

COUNCIL MEETING

AGENDA

INDEX

| | |
|--|-----------|
| 1. PRAYERS..... | 5 |
| 2. ATTENDANCE | 5 |
| 3. APOLOGIES..... | 5 |
| 4. APPLICATION FOR LEAVE OF ABSENCE..... | 5 |
| 5. MINUTES..... | 5 |
| 5.1 ORDINARY COUNCIL MINUTES | 5 |
| 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 |
| 6. NOTIFICATION OF COUNCIL WORKSHOPS..... | 11 |
| 7. QUESTIONS WITHOUT NOTICE..... | 12 |
| 8. DECLARATIONS OF PECUNIARY INTEREST..... | 13 |
| 9. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA..... | 14 |
| 10. PUBLIC QUESTION TIME (SCHEDULED FOR 12.30 PM)..... | 15 |
| 10.1 PERMISSION TO ADDRESS COUNCIL | 16 |
| 11. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN UNDER REGULATION 16 (5) OF THE LOCAL GOVERNMENT (MEETING PROCEDURES) REGULATIONS 2005..... | 16 |
| 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..... | 17 |
| 12.1 DEVELOPMENT APPLICATIONS | 17 |
| 12.1.1 <i>Development Application for a proposed 'Level 1 Gravel Quarry' defined as an Industry (Extractive) at 533 Native Corners Road, Campania.</i> | 17 |
| 12.2 SUBDIVISIONS | 52 |
| <i>Nil</i> | 52 |
| 12.3 MUNICIPAL SEAL (PLANNING AUTHORITY)..... | 52 |

| | | |
|------------|---|-----------|
| 11.3.1 | COUNCILLOR INFORMATION:- MUNICIPAL SEAL APPLIED UNDER DELEGATED AUTHORITY TO SUBDIVISION FINAL PLANS & RELATED DOCUMENTS..... | 52 |
| 12.4 | PLANNING (OTHER)..... | 53 |
| 12.4.1 | Campania Structure Plan Project - Update | 53 |
| 13. | OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE) | 68 |
| 13.1 | ROADS..... | 68 |
| 13.2 | BRIDGES..... | 68 |
| 13.3 | WALKWAYS, CYCLE WAYS AND TRAILS | 68 |
| 13.4 | LIGHTING | 68 |
| 13.5 | BUILDINGS | 68 |
| 13.6 | SEWERS..... | 69 |
| 13.7 | WATER..... | 69 |
| 13.8 | IRRIGATION | 69 |
| 13.9 | DRAINAGE..... | 69 |
| 13.10 | WASTE | 69 |
| 13.11 | INFORMATION, COMMUNICATION TECHNOLOGY | 69 |
| 13.12 | OFFICER REPORTS – WORKS & TECHNICAL SERVICES (ENGINEERING) | 70 |
| 13.12.1 | Manager - Works & Technical Services Report..... | 70 |
| 14. | OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH) | 71 |
| 14.1 | RESIDENTIAL..... | 71 |
| 14.2 | TOURISM..... | 71 |
| 14.3 | BUSINESS | 71 |
| 14.4 | INDUSTRY | 71 |
| 14.5 | INTEGRATION | 71 |
| 15 | OPERATIONAL MATTERS ARISING (STRATEGIC THEME –LANDSCAPES)..... | 72 |
| 15.1 | HERITAGE | 72 |
| 15.1.1 | Heritage Project Officer’s Report | 72 |
| 15.2 | NATURAL..... | 73 |
| 15.2.1 | Landcare Unit & Climate Change – General Report..... | 73 |
| 15.2.2 | Old Callington Mill Cap - Proposed Removal of the Cap to a New Location | 75 |
| 15.3 | CULTURAL | 77 |
| 15.4 | REGULATORY (OTHER THAN PLANNING AUTHORITY AGENDA ITEMS)..... | 77 |
| 15.5 | CLIMATE CHANGE | 77 |
| 16 | OPERATIONAL MATTERS ARISING LIFESTYLE..... | 77 |
| 16.1 | COMMUNITY HEALTH AND WELLBEING..... | 77 |
| 16.2 | YOUTH | 77 |
| 16.3 | SENIORS | 78 |
| 16.4 | CHILDREN AND FAMILIES..... | 78 |
| 16.5 | VOLUNTEERS | 78 |
| 16.6 | ACCESS | 78 |
| 16.7 | PUBLIC HEALTH | 78 |
| 16.8 | RECREATION | 79 |
| 16.9 | ANIMALS..... | 79 |
| 16.10 | EDUCATION | 79 |
| 17 | OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)..... | 79 |
| 17.1 | RETENTION | 79 |
| 17.2 | CAPACITY AND SUSTAINABILITY | 80 |
| 17.2.1 | Colebrook Golf Club – Financial Support for the Coal River Classic..... | 80 |
| 17.3 | SAFETY | 82 |

| | | |
|------------|--|-------------------------------------|
| 17.4 | CONSULTATION AND COMMUNICATION | 82 |
| 18. | OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION) | 83 |
| 18.1 | IMPROVEMENT | 83 |
| 18.1.1 | <i>Shared Services Agreement (Draft) – Participating Councils.....</i> | 83 |
| 18.2 | SUSTAINABILITY | 87 |
| 18.2.1 | <i>Local Government Representation – National Plan to Reduce Violence against Women and their Children</i> | 87 |
| 18.2.2 | <i>New Policy – Unreasonable Complainant Conduct Policy.....</i> | 89 |
| 18.2.1 | <i>Unreasonable Complainant Conduct Policy.....</i> | 89 |
| 18.2.3 | <i>New Policies – First Reading</i> | 93 |
| 18.2.4 | <i>Amendment of Existing Policy Code for Tenders and Contracts</i> | 96 |
| 18.2.5 | <i>Maher’ Point Property (PID 5842047 – Volume 115861 – Folio 1) – Sale of Maher’s Point Cottage</i> | 99 |
| 18.3 | FINANCES..... | 116 |
| 18.3.1 | <i>Monthly Financial Statement (December 2014).....</i> | 116 |
| 19. | INFORMATION BULLETINS..... | 126 |
| 20. | MUNICIPAL SEAL | 127 |
| 21. | CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA..... | 127 |
| 22. | BUSINESS IN “CLOSED SESSION “ | 128 |
| 22.1 | 73 HIGH STREET, OATLANDS (ROCHE HALL PROPERTY) - EDUCATION DEPARTMENT - DEED TO TRANSFER OWNERSHIP | ERROR! BOOKMARK NOT DEFINED. |
| 22.2 | 2014/2015 – CAPITAL WORKS PROGRAM – ROAD RESEALING & ROAD RECONSTRUCTION PROGRAM | ERROR! BOOKMARK NOT DEFINED. |
| 23. | CLOSURE | 129 |

ENCLOSED

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

- Item 18.1.1** Draft Common Services Agreement
- Item 18.2.3** Draft version 1_Leave Management Policy
Draft version 1_Information Management Policy
Draft version 1_Personal Information Protection Policy
Draft version 1_Workplace Health & Safety Policy
Draft version 1_Risk Management Framework
- Item 18.2.4** Draft version 5_Code of Tenders and Contracts
- Item 22.1** Closed Session Item

23rd January 2015

Dear Sir/Madam,

NOTICE OF MEETING

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

**Campania Community Hall
Reeve Street, Campania
Wednesday 28th January 2015
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

Deputy Mayor M Jones OAM

4. APPLICATION FOR LEAVE OF ABSENCE

Nil.

