. Draft Planning Scheme Amendment 4/2013, Kempton Heritage Precinct Special Area.
  8. Plan of the Existing Colebrook Planning Scheme Area.
  9. Draft Planning Scheme Amendment 5/2013, Colebrook Landscape Protection Special Area.



## 1. BACKGROUND – NEED TO AMEND THE CURRENT SCHEME

For some years Council has been working towards the preparation of a new planning scheme for the Southern Midlands. This has included a great deal of local strategic planning work, much of which has focussed on developing improved heritage precinct provisions.

Through the Southern Tasmania Regional Planning Project the Regional Model Planning Scheme has now been completed and Council officers are completing the drafting work to create the new Draft Southern Midlands Interim Planning Scheme. It is anticipated this will be presented to the February 2014 Council meeting for a decision to formally submit it to the Minister for Planning for consideration for declaration as an *interim planning scheme*. The timeframe for declaration is not certain but it is likely to be declared by the Minister late in 2014.

Two years ago the State amended the *Land Use Planning and Approvals Act 1993* to re-introduce the concept of *interim planning schemes*, which had been eliminated in 1993 when the legislation was overhauled. The Regional Planning Project's MoU between the State and the Southern Councils sets down the State's expectation that the new planning schemes will be submitted to the State as draft interim planning schemes. The Minister has continued to emphasise this expectation in recent times.

As Councillors will recall, in August 2012 Councils were advised by the TPC that it had received advice from the Solicitor General to the effect that the interim planning scheme mechanism has a number of limitations in terms of the changes that such schemes can introduce. The key issue is that interim planning schemes come into effect prior to the statutory public consultation and formal hearings process, whilst in the traditional draft planning scheme process new schemes coming into effect at the end of the statutory public consultation and hearings process. Changes brought in by an interim planning scheme can therefore deny due process / natural justice to people impacted by the changes.

It is apparently the Solicitor General's view that significant changes should only be introduced through an interim planning scheme if necessary to implement the relevant Regional Land Use Strategy or to convert from the old scheme to the new State Planning Scheme Template. The Minister and the TPC have since clarified that changes derived from local strategic planning documents that are not inconsistent with the Regional Strategy may also be appropriate in an interim planning scheme under some circumstances. This view has now been strengthened by recent amendments to the STRLUS that acknowledge the role of local strategy.

Notwithstanding this, at the August 2013 meeting Council determined that certain major changes envisaged in the new interim scheme that derive substantially from local strategic planning work (such as amended heritage precincts) should be brought in by the 'traditional' planning scheme amendment process. This will provide all members of the community with the opportunity to formally participate in the process and, if they wish,

be heard at a public hearing at the TPC. In other words, everyone will be afforded due process and no one will be denied natural justice.

In addition to all of the above, the new interim planning scheme still appears some time away. By amending the current scheme the desired changes will be introduced more quickly.

The purpose of this report, therefore, is to propose amendments to the Southern Midlands Planning Scheme 1998 to change the heritage precinct provisions and size at Oatlands, the size of the precincts at Campania and Kempton and create a new precinct at Colebrook.

## **2. BACKGROUND – AMENDMENT OF THE HERITAGE PRECINCT**

From 2007 to 2010 Council undertook significant heritage planning exercises to improve the Heritage Precinct provisions. This included the Southern Midlands Heritage Project undertaken in conjunction with Heritage Tasmania and Tourism Tasmania and the JLUPI Heritage Management Plan. Both of these involved community consultation exercises. In 2010 Council undertook another community consultation process focussing on the Oatlands Heritage Precinct.

In 2013 a series of councillor workshops were held in regard to the new draft interim planning scheme, on 17 April, 20 May, 5 July and 16 September.

The key outcomes regarding heritage precincts are:

1. Amendments to the (general) Oatlands Heritage Precinct Special Area, being its expansion and amendments to provisions to provide greater clarity.
2. The establishment of a Callington Mill Precinct Special Area nested within the general Oatlands Heritage Precinct Special Area, to provide additional controls.
3. The establishment of an Oatlands Landscape Protection Special Area over all the open rural land between the Highway and the town, replacing the Scenic Corridor Special Area, which currently extends only 100 metres from the highway boundary.
4. Expansion of the Heritage Precinct Special Area at Campania.
5. A reduction of the Heritage Precinct Special Area at Kempton.
6. A new Landscape Protection Special Area at Colebrook, behind the Pugin Church.

## **3. PROPOSED CHANGES TO THE HERITAGE PRECINCTS**

The proposed changes will:

- Improve the existing general Historic Precinct at Oatlands, including tailoring it to specifically address the “Georgian” character of the town,
- Create a landscape protection special area covering the land between the Highway and the western edge of the town, and
- Create a specific Callington Mill Precinct special area which would replace part of the general Historic Precinct,

The proposed changes are detailed in the attached documents.

**Attachment 1** includes a table that presents:

- The existing (general) Historic Precinct Special Area provisions.
- The proposed new Oatlands Historic Precinct Special Area provisions.
- The proposed new Callington Mill Precinct Special Area provisions.
- The proposed new Oatlands Landscape Protection Special Area provisions.

**Attachment 2** provides a map showing the existing Oatlands Historic Precinct Special Area and the existing Scenic Corridor Special Area that extends 100 metres either side of the Midland Highway.

**Attachment 3** provides a map showing the proposed Oatlands heritage precincts, including:

- The extended (general) Oatlands Historic Precinct Special Area. As per the outcomes of previous Council workshops, it has been extended:
  - east along Stanley Street,
  - east along Wellington and Stanley Streets in the vicinity of the school, and
  - west to Nelson Street.

It has been removed from the area around Callington Mill due to the proposed creation of the Callington Mill Precinct Special Area and from the area near the highway due to the proposed creation of the Landscape Protection Special Area.

- The proposed Callington Mill Precinct Special Area. The spatial extent of this area runs between High Street and Lake Dulverton and extends to Barrack Street to the south and includes the Lake Frederick Inn property to the north.

- The proposed Landscape Protection Special Area. As per the outcomes of previous Council workshops, this covers all the rural-zoned land between the town and the highway, extending from the apex of the northern highway access road to the apex of the southern highway access road. Part of this land is already covered by the 100 metre wide Scenic Corridor Special Area, and to the extent of any overlap, the Scenic Corridor Special Area is eliminated.

**Attachment 4** is the proposed draft planning scheme amendment document pertaining to the ordinance of the planning scheme.

**Attachment 5** is a plan depicting the existing Campania Heritage Precinct.

**Attachment 6** is the draft planning scheme amendment for the expanded Campania Heritage Precinct.

**Attachment 7** is a plan depicting the existing Kempton Heritage Precinct.

**Attachment 8** is the draft planning scheme amendment for the reduced Kempton Heritage Precinct.

**Attachment 9** is a plan depicting the existing Colebrook area.

**Attachment 10** is the draft planning scheme amendment for the new Colebrook Heritage Precinct.

#### **4. IMPACT**

The proposed amendments to the Oatlands Historic Precinct Special Area and the Callington Mill Precinct Special Area will generally result in a more specific set of rules for building design. In particular, it requires new buildings to be much more considerate of Georgian architecture.

The following comments are noted:

- The proposed changes will ensure new buildings on ‘non-Georgian’ sites will fit with the heritage character of the town.
- Later architectural styles, of which there are some examples in Oatlands, recognised, in that additions to these properties must respect that particular style.
- The modern trend within heritage architectural circles of ensuring new buildings are ‘obviously new’ in order to avoid so called ‘fake heritage’ is not given weight in the proposed adopted approach. Rather, the approach taken is that new buildings should visually ‘fit in’ with the streetscape a high degree, and it should

only be on close inspection that an observer might deduce a building is, in fact, recent.

- The approach will boost tourism and economic development by reinforcing Oatlands' unique competitive advantage as *'Australia's Best Georgian Town'*.
- It is noted that the proposed Landscape Protection Special Area at Oatlands prohibits the construction of a dwelling. This will have an impact on private landowners in terms of possible future plans and value of property.
- The proposed changes will be a little more onerous and expensive on developers, including those wishing to build a new house, or even a new outbuilding, as specific architectural expertise will often be required at the design stage and construction costs may be higher. Off-the-shelf mass produced sheds, for example, will not meet the requirements.
- The proposed changes include provision for exemption to the Georgian character requirements for non-Georgian places that are heritage listed. However, new building work on such sites needs to be in accordance with the relevant architectural style.
- The proposed changes also include provisions for variation where archaeological or historic evidence suggests the original fabric was otherwise. For example, vertically articulated fences are required on front boundaries, (as was almost always the case in the 19<sup>th</sup> Century), however there may be evidence that a post and rail fence existed on a particular front boundary.

The proposed amendment to the Campania Historic Precinct Special Area will result in a larger area being subject to specific rules for building design. Aside from a number of inconsequential amendments, it is not proposed to substantially alter the general Heritage Precinct Special Area provisions that will continue to apply to the Campania Precinct.

The proposed amendment to the Kempton Historic Precinct Special Area will result in a slightly smaller area being subject to specific rules for building design. Aside from a number on inconsequential amendments, it is not proposed to substantially alter the general Heritage Precinct Special Area provisions that will continue to apply to the Kempton Precinct.

The proposed amendment to create the Colebrook Landscape Protection Special Area will result in a new area being subject to specific rules for building design. This is the rural hillside that forms the backdrop to the Pugin Church. It is proposed to follow the Oatlands Landscape Protection Special Area mentioned above, except new dwellings will not be specifically prohibited.

## **5. COMMUNITY CONSULTATION**

The following community consultation was undertaken in 2010:

- All landowners within the existing and proposed heritage precinct areas were written to advising of the proposed changes and inviting them to a community forum. The maps and a table comparing the existing and proposed provisions were provided to each landowner.
- A community forum was held at the Gay Street Hall at 7:30 pm on Thursday 12 August 2010, which was attended by approximately 40 members of the public.

The outcome of the community forum was an expression of broad agreement with the key principles of the proposed changes amongst those present.

In addition to the abovementioned public consultation, the proposed changes were also subject to the community consultation process for the proposed draft interim planning scheme by virtue of the fact that they have been largely incorporated into the new interim scheme. Whilst the new scheme is in the format of the State's new Planning Scheme Template and therefore has a very different 'look and feel' to our current planning scheme, the changes encapsulated in the draft amendments to the current planning scheme contained in this report are generally consistent with the proposed interim planning scheme exposed to the public in June/July 2013.

In June and July this year Council put the proposed draft interim planning schemes out for an informal public consultation period of 6 weeks. The process included a public information 'drop-in' session at Oatlands, Kempton and Colebrook. Council also wrote to all the landowners within the proposed expanded heritage precinct areas, (and all other areas subject to significant proposed changes).

It is noted that Heritage Tasmania also provided input to the proposed changes in 2010.

## **6. PUBLIC NOTIFICATION OF THE PLANNING SCHEME AMENDMENTS**

In order to commence the planning scheme amendment process, Council must resolve to initiate the draft amendments. It must also determine how long to place the draft amendments on public display for formal comment from the community – a period that must be between three weeks and two months. Because the draft amendments impact on particular properties, it will be necessary that all affected landowners be written to as part of the public notification process.

Given the extensive community consultation processes that have occurred in the past, it is recommended that the draft amendments be advertised for 4 weeks.

It is also recommended that the public notification period be delayed until after the Christmas / New Year period, as many people may be on holidays during this time.

**RECOMMENDATION**

**THAT:**

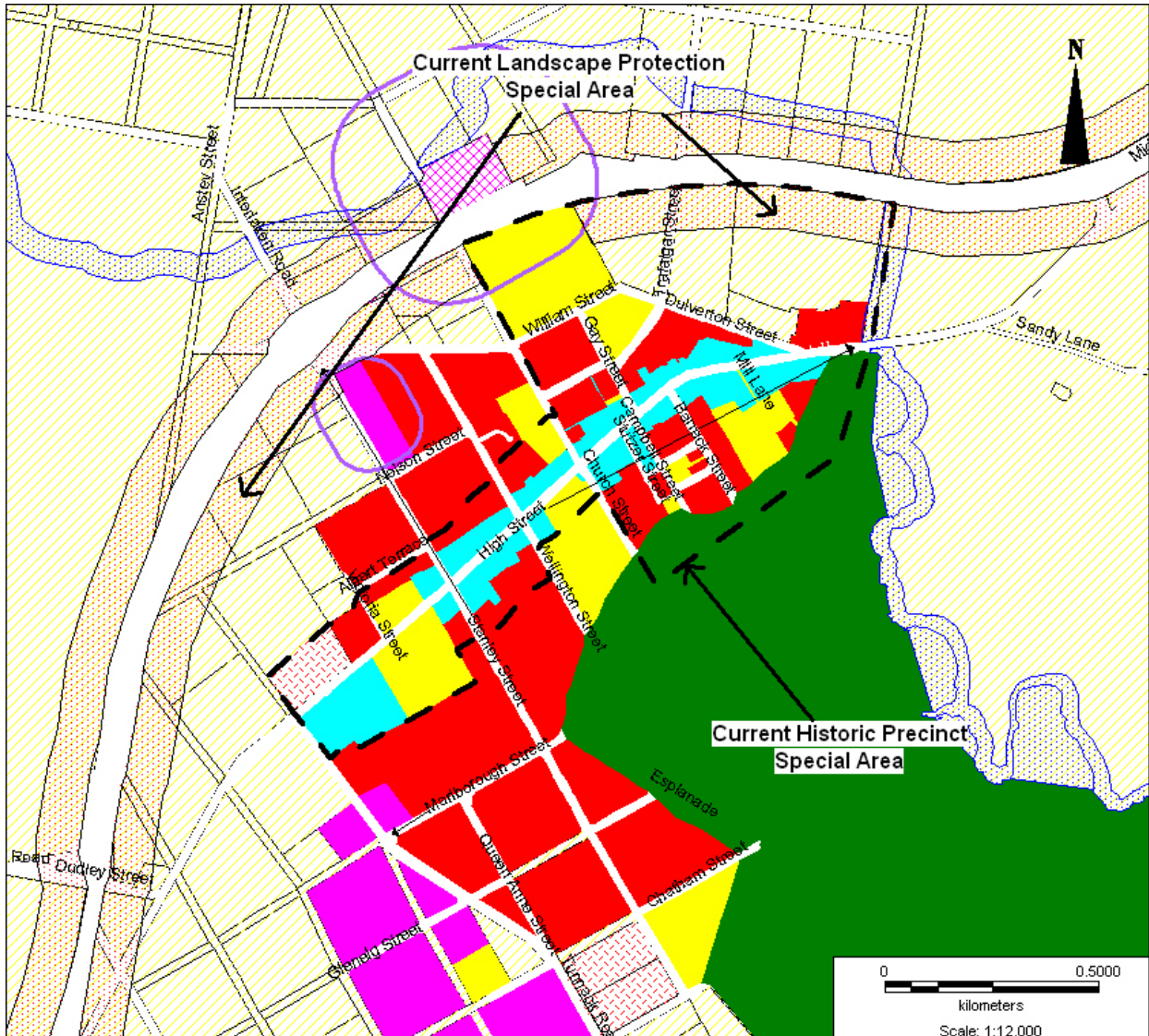
- A. Draft Amendment 2/2013 to the Southern Midlands Planning Scheme 1998, being the expansion of the Heritage Precinct Special Area at Oatlands and its division into three subcomponents, and the alteration of the heritage precinct provisions in the ordinance, be initiated and certified pursuant to S.35 of the *Land Use Planning & Approvals Act 1993*.**
  
- B. Draft Amendment 3/2013 to the Southern Midlands Planning Scheme 1998, being the expansion of the Heritage Precinct Special Area provisions at Campania, be initiated and certified pursuant to S.35 of the *Land Use Planning & Approvals Act 1993*.**
  
- C. Draft Amendment 4/2013 to the Southern Midlands Planning Scheme 1998, being the contraction of Heritage Precinct Special Area at Kempton, be initiated and certified pursuant to S.35 of the *Land Use Planning & Approvals Act 1993*.**
  
- D. Draft Amendment 5/2013 to the Southern Midlands Planning Scheme 1998, being the creation of a Landscape Protection Special Area at Colebrook, be initiated and certified pursuant to S.35 of the *Land Use Planning & Approvals Act 1993*.**
  
- E. The draft amendments be subject to a 4 week public notification period commencing on Saturday 25 January.**

**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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	

**ATTACHMENT 1**

**Plan of the Existing Oatlands Heritage Precinct Special Areas.**



Note: the Landscape Protection Special Area follows the Midland Highway 100 metres either side in all the rural zoned land in the Municipal Area. The proposed planning scheme amendment would remove it from the section between the northern and southern highway access roads at Oatlands and replace it with the proposed Oatlands Landscape Protection Special Area.