5. MINUTES

5.1 ORDINARY COUNCIL MINUTES

The Minutes of the previous meeting of Council held on the 15th December 2015, as circulated, are submitted for confirmation.

DECISION

| Vote For | Councillor | Vote Against |
|----------|----------------------|--------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

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:

- **Audit and Risk Committee – meeting held 20th January 2015**

RECOMMENDATION

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

DECISION

| Vote For | Councillor | Vote Against |
|-----------------|----------------------|---------------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

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.

- **Audit and Risk Committee – meeting held 20th January 2015**

RECOMMENDATION

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

DECISION

| Vote For | Councillor | Vote Against |
|-----------------|----------------------|---------------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

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 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 – Nil**
- **Southern Waste Strategy Authority – Nil**

RECOMMENDATION

THAT the reports received from the Joint Authorities be received.

DECISION

DECISION NOT REQUIRED

6. NOTIFICATION OF COUNCIL WORKSHOPS

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

It is reported that 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 | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

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. Melton Mowbray Hotel – Historic Trough

General Manager to provide a briefing in relation to unauthorised removal of the heritage listed Trough.

2.

3.

4.

8. DECLARATIONS OF PECUNIARY INTEREST

In accordance with the requirements of Part 2 Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2005*, the chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest in any item on the Agenda.

Accordingly, Councillors are requested to advise of a pecuniary interest they may have in respect to any matter on the agenda, or any supplementary item to the agenda, which Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2005*.

9. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

In accordance with the requirements of Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2005*, the Council, by absolute majority may decide at an ordinary meeting to deal with a matter that is not on the agenda if the general manager has reported –

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

RECOMMENDATION

THAT the Council resolve by absolute majority to deal with any supplementary items not appearing on the agenda, as reported by the General Manager in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2005*.

DECISION

| Vote For | Councillor | Vote Against |
|-----------------|----------------------|---------------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

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

Nil

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 a proposed 'Level 1 Gravel Quarry' defined as an Industry (Extractive) at 533 Native Corners Road, Campania.

File Ref: T2280392 NATIVE

AUTHOR PLANNING OFFICER (D CUNDALL)
DATE 20TH JANUARY 2015

ATTACHMENTS Environmental Effects Report and Maps

PROPOSAL

The Applicant Mr Mark Jacobson has submitted a Development Application to the Southern Midlands Council seeking a Planning Permit to develop and use a level 1 gravel quarry at land owned by Mr and Mrs Jacobsen at 533 Native Corners Road Campania.

The proposal is for the extraction and cartage of "less than 5,000 cubic metres per annum" of gravel of which less than 1,000 cubic metres will be crushed using a mobile crusher. At this level of extraction, the quarry is defined as a 'Level 1 Quarry (Activity)' under the *Environmental Management and Pollution Control Act 1994* ("EMPCA") as the extraction of any rock or gravel producing under 5 000 cubic metres per year.

The proposed use and development of the quarry for sale and cartage requires a permit under the *Southern Midlands Planning Scheme 1998* ("the Scheme") in accordance with the *Land Use Planning and Approvals Act 1993* ("the Act").

The use and development invokes Clause 11.5 of the Scheme and is determined at Council's discretion under Section 57 of the Act.

The quarry is currently in operation for on farm purposes. Some material was also carted off site in 2014. The operation of the quarry was brought to the attention of Council and Mineral Resources Tasmania in late 2014 by a member of the public. The Applicant states in the Environmental Effects Report that the quarry is being "recommissioned".

The access to the land is from Native Corners Road. The access is used to serve a single dwelling with ancillary truck and vehicle movements associated with the Applicant's occupation in earthmoving.

The quarry operation area is located approximately 890m from Native Corners Road and is accessed via a well-formed internal farm track road. The enclosed Maps include a clear aerial image of the land, roadway and quarry site.

The Applicant has forecast cartage operations to be, “only when required”, at an average of 2 trucks per day and a peak of 10 truck movements per day.

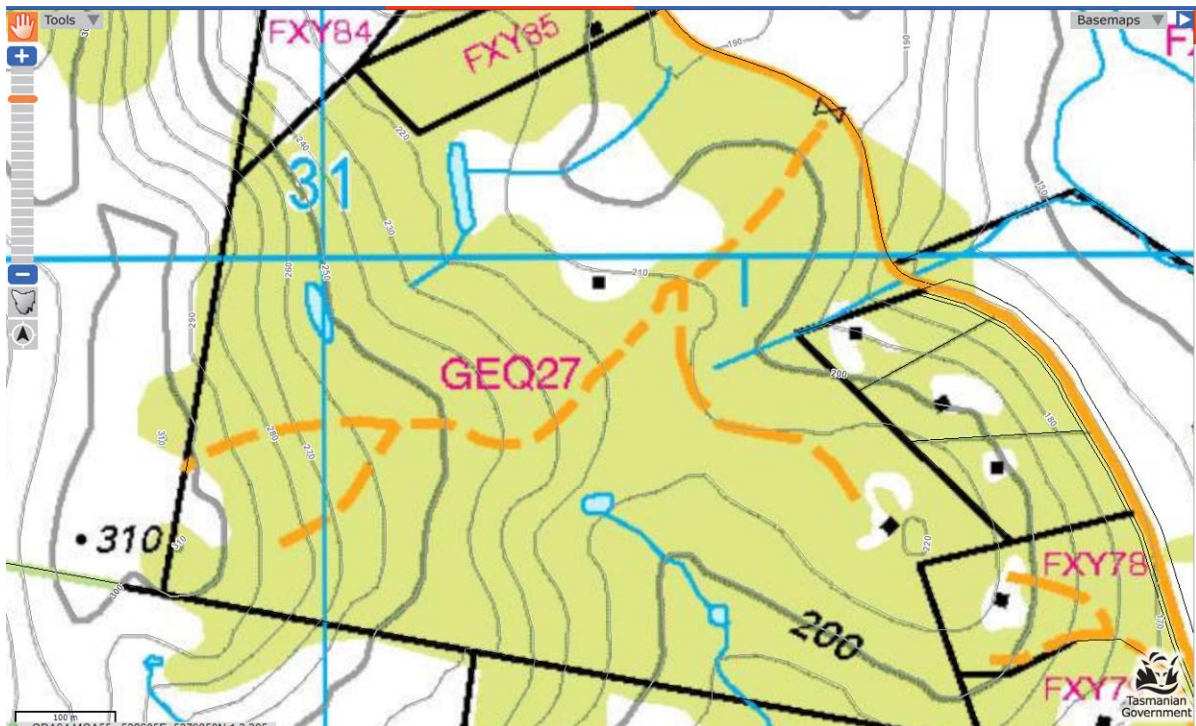
The Application has received one (1) representation questioning Council’s consideration of the Application.