**ATTACHMENT 3**

**Draft Planning Scheme Amendment 2/2013  
New and Amended Heritage Precinct Special Areas**

**PART A. THE PLANNING SCHEME PLANS - OATLANDS**

The Southern Midlands Planning Scheme 1998 is amended by the following changes to the plans:

1. The deletion of the Historic Precinct Special Area at Oatlands.
2. The creation of the Oatlands Historic Precinct Special Area, (indicated on the attached plan as the 'Proposed (Enlarged) Historic Precinct Special Area')
3. The creation of the Callington Mill Precinct Special Area, as indicated on the attached plan.
4. The deletion of the Scenic Corridor Special Area on the eastern side of the Midland Highway at Oatlands, between the town's northern and southern highway access roads.
5. The creation of the Landscape Protection Special Area at Oatlands, as indicated on the attached plan.

**PART B. THE PLANNING SCHEME ORDINANCE**

The Southern Midlands Planning Scheme 1998 is amended by the following changes to the ordinance:

6. Insert New Section 9.2 – Oatlands Historic Precinct Special Area:

**9.2 OATLANDS HISTORIC PRECINCT SPECIAL AREA**

**9.2.1 Intent**

- (a) *The general intent of the Oatlands Historic Precinct Special Area is to conserve and enhance the historic Georgian character values of Oatlands and to ensure that development within the area maintains these values.*
- (b) *More specifically, the intent of the Special Area is to:*

- (i) *Allow for continued development that respects the townscape qualities of the settlement through appropriate building form, design and finishes which are consistent with the Georgian heritage characteristics of the town setting.*
- (ii) *Give priority to the protection of the historic integrity of the individual buildings, groups of buildings and the general townscape within the heritage area of Oatlands;*
- (iii) *Ensure that the design and external appearance of new buildings or additions / adaptations to existing buildings respects and maintains the town's historic Georgian character and values:*
- (iv) *Ensure that new buildings do not visually dominate neighbouring 19th Century buildings; and*
- (v) *Maintain the visual amenity of the historic buildings when viewed from the Midland Highway or from public within the settlements.*

### **9.2.2 Development Control**

*Any development within the Special Area which would otherwise be a permitted development (P) or a permitted as-of-right development (P1) is deemed to be a discretionary development (D) and invokes Clause 11.5 accordingly.*

### **9.2.3 Development Standards**

- (a) *Development within the Special Area must be in accordance with the following principles:*
  - (i) *Scale, roof pitch, building height, form, bulk, rhythm, materials and colour of new buildings and additions to existing buildings should be consistent with the principles of the Georgian architectural style dominant in the precinct, except if an addition to a heritage listed building of a non-Georgian architectural style in which case consistency with that style is required;*
  - (ii) *Building setback from frontage must provide a strong edge to Main Street and be parallel to the street;*
  - (iii) *Buildings must address the street, unless at the rear of a site;*
  - (iv) *Buildings must not visually dominate the streetscape or buildings at places listed in Schedule 4 or on the Tasmanian Heritage Register;*
  - (v) *Architectural details and openings for windows and doors to visually prominent facades must respect the Georgian architectural style dominant in the precinct in terms of style, size, proportion and position;*
  - (vi) *External wall building material must be any of the following:*
    - a. *sandstone of a colour matching that commonly found in Oatlands' buildings;*
    - b. *weatherboard (traditional profiles);*
    - c. *rendered, painted or lime-washed brickwork;*

- d. *unpainted brick of a traditional form and colour laid with a traditional bond;*
- e. *traditional Tasmanian vertical board (non-residential buildings only);*
- (vii) *Roof form and material must be consistent with the following:*
  - a. *pitch between 30 and 40 degrees and hipped or gable if a major part of the building;*
  - b. *pitch less than 30 degrees and skillion if a minor part of the building at the rear or side;*
  - c. *avoidance of large unbroken expanses of roof and very long roof lines;*
  - d. *roof material either custom orb (corrugated profile) sheeting, timber shingles, and slate. Steel sheeting must be either traditional galvanised iron or painted;*
  - e. *guttering is rounded profile, with downpipes of circular cross-section.*
- (viii) *Wall height must be sufficient to provide for lintels above doors and windows, with wall space above;*
- (ix) *Outbuildings generally to have a gabled, corrugated roof with an angle of pitch matching that of the primary building on the land, and with differentiated colouring of the exterior walls and roof so as to also match that of the primary building on the land;*
- (x) *Fences along frontages must be:*
  - a. *between 900mm and 1000mm high, with a maximum of 1200mm for posts;*
  - b. *vertically articulated, (such as with dowel-and-rail, picket or palisade fences);*
  - c. *“semi-transparent” in appearance. That is; the distance between dowels or pickets, etc., must be such that the fence does not appear ‘solid’.*

#### **9.2.4 Signs**

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

#### **9.2.5 Landscaping**

- (a) *In the Special Area Council may require a landscape plan in accordance with Schedule 7 for developments other than a Dwelling (Single) or Home Occupation.*
- (b) *Wherever possible, dominant trees, historic gardens and orchards should be retained. Mass planting of trees and shrubs should be avoided in preference to traditional planting that includes a continuous edge to the street.*

**9.2.6 Heritage Impact Analysis**

- (a) Council may require an application for development to be accompanied by a Heritage Impact Analysis prepared by a suitably qualified person.

**9.2.7 Variations**

- (a) Variation may be sought to the provisions above. Such application must include a Heritage Impact Analysis prepared by a suitably qualified Person.
- (b) Variation may be approved in cases where:
- archaeological or historical evidence supports such variation;
  - the proposed building will not be seen from a street or other public space; or
  - the Heritage Impact Analysis otherwise demonstrates that the intent of the Special Area is nevertheless achieved.

**9.2.8 Referral to the Heritage Advisory Committee**

- (a) All applications for Planning Permits for development within the Historic Precinct Special Area shall be referred to the Heritage Advisory Committee, if formed under Clause 10.1 of the scheme.

**9.2.9 Consideration of Applications**

- (a) Aside from the matters listed in Part 11, prior to making a determination on an application for use or development within the Oatlands Historic Precinct Special Area Council shall have regard to:
- (i) Any advice received from the Heritage Advisory Committee;
  - (ii) Any guidelines for development of historic buildings or within historic areas adopted by Council;
  - (iii) Any Heritage Impact Analysis provided in relation to the application.

**7. Insert New Section 9.3 – Callington Mill Precinct Special Area:**

**9.3 CALLINGTON MILL PRECINCT SPECIAL AREA**

**9.3.1 Intent**

- (a) The intent of the Callington Mill Precinct Special Area is to conserve and enhance the historic Georgian character values of the Callington Mill site & surrounding properties as well as key views to and from the Mill and to ensure that development within the area maintains these values.
- (b) More specifically, the intent of the Special Area is to:
- (i) Allow for continued development that respects the townscape qualities of the precinct through appropriate building form, design and finishes

*which are highly consistent with the Georgian heritage values of the Mill setting;*

- (ii) Give priority to the protection of the historic integrity and views of the individual buildings, groups of buildings and the general townscape within the Mill Precinct;*
- (iii) Ensure that the design and external appearance of new buildings or additions / adaptations to existing buildings respects and maintains the town's historic Georgian character and values;*
- (iv) Ensure that new buildings do not visually dominate neighbouring 19th Century buildings; and*
- (v) Maintain the key views of Callington Mill to/from the Mill from/to the public spaces and the Midland Highway.*

### **9.3.2 Development Control**

*Any development within the Special Area which would otherwise be a permitted development (P) or a permitted as-of-right development (P1) is deemed to be a discretionary development (D) and invokes Clause 11.5 accordingly.*

### **9.3.3 Development Standards**

- (a) Development within the Special Area must be in accordance with the following principles:*
  - (i) Scale, roof pitch, building height, form, bulk, rhythm, materials and colour of new buildings and additions to existing buildings should be highly consistent with the principles of the Old Colonial Georgian architectural style dominant in the precinct;*
  - (ii) Building setback from frontage must provide a strong edge to Main Street and be parallel to the street;*
  - (iii) Buildings must address the street, unless at the rear of a site;*
  - (iv) Buildings must not visually dominate the streetscape or buildings at places listed in Schedule 4 or on the Tasmanian Heritage Register;*
  - (v) Architectural details and openings for windows and doors to visually prominent facades must respect the Old Colonial Georgian architectural style dominant in the precinct in terms of style, size, proportion and position;*
  - (vi) External wall building material must be any of the following:*
    - a. sandstone of a colour matching that commonly found in Oatlands' buildings;*
    - b. weatherboard (traditional profiles);*
    - c. rendered, painted or lime-washed brickwork;*
    - d. unpainted brick of a traditional form and colour laid with a traditional bond;*

- e. *traditional Tasmanian vertical board (non-residential buildings only);*
- (vii) *Roof form and material must be consistent with the following:*
  - a. *pitch between 30 and 40 degrees and hipped or gable if a major part of the building;*
  - b. *pitch less than 30 degrees and skillion if a minor part of the building at the rear or side;*
  - c. *avoidance of large unbroken expanses of roof and very long roof lines;*
  - d. *roof material either custom orb (corrugated profile) sheeting, timber shingles, and slate. Steel sheeting must be either traditional galvanised iron or painted;*
  - e. *guttering is rounded profile, with downpipes of circular cross-section.*
- (viii) *Wall height must be sufficient to provide for lintels above doors and windows, with wall space above;*
- (ix) *Outbuildings generally to have a gabled, corrugated roof with an angle of pitch matching that of the primary building on the land, and with differentiated colouring of the exterior walls and roof so as to also match that of the primary building on the land;*
- (x) *Fences along frontages must be:*
  - a. *between 900mm and 1000mm high, with a maximum of 1200mm for posts;*
  - b. *vertically articulated, (such as with dowel-and-rail, picket or palisade fences);*
  - c. *“semi-transparent” in appearance. That is; the distance between dowels or pickets, etc., must be such that the fence does not appear ‘solid’.*
- (xi) *new buildings and additions to existing buildings must not significantly obstruct or diminish views of Callington Mill from High Street, the Esplanade, Callington Park or the Midland Highway.*

#### **9.3.4 Signs**

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

**9.3.5 Landscaping**

- (a) *In the Special Area Council may require a landscape plan in accordance with Schedule 7 for all developments.*
- (b) *Wherever possible dominant trees, historic gardens and orchards should be protected. Mass planting of trees and shrubs should be avoided in preference to traditional planting that includes a continuous edge to the street.*

**9.3.6 Heritage Impact Analysis**

- (a) *Council may require an application for development to be accompanied by a Heritage Impact Analysis prepared by a suitably qualified person.*

**9.3.7 Variations**

- (a) *Variation may be sought to the provisions above. Such application must include a Heritage Impact Analysis prepared by a suitably qualified person.*
- (b) *Variation may be approved in cases where:*
  - *Archaeological or historical evidence supports such variation;*
  - *The proposed building will not be seen from any street or other public space;*
  - *The Heritage Impact Analysis otherwise demonstrates that the intent of the Special Area is nevertheless achieved.*

**9.3.8 Referral to the Heritage Advisory Committee**

- (a) *All applications for Planning Permits for development within the Historic Precinct Special Area shall be referred to the Heritage Advisory Committee, if formed under Clause 10.1 of the scheme.*

**9.3.9 Consideration of Applications**

- (a) *Aside from the matters listed in Part 11, prior to making a determination on an application for use or development within the Callington Mill Precinct Special Area Council shall have regard to:*
  - (i) *Any advice received from the Heritage Advisory Committee;*
  - (ii) *Any guidelines for development of historic buildings or within historic areas adopted by Council;*
  - (iii) *Any Heritage Impact Analysis provided in relation to the application.*



**8. Insert New Section 9.4 – Landscape Protection Special Area:**

**9.4 LANDSCAPE PROTECTION SPECIAL AREA**

**9.4.1 Intent**

- (a) *The intent of the Landscape Protection Special Area is to:*
- (i) *Recognise and preserve the open rural landscape between the western edge of the Oatlands township and the Midland Highway;*
  - (ii) *Recognise and preserve the open rural landscape on the hill face that forms the visual backdrop to the Pugin designed St Patrick's Church at Colebrook.*
  - (iii) *To allow for development of a traditional rural in character within these areas that respects the rural landscape setting that they provide.*

**9.4.2 Development Control**

- (a) *Any development within the Special Area which would otherwise be a permitted development (P) or a permitted as-of-right development (P1) is deemed to be a discretionary development (D) and invokes Clause 11.5 accordingly.*
- (b) *Notwithstanding any other provision of this scheme, the construction of a dwelling within the Landscape Protection Special Area at Oatlands is prohibited*

**9.4.3 Development Standards**

- (a) *Development within the Special Area must be in accordance with the following principles:*
- (i) *Scale, roof pitch, building height, form, bulk, materials and colour of new buildings and additions to existing buildings should be consistent with Georgian architectural principles as applicable to rural buildings.*
  - (ii) *External wall building material is to be custom orb (corrugated profile) sheeting, traditional Tasmanian vertical board, weatherboard (traditional profiles), sandstone, rendered, painted or lime wash brickwork or unpainted brick of a traditional form and colour laid with a traditional bond;*
  - (iii) *Roof form and material must adhere to the following:*
    - *Pitch between 25 and 40 degrees.*
    - *Hipped or Gable.*

- *Allowable materials are custom orb (corrugated profile) sheeting, timber shingles, and slate. Sheeting must be either traditional galvanised iron or painted.*
- *Guttering to be rounded profile and downpipes to be circular in cross-section.*
- (iv) *New buildings must sited so as to:*
  - a. *not obstruct views of the heritage precinct areas of Oatlands from the Midland Highway;*
  - b. *not visually impact on the backdrop to St Patricks Church at Colebrook when viewed from the town or Colebrook Main Road / Mud Walls Road.*
- (v) *Fences are to be post & wire, post & rail or drystone wall.*
- (vi) *Hedges along road and highway boundaries are allowable.*

#### **9.4.4 Signs**

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

#### **9.4.5 Landscaping**

- (a) *In the Special Area Council may require a landscape plan in accordance with Schedule 7 for all developments.*
- (b) *Wherever possible dominant trees should be retained. Mass plantings of trees and shrubs should be avoided.*

#### **9.4.6 Heritage Impact Analysis**

- (a) *Council may require an application for development to be accompanied by a Heritage Impact Analysis prepared by a suitably qualified person.*

#### **9.4.7 Variations**

- (a) *Variation may be sought to the provisions above. Such application must include a Heritage Impact Analysis prepared by a suitably qualified person in which it is demonstrated that the intent of the Special Area is nevertheless achieved.*
- (b) *Variation may be approved in cases where:*
  - *archaeological or historical evidence supports such variation;*
  - *the proposed building will not be seen from any road or other public space;*
  - *the Heritage Impact Analysis otherwise demonstrates that the intent of the Special Area is nevertheless achieved.*

**9.4.8 Referral to the Heritage Advisory Committee**

- (a) *All applications for Planning Permits for use and development within the Historic Precinct Special Area shall be referred to the Heritage Advisory Committee, if formed under Clause 10.1 of the scheme.*

**9.4.9 Consideration of Applications**

- (a) *Aside from the matters listed in Part 11, prior to making a determination on an application for use or development within the Landscape Protection Special Area Council shall have regard to:*
- (i) *any advice received from the Heritage Advisory Committee;*
  - (ii) *any guidelines for development of historic buildings or within historic areas adopted by Council;*
  - (iii) *any Heritage Impact Analysis provided in relation to the application.*

**9. Renumber existing Special Areas 9.2 to 9.11 as 9.5 to 9.14**

**PART C. SUNDRY MATTERS**

**Amending the general Historic Precinct Special Area**

- 10. Amend Section 9.1 – Historic Precinct Special Area – by removing references to “Oatlands”.**

**Removing Exemptions**

- 11. Amend Schedule 1 – Exemptions from Planning Approval - by the addition of the sub points (v) and (vi) shown bold below in clause (d):**

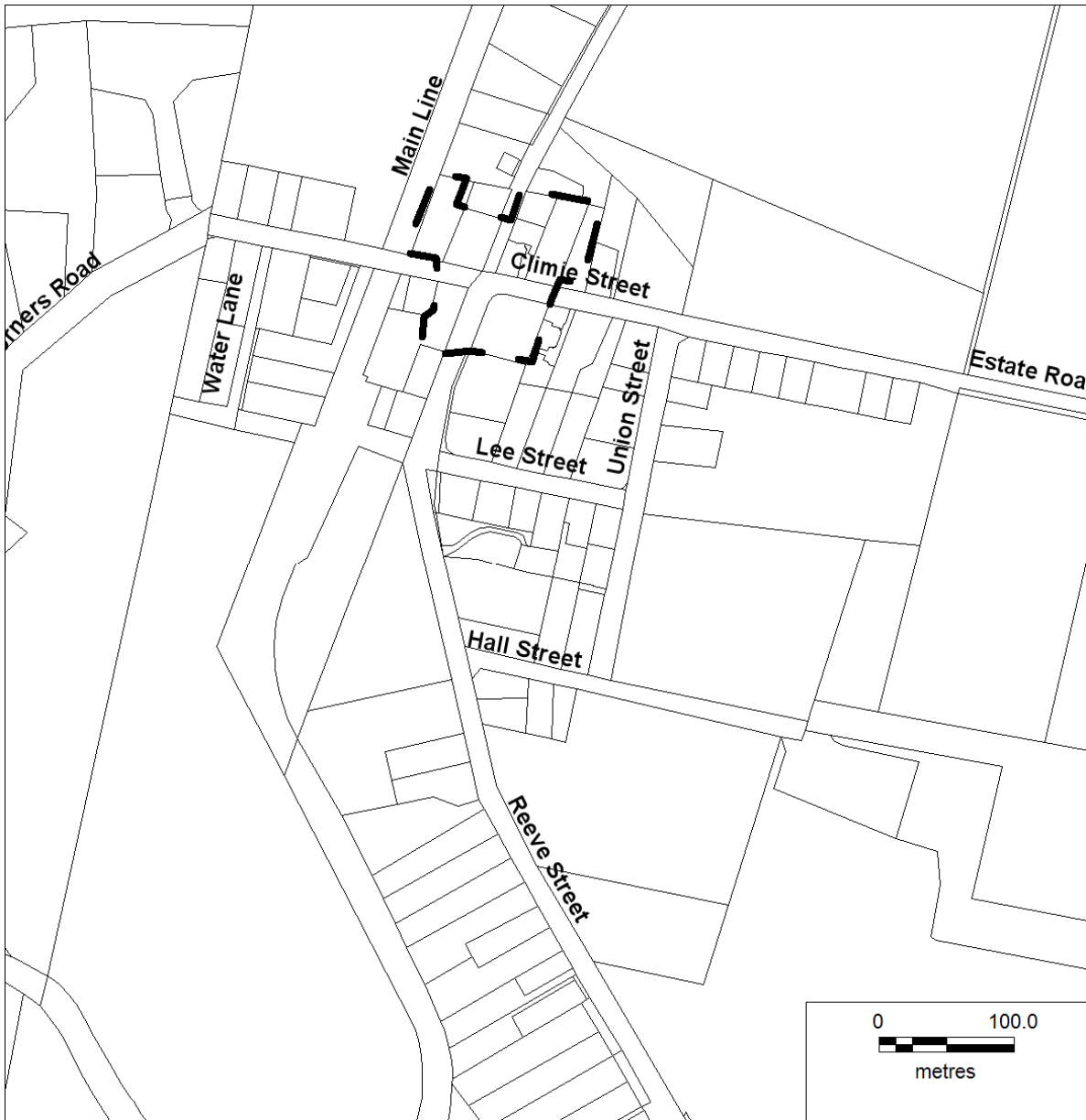
- (d) *Minor Domestic Buildings and Structures:*

*The demolition, removal, erection or placement within the rear curtilage of a dwelling unit of garden sheds, glass houses, rubbish receptacles, or such other minor structures for the domestic needs of the occupants of the dwelling unit, provided that:*

- (i) *the total floor area of the buildings or structures does not exceed 9 square metres;*
- (ii) *no part of the building or structure is sited within the relevant setback distance from any property boundary;*
- (iii) *no part of the building or structure is higher than 2.5 metres in the case of a roof pitched less than 15 degrees, or 3 metres in the case of a roof pitched greater than 15 degrees; and*



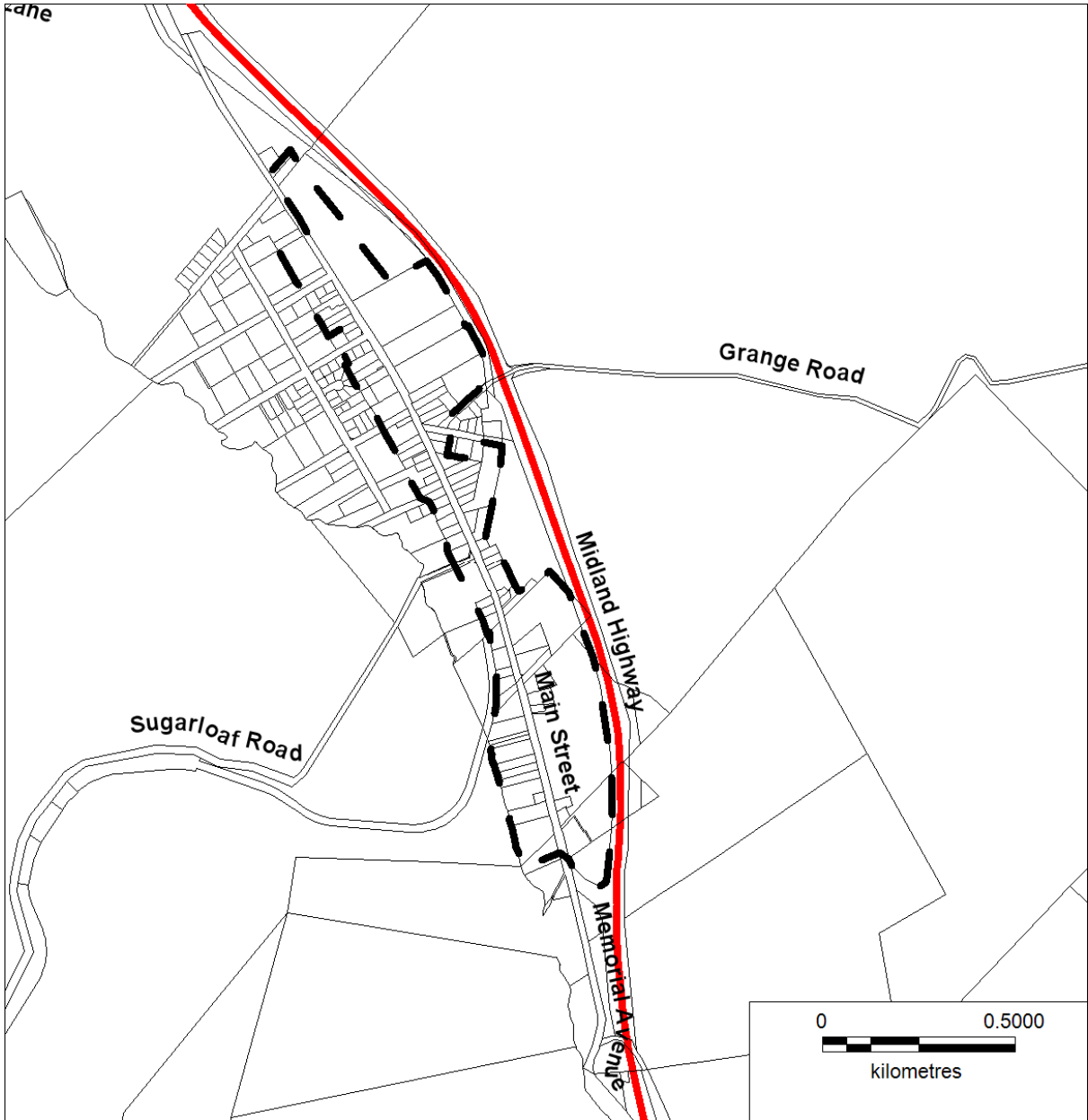
### Plan of the Existing Campania Heritage Precinct Special Area





**ATTACHMENT 6**

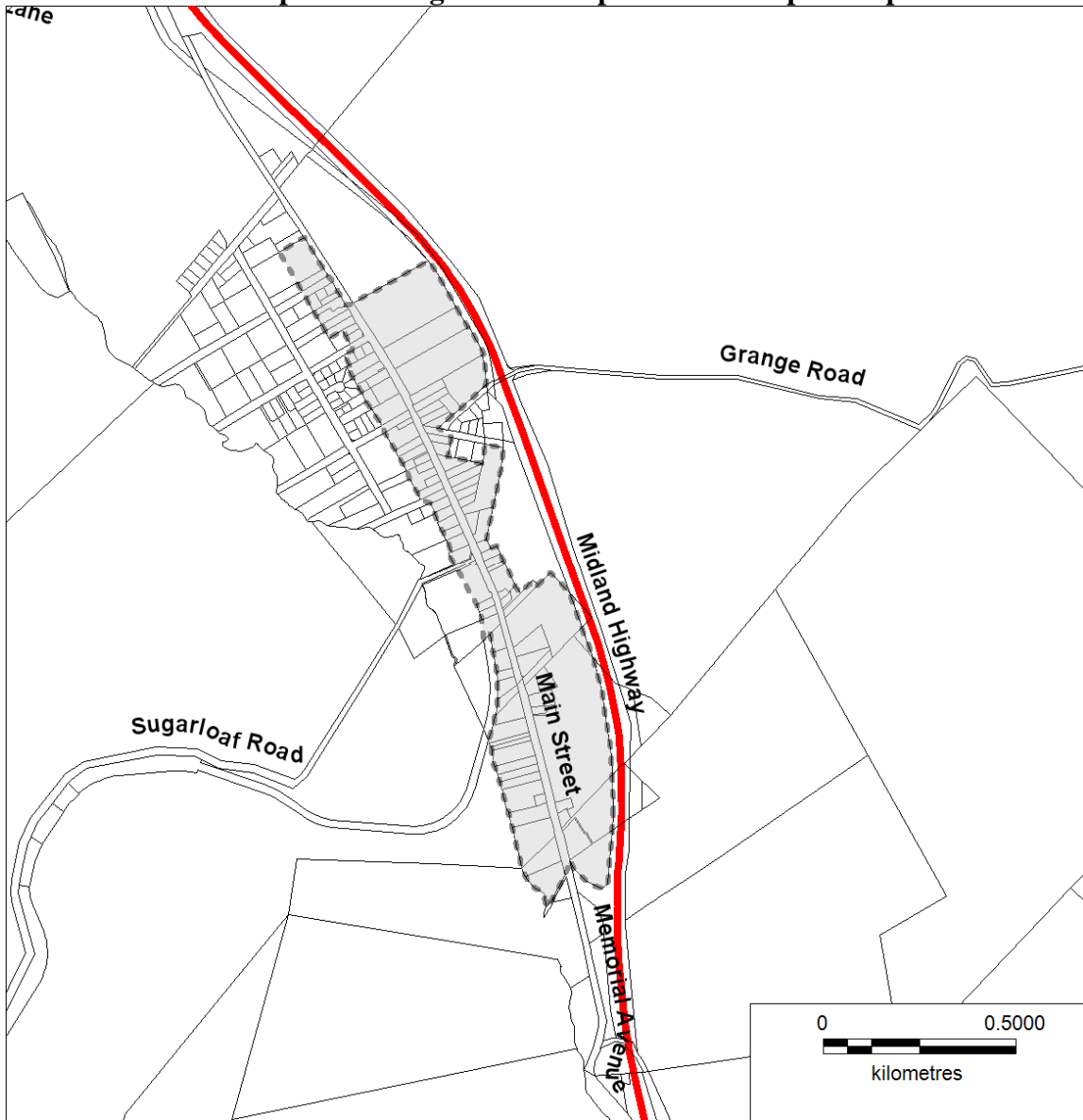
**Plan of the Existing Kempton Heritage Precinct Special Area.**



**ATTACHMENT 7**

**Draft Planning Scheme Amendment 4/2013**

**Reduce the Kempton Heritage Precinct Special Area as per the plan below:**



Pursuant to Section 35 of the *Land Use Planning & Approvals Act 1993* Council hereby certifies Draft Amendment 2/2013 to the Southern Midlands Planning Scheme 1998 as being in accordance with the requirements of Section 32 of the Act.

In witness whereof the common seal of Southern Midlands Council has been affixed, pursuant to the resolution of the Council of the said municipality.

Passed the      day of                      2013 in the presence of

Member                      .....