The Application is recommended for approval subject to conditions.

THE SITE

The land is 42 hectares of mostly forest, with some land cleared around the buildings. The land is developed by dams, access roads, sheds and a dwelling.

As depicted by the contours in Map 1 of this report the land undulates with various gullies and minor watercourses and water holes. The land slopes toward Native Corners Road. The highest point of the land is 310m in the vicinity of the quarry and the lowest point is around 170m around the access to Native Corners Road.

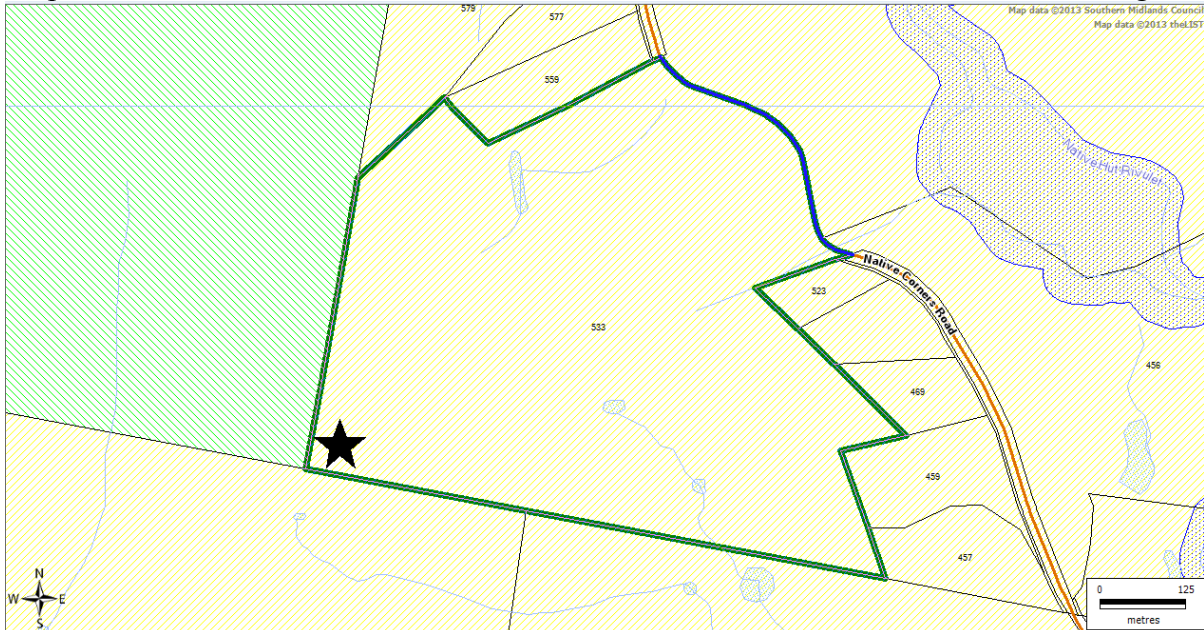


Map 1_Image of land depicting the contours and waterways

The property is adjoined by smaller rural zoned lots, along the Native Corners Road, to the east and north, and adjoined by much larger lots to the south and west. The smaller

lots are used for dwellings and rural lifestyle usage. The larger lots are used for agriculture, forestry and other rural activities on a mixture of open pasture and native vegetation.

Map 2 below demonstrates the land zoning.



Map 1_The land, coloured light yellow, is the Rural Agriculture Zone. The quarry site is marked by a 'black star'. The north eastern boundary of the site is Native Corners Road.

The proposed quarry is located in the south western corner of the land at an elevation of approximately 300m. The quarry is surrounded by native woodland and is not visible from any roadway, dwelling or public vantage point.



Image of Quarry



Image of Quarry

THE APPLICATION

The Applicant has submitted an Environmental Effects Report and a series of maps. There is sufficient information within these documents for Council Officers to make a recommendation to the Council.

Council Officers have also conducted a site visit and held discussions with the Applicant and Mineral Resources Tasmania.

USE/DEVELOPMENT DEFINITION

Under Schedule 3 ‘Use or Development Category Definitions’ of the Planning Scheme, the proposed development is defined as an ‘Industry (Extractive)’:

Industry (Extractive) – means the use or development of any land for the extraction of minerals, sand, gravel, clay, soil, rock, turf, stone or any similar substance from the land.

The term includes:

- a) The extraction of any overburden;
- b) Primary treatment including crushing or screening of that substance on the same land;
- c) The associated storage of goods or materials used in connection with or resulting from that extractive industry;
- d) The wholesale sale of goods of vehicles and machinery used in connection with that extractive industry.

Use Development/Status under the Planning Scheme

Under the Scheme, ‘Industry (Extractive)’ is a discretionary use/development in the Rural Activity Zone and invokes Clause 11.5. Subsequently the 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 another provision of this Scheme, invoke Clause 11.6 (prohibited use or development);
- or
- II. May be refused a Planning Permit by Council

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

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised on the 13th of December 2014 for fourteen (14) days and received one (1) representation.

The representation is attached in its entirety to this report for the Council’s information only as ‘Attachment 1 – Representation’. The content of the Representation is included in the table below (Table 1) with all names and personal details omitted.

Council Officers provide comments regarding the key issues raised in the representation in this section of the report.

The concerns are further considered as part of the detailed assessment of the proposal against the relevant provisions of the Planning Scheme and EMPCA. The Officer comments appear in *Bold Italics* in the table below with the sub heading ‘Council Officer Comment’:

| Representation |
|---|
| <p>My client is not opposed to the development per se, however there are some matters which need to be brought to the attention of Council in its further assessment and deliberation on whether or not to grant (with or without conditions) or refuse a permit. These matters are the subject of this representation.</p> <p>For ease of reading and simplicity the matters are outlined in dot point format below -</p> <ol style="list-style-type: none"> 1. Road Route and SISD - the application does not indicate the transport route, which will presumably be Native Corners Road through to Campania township. The driveway has limited visibility to the south (the driveway may only have 40 m of sight distance from a truck cab, in an 80 km/hr zone, with perhaps the 85th percentile being 60km/hr - the SISD fails the figure provided in the Scheme), and should be a consideration of Council in determining if mitigation/safety measures are required to make the road safe for all users. The Dept. of State Growth controlled road in Campania will see heavy gravel laden trucks (of unknown capacity and unknown configuration as these basic details were missing from the application) turn onto the road surface from native Corners Road - there has seemingly been no consideration by the applicant to pavement strengthening nor any correspondence with the Dept. of State Growth on this matter - will Council do this? <p><i>Council Officer Comment</i> <i>Council has considered the sight distance of the existing access and the proposed use and intensity of the access in the assessment within this report and the conditions contained within the recommendation. Council as the Road Authority has also conducted a site visit to ascertain the necessary site works to improve the access.</i></p> <p><i>It is not necessary to refer the Development Application to the Department of State Growth.</i></p> <p><i>The operator will typically use a 10 tonne truck for the day to day use of the quarry, however, should the operator win a big contract for a large amount of gravel needed in a short period of time then a trailer may also be used.</i></p> <ol style="list-style-type: none"> 2. Noise assessment - no information or evidence has been presented to determine that crushing can occur within the 750m SRAD (quarry code of practice) without causing nuisance to the 4 residential dwellings within this 'assessment' zone. There has simply been an assumption made in the lodged DA documentation that dust and noise will not be an issue because there is vegetation (a poor mitigator of noise) between the quarry and houses - noting that the forest is of an open grassy form which further reduces its ability to mitigate noise. |

Council Officer Comment

Council Officers have considered the environmental impacts of the quarry within the 750m SRAD. The Applicant has also provided a map with the 750m radius of the quarry to demonstrate land use within this area.