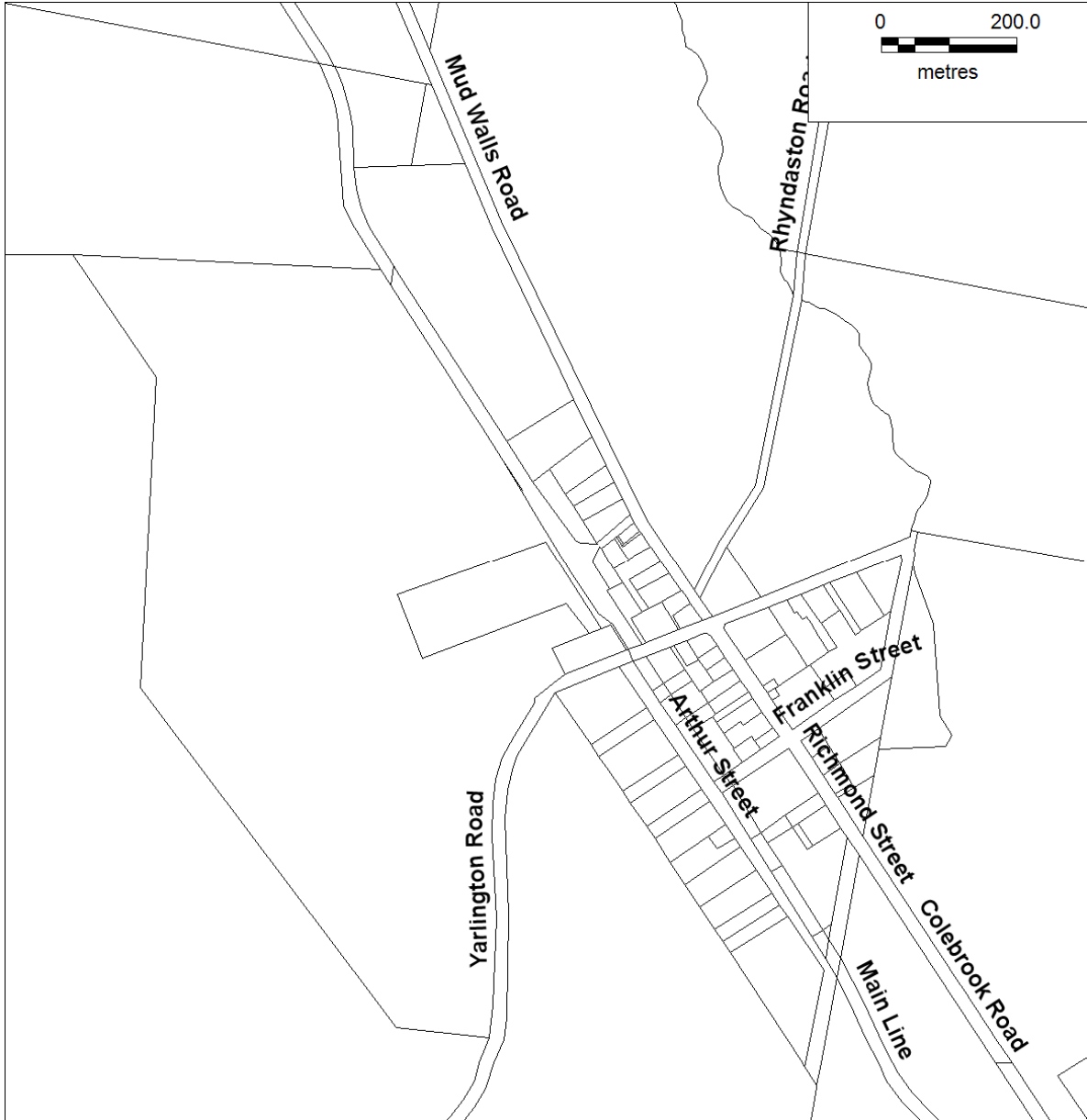
Member                      .....

General Manager                      .....



**ATTACHMENT 8**

**Plan of the Existing Colebrook Planning Scheme area.**



**ATTACHMENT 9**

**Draft Planning Scheme Amendment 5/2013**

**Create a Landscape Protection Special Area at Colebrook as per the plan below:**



Pursuant to Section 35 of the *Land Use Planning & Approvals Act 1993* Council hereby certifies Draft Amendment 2/2013 to the Southern Midlands Planning Scheme 1998 as being in accordance with the requirements of Section 32 of the Act.

In witness whereof the common seal of Southern Midlands Council has been affixed, pursuant to the resolution of the Council of the said municipality.

Passed the      day of                      2013 in the presence of

Member                      .....

Member                      .....

General Manager                      .....

**13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)**

**13.1 ROADS**

**Strategic Plan Reference – Page 13**

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

Nil.

**13.2 BRIDGES**

**Strategic Plan Reference – Page 14**

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

Nil.

**13.3 WALKWAYS, CYCLE WAYS AND TRAILS**

**Strategic Plan Reference – Page 14**

- |       |  |
|-------|--|
| 1.3.1 | Maintenance and improvement of the standard and safety of walkways, cycle ways and pedestrian areas to provide consistent accessibility. |
|-------|--|

Nil.

**13.4 LIGHTING**

**Strategic Plan Reference – Page 14**

- |        |                                   |
|--------|-----------------------------------|
| 1.4.1a | Improve lighting for pedestrians. |
| 1.4.1b | Contestability of energy supply.  |

Nil.

**13.5 SEWERS**

**Strategic Plan Reference – Page 15**

- |       |  |
|-------|--|
| 1.5.1 | Increase the number of properties that have access to reticulated sewerage services. |
|-------|--|

Nil.

**13.6 WATER**

**Strategic Plan Reference – Page 15**

1.6.1 Increase the number of properties that have access to reticulated water.

Nil.

**13.7 IRRIGATION**

**Strategic Plan Reference – Page 15**

1.7.1 Increase access to irrigation water within the municipality.

Nil.

**13.8 DRAINAGE**

**Strategic Plan Reference – Page 16**

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

Nil.

**13.9 WASTE**

**Strategic Plan Reference – Page 16**

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

Nil.

**13.10 INFORMATION, COMMUNICATION TECHNOLOGY**

**Strategic Plan Reference – Page 16**

1.10.1 Improve access to modern communications infrastructure.

Nil.

**13.11 SIGNAGE**

**Strategic Plan Reference – Page 16**

1.11.1 Signage that is distinctive, informative, easy to see and easy to understand.

Nil.

**13.12 OFFICER REPORTS – WORKS & TECHNICAL SERVICES (ENGINEERING)**

**13.12.1 Manager - Works & Technical Services Report**

*File Ref:* 3/075

AUTHOR MANAGER – WORKS & SERVICES  
DATE 20<sup>TH</sup> NOVEMBER 2013

**ROADS PROGRAM**

General Maintenance continuing and because of continuing rain unable to catch up on other projects.

Tenders have been called for the 2013/14 road resealing and road reconstruction programs. Tenders close Monday 25<sup>th</sup> November 2013.

**BRIDGE PROGRAM**

Capital Works - Bridge Replacement (Bridge No 365 Lyall's Road, Eldon) - Quotes have been called for the replacement of this bridge and are as follows:

**1. The PRECASTERS PTY LTD**

To provide two decks 12M long x 2.4 engineered for T44 loading with associated packers and gravel walls delivered to site.  
\$41,710.00 Plus GST

**2. HUMES**

To provide two decks 12M x 2.4 engineered for T44 loading with associated packers and gravel walls delivered to site.  
\$51,900.00 plus GST

A total budget of \$166,000 (based on replacement estimate provided by Aus Span) is included within the Capital Works Budget. Considerable savings will be achieved after allowance for onsite installation and associated roadworks.

**WASTE MANAGEMENT PROGRAM**

All Waste Transfer Stations are operating with no issues.

**TOWN FACILITIES PROGRAM**

Footpath works commenced at Grange Road, Kempton.

**RECOMMENDATION**

**THAT**

- (a) the information be received; and**
- (b) the quote received from The Precasters Pty Ltd for the amount of \$41,710.00 be accepted.**

**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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 – GROWTH)**

**14.1 RESIDENTIAL**

**Strategic Plan Reference – Page 17**

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

Nil.

**14.2 TOURISM**

**Strategic Plan Reference – Page 18**

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

Nil.

**14.3 BUSINESS**

**Strategic Plan Reference – Page 19**

2.3.1a Increase the number and diversity of businesses in the Southern Midlands.  
2.3.1b Increase employment within the municipality.  
2.3.1c Increase Council revenue to facilitate business and development activities (social enterprise)

Nil.

**14.4 INDUSTRY**

**Strategic Plan Reference – Page 20**

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

Nil.

**14.5 INTEGRATION**

**Strategic Plan Reference – Page 21**

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

Nil.

**15 OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)**

**15.1 HERITAGE**

**Strategic Plan Reference – Page 22**

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

**15.1.1 Heritage Project Officer’s Report**

*File Ref:* 3/097

**AUTHOR** MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)

**DATE** 27<sup>th</sup> NOVEMBER 2013

**ISSUE**

Southern Midlands Heritage Projects – report from Manager Heritage Projects

**DETAIL**

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

- Brad has been on-leave, however spent time with Highland Council in Inverness, Scotland participating in the Highland Archaeology Festival and undertaking volunteer work on various heritage area character appraisals and landscape characterisation/protection projects. Time was also spent with the North of England Civic Trust’s Heritage Skills Initiative examining skills training models.
- Jen and Alan have been working with the Oatlands District High School on the development of local historic heritage curriculum – aligned with the national curriculum.
- Alan has completed the research for the Southern Midlands Convict Sites Project and is working with consultants on interpretive media, a booklet and an exhibition.
- Alan has finalised the 2014 series of U3A heritage lectures in conjunction with Clarence City Council.
- Jen is progressing write-ups of the summer archaeology programs 2011-13.
- Jen and Karen are working on a series of volunteer manuals and ‘user manuals’ for Council’s heritage buildings and projects.



- Continued liaison with student projects.
- Review of the Southern Midlands Council Historic Heritage Strategy 2009-13 is continuing. Two staff workshops (heritage and planning) have been held.
- Input into the heritage aspects of the MEDALS Project.
- Heritage Building Solutions is leading the conservation program at Willow Court, New Norfolk, as a consultancy for Derwent Valley Council in partnership with XSquared Architects. Stage 2 of that project (works management and implementation has commenced).
- Work has started on drafting the 2014 HESC program, with a re-branding exercise being undertaken and a re-launch planned for February 2014.
- The SMC Heritage Program annual report for 2012-13 is provided as an Enclosure to this agenda for information.

**RECOMMENDATION**

**THAT the information be received.**

**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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	

**15.2 NATURAL**

**Strategic Plan Reference – Page 23**

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

**15.2.1 Landcare Unit & Climate Change – General Report**

*File Ref: 03/082*

**AUTHOR** NRM PROGRAMS MANAGER – M WEEDING

**DATE** 19<sup>th</sup> November 2013

**ISSUE**

Southern Midlands Landcare Unit and GIS Monthly Report

**DETAIL**

- Bushlinks 500 project. Australian Government representatives spent the day on 8<sup>th</sup> Oct looking at a number of Round 1 and Round 2 sites. The final planning for the Round 2 sites has been undertaken and negotiated with the landholders. Materials for the various sites have been ordered in advance.
- As part of the Local Government Energy Efficiency program, the solar hot water system at Campania Recreation ground has been recently installed.
- Graeme Green has been busy undertaking the GIS work required on the Southern Midlands Planning Scheme maps.
- Graeme Green has also been working with Council’s Manager Development and Environmental Services (D Mackey) to assist Central Highlands Council in determining biodiversity matters from a planning scheme perspective. This outsourced work will be on a recharge basis.
- Hazell Bros are continuing with high pressure water testing for the entire Midlands Water Scheme line south of Antill Ponds.
- A working bee to clear some of the dead broome plants in the Hawthorn Bay area of Lake Dulverton was held on Saturday 21<sup>st</sup> Sept. A very successful and busy morning saw a considerable amount cleared by hand and burnt on site – a great improvement to the area.
- The weed cutter for Lake Dulverton has arrived and is ready for testing. Some members of the Lake Dulverton Committee plan to take the machine out for an initial run, although water levels in the lake are relatively low at present for boating activity.

- The Midlands Tree Committee has successfully secured a Tasmanian Landcare Association Grant of \$3920 to undertake more works on the Hawthorn Bay area of Lake Dulverton. The focus will be on the removal of the last big patch of gorse on this edge of the Lake. Replanting of the site will follow, along with funds to manage any gorse regrowth for the following two growing seasons.
- Helen Geard and the Glamorgan Spring Bay Council Weeds Officer have been working on addressing Spanish Heath infestations within the wider Woodsdale and Levendale area. Rod Bowerman, Councils spraying contractor has recently conducted the annual spray of Spanish Heath in the area and ongoing monitoring is planned.
- Helen Geard is reviewing the Southern Midlands Council Weed Management Strategy.
- The outcome of the funding application for the completion of Mahers Point Cottage will not be known until late December.
- Works on the Dulverton Walkway track to improve the gravel surface for walking/ biking has commenced. A working bee to spread gravel is planned for Saturday 23<sup>rd</sup> Nov.

## 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	

**15.3 CULTURAL**

**Strategic Plan Reference – Page 23**

- 3.3.1a Increase the retention, documentation and accessibility of the aboriginal convict, rural and contemporary culture of the Southern Midlands.
- 3.3.1b Ensure that the Cultural diversity of the Southern Midlands is maximised.

Nil.

**15.4 REGULATORY (OTHER THAN PLANNING AUTHORITY AGENDA ITEMS)**

**Strategic Plan Reference – Page 24**

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

Nil.

**15.5 CLIMATE CHANGE**

**Strategic Plan Reference – Page 24**

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

Nil.

**16 OPERATIONAL MATTERS ARISING LIFESTYLE**

**16.1 COMMUNITY HEALTH AND WELLBEING**

**Strategic Plan Reference – Page 25**

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

Nil.

**16.2 YOUTH**

**Strategic Plan Reference – Page 25**

4.2.1 Increase the retention of young people in the municipality.

**16.2.1 October 2013 - School Holiday Program**

AUTHOR COMMUNITY RECREATION OFFICER (G HUNT)  
DATE 15<sup>TH</sup> OCTOBER 2013

ATTACHMENTS 1. School Holiday Program – October Flyer

**BACKGROUND**

Council has provided a School Holiday program for the youth of the municipality since May 2008. The varied program has received very positive feedback and is run at a very cost effective level, with minimal Council funds required.

**CURRENT SITUATION**

Refer August Council Minutes for initial report of activities and attached flyer.

A disappointing number of young people attended the October 2013 School Holiday Program – being 16 on day 1 and 24 on day 2. A recent debrief between all program partners as well as feedback from children, and other holiday programs locally and out of area, summarised that low attendance was due to an inordinate number of families taking holiday trips during this break – as opposed to previous school term breaks. As this is the first year of four terms of School [previously 3 terms] we are inclined to dismiss these stats as a one off and will monitor closely attendances and feedback in the upcoming January 2014 SHP.

**Financial Implications**

Whilst not all accounts are to hand at present, including an estimate of transport costs and based on quotes received for other services, it appears that a surplus of funds over and above RPHS and CfC monetary contribution of approximately \$400 will evolve from this latest program. I have discussed this situation with both our business partners and they are happy for ‘extra’ activities to be included in the January 2014 program to compensate for this ‘underspend’.

A full report on the proposed program for January 2014 will be provided once all details are confirmed.

**RECOMMENDATION**

**THAT the information be received**

**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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	

# YOUTH SCHOOL HOLIDAY PROGRAM

## OCTOBER 2013

**Bookings are essential and open on Thursday 12<sup>th</sup> September 2013**  
**Get in early as spots fill quickly.**

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 October 2013 school holiday period .

### Day 1

Thursday 3<sup>rd</sup> October 2013



With the weather still a bit unpredictable we've opted for some inside entertainment today. We've engaged the services of 'Life be in it' to entertain and excite all of us with heaps of fun and games to be played. We will also have screenings of some of the latest DVD's – all at the Bagdad Primary School premises. We'll have the sweet smell of Pop Corn cooking and some healthy fruit to nibble on while watching the movie. BYO Lunch.

**Cost is \$10.00 per child**

### Day 2

Tuesday 8<sup>th</sup> October 2013



Today we are heading down to the Tasmanian Transport Museum in Glenorchy to check out all the historic trains and have a short ride on a diesel car train. There are heaps of interesting historical displays to see, and well take a trip down memory lane to see what life was like in your grandparent's day. Then it's a short stroll to the YMCA for some mayhem in the Fun Palace, jive to the new YDance machine and do magic moves with ZumbAtomic and more.

**Cost is \$10.00 per child**

Age limits of 9 – 16 apply and numbers are limited. Please dress appropriately for the relevant activities. If you have any special dietary needs please bring own food with you. Don't forget – BYO lunches on both days so bring your lunch box full of goodies Food is available for purchase at the YMCA. **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 open on Thursday 12<sup>th</sup> September 2013 .They can be made through 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.

NB. Current medical forms held expire after 6 months.

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.

SOUTHERN  
MIDLANDS  
COUNCIL  
Greg Hunt  
SMC

Communities  
for Children  
Kelly  
Woodward  
FCaSC

Tasmania  
Drive the possibilities  
Corina &  
Kristina  
RPHS

Come along and join the fun.

**16.3 SENIORS**

**Strategic Plan Reference – Page 26**

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

Nil.

**16.4 CHILDREN AND FAMILIES**

**Strategic Plan Reference – Page 26**

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

Nil.

**16.5 VOLUNTEERS**

**Strategic Plan Reference – Page 26**

4.5.1 Encourage community members to volunteer.

Nil.

**16.6 ACCESS**

**Strategic Plan Reference – Page 27**

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

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

Nil.

**16.7 PUBLIC HEALTH**

**Strategic Plan Reference – Page 27**

4.7.1 Monitor and maintain a safe and healthy public environment.

Nil.

**16.8 RECREATION**

**Strategic Plan Reference – Page 28**

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

Nil.



**16.9 ANIMALS**

**Strategic Plan Reference – Page 28**  
 4.9.1 Create an environment where animals are treated with respect and do not create a nuisance for the Community.

**16.9.1 Animal Control Officers Report**

*File Ref:* 3/027

**AUTHOR** ANIMAL CONTROL OFFICER (G DENNE)

**DATE** 19<sup>TH</sup> NOVEMBER 2013

**ISSUE**

**Consideration of Animal Control Officer’s monthly report.**

**DETAIL**

Dysart: On or about the 15<sup>th</sup> October 2013, two sheep were attacked and killed. Two Staffordshire terrier dogs were responsible for the attack, both dogs were shot at the scene. The owner of the sheep did not want Council to take any further action

Refer Monthly Statement on Animal Control for period ending 31<sup>st</sup> October 2013.

**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  
MONTHLY STATEMENT ON ANIMAL CONTROL  
FOR PERIOD ENDING 31/10/2013**

**Total of Dogs Impounded:**                          3        
**Dogs still in the Pound:**                                      

**Breakdown Being:**

**ADOPTED    RECLAIMED    LETHALISED    ESCAPED**

	3		
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**MONEY RECEIVED**

**Being For:**

<b>Pound</b>	<u>                  </u>
<b>Reclaims</b>	<u>                  </u>
<b>Dog Registrations</b>	<u>      \$222.72      </u>
<b>Kennel Licence Fee</b>	<u>      \$45.45      </u>
<b>Infringement Notices</b>	<u>                  </u>
<b>Complaint Lodgement Fee</b>	<u>                  </u>
<b>TOTAL</b>	<u>      \$268.17      </u>

**COMPLAINTS RECEIVED FOR PERIOD ENDING 31/10/2013**

**Dog at Large:**                          3        
**Dog Attacks:**                          1        
**Request Pick-ups:**                      2        
**After Hours Calls:**                      7        
**TOTAL**                                     13      

**Number of Formal Complaints Received:**                          -        
**Number of Infringement Notices Issued:**                          2      

**Animal Control Officer:**    **Garth Denne**

**16.10 EDUCATION**

**Strategic Plan Reference – Page 28**

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

Nil.

**17 OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)**

**17.1 RETENTION**

**Strategic Plan Reference – Page 29**

5.1.1 Maintain and strengthen communities in the Southern Midlands.

Nil.

**17.2 CAPACITY AND SUSTAINABILITY**

**Strategic Plan Reference – Page 29**

5.2.1 Build the capacity of the Community to help itself and embrace the framework and strategies articulated by the Social Inclusion Commissioner to achieve sustainability.

Nil.

**17.3 SAFETY**

**Strategic Plan Reference – Page 30**

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

Nil.

**17.4 CONSULTATION**

**Strategic Plan Reference – Page 30**  
 5.4.1 Improve the effectiveness of consultation with the Community.

**17.4.1 2014 Meeting Schedule and Venues**

*File Ref:* 3/006 & 22/044

**AUTHOR** EXECUTIVE ASSISTANT (K BRAZENDALE)

**DATE** 19<sup>TH</sup> NOVEMBER 2013

**ISSUE**

**Council to confirm venues for the Council meetings and “public consultation” sessions to be held throughout the Municipal area.**

**DETAIL**

In 2013, Council held Council meetings from January to April in various venues throughout the Municipality. These meetings included “public consultation” sessions where the public are invited to attend and discuss issues with Council.

In 2013 meetings were held at the following venues:

23/01/2013	Campania Hall
26/02/2013	Broadmarsh Hall
27/03/2013	Tunbridge Hall
24/04/2013	Levendale Hall

**The 2014 Schedule is as follows:-**

All meeting to commence at 10.00 a.m. with the public consultation at 12.30 p.m. The Annual General Meeting will commence at 5.00 p.m.

<b>Meeting Date</b>	<b>Venue</b>
22/1/2014	<b>Campania Hall</b>
26/2/2014	<b>Tunbridge Hall</b>
26/3/2014	<b>Tunnack Community Hall</b>
16/4/2014#	<b>Bagdad Community Club</b>
28/05/2014	Kempton
25/06/2014	Oatlands
23/07/2014	Kempton
27/08/2014	Oatlands
24/09/2014	Kempton
22/10/2014	Oatlands
26/11/2014	Kempton
10/12/2014	Oatlands AGM

#Held week earlier due to Easter Break

**RECOMMENDATION**

**THAT Council endorse the above meeting schedule.**

**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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	

## **17.4.2 Committee Membership and Appointments**

*File Ref: 3/017*

AUTHOR EXECUTIVE ASSISTANT (K BRAZENDALE)  
DATE 19<sup>TH</sup> NOVEMBER 2013

### **ISSUE**

#### **Appointment of Councillors to:**

- a) **Council Committee - Southern Midlands Facilities & Recreation Committee;**
- b) **Special Committees of Council;**
- c) **Council representatives to external Committees; and**
- d) **Advisory Committees.**

### **BACKGROUND**

The *Local Government Act 1993*, provides for two different types of Committees, they being Council Committees, and Special Committees.

#### ***“Section 23 - Council committees***

*(1) A council may establish, on such terms as it thinks fit, council committees to assist it in carrying out its functions under this or any other Act.*

*(2) A council committee consists of councillors appointed by the council and any councillor who fills a vacancy for a meeting at the request of the council committee.*

*(3) A meeting of a council committee is to be conducted in accordance with prescribed procedures.”*

#### ***“Section 24 - Special committees***

*(1) A council may establish, on such terms and for such purposes as it thinks fit, special committees.*

*(2) A special committee consists of such persons appointed by the council as the council thinks appropriate.*

*(3) The council is to determine the procedures relating to meetings of a special committee.”*

**DETAIL**

Appointments to these Committees were made following the election in October 2011 for a two year period. Recognising that the October 2013 election has been deferred until October 2014, it is necessary to either:

- a) Review the membership; or
- b) reconfirm the appointments for a further twelve (12) months.

Each of the above mentioned Committees, excluding the external committees, have documented roles and responsibilities, which are included in the Policy Manual.

**RECOMMENDATION**

**THAT Council review appointments to the following Committees:**

- a) **Council Committee - Southern Midlands Facilities & Recreation Committee;**
- b) **Special Committees of Council;**
- c) **Council representatives to external Committees; and**
- d) **Advisory Committees.**

**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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	

	<b>Current</b>	<b>Proxy</b>	<b>Appointment</b>	<b>Proxy</b>
<b>Council</b>	Mayor Bisdee OAM Deputy Mayor Mark Jones OAM Clr Tony Bantick Clr Colin Beven Clr B Campbell Clr Marie Connors Clr Don Fish Clr Alex Green Clr John Jones OAM	Not applicable		
<b>Council Committee(s)</b>				
Southern Midlands Recreation Committee (Name Change: - Southern Midlands Facilities & Recreation Committee)	Clr Colin Beven (Chair) Deputy Mayor Mark Jones OAM Clr Marie Connors Clr Don Fish	Clr John Jones OAM		
<b>Council – Advisory Committees (some with delegation)</b>				
Australia Day Awards (Policy - Mayor & Deputy Mayor)	Mayor Bisdee OAM	Deputy Mayor Mark Jones OAM		
Audit Committee	Mayor Bisdee OAM Clr A O Green			



	<b>Current</b>	<b>Proxy</b>	<b>Appointment</b>	<b>Proxy</b>
Enterprise Bargaining / Award Consultative Committee	Mayor Bisdee OAM	Deputy Mayor Mark Jones OAM		
Centre for Heritage Advisory Committee	Mayor Bisdee OAM	Deputy Mayor Mark Jones OAM		
Municipal Disaster Management Committee (Emergency Management Planning Committee)	Deputy Mayor Mark Jones OAM	Clr Don Fish		
New Pool Project Steering Committee	Deputy Mayor Mark Jones OAM	Clr Bob Campbell		
<b>External Committees</b>				
DHHS Community Advisory Committee (MMPHC)	Clr Marie Connors	General Manager Tim Kirkwood		

	<b>Current</b>	<b>Proxy</b>	<b>Appointment</b>	<b>Proxy</b>
Little Swanport Catchment Committee	Clr D Fish	Clr B Campbell		
Little Swanport - Water Management Plan Committee	Clr D Fish	Clr B Campbell		
Southern Tasmania Councils Association (Policy - Mayor & Deputy Mayor)	Mayor Bisdee OAM	Deputy Mayor Mark Jones OAM		
Southern Tasmania Weeds Strategy Steering Committee (STCA Committee)	Mayor Bisdee OAM			
Southern Waste Strategy Authority	Clr Alex Green	Clr John Jones OAM		
TFS Coal River Area Fire Management Committee	Mr Jack Lyall	Clr Alex Green	Redundant – replaced by Midlands Fire Area Management Committee.	

	<b>Current</b>	<b>Proxy</b>	<b>Appointment</b>	<b>Proxy</b>
TFS Dulverton Area Fire Management Committee	Clr Don Fish	Clr Alex Green	Redundant – replaced by Midlands Fire Area Management Committee.	
TFS Jordan Area Fire Management Committee	Clr A R Bantick	Clr John Jones OAM	Redundant – replaced by Midlands Fire Area Management Committee.	
NRM South	Maria Weeding	Helen Geard		
<b>Council – Special Committees</b>				
	<b>Current</b>	<b>Proxy</b>	<b>Appointment</b>	<b>Proxy</b>
Campania Halls Management Committee	Clr Colin Beven	Clr Alex Green		
Campania Recreation Ground Management Committee	Clr Colin Beven	Clr Alex Green		
Chauncy Vale Management Committee	Clr Alex Green	Clr A R Bantick		
Colebrook Hall Committee	Clr Colin Beven	Clr Alex Green		
Kempton - Blue Place Management Committee	Mr Tim Kirkwood	Clr John Jones OAM		

	<b>Current</b>	<b>Proxy</b>	<b>Appointment</b>	<b>Proxy</b>
Lake Dulverton / Callington Park Management Committee	Clr Don Fish	Deputy Mayor Mark Jones OAM		
Mt Pleasant Recreation Ground Management Committee	Clr Bob Campbell	Clr Mark Jones OAM	Redundant – consider formal Lease arrangement ???	
Oatlands Community Hall Management Committee	Clr Don Fish	Clr B Campbell		
Oatlands Community Men’s Shed	Deputy Mayor Mark Jones OAM	Clr Don Fish		
Oatlands Recreation Ground Management Committee	Clr Don Fish	Deputy Mayor M Jones OAM	Redundant – re-established Oatlands Football Club has taken responsibility under the Lease agreement.	
Parattah Progress Association (previously Parattah Recreation Ground Committee)	Clr Don Fish	Clr Bob Campbell		

	<b>Current</b>	<b>Proxy</b>	<b>Appointment</b>	<b>Proxy</b>
Parattah Railway Restoration Management Committee	Clr Don Fish	Clr Colin Beven		
Tunnack Recreation Ground Management Committee	Mayor Bisdee Clr Marie Connors	Clr B Campbell		
Woodsdale Hall Management Committee	Deputy Mayor Mark Jones OAM	Clr B Campbell		
<b>Council – Working Groups</b>				
Court House & Goal	Clr J Jones OAM	Clr Alex Green	Ongoing role or need for Working Group to be clarified.	
Community Safety Committee	Not established.			

**17.5 COMMUNICATION**

**Strategic Plan Reference – Page 30**

5.5.1 Improve the effectiveness of communication with the Community.

Nil.

**18. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)**

**18.1 IMPROVEMENT**

**Strategic Plan Reference – Page 31**

6.1.1 Improve the level of responsiveness to Community needs.

6.1.2 Improve communication within Council.

6.1.3 Improve the accuracy, comprehensiveness and user friendliness of the Council asset management system.

6.1.4 Increase the effectiveness, efficiency and use-ability of Council IT systems.

6.1.5 Develop an overall Continuous Improvement Strategy and framework

Nil.

**18.2 SUSTAINABILITY****Strategic Plan Reference – Page 32 & 33**

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.

**18.2.1 Local Government Board – Review into the Number of Councillors Elected to Tasmanian Councils**

AUTHOR GENERAL MANAGER (T KIRKWOOD)

DATE 22<sup>nd</sup> NOVEMBER 2013

ENCLOSURE: Report ‘Review of Councillor Numbers 2013’ – circulated previously.