Assessment of this matter is included in the body of this report.

3. Existing use of the land and traffic generation - there has been no assessment of the existing traffic flows from the property for other activities (permitted or otherwise) . The flow of traffic is important to consider in relation to point 1 (safety for all road users).

Council Officer Comment

The land is used for a dwelling and hobby farm. Current vehicle movements are standard movements for a dwelling in a rural area and traffic movements associated with the landowner's occupation in earthmoving.

4. Vegetation clearance - no consideration seems to have been given to the gradual expansion of the quarry which may require the removal of native vegetation. Council may need to clarify this with the proponent and seek further information to ensure compliance with the Scheme.

Council Officer Comment

This matter has been previously clarified with the Applicant on site and does not warrant any further detail in the Application. Vegetation clearance is restricted to tree removal for safety reasons and the removal of several trees and some wattles along the northern section of the quarry during expansion. This clearance would only be needed at a much later stage of the operation and does not raise any further planning or environmental issues.

Council Officers recommend that the quarry operator avoids the removal of standing vegetation along the north western boundary.

My client trusts that these matters will be carefully and duly considered in Councils' determination of the application pursuant to the Scheme.

Please do not hesitate to contact me if you have any queries about the [sic].

Table 1 _Representation and Council Officer Comments**ASSESSMENT - THE SOUTHERN MIDLANDS PLANNING SCHEME 1998****Part 6 of the Scheme - Rural Agriculture Zone**

The land is situated in the *Rural Agriculture Zone*. The intent of the Rural Agriculture Zone is to:

(a) give priority to the sustainable long term use of land for agricultural, pastoral, forestry and other rural uses;

The application is in accords with this intent. Once the quarry has ceased operation the land can be rehabilitated or converted to a dam.

(b) recognise and protect the potential of land in the Kempton, Bagdad/Mangalore and Jordan valleys for future intensive agricultural use in anticipation of the completion of the South East Irrigation Scheme;

The quarry would not impact upon the irrigation areas.

(c) encourage expansion and diversification of agricultural activities;

Quarrying is only permissible, at Council's Discretion, in the Rural Activity Zones and the Industrial Zone. Quarried material can be used in nearby farming enterprises and makes use of a natural resource.

(d) protect rural land from development that may:

(i) jeopardise its long term capability for agricultural use;

(ii) cause unplanned and premature demands on the Council for the provision of infrastructure services, or

(iii) cause adverse impacts on the environment, catchment or productivity of the land and its general ability to sustain agricultural use;

Rural land is not jeopardised by this proposed activity. There is still potential for the subject land and adjoining lands to be further intensified for rural purposes or simply retain the status quo.

The proposal would not cause premature demands on the Council to provide infrastructure services to the land. The operation should be contained and managed on site with existing resources. Furthermore access and sight distance improvements are included as a recommended condition of the Planning Permit. The onus of access and sight distance improvements is on the developer.

The quarry shall be suitably managed in accordance with the provided Development Application, Quarry Code of Practice and any conditions imposed by the Council and Mineral Resources Tasmania (MRT). Council's Environmental Health Officer has also provided assessment of the potential environmental impacts contained within this report.

(e) retain the prevailing rural character of the areas generally characterised by open paddocks and timbered ridges;

The rural character of the area is not impacted by this proposal. The location of the quarry is such that it cannot be seen from public vantage points, road ways or dwellings. Note also the quarry is the development of an existing former quarrying site.

(f) allow for the development of activities that are associated and compatible with long term rural use of the land;

A small quarry would not impact on the long term use of rural land. The large adjoining land parcels can continue to be used for grazing, forestry and other rural activities.

(g) ensure that land is used and developed within its capability as defined by the Land Capability Classification System; and

The land is mapped as “Class 5” land under the ‘Land Capability Classification System’. Much of the surrounding area is also “Class 5” land. Accordingly the land is considered ‘...unsuitable for cropping, although some areas on easier slopes may be cultivated for pasture establishment or renewal and occasional fodder crops may be possible. The land may have slight to moderate limitations for pastoral use. The effects of limitations on the grazing potential may be reduced by applying appropriate soil conservation measures and land management practices.’ (DPIPWE, 1999 ‘Land Capability Handbook - Guidelines for the Classification of Agricultural Land in Tasmania’ 2nd Edition).

Given the dense vegetation and rocky slopes it would be unlikely the land would ever be used for cropping.

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

The adjoining ‘non-agricultural’ use and development are the nine (9) dwellings accessed from Native Corners Road. These nine dwellings share a common boundary with the subject land with the closest dwelling located approximately 700m from the quarry operations area

Of these adjoining dwellings four (4) are within the 750m Standard Recommended Attenuation Distance (SRAD) as detailed in the *Quarry Code of Practice (1999)*. All of these dwellings are separated by gullies and heavy vegetation and located a suitable distance from the quarry and the access road. The dwellings are also located at a much lower elevation of around 200m. The quarry is located at an elevation of around 300m.

Part 8 of the Scheme – Road Activity Zone

Access to the land

The land is accessed from Native Corners Road as depicted in Photograph 1 below.

Sight Distance

Sight Distance to the North West is around 170m (plus) and meets the ‘Safe Intersection Sight Distances’ standard in the Planning Scheme. Sight distance to the south east is currently only 45m in a standard vehicle and possibly greater in a heavy vehicle with a higher cab. Nevertheless the sight distance can be improved to allow for heavy gravel laden vehicles and improve road safety. The sight distance is obstructed by a corner and embankment as depicted in photograph 3 in this report.

Accordingly access works are necessary at the expense of the developer.

Access Improvements – to sight distance

Council’s Manager of Works and Technical Services has inspected the site and recommends the battering of the embankment of the corner to improve the sight lines. This would give the quarry operator better sight lines to see approaching vehicles from the south east and give said vehicles the chance to see a waiting truck at the intersection.

The corner must be battered, with material removed from the site and revegetated (grass only) to minimise erosion and sediment run-off. This should achieve a minimum 70m of sight distance. This is still a short distance. To compensate it is recommended, by the Manager of Works and Technical Services, that the operator installs “Trucks Entering” signs at 100m either side of the property entrance. Council have also given consideration to the fact that heavy vehicles have been currently using this access for the past 7 years without any reported incidents or reported near misses.

The required access improvements and signage is a recommended condition of the Planning Permit. This matter has been discussed with the Applicant.



Photo 1_ Depicts the existing access to the land.



Photo 2_ Sight distance to the North West at over 170m



Photo 3_ sight distance to the south east at only 40m. Sight lines are obstructed by the embankment on the corner of the road.

ENVIRONMENTAL HEALTH OFFICER COMMENTS

The Environmental Health Officer has provided the following assessment regarding environmental impacts:

The Quarry Code of Practice 1999 (the Code) is the main document used for assessing acceptable environmental guidelines for quarries. It details the environmental issues that should be considered as part of any assessment including the need to carefully consider site selection so as to hopefully reduce any future problems “particularly with respect to neighbours”.

In this regard the Code recommends a separation distance of 750m to any sensitive use (where crushing will occur, as is proposed), although “the approval authority may consider variations of this distance where the nature of the operation can justify this”. In this regard the following factors are relevant:

- *The land on which the quarry is proposed is quite heavily wooded in the vicinity of the quarry site and between the few dwellings that are within 750m of the quarry site;*
- *The closest dwelling/s are approximately 700m from the quarry site;*
- *Adjacent lands which do not have dwellings on them and have large areas of land remaining (outside a 750m buffer to allow for the construction of future dwellings);*
- *Since the Code was “published” 16 years ago the use of mobile crushers has become more prevalent such that any crushing will occur on only a few days per year (ie: a permanent crusher is not proposed to be located on the site such that crushing will only occur when a mobile crusher is “hired” and brought on site (the applicant indicates for 3-4 days maximum per year):*
 - *The proposal is for a Level 1 activity meaning that crushing will be limited to 1,000m³ per year;*
 - *The location of the proposed quarry and the topography of the land around the site is such that the quarry will be located at a higher elevation than any dwellings within 750m, such that any winds will likely more effectively disperse any noise emissions;*
 - *The proposed siting of the quarry (as detailed in information provided by the applicant) and based on a site inspection, is such that it will be essentially only partly visible (if at all) from any adjacent dwellings;*
 - *No representations were received, except on behalf of a land-owner (over 4km away) who recently received Council approval to operate a Level 1 quarry (which did not meet the minimum separation distance as specified in the Code).*

Drainage/Water run-off:

Based on information provided by the applicant and a site inspection, storm-water run-off will flow through existing drainage channels to an existing dam where settlement will occur. This is considered satisfactory for dealing with any run-off water. As such it appears that any sedimentation and water run-off issues can be adequately managed at the site.

Air Emissions:

The quarry site is reasonably heavily forested on the two sides in which the dwellings within 750m are located. In the other two directions, there are no dwellings within 750m, no blasting is proposed at the site, and as well the proposal is for a Level 1 quarry only, meaning that the amount of material extracted cannot exceed 5,000m³ per year. There is a large dam on the property which could be used for watering, and in this regard the applicant has indicated that any “truck loads” will be watered (where necessary) to limit any dust emissions. It is considered that any air/dust emissions can be appropriately managed at the site.

Solid Waste and Liquid Effluent:

No buildings are proposed to be erected at the quarry site and as such apart from the quarried material there will be little solid waste generated at the site. Similarly for liquid waste, with the servicing of any machinery or vehicles not proposed to occur at the quarry site, it is considered the limited amounts of solid waste and or liquid waste likely to be generated can be appropriately managed at the site.

Noise Emissions/Truck Operating Hours:

For heavy vehicles, such as trucks, the Environment Management and Pollution Control (Miscellaneous Noise) Regulations 2004 sets out noise limits for such vehicles; no matter what time they are operating. It is incumbent on the operators of all heavy vehicles, no matter where they are operating, to comply with these requirements.

There are restricted hours of operation for heavy vehicles when working on “building sites”, however these restrictions do not apply to public roads and they do not apply where a “permit” is in place allowing the operation outside of these hours. The proposed hours of operation, in any case, fall within the limitations of the “Noise Regulations” excepting for an extra hour (until 7pm) on weekdays; and this is only likely to be feasible during daylight savings. Most dwellings in the area are well set back from the road, and as such truck noise is unlikely to be an issue on Native Corners Road (there are no other roads within 1.7km of the proposed quarry site). In terms of accessing the quarry the closest dwelling (to the east) is essentially shielded from much of the access road by a thick tree belt (approximately 100m wide) which will tend to disperse any noise generated.

Roads are designed to carry vehicles, and vehicles by their nature emit noise, and it is not considered that the noise emissions for trucks operating on the public roads to and from the quarry, or on the access road on the property on which the quarry is proposed to be located, will create an environmental nuisance. Nor is it considered that the proposed operating times should be varied. No planning conditions are considered necessary in relation to noise, dust, vibration in relation to the operation of vehicle movements outside of the property on which the quarry is located (ie: on Council roads).

Based on the information provided by the applicant and following a site visit and an assessment against the Quarry Code of Practice, it is considered that the proposed quarry should be able to operate in an environmentally acceptable manner. If a permit is issued for the proposed quarry then no specific environmental conditions are considered necessary, although a condition should be included that: the quarry is to be operated and managed in accordance with the Quarry Code of Practice 1999.

*Leon McGuinness
(Environmental Health Officer)*

CONCLUSION

This report has assessed a Development Application for a level 1 quarry at 533 Native Corners Road, Campania.

The Application received one (1) representation raising concern for Council's consideration of the Application. The representation was submitted on behalf of another quarry operator over 4km away. The concern raised in the representation has been adequately addressed in the ordinary assessment of the quarry and in the body of this report.

Council Officers are satisfied that a level 1 quarry in this location would not unduly fetter adjoining land use and development in the Rural Activity Zone. Conversely potential land use development, on the adjoining land is unlikely to restrict or hinder the quarrying activity.

The Application was referred to Council's Manager of Works and Technical Services as the Road Authority to assess the safety and impact of additional heavy vehicle movements onto Native Corners road. The Road Authority has recommended conditions for access improvements to be included in any permit issued by the Council.

RECOMMENDATION

THAT, in accordance with the provisions of the *Southern Midlands Planning Scheme 1998* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council approve the application for a Level 1 Gravel Quarry defined as an Industry (Extractive) at 533 Native Corners Road, Campania and that a permit be issued 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 reports and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
2. This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, whichever is later, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

Quarry Use and Development

3. Operation and rehabilitation of the quarry is to comply with the *Quarry Code of Practice 1999*.
4. Cartage of material from the site must be less than 5,000 cubic metres per annum.
5. Crushing of material must be less than 1,000 cubic metres per annum.
6. Crushing of material is restricted to a maximum 4 days per annum, between the conditioned 'hours of operation' in this Permit.