**ISSUE**

**Council to consider the final report and recommendations from the Local Government Board relating to the Review into the Number of Councillors - as referred by the Minister for Local Government (Hon Bryan Green MP).**

**BACKGROUND**

This review commenced with the following Council decision:

*“THAT the Southern Midlands Council formally request the Local Government Board to review the number of elected councillors on the Southern Midlands Council with a view to reducing the number of elected members from nine to seven (applicable at, and from, the 2013 Tasmanian Local Government elections), acknowledging that the Local Government Board will undertake a public consultation process as part of this review.”*

The Local Government Board was subsequently asked by the Minister for Local Government to review the number of councillors elected to Tasmanian councils. This review is focussed on the Brighton, Southern Midlands, Derwent Valley, Dorset and Launceston City Councils as they have specifically requested their numbers be reviewed.

The Board undertook an initial community consultation phase, which was followed by a workshop with elected members held in August 2013.

## **DETAIL**

The Local Government Board has now provided the Minister for Local Government with its report and recommendations.

In accordance with section 214D(4) of the *Local Government Act 1993*, the Minister is required to forward a copy of the report to Council and invite Council to make a submission on any matter covered by the report.

The Minister is then required to consider any submission and may:

- a) accept any or all of the recommendations;
- b) request the board to reconsider any of its recommendations;
- c) refer to the Board any alterations to its report requested by Council; or
- d) reject the recommendations.

**Human Resources & Financial Implications** – N/A.

**Community Consultation & Public Relations Implications** – No submissions were made by members of the community during the public consultation phase.

*Council Web Site Implications: N/A*

**Policy Implications** – Policy position.

**Priority - Implementation Time Frame** – Council has a period of five(5) weeks to lodge any submission. The deadline being 5<sup>th</sup> December 2013.

## **RECOMMENDATION**

**THAT:**

- a) a copy of the Report ‘Review of Councillor Numbers 2013’ be received;
- b) Council acknowledge the Board’s recommendation relating to the Southern Midlands Council that the number of elected members be reduced from nine to seven (to be implement for the October 2014 elections); and
- c) Council determine whether it is to lodge a submission, and the content to be included in any submission.



**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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	

**18.2.2 Local Government (Miscellaneous Amendments) Bill 2013 – Ministerial Orders (Draft for Comment)**

AUTHOR GENERAL MANAGER  
DATE 14<sup>th</sup> NOVEMBER 2013

**ATTACHMENT:** Draft Ministerial Orders

**ISSUE**

**Council to consider and provide comment on the draft Ministerial Orders (as per attachment).**

**BACKGROUND**

The Local Government (Miscellaneous Amendments) Bill 2013 was passed without amendment by the Legislative Council on 30<sup>th</sup> October 2013.

The Bill included a power for the Minister to make Ministerial Orders outlining the detail and minimum requirements of the financial and asset management reforms detailed in the amending legislation.

The Ministerial Orders are designed to:

1. Outline the minimum requirements necessary for an appropriate long-term financial management and strategic asset management plans;
2. Outline the minimum requirements necessary for an appropriate financial management strategy and asset management strategy;
3. Outline the minimum requirements necessary for an appropriate asset management policy;
4. List the financial and asset management sustainability indicators on which councils must report; and
5. Provide guidance to councils on the structure, membership and primary functions of audit panels.

**DETAIL**

In reference to the attached Ministerial Orders, the following comments are provided, noting that the proposal to mandate the preparation of strategic finance and asset management policies, strategies and plans has been indicated and suggested for a considerable time. In this regard, subject to focussing on these requirements for a period of time, compliance is not seen as a major issue.

In relation to:

- a) the financial management indicators, these are consistent with those that are being used (and reported) by the Auditor-General and it is simply a matter of incorporating these in Council's Annual Report; and
- b) Asset Management indicators – these indicators can be easily calculated and reported upon.

The final Ministerial Order relates to **Audit Panels** of which there are seven components:

Establishment – Council has already complied with this requirement on the basis that a Committee has been established with a formal charter and terms of reference. The Committee includes one independent person.

Roles and Functions – the majority of roles and functions are consistent with Council's existing Committee. There are some specific roles mentioned (e.g. evaluating and reporting on compliance with the Local Government Act 1993; report on indicators etc.) which can be simply incorporated into the Committee's roles and functions.

Membership - Council's existing Audit Committee consists of three persons – two elected members and one independent. Whilst the draft Order requires a minimum membership of three with a maximum of five, it does indicate that the majority of members must be independent. This would require Council to review membership to achieve this balance.

In addition, the draft Order requires that the chairperson is one of the independent members and the Mayor is not a member of the Panel. Council needs to specifically consider its position in relation to these two issues.

Ex-Officio members – no specific comment

Qualifications – no specific comment

Appointment of Independent Members – There is a requirement to advertise publicly for independent members. This will obviously incur an additional cost associated with advertising. It will also necessitate preparing prior selection criteria to enable Council to make a decision re: appointment of the members. This assumes that a greater number of persons will apply compared to the number of appointees.

Audit Panel Meetings – no specific comment

**Human Resources & Financial Implications** – Refer detail above. The draft Order requires Council to adequately resource the Panel and be provided with secretarial support. Panel members are entitled to be paid the remuneration and allowances the council determines.

**Community Consultation & Public Relations Implications** – To be considered.

*Council Web Site Implications: N/A*

**Policy Implications** – Policy position.

**Priority - Implementation Time Frame** – The Department of Premier and Cabinet is inviting LGAT and the local government sector to provide comment by the close of business on Friday 20<sup>th</sup> December 2013.

**RECOMMENDATION**

**THAT Council consider the draft Ministerial Orders and provide comment (as necessary), particularly noting the variances in relation to Membership of the Audit Panels.**

**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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	

**Draft Orders under Section 70F of the *Local Government Act 1993***  
**Long-term financial management plan**

1. A long-term financial management plan is to:
  - (a) express, in financial terms, the activities the council proposes to undertake over the longer term to achieve its financial management strategies, asset management policies, asset management strategies and the objectives of its strategic and annual plans;
  - (b) specify expected revenues and expenses for each year of the plan including asset management requirements identified in the long-term strategic asset management plan;
  - (c) be integrated with the council's strategic plan, long-term strategic asset management plans, asset management policy, asset management strategy and financial management strategy;
2. A long-term financial plan is to include -
  - (a) a narrative overview of the objectives and intent, including summary level information based on financial statements prepared on an accrual basis;
  - (b) a statement of comprehensive income including estimates for:
    - a. operating revenue;
    - b. operating expenses;
    - c. operating surplus/(deficit);
    - d. net surplus/(deficit); and
    - e. comprehensive result;
  - (c) a balance sheet including estimates for:
    - a. current and non-current assets;
    - b. current and non-current liabilities;

- c. net assets; and
  - d. equity including reserves;
- (d) a cash flow statement including estimates of:
- a. receipts, payments and net cash from operating activities, including separate estimates in respect of renewal and new /upgrade capital expenditure;
  - b. receipts, payments and net cash from investing activities;
  - c. receipts, payments and net cash from financing activities including loan borrowings;
  - d. net increase/(decrease) in cash held;
  - e. cash and cash equivalents at beginning of period; and
  - f. cash and cash equivalents at end of period.
- (e) a description of the financial management strategies to be adopted by the council, including financial targets and their rationale. The financial management strategies are to include strategies related to revenue, investments, borrowings and capital expenditure and make specific reference to strategies to achieve an operating surplus position, a funded renewal capital expenditure program and an appropriate cash position;
- (f) a comparison of projected financial performance against appropriately determined targets for financial indicators including those specified in Ministerial Orders under section 84 (2A) for each financial period included in the long-term financial plan;
- (g) all assumptions used in the development of the estimates; and
- (h) key sensitivity analyses.
3. A long-term financial management plan is to be updated annually following the adoption of the audited financial statements and the annual budget.

### **Financial management strategy**

1. A financial management strategy is to:
  - (a) provide direction and context to the council for decision-making regarding the allocation, management and use of council financial resources;
  - (b) set the parameters within which the council agrees to operate in order to maintain accepted financial outcomes with measurable financial targets;
  - (c) be integrated with the council's strategic plan and asset management strategy and annual budgeting processes; and
  - (d) guide the development of the council's long-term financial management plan.
  
2. A financial management strategy is to include -
  - (a) a narrative overview of purpose and intent;
  - (b) financial principles that guide determination of the financial management strategies;
  - (c) key financial strategies to be employed;
  - (d) financial aims and targets; and
  - (e) financial projections.

### **Long-term strategic asset management plan**

1. Long-term strategic asset management plans are to cover the following asset classes:
  - (a) roads, bridges (including culverts) and traffic infrastructure;
  - (b) stormwater;

- (c) buildings; and
  - (d) any asset class with a total value of 5% of the total asset base of the council.
2. A long-term strategic asset management plan is to:
- (a) provide critical information about assets, including capital expenditure requirements for renewing, upgrading and extending assets over the longer term; and
  - (b) be integrated with the council's strategic plan, asset management policy, asset management strategy, long-term financial management plan and financial management strategy.
3. A long-term strategic asset management plan is to include -
- (a) a narrative overview, including the definition of classes and sub-classes covered in the plan and the quantitative data to be presented in respect of the asset classes and sub-classes;
  - (b) the current expected or required service levels for the included assets;
  - (c) the actual service levels being achieved for the assets;
  - (d) future asset requirements associated with strategic or annual plans and capital works programs;
  - (e) known or possible areas for expansion including the asset classes and potential acquisition dates, cost estimates and impact on service levels, asset lifecycle and financial considerations;
  - (f) lifecycle management and financial considerations including:
    - I. useful life;
    - II. valuation of each asset class and sub-class;
    - III. maintenance activities;
    - IV. renewal/replacement plan;



- V. acquisition;
  - VI. disposal; and
  - VII. risk management.
- (g) details of the standards and guidelines used to make decisions on asset management; and
- (h) areas for improvement and monitoring including, identification of any known issues with the quality of the data, forecasts and/or estimates, actions to mitigate the known issues and a commentary on the reliability of the estimates contained within the plan.
4. Long-term strategic asset management plans are to be updated annually following the adoption of the audited financial statements and the annual budget.

### **Asset management strategy**

1. An asset management strategy is to:
  - (a) guide the planning, construction, maintenance and operation of the infrastructure essential for the council to provide services to the community in a financially sustainable manner;
  - (b) guide the implementation and documentation of asset management practices, plans, processes & procedures within the council;
  - (c) be linked with the council's asset management policy;
  - (d) be integrated with the council's strategic plan, financial management strategy and annual budgeting processes; and
  - (e) guide the development of the council's long-term strategic asset management plans.
2. An asset management strategy is to include:

- (a) an outline of current assets and the services provided by those assets;
- (b) an outline of management prescriptions applied to all assets;
- (c) a description of future asset requirements and demands for new or replaced assets;
- (d) detail on asset management practices employed by the organisation;
- (e) adopted asset management strategies;
- (f) an asset management improvement plan detailing a program of tasks to be completed and resources required to achieve minimum 'core' level of asset maturity and competence;
- (g) an outline of how council assets will meet the service delivery needs of its community into the future; and
- (h) detail on how the councils asset management policies are to be achieved;

### **Asset management policy**

1. An asset management policy is to -

- (a) define the council's vision and service delivery objectives for asset management;
- (b) be integrated with the council's strategic plan, asset management strategy, long-term strategic asset management plan, long-term financial management plan and financial management strategy;
- (c) define asset management roles, responsibilities and reporting framework;
- (d) identify processes for meeting training needs in financial and asset management practices for councillors and staff.

- (e) Include the adoption of whole-of-life costing combined with disciplined performance measurement;
- (f) clearly articulate the principles and financial implications upon which decisions relating to assets and their performance will be based.

## **Draft Orders under Section 84 (2A) of the *Local Government Act 1993***

### **Financial management indicators**

The following financial management indicators are to be reported on as part of Council Financial Statements.

#### **1. Operating surplus**

Operating surplus is defined as the difference between day-to-day income and expenses for the period.

Operating surplus to be calculated as operating income (excluding amounts received specifically for new or upgraded assets and physical resources received free of charge) less operating expenses for the reporting period.

#### **2. Operating surplus ratio**

Operating surplus ratio is defined as the percentage by which the major controllable income source plus operating grants varies from day to day expenses.

Operating surplus ratio is calculated as Operating surplus (or deficit) divided by general and other rate income and operating grants.

#### **3. Net financial liabilities**

Net financial liabilities are defined as the entity owed to others less money held.

Net financial liabilities are to be calculated as total liabilities less financial assets (cash and cash equivalents plus trade and other receivables plus other financial assets).

#### **4. Net financial liabilities ratio**

The net financial liabilities ratio is defined as the significance of net amount owed compared with the period's income.

The net financial liabilities ratio is to be calculated as net financial liabilities divided by operating income.

### **Asset management indicators**

The following asset management indicators are to be reported on as part of Council Financial Statements.

#### **1. Asset sustainability ratio**

The asset sustainability ratio is defined as the ratio of asset replacement expenditure relative to depreciation for a period. It measures whether assets are being replaced at the rate they are wearing out.

The asset sustainability ratio is to be calculated as capital expenditure on replacement / renewal of existing plant and equipment and infrastructure assets divided by their annual depreciation expense.

#### **2. Asset consumption ratio**

The asset consumption ratio is defined as the average proportion of 'as new' condition left in assets.

The asset consumption ratio is to be calculated as the depreciated replacement cost of plant, equipment and infrastructure assets divided by the current replacement cost of depreciable assets.

#### **3. Asset renewal funding ratio**

The asset renewal funding ratio is defined as the ratio of net present value of asset renewal funding accommodated over a ten year period in a long-term financial plan relative to the net present value of the projected capital renewal expenditures identified in an asset management plan for the same period.

The asset renewal funding ratio is to be calculated as the net present value of projected ten-year capital renewal funding outlays in a long-term financial plan divided by the net present value of projected ten-year capital renewal expenditures in an asset management plan in current values.

## Draft Orders under Section 85B of the *Local Government Act 1993*

### AUDIT PANELS

#### Establishment

1. Audit Panels are to operate under a formal charter including terms of reference. These are to be developed by the council.
2. Independent members of the Audit Panel are entitled to be paid the remuneration and allowances the council determines.
3. As soon as practicable after an Audit Panel has been established, the General Manager is to advise the Director of Local Government.

#### Roles and functions

4. The roles and functions of an Audit Panel may include —
  - (a) reviewing the adequacy, efficiency and effectiveness of controls including accounting, internal control, anti-fraud, anti-corruption and risk management policies, processes and systems;
  - (b) reviewing annual financial statements to ensure they present fairly the state of affairs of the council, are consistent with national accounting standards and were prepared using rigorous and transparent internal systems and processes;
  - (c) reviewing the financial performance of the council including the financial and asset management indicators declared by Order under Section 84(2A) of the *Local Government Act 1993*;
  - (d) evaluating and reporting to the council on compliance with the *Local Government Act 1993*, integrity and integration of the council's
    - I. strategic plan;
    - II. rates and charges policy;
    - III. asset management policy;
    - IV. asset management strategy;
    - V. long-term strategic asset management plan(s);
    - VI. financial management strategy;
    - VII. long-term financial management plan; and
    - VIII. annual plan;including the processes by which they were developed. and

- (e) monitoring action taken on recommendations provided to the council.

### **Membership**

5. An Audit Panel is to be a minimum of three and a maximum of five persons comprising up to two councillors or alderman, and up to three independent members. The independent members must form the majority of the panel.
6. An Audit Panel is to be chaired by an independent member of the panel.
7. An Audit Panel is not to include the General Manager or the Mayor of a council as a member.
8. An Audit Panel is not to include an employee of the council as a member.
9. An Audit Panel may include, or be comprised of, members of an Audit Panel for another council.