Access Improvements

7. The developer shall modify the corner to the south east of the existing access to Native Corners Road to improve sightlines to the satisfaction of the Manager of Works and Technical Services. The developer shall remove the material and revegetate the site (with grass) to minimise erosion and sediment run-off.
8. It is the responsibility of the developer to contact Council's Manager of Works and Technical Services to arrange a site meeting to ascertain the necessary works to improve the sight distances and arrange a timeframe for the works. Traffic management shall be to the satisfaction of Council's Manager of Works and Technical Services.

9. Cartage of quarried material must not commence until the road works are completed and revegetated to the satisfaction of the Manager of Works and Technical Services. It is the responsibility of the developer to contact Council to arrange a site inspection.
10. Signs warning of heavy vehicle movements to Native Corners Road are to be erected at appropriate locations approximately 100 metres either side of the entrance to the property at the expense of the developer.

Hours of Operation

11. The use or development must only operate between the following hours unless otherwise approved by Council’s Manager of Development and Environmental Services:

| | |
|---------------------------------------|------------------------|
| Monday to Friday | 7:00 a.m. to 7:00 p.m. |
| Saturday | 8:00 a.m. to 4:00 p.m. |
| Sunday and State-wide public holidays | 8:00 a.m. to 4.00 p.m. |

Existing services

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

Advice to Accompany this Permit

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

DECISION

| Vote For | Councillor | Vote Against |
|----------|----------------------|--------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

Application No: 2014 / 131
 File No: 2280392
 Received by: D. Cundall
 Date Received: 19.11.14
 Fees Received \$ _____



Council Offices,
 71 High Street Oatlands Tas 7120
 85 Main Street Kempton Tas 7030
 Email: mail@southernmidlands.tas.gov.au
www.southernmidlands.tas.gov.au
 ABN 68653459589

Use this form to apply for planning approval in accordance with section 57 and 58 of the Land Use Planning and Approvals

Application for Planning Approval - Use and Development for Commercial, Industrial, Agricultural and other Development
 Act 1993 (the Act).

Tick if there has been a pre-application meeting with a Council officer:
 Officer's name: David Cundall Date: 26-9-2014 Yes: No:

Applicant, Owner & Contact Details:
 Provide details of the Applicant and Owner of the land. (Please print)

Applicant:
 Name: Mark Jacobson
 Address: 533 Native Cnrs Rd
Campania 7026
 Email: jacobsonsearthmoving@gmail.com
 Phone No: _____
 Fax No: _____
 Mobile No: 0427150871

Owner:
 Name: Mark & Jacklyn Jacobson
 Address: 533 Native Cnrs Rd
Campania 7026
 Phone No: _____
 Fax No: _____

Present use of land/buildings:
 Provide details of the land, including street address, title details and the existing use.

Address: 533 Native Corners Rd
Campania 7026
 Volume: PID 2280392
 Folio: TITLE ref: 47387/1

Existing Use: Farm land

Description of Proposed Development:
 For commercial and industrial proposals please include details of the activities proposed to be carried out on the site.

Use: Level 1 Quarry
 Development: Develop a small quarry to support earth moving business
 Please use definitions in planning scheme Schedule 3

Tick if proposed developed is to be staged: Yes No

Provide an estimate of the completed value of the proposed development works, including the value of all site works and any labour contributions by the Applicant or the Owner.
 Est. value: \$ _____ Write 'Nil' if no works are proposed, e.g. change of use

Southern Midlands Council
 Kempton
 19 NOV 2014
 Received:
 File No. _____

| | |
|--|--|
| Business Details: (if applicable) | |
| Existing hours: Weekdays 7 am to 7 pm Saturday 8 am to 4 pm Sunday - am to - pm | New Proposed Hours Weekdays 7 am to 7 pm Saturday 8 am to 4 pm Sunday am to pm |
| Employees: How many people are at present employed at the site? 2 How many people will be employed implementation of development? 2 Does the proposal provide for access for disable people? yes <input type="checkbox"/> no <input type="checkbox"/> ✓ tick If so, identify on plans | |
| Commercial Traffic: Approximate number of commercial vehicles servicing the site at present: 1 Approximate number of commercial vehicles servicing the site in the future: | |
| Detail proposed machinery and or waste products applicable including any emissions to air and water: (if applicable): | |
| Type: | Quantity: |
| Please attach further details separately. | |
| Description of Existing Municipal Services and / or Proposed New Municipal Services required: (if applicable) | |
| Please tick ✓ or answer other | |
| Is the access already constructed <input checked="" type="checkbox"/> yes or <input type="checkbox"/> no | |
| How many existing car spaces currently provide | How many new car spaces are proposed |
| Is this site or building listed on the Tasmanian Heritage Register? If so, please attach a Works Application or provide a copy of the Works Exemption, which ever is applicable. | |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If you have answered yes please provide a Works Application or Works Exemption | |
| Describe all new structures external building MATERIAL TYPES and colours: | |
| i) Walls Colour ii) Roof Colour iii) Boundary fences, walls etc Colour iv) Surfacing of a) access road b) parking area (s) | |

Southern Midlands Council
 Koornton

Personal Information Protection Statement

The personal information that Council is collecting from you is deemed personal information for the purposes of the Personal Information Protection Act 2004.

The intended recipients of personal information collected by Glenorchy City Council may be:

- Officers within Southern Midlands Council;
- Data service providers engaged by Council from time to time;
- Any other agent/contractor of Southern Midlands Council;

The supply of the information by you is voluntary. If you cannot provide or do not wish to provide the information sought, Southern Midlands Council may be unable to process your application or request.

Council is collecting this personal information from you for the purposes of managing, assessing, advising upon and determining the relevant application, or other Council related matters.

You may make application for access or amendment to your personal information held by Council.

Enquiries concerning this matter can be addressed to the Freedom of Information Officer, Southern Midlands Council, PO Box 21 Otlands 7120 or Phone 6254 5000.

| | |
|--|------------------|
| Applicant's Declaration | APPLICANT |
| <p>I/we hereby apply for a planning permit to carry out the use and/or development described in this application and the accompanying plans. I/we declare that the information contained in the form is correct. By providing Council with the plans and documents attached to this application ("Documents"), I:</p> <ol style="list-style-type: none"> 1. warrant to Council I own all copyright in the Documents or am a licensee of the copyright owner with the right to grant the following authority; 2. authorise Council to copy the Documents, attach copies to Agendas for any relevant Council meetings and release copies to the public upon request; and 3. acknowledge Council is relying on my warranty and authorisation and may seek recovery of any damages suffered by it if my warranty and/or authority is incorrect. | |
| <p>Signed (Applicant / Agent) <u><i>M. Fowler</i></u> Date <u>24-10-14</u></p> | |

| | |
|---|--------------|
| Owner's Declaration | OWNER |
| <p>I/we hereby give my/our permission for the lodgement of this application.</p> | |
| <p>Signed (Owner/s) <u><i>M. Fowler</i></u> Date <u>24-10-14</u></p> | |
| <p>.....</p> <p>Signed (Owner/s) <u><i>J. Jacobson</i></u> Date <u>24-10-14</u></p> | |
| <p>Name/s (Please Print) <u>Mark Jacobson / Jacklyn Jacobson</u></p> | |
| <p>Titles/s (if the owner is a company)</p> | |

Check List

Before you lodge your application please check that you have provided the following:

- Fully completed Planning Application Form
- Full copy of current Title including Certificate of Title, Title Plan and Schedule of Easements (if any)
- Three copies of
- The plans
- Application Fees
- Covering letter providing additional information if you feel that this will help Council assess your application
- Written permission of the owner to making of the application.
- Statutory Declaration that you have notified the owner of the making of this application. (Applies to land other than Council and Crown land where the applicant is not the owner.)

Please note that the Council has the right to request additional information.

Southern Midlands Council
 Kempton
 19 NOV 2014
 Received:

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980**SEARCH OF TORRENS TITLE**

| | |
|-----------------|------------------------------|
| VOLUME 47387 | FOLIO 1 |
| EDITION 4 | DATE OF ISSUE 19-Feb-2009 |

SEARCH DATE : 19-Nov-2014

SEARCH TIME : 12.01 PM

DESCRIPTION OF LAND

Parish of YARLINGTON, Land District of MONMOUTH
 Lot 1 on Diagram 47387
 Derivation : Part of 680 Acres Gtd. to Richard Morgan
 Prior CT 4553/26

SCHEDULE 1

C691676 & M214157 MARK LESLIE JACOBSON and JACKLYN SUSAN
 JACOBSON Registered 19-Feb-2009 at 12.01 PM

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
 SP 46046 BURDENING EASEMENT: Wayleave Easement (appurtenant to
 Lot 25 on Sealed Plan No. 46046) over Wayleave
 Easement 3.00 wide on Diagram No. 47387
 C894909 MORTGAGE to National Australia Bank Limited
 Registered 19-Feb-2009 at 12.02 PM

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations



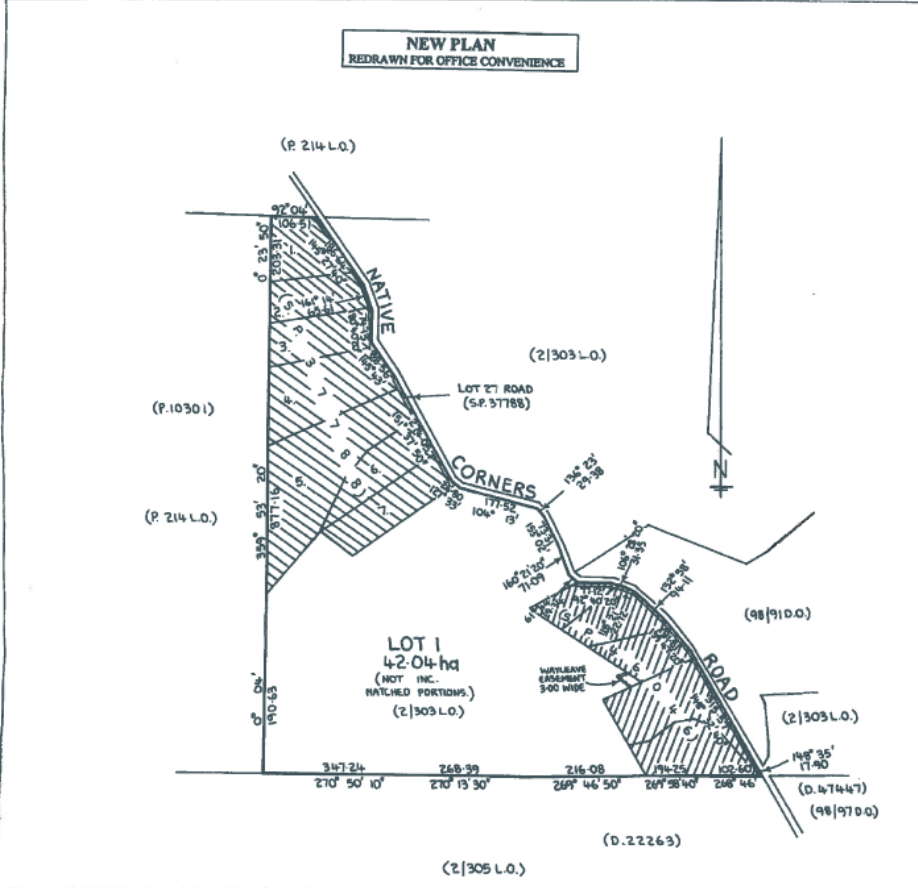


FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



| | | |
|---|--|--|
| OWNER | PLAN OF TITLE LOCATION MONMOUTH - YARLINGTON | Registered Number D.47387 |
| FOLIO REFERENCE C.T. 4953/26 | | APPROVED 14 JUL 1999 <i>Michael Dineen</i> Recorder of Titles |
| GRANTEE | FIRST SURVEY PLAN No. COMPILED BY LTO SCALE 1:7500 LENGTHS IN METRES | |
| MAPSHEET MUNICIPAL (5227) (5228) CODE No. 125 | LAST UPI No. FXY83 | LAST PLAN No. (D.39160) |
| ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN | | |



Southern Midlands Council
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Doc Id: _____

A-10
DAB

ENVIRONMENTAL EFFECTS REPORT

This form is designed to provide the Planning Authority with information about the potential environmental effects of the proposed development/use/activity, so that an environmental assessment and subsequent decision about the permit application can be made. This form should be completed where an activity may cause environmental harm (including environmental nuisance).

Environmental harm (including environmental nuisance) includes adverse effects upon people, property and ecological systems.

If you have any queries about the level or type of information required to complete this form, please contact the Planning Officer and/or Environmental Health Officer for assistance.

PLEASE NOTE THAT FAILURE TO PROVIDE ALL THE DETAILS REQUESTED ON THIS FORM MAY RESULT IN DELAYS IN THE PROCESSING OF YOUR APPLICATION.

If there is insufficient space on the form to provide the information requested, please attach an additional sheet of paper with the information required.

In many cases, completion of this form is likely to supply most of the information that will be required by a Planning Authority to make a decision regarding a permit application. However, in some cases (for example for an activity which has the potential to cause significant environmental harm), the Planning Authority may require information additional to this completed form if necessary (S54 of the Land Use Planning and Approvals Act 1993). You will be advised if more information is required once this completed form has been reviewed.

Details of proposed mine and quarry developments should be provided on the Environmental Impact Information - Mining form which is available from Division of Mines, Tasmania Development and Resources (Hobart, Launceston and Burnie). There is no need to complete both an Environmental Impact Mining Form, and this Environmental Effects Report Form.