### **Ex-Officio members**

10. The General Manager, or his delegate, and respective Directors/Managers of council's Business Services/Financial/Accounting Branch can be Ex-Officio members of the Audit Panel.

### **Qualifications of independent members**

11. The independent members must possess strong business acumen, management and communication skills. Other relevant skills may include –
  - (a) knowledge and/or expertise in areas of audit practices and financial management; and/or
  - (b) relevant industry knowledge and experience; and/or
  - (c) experience with governance processes and risk management.

### **Appointment of independent members**

12. Councils are to advertise publicly for independent members of the Audit Panel.
13. The council is to appoint the members of the Audit Panel.
14. Members of the Audit Panel are to be appointed for a minimum period of twelve months and a maximum period of four years. Appointees may be re-appointed to the Audit Panel for one additional term without the requirement for public advertisement.

### **Audit Panel meetings**

15. An Audit Panel is to be adequately resourced by the council and provided with secretariat support from the council.
16. An Audit Panel is to meet a minimum of four times per year.
17. A quorum for an Audit Panel meeting will consist of a majority of members.
18. An Audit Panel is to develop an annual work plan, including a schedule of meetings and planned objectives for each meeting.
19. An Audit Panel is to hold meetings in a closed forum.
20. An Audit Panel is to meet formally with the external auditor at least once per year.
21. An Audit Panel meeting is to be attended by the General Manager, or his or her delegate, and the Director/Manager of council's Business Services/Financial/Accounting Branch, except where the Audit Panel chooses to meet in camera.
22. Only members of the Audit Panel are entitled to vote at meetings. Ex-Officio members are not entitled to vote at meetings.
23. The Audit Panel may invite councillors/alderman or council staff to its meetings.
24. After each meeting, the Audit Panel is to provide the minutes of its meetings to the Council for its consideration.

**18.2.3 Proposed Christmas / New Year arrangements (including office closure)**

*File Ref:* 3/004

AUTHOR EXECUTIVE ASSISTANT (KBRAZENDALE)

DATE 15<sup>TH</sup> NOVEMBER 2013

**ISSUE**

To inform Council, and seek endorsement, of the proposed Christmas / New Year arrangements (includes Office closures).

**DETAIL**

The following arrangements are proposed for the 2013-14 Christmas / New Year period:

Council Offices close on Tuesday 24<sup>th</sup> December 2013 at 2.00 pm, and re-open on Thursday 2<sup>nd</sup> January 2014.

**Household Garbage Collection Service – no change to normal collection days. (TBC)**

All Waste Transfer Stations will be closed on Christmas Day and New Years Day.

The Heritage Highway Visitor Information Centre and the Oatlands Swimming Pool will be closed on Christmas Day.

**Human Resources & Financial Implications** - With the exception of scheduled rostered days off, all staff will take Annual Leave on normal working days during the closure period. Please refer to the attached Schedule for On-call arrangements.

**Community Consultation & Public Relations Implications** - The proposed arrangements will be advertised following endorsement by Council.

**Policy Implications** - Consistent with standard Council Policy.

**Priority - Implementation Time Frame** - N/A.

**RECOMMENDATION**

**THAT the information be received and Council endorse the proposed Office closure arrangements.**



**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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	

**2013-14 Proposed Christmas / New Year Arrangements:**

On call arrangements to be alternated between Mr J Lyall, Mr C Whatley and Mr T Kirkwood.

Monday	23 <sup>rd</sup> December	Break-Up Function (Location to be confirmed - commencing at 1.30 pm)
Tuesday	24 <sup>th</sup> December	Council Offices close at 2.00 pm
Wednesday	25 <sup>th</sup> December	Public Holiday All Waste Transfer Stations closed. Swimming Pool closed. Tourism Information Centre closed.
Thursday	26 <sup>th</sup> December	Public Holiday
Friday	27 <sup>th</sup> December	Kempton Outdoor – Leave Oatlands Outdoor – Leave
Saturday	28 <sup>th</sup> December	
Sunday	29 <sup>th</sup> December	
Monday	30 <sup>th</sup> December	Kempton Outdoor – Leave Oatlands Outdoor – Leave
Tuesday	31 <sup>st</sup> December	Kempton Outdoor – Leave Oatlands Outdoor – Leave
Wednesday	1 <sup>st</sup> January	Public Holiday All Waste Transfer Stations closed
Thursday	2 <sup>nd</sup> January	Return to Work Council Offices – reopen at 9.00 am

**18.3 FINANCES****Strategic Plan Reference – Page 33 & 34**

- |       |   |
|-------|---|
| 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.  |

**18.3.1 Monthly Financial Statement (October 2013)**

*File Ref: 3/024*

AUTHOR FINANCE OFFICER (C PENNICOTT)  
DATE 20<sup>TH</sup> NOVEMBER 2013

Refer enclosed Report incorporating the following: -

- a) Statement of Comprehensive Income – 1<sup>st</sup> July 2013 to 31<sup>st</sup> October 2013 (including Notes)
- b) Current Expenditure Estimates
- c) Capital Expenditure Estimates

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

- d) Rates & Charges Summary – as at 20<sup>th</sup> November 2013
- e) Cash Flow Statement - July 2013 to October 2013.

*Note: Expenditure figures provided are for the period 1<sup>st</sup> July to 31<sup>st</sup> October 2013 – approximately 33% of the period.*

**Comments**

**A. Current Expenditure Estimates (Operating Budget)**

**Strategic Theme – Growth**

- **Sub-Program – Business** - expenditure to date (\$29,718 – 44.86%). Works undertaken on a recharge basis. Expenditure will be offset by income received.

**Strategic Theme – Lifestyle**

- **Sub-Program – Childcare** - expenditure to date (\$5,000 – 50.00%). Expenditure of \$5,000 is the annual ‘one-off’ payment for the Family Day Care Service.

**Strategic Theme – Community**

- **Sub-Program – Consultation** - expenditure to date (\$2,198 – 43.34%). Expenditure of \$2,198 relates to Aurora expenses associated with the operation of the Radio Station. Part-reimbursement from Management Committee.

**B. Capital Expenditure Estimates (Capital Budget)**

Nil.

**RECOMMENDATION**

**THAT the information be received.**

**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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	

**STATEMENT OF COMPREHENSIVE INCOME  
FOR THE PERIOD  
1st JULY 2013 to 31 OCTOBER 2013**

	Annual Budget	Year to Date as at 31ST OCTOBER	% To Date	Comments
<b>Income</b>				
General rates	\$ 4,192,243	\$ 4,155,007	99.1%	Budget includes Interest & Penalties to be imposed to end of June 2014
User Fees (refer Note 1)	\$ 699,354	\$ 201,875	28.9%	
Interest	\$ 260,000	\$ 70,605	27.2%	
Government Subsidies	\$ 31,700	\$ -	0.0%	Heavy Vehicle Licence Fees & Road Rescue MAIB reimbursements
Contract Income	\$ -	\$ -	0.0%	
Other (refer Note 2)	\$ 235,188	\$ 27,665	11.8%	
<b>Sub-Total</b>	<b>\$ 5,418,485</b>	<b>\$ 4,455,152</b>	<b>82.2%</b>	
Grants - Operating	\$ 3,570,800	\$ 756,852	21.2%	FAGS Grant Only
<b>Total Income</b>	<b>\$ 8,989,285</b>	<b>\$ 5,212,004</b>	<b>58.0%</b>	
<b>Expenses</b>				
Employee benefits	\$ 3,703,066	\$ 1,041,553	28.1%	Less Roads - Resheeting Capitalised
Materials and contracts	\$ 3,046,484	\$ 1,107,243	36.3%	Less Roads - Resheeting Capitalised, Includes Land Tax
Depreciation and amortisation	\$ 2,496,000	\$ -	0.0%	Percentage Calculation (based on year-to-date)
Finance costs	\$ 58,741	\$ 627	1.1%	
Contributions	\$ 169,088	\$ -	0.0%	Fire Service Levies
Other	\$ 204,004	\$ 86,495	42.4%	
<b>Total expenses</b>	<b>\$ 9,677,383</b>	<b>\$ 2,235,919</b>	<b>23.1%</b>	
<b>Surplus (deficit) from operations</b>	<b>-\$ 688,098</b>	<b>\$ 2,976,085</b>	<b>-432.5%</b>	
Grants - Capital (refer Note 3)	\$ 606,153	\$ -	0.0%	
Donations	\$ 3,500	\$ 400	11.4%	
Sale Proceeds (Plant & Machinery)	\$ -	\$ -	0.0%	
Net gain / (loss on disposal of non-current assets)	\$ 160,000	\$ -	0.0%	Budget Amount - Sale of Lots - Kandara Court
<b>Surplus / (Deficit)</b>	<b>\$ 81,555</b>	<b>\$ 2,976,485</b>	<b>3649.7%</b>	

**NOTES**

**1. Income - User Fees (Budget \$728,389) includes:**

- All other Programs	\$ 259,854	\$	121,213	46.6%
- Callington Mill	\$ 439,500	\$	80,661	18.4%
	\$ 699,354	\$	201,874	Actual Income Received (i.e. excluding Debtors)

**2. Income - Other (Budget \$85,188) includes:**

- Income (Private Works )	\$ 76,188	\$	34,321	45.0%
- Tas Water Distributions	\$ 155,000	\$	-	0.0%
- Public Open Space Contributions	\$ 4,000	\$	-	0.0%
- Other	\$ -	\$	-	0.0%
	\$ 235,188	\$	34,321	

**3. Grant - Capital (Budget \$619,292) includes:**

- Roads To Recovery Grant	\$ 445,213	\$	-	0.0%
Grant RDA Round 5	\$ 151,629	\$	-	0.0%
- Community Centre (Interest Grant)	\$ 9,311	\$	-	0.0%
	\$ 606,153	\$	-	

## SOUTHERN MIDLANDS COUNCIL : CURRENT EXPENDITURE 2013/14

## SUMMARY SHEET

PROGRAM	TOTAL	REVISED BUDGET (GRANTS & OTHER REIMBURSEMENTS)	ACTUAL AS AT OCTOBER 2013 33%	VARIANCE (+/-)	% BASED ON REVISED BUDGET 100%
<b>INFRASTRUCTURE</b>					
Roads	3484103	3484103	561811	2922292	16.12%
Bridges	428807	428807	19686	409121	4.59%
Walkways	175603	175603	53138	122465	30.26%
Lighting	89544	89544	22093	67451	24.67%
Irrigation	2450	2450	465	1985	19.00%
Drainage	81322	81322	11044	70278	13.58%
Waste	548480	548480	127656	420824	23.27%
Public Toilets	55726	55726	13604	42122	24.41%
Communications	0	0	636	-636	0.00%
Signage	12300	12300	4467	7833	36.32%
<b>INFRASTRUCTURE TOTAL:</b>	<b>4878335</b>	<b>4878335</b>	<b>814602</b>	<b>4063733</b>	<b>16.70%</b>
<b>GROWTH</b>					
Residential	2900	2900	0	2900	0.00%
Mill Operations	610120	610120	196169	413951	32.15%
Tourism	188853	188853	0	188853	0.00%
Business	66250	66250	29718	36532	44.86%
Agriculture	5370	5370	0	5370	0.00%
Integration	27600	27600	0	27600	0.00%
<b>GROWTH TOTAL:</b>	<b>901093</b>	<b>901093</b>	<b>225887</b>	<b>675206</b>	<b>25.07%</b>
<b>LANDSCAPES</b>					
Heritage	291385	291385	89891	201494	30.85%
Natural	477908	477908	89288	388620	18.68%
Cultural	0	0	0	0	0.00%
Regulatory	789303	789303	220338	568965	27.92%
Climate Change	40376	40376	4634	35742	11.48%
<b>LANDSCAPES TOTAL:</b>	<b>1598972</b>	<b>1598972</b>	<b>404150</b>	<b>1194822</b>	<b>25.28%</b>
<b>LIFESTYLE</b>					
Youth	160905	160905	37731	123174	23.45%
Aged	1500	1500	1261	239	84.05%
Childcare	10000	10000	5000	5000	50.00%
Volunteers	32000	32000	11808	20192	36.90%
Access	6405	6405	0	6405	0.00%
Public Health	7706	7706	145	7561	1.88%
Recreation	402126	402126	86766	315360	21.58%
Animals	70029	70029	20411	49618	29.15%
Education	0	0	0	0	0.00%
<b>LIFESTYLE TOTAL:</b>	<b>690671</b>	<b>690671</b>	<b>163122</b>	<b>527549</b>	<b>23.62%</b>
<b>COMMUNITY</b>					
Retention	0	0	0	0	0.00%
Capacity	35025	35025	9351	25674	26.70%
Safety	56650	56650	17525	39125	30.94%
Consultation	5070	5070	2198	2872	43.34%
Communication	15125	15125	1662	13463	10.99%
<b>COMMUNITY TOTAL:</b>	<b>111870</b>	<b>111870</b>	<b>30736</b>	<b>81134</b>	<b>27.47%</b>
<b>ORGANISATION</b>					
Improvement	7300	7300	0	7300	0.00%
Sustainability	1925678	1925678	549044	1376634	28.51%
Finances	223263	223263	74588	148675	33.41%
<b>ORGANISATION TOTAL:</b>	<b>2156441</b>	<b>2156441</b>	<b>623632</b>	<b>1532809</b>	<b>28.92%</b>
<b>TOTALS</b>	<b>10337382</b>	<b>10337382</b>	<b>2262129</b>	<b>8075253</b>	<b>21.88%</b>

SOUTHERN MIDLANDS COUNCIL  
CAPITAL EXPENDITURE PROGRAM 2013-14  
AS AT 30 OCTOBER 2013

INFRASTRUCTURE	ROAD ASSETS	BUDGET	EXPENDITURE	VARIANCE
	Resurfacing Program	\$ 600,000	\$ 51,216	\$ 548,784
	Reseal Program	\$ 350,000	\$ -	\$ 350,000
	Reconstruct & Seal	\$ 68,750	\$ -	\$ 68,750
	Other:	\$ -	\$ -	\$ -
	Bridgford	\$ -	\$ -	\$ -
	Nil	\$ -	\$ -	\$ -
	Colebrook	\$ -	\$ -	\$ -
	Elton / Rhydaston Road (600 metres)	\$ -	\$ -	\$ -
	Dysart	\$ -	\$ -	\$ -
	Nil	\$ -	\$ -	\$ -
	Mangalore	\$ -	\$ -	\$ -
	Nil	\$ -	\$ -	\$ -
	Oatlands	\$ -	\$ -	\$ -
	Ingleswood Road (1.1 km - Nala Rd to Viaduct)	\$ 137,500	\$ -	\$ 137,500
	Stonor Road (1.1km- From Midland Highway)	\$ 137,500	\$ -	\$ 137,500
	Whiteford / Woodsdale	\$ -	\$ -	\$ -
	Junction with Stonehenge Road (250 metres)	\$ 37,500	\$ 300	\$ 37,200
	Woodsdale Road (Balden Straight - 200 metres)	\$ 30,000	\$ -	\$ 30,000
	Green Valley Road - from Kembers to Bridge	\$ -	\$ -	\$ -
	Chimswale Road	\$ -	\$ -	\$ -
	Balfour Road - Road Improvements	\$ -	\$ -	\$ -
	Stanley Street (William St / Le Thundersbushes to Nelson)	\$ -	\$ -	\$ -
	Stonor Road	\$ -	\$ -	\$ -
	Wilsam's Road - Oulton 1 (Junction to Bridge - 250 metres)	\$ 39,375	\$ -	\$ 39,375
	Construct & Seal (Unsealed Roads)	\$ -	\$ -	\$ -
	Minor Seals (New)	\$ 7,000	\$ -	\$ 7,000
	Church Road	\$ 10,000	\$ -	\$ 10,000
	Hasting Street Junction	\$ 15,000	\$ -	\$ 15,000
	Pelham Road (end of Elderslie Rd)	\$ 10,000	\$ -	\$ 10,000
	Unsealed - Road Widening	\$ 29,349	\$ -	\$ 29,349
	Rhydaston Road (vicinity of Bevens) - Stage 2	\$ 20,000	\$ 140	\$ 19,860
	Yarrington Road - Realignment	\$ 20,000	\$ -	\$ 20,000
	Church Road (Corner refacing)	\$ 15,000	\$ -	\$ 15,000
	Estate Road (Survey Investigation Only - \$5,000)	\$ 5,000	\$ -	\$ 5,000
	Green Valley Road - Vicinity of Erosion Gully (Survey Investigation)	\$ 5,000	\$ -	\$ 5,000
	Hall Lane, Bagdad - widening	\$ 15,000	\$ -	\$ 15,000
	Chaunzey Vale Road, Bagdad	\$ 20,000	\$ -	\$ 20,000
	Other:	\$ -	\$ -	\$ -
	Green Valley Road - Widening	\$ 83,000	\$ -	\$ 83,000
	Barnovale Road (600 dia pipes - vicinity of Pookey Property) - was \$27K	\$ 27,000	\$ -	\$ 27,000
	Church Road (Intersection with Elderslie Road) - Survey & Acquisition	\$ 21,000	\$ 8,919	\$ 14,081
	Inverlaken Road - Corner Realignment (Rockton)	\$ 32,000	\$ -	\$ 32,000
	Campagna - Reeve St / Clime Street	\$ 25,800	\$ -	\$ 25,800
	Campagna - Reeve St / Hall Street	\$ 5,000	\$ -	\$ 5,000
	Huntington Tier (Road to Tip - Guard Rail)	\$ 8,000	\$ -	\$ 8,000
	Ingleswood Road - Sight Improvements	\$ 8,000	\$ -	\$ 8,000
	Woodsdale Road - Landship Area(s) - Engineering Assessment	\$ 9,700	\$ -	\$ 9,700
	Woodsdale Road - Landship Area (Vicinity Sweets Quarry)	\$ 15,000	\$ -	\$ 15,000
		<b>\$ 1,001,274</b>	<b>\$ 59,576</b>	<b>\$ 1,747,699</b>



SOUTHERN MIDLANDS COUNCIL  
CAPITAL EXPENDITURE PROGRAM 2013-14  
AS AT 30 OCTOBER 2013

	BUDGET	EXPENDITURE	VARIANCE
<b>BRIDGE ASSETS</b>			
C1030003	\$ 557,000	\$ 7,620	\$ 549,380
C1030004	\$ 186,000	\$ 113	\$ 185,887
C1030028	\$ -	\$ 2,538	\$ 54,464
C1030023	\$ 678,000	\$ 492	\$ 677,508
C1030044	\$ 81,700	\$ 1,231	\$ 80,469
C1030045	\$ 26,440	\$ -	\$ 26,440
C1030041	\$ 142,800	\$ 26,535	\$ 116,265
C1030013	\$ -	\$ 51,895	\$ 51,895
	\$ -	\$ 1,468.74	\$ 1,468
	\$ -	\$ -19.04	\$ 420
	<b>\$ 1,700,740</b>	<b>\$ 92,301</b>	<b>\$ 1,616,439</b>
<b>WALKWAYS</b>			
	\$ 50,000	\$ -	\$ 50,000
	\$ 50,000	\$ 3,085	\$ 46,915
	\$ 10,000	\$ -	\$ 10,000
	\$ 80,000	\$ 6,280	\$ 73,720
	\$ 5,000	\$ -	\$ 5,000
	\$ 15,000	\$ -	\$ 15,000
	\$ -	\$ -	\$ -
	\$ -	\$ 3,885	\$ (3,885)
	\$ 8,000	\$ -	\$ 8,000
	\$ 7,000	\$ -	\$ 7,000
	<b>\$ 225,000</b>	<b>\$ 13,050</b>	<b>\$ 211,950</b>
	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -
<b>LIGHTING</b>			
	\$ 21,892	\$ 8,080	\$ 13,812
	\$ 75,000	\$ 1,840	\$ 73,160
	\$ 145,000	\$ -	\$ 145,000
	\$ 10,000	\$ -	\$ 10,000
	\$ 12,000	\$ -	\$ 12,000
	\$ 20,000	\$ -	\$ 20,000
	\$ 6,000	\$ -	\$ 6,000
	<b>\$ 319,892</b>	<b>\$ 9,900</b>	<b>\$ 309,992</b>
<b>DRAINAGE</b>			
	\$ 21,892	\$ 8,080	\$ 13,812
	\$ 75,000	\$ 1,840	\$ 73,160
	\$ 145,000	\$ -	\$ 145,000
	\$ 10,000	\$ -	\$ 10,000
	\$ 12,000	\$ -	\$ 12,000
	\$ 20,000	\$ -	\$ 20,000
	\$ 6,000	\$ -	\$ 6,000
	<b>\$ 319,892</b>	<b>\$ 9,900</b>	<b>\$ 309,992</b>

SOUTHERN MIDLANDS COUNCIL  
CAPITAL EXPENDITURE PROGRAM 2013-14  
AS AT 30 OCTOBER 2013

		BUDGET	EXPENDITURE	VARIANCE
WASTE	C110001	\$ 5,000	\$ -	\$ 5,000
	C110002	\$ 10,000	\$ -	\$ 10,000
		\$ 15,000	\$ -	\$ 15,000 *
PUBLIC TOILETS	C1110001	\$ 5,000	\$ -	\$ 5,000
		\$ 5,000	\$ -	\$ 5,000
SIGNAGE	C113001	\$ 10,000	\$ 709	\$ 9,291
		\$ 10,000	\$ 709	\$ 9,291
RESIDENTIAL	Nil Projects	\$ -	\$ -	\$ -
	Avenues of Honour	\$ -	\$ -	\$ -
TOURISM		\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -
HERITAGE	C3010004	\$ 88,500	\$ 41,617	\$ 46,883
		\$ 4,000	\$ -	\$ 4,000
GROWTH	C3010009	\$ 96,000	\$ 16,738	\$ 79,262
	C3010003	\$ 7,500	\$ 89,534	\$ 82,034
LANDSCAPES	C3010002	\$ 20,000	\$ 4,438	\$ 15,562
	C3010008	\$ 7,500	\$ -	\$ 7,500
NATURAL		\$ 67,500	\$ 3,423	\$ 64,077
		\$ 261,400	\$ 155,749	\$ 105,652
REGULATORY	C3020004	\$ 5,240	\$ 4,073	\$ 1,167
	C3020004	\$ 2,100	\$ -	\$ 2,100
		\$ 7,340	\$ 4,073	\$ 3,267
REGULATORY	C3040001	\$ 20,000	\$ 11,046	\$ 8,954
	C3040001	\$ 3,500	\$ 337	\$ 3,163
	C3040001	\$ 5,000	\$ -	\$ 5,000
	C3040001	\$ 2,500	\$ -	\$ 2,500
		\$ 31,000	\$ 11,383	\$ 19,617

SOUTHERN MIDLANDS COUNCIL  
CAPITAL EXPENDITURE PROGRAM 2013-14  
AS AT 30 OCTOBER 2013

		BUDGET	EXPENDITURE	VARIANCE
<b>LIFESTYLE</b>				
	<b>RECREATION</b>			
	C4070005	\$ 30,000	\$ -	\$ 30,000
	C4070004	\$ 7,500	\$ -	\$ 7,500
	C4070017	\$ 10,000	\$ -	\$ 10,000
	C4070016	\$ 16,367	\$ 11,104	\$ 5,203
	C4070006	\$ -	\$ 8,462	\$ (8,462)
	C4070020	\$ 2,500	\$ -	\$ 2,500
	C4070021	\$ 5,000	\$ -	\$ 5,000
	C4070001	\$ 2,800	\$ -	\$ 2,800
	C4070022	\$ 25,000	\$ -	\$ 25,000
		\$ -	\$ 377	\$ (377)
		\$ -	\$ 178	\$ (178)
		\$ 98,957	\$ 29,381	\$ 69,576
		\$ 3,000	\$ -	\$ 3,000
		\$ 3,000	\$ -	\$ 3,000
<b>COMMUNITY</b>				
	<b>SAFETY</b>			
	C5000001	\$ -	\$ -	\$ -
		\$ 3,000	\$ -	\$ 3,000
		\$ 3,000	\$ -	\$ 3,000
<b>ORGANISATION</b>				
	<b>SUSTAINABILITY ADMINISTRATION</b>			
	C6020007	\$ 7,500	\$ -	\$ 7,500
	C6020007	\$ 7,400	\$ -	\$ 7,400
	C6020007	\$ 3,500	\$ -	\$ 3,500
	C6020007	\$ 15,000	\$ -	\$ 15,000
	C6020007	\$ 10,000	\$ 8,313	\$ 1,687
	C6020007	\$ 23,000	\$ 17,734	\$ 5,266
	C6020007	\$ 5,000	\$ -	\$ 5,000
	C6020007	\$ 8,286	\$ -	\$ 8,286
	C6020007	\$ 5,000	\$ -	\$ 5,000
	C6020007	\$ -	\$ 19,629	\$ (19,629)
	C6020007	\$ -	\$ 1,440	\$ (1,440)
		\$ 6,000	\$ -	\$ 6,000
		\$ 2,000	\$ 2,869	\$ (869)
		\$ 662,536	\$ 174,000	\$ 488,536
		\$ 144,000	\$ 111,709	\$ 32,291
		\$ 60,000	\$ -	\$ 60,000
		\$ 7,000	\$ -	\$ 7,000
		\$ 7,000	\$ -	\$ 7,000
		\$ 36,000	\$ -	\$ 36,000
		\$ 1,009,222	\$ 335,794	\$ 673,428
		\$ 5,485,825	\$ 710,915	\$ 4,774,910
		\$ 6,495,047	\$ 346,709	\$ 6,148,338

<b>SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED</b>			
	20/11/2013	20/11/2012	
Arrears Brought Forward	\$352,040.89	\$251,900.24	
ADD Current Rates and Charges Levied	\$4,131,441.69	\$3,936,078.68	
ADD Current Interest	\$23,879.15	\$20,391.80	
<b>TOTAL Rates and Charges Demanded</b>	<b>\$4,507,361.73</b>	<b>\$4,208,370.72</b>	<b>100%</b>
LESS Rates and Charges Collected	44.81%	43.72%	
LESS Pensioner Remissions	4.56%	4.74%	
LESS Other Remissions	-0.11%	-0.08%	
LESS Discounts	0.39%	0.30%	
<b>TOTAL Rates and Charges Collected and Remitted</b>	<b>\$2,237,575.05</b>	<b>\$2,048,606.05</b>	<b>48.68%</b>
<b>UNPAID RATES AND CHARGES</b>	<b>\$2,269,786.68</b>	<b>\$2,159,764.67</b>	<b>51.32%</b>

	INFLOWS (OUTFLOWS) (July 2013)	INFLOWS (OUTFLOWS) (August 2013)	INFLOWS (OUTFLOWS) (September 2013)	INFLOWS (OUTFLOWS) (October 2013)	INFLOWS (OUTFLOWS) (Year to Date)
<b>Cash flows from operating activities</b>					
Payments					
Employee costs	- 239,458.53	- 274,071.17	- 268,147.50	- 259,876.01	- 1,041,553.21
Materials and contracts	- 277,590.55	- 437,046.31	- 181,933.87	- 291,973.41	- 1,188,544.14
Interest	- 627.25	-	-	-	- 627.25
Other	- 9,793.10	- 34,432.27	- 32,556.88	- 62,381.71	- 139,163.96
	- 527,469.43	- 745,549.75	- 482,638.25	- 614,231.13	- 2,369,888.56
Receipts					
Rates	57,079.91	819,356.99	1,104,558.08	139,532.99	2,120,527.97
User charges	97,861.87	48,302.62	43,422.56	83,756.89	273,343.94
Interest received	15,891.50	16,810.00	22,072.17	23,089.96	77,863.63
Subsidies	-	-	-	-	-
Other revenue grants	2,368.18	417,871.25	-	-	420,239.43
GST Refunds from ATO	-	-	-	-	-
Other	17,385.26	29,379.99	5,523.39	-29,494.94	23,793.70
	190,586.72	1,331,720.85	1,175,576.20	216,884.90	2,697,883.77
<b>Net cash from operating activities</b>	- 336,882.71	586,171.10	692,937.95	397,346.23	942,226.34
<b>Cash flows from investing activities</b>					
Payments for property, plant & equipment	- 48,657.75	- 76,280.43	- 30,979.38	- 343,190.42	- 499,107.98
Proceeds from sale of property, plant & equipment	-	-	-	-	-
Proceeds from Capital grants	15,993.64	2,073.85	6,690.91	327,847.50	336,612.26
Proceeds from Investments	-	-	-	-	-
Payment for Investments	-	-	-	-	-
<b>Net cash used in investing activities</b>	- 48,657.75	- 58,212.94	- 24,288.47	- 10,657.08	- 192,346.41
<b>Cash flows from financing activities</b>					
Repayment of borrowings	- 4,704.53	-	-	-	- 4,704.53
Proceeds from borrowings	-	-	-	-	-
<b>Net cash from (used in) financing activities</b>	- 4,704.53	-	-	-	- 4,704.53
<b>Net increase(decrease) in cash held</b>	- 390,244.99	527,958.16	668,649.48	386,689.15	419,673.50
Cash at beginning of reporting year	8,734,794.63	8,344,549.64	8,872,507.80	9,541,157.28	8,734,794.63
<b>Cash at end of reporting year</b>	<b>8,344,549.64</b>	<b>8,872,507.80</b>	<b>9,541,157.28</b>	<b>9,154,468.13</b>	<b>9,154,468.13</b>

**19. INFORMATION BULLETINS**

Refer enclosed Bulletin dated 22<sup>nd</sup> November 2013.

Information Bulletin dated 15<sup>th</sup> November 2013 circulated since previous meeting.

**RECOMMENDATION**

**THAT the Information Bulletin dated 15<sup>th</sup> and 22<sup>nd</sup> November 2013 be received and the contents noted.**

**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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. MUNICIPAL SEAL**

Nil.

**21. 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**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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**

### **22. 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.**

**T F KIRKWOOD  
GENERAL MANAGER**

**RECOMMENDATION**

**THAT Council move out of “Closed Session”.**

**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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 decision made in “Closed Session”.**

**DECISION**

<b>Vote For</b>	<b>Councillor</b>	<b>Vote Against</b>
	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. CLOSURE**