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Southern Midlands Council
Kempton

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1 APPLICANT DETAILS

| | |
|-------------------|--|
| NAME: | Mark Jacobson |
| ADDRESS: | 533 Native Corners Rd Campania 7026 |
| TELEPHONE NUMBER: | 0427 150 871 |

2 PERSON TO WHOM ENQUIRIES ABOUT THE INFORMATION ON THIS FORM SHOULD BE DIRECTED

| | |
|-------------------|--|
| NAME: | Mark Jacobson |
| ADDRESS: | 533 Native Corners Rd Campania 7026 |
| TELEPHONE NUMBER: | 0427 150 871 |

3 OWNER(S) OF LAND ON WHICH THE ACTIVITY WILL BE CARRIED OUT

| | |
|-------------------|--|
| NAME: | Mark & Jacklyn |
| ADDRESS: | 533 Native Corners Rd Campania 7026 |
| TELEPHONE NUMBER: | 0427 150 871 |

4 LANDOWNER AGREEMENT (COMPLETE A, OR B AND C)

| | |
|---|--|
| A | I/We the applicant(s), own the land on which the activity will be carried out. |
| | Signature of applicant(s) <i>M. Jacobson</i> <i>J. Jacobson</i> |
| | Date: 24-10-14 |
| B | I/We the applicant(s), declare that I/we have notified the owner of the land regarding the details of this application |
| | Signature of applicant(s) |
| | Date |

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Kempton
19 NOV 2014
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Doc Id: _____

| | |
|---|---|
| C | I/We the owner(s) of this land have seen this application and agree/ disagree (*) with the proposal. |
| | Signature of landowner(s) <i>M. L. Gibson</i> <i>J. J. Jacobson</i> |
| | Date: <i>24-10-14</i> |
| | (*) delete as appropriate |

5 LIST OF OTHER COMMONWEALTH, STATE OR LOCAL GOVERNMENT APPROVALS REQUIRED BEFORE THE ACTIVITY CAN COMMENCE.

For each indicate if the approval has been obtained or applied for - if it has been obtained a photocopy of the approval should be attached. Advice can be obtained from the Planning Authority and the Business Licensing Information Centre at Tasmania Development and Resources.

| |
|---|
| X |
| |
| |
| |
| |
| |
| |

6 LOCALITY MAP

A locality map MUST be attached. The map should be at a scale of 1:25000; use the Tasmapi series where available. Alternatively, if available, orthophoto maps at a scale of 1:5000 may be used. If neither of the above are available, then the Tasmapi 1:100 000 series may be used.

The following details MUST be shown on the locality map:

- The site of the proposed development;
- The boundaries of the property over which the applicant has legal right of use ie by ownership, leasing etc.;
- Access/cartage routes to be used by the operator or transport contractors;
- Planning zones within 1 km of the site (see your Planning Authority for this information);
- The location of any existing or planned residences, schools, hospitals, caravan parks or similar sensitive uses (see the Planning Authority for this information) within 0.5km of the site;
- Water courses within the property, or within 500m of the boundary should be highlighted.

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19 NOV 2014
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Tel:

7 SITE PLAN

A large scale site plan at a scale of about 1:1000 MUST be attached. This may be of good quality sketch map provided that a scale is indicated and the locations of the following features as shown:

- Existing and proposed structures/buildings;
- Proposed modifications to topography (cuts/fills, construction of banks etc.);
- Internal roading, hard standing and loading/unloading areas;
- Storage of topsoil, overburden, products, materials, liquid or solid wastes etc.;
- Equipment which may give rise to smoke, odour or other air pollution or noise;
- Any system external to building(s) for containing, treating and disposing of liquid wastes, stormwater, contaminated fire-water (ie water contaminated during fire fighting) etc.;
- Existing vegetation which will be cleared for the development;
- Points of liquid emissions external to the site (for example to stormwater drains/water courses).

8 DESCRIPTION OF PROPOSED DEVELOPMENT

| | |
|-----|--|
| (a) | Clearly describe the nature of, and expected daily and annual quantities of raw materials to be used, how and from where these will be sourced, and the nature of and expected daily and annual quantities of finished produce. |
| | gravel for roads less than 5,000m ³ per Production of Gravel - ripping, stockpiling & screening. Crushing less than 1,000cub. |
| | |
| | |
| | |
| (b) | State when it is intended that the development will begin and when it is expected that it will be completed. If the development is to be conducted in stages please describe the stages and the timing of each. The boundaries of each stage and the maximum extent of operations should be included on the site plan. |
| | Existing Quarry to be recommissioned To start operation early 2015 |
| | |
| | |
| | |
| | |

Western Downs Regional Council
Kempston

19 NOV 2014

(c) Briefly describe any site preparation that will be necessary. If clearing of existing vegetation is required, describe the vegetation to be cleared. State whether there are any known ecological, historical or archaeological features which will be affected.

Refer plans of work existing quarry
Removal of a small number of trees

(d) Briefly describe the nature of the activity to be carried out, (major processes etc.) and the main items of equipment to be used, referring to their location on the site plan.

Truck & Excavator, Ripping screening, crushing & stockpiling of material.

(e) State the days of the week on which the activity will be carried out, and the hours of activity on each day. If the activity will only take place at certain times of the year, please indicate when these will be.

Only when required 6 days a week
7 to 7 weeks days
8 to 4 Saturday

(f) Estimate the peak and average number of truck and other heavy machinery movements to and from the site each day (if applicable). Identify the routes to be taken from the nearest arterial road.

Average 2 Truck movements per day up to 10 as needed.

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19 NOV 2014
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File No: _____

| | |
|-----|---|
| (g) | List the types and quantities of any and all hazardous (flammable, explosive, toxic, radioactive, carcinogenic or mutagenic) materials to be held on site and transported to and from the site. This should include materials to be used as part of the operation or wastes or products produced. |
| | Oil & fuel stored separately on property, Existing shed. |
| (h) | Identify any process likely to be carried out which may give rise to an explosion or the release of hazardous materials. |
| | No process proposed that will give rise to the release of hazardous materials |
| (i) | Describe the nature and quantity of any solid wastes to be produced and indicate how and where these will be disposed of. Indicate the method of the wastes (ie in sealed containers, open trucks etc.) and if they will be transported by the applicant or a contractor. |
| | All rubbish removed from site, single person operation only |
| (j) | Identify any liquid wastes that will be produced, the approximate daily volume and the pollutants that it may contain. Describe how the liquid wastes will be disposed of (to sewer, a watercourse, land irrigation etc.) and if and how it will be treated before disposal. |
| | No liquid waste, No Toilet facilities. |

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File No:

(k) Identify any sources of air pollution - including dust, odours, gases from the combustion of fuels and describe any measures proposed to reduce or control these emissions.

Some possible dust generation but site is well shielded (substantial) distance from any dwellings, loads to be watered if applicable

(l) Identify any noisy (or vibration producing) equipment or processes and describe any measures that are proposed to reduce the level of noise (or vibration).

Excavator & Trucks, good setbacks to dwellings & site forested such that any noise emissions will be "Muted" crushing to only occur as needed & then over a 3/17 day period, tree coverage will help mitigate any noise emissions

(m) Indicate whether the development will be visible from any important vantage points (main roads, scenic viewpoints, houses, walking tracks etc.) and describe any measures that will be taken to reduce its visual impact.

Not visible due to location & existing tree screening

(n) Describe the intended course of action upon completion of the activity (if applicable) and any plans for rehabilitation of the site.

Rehabilitate in accordance with Quarry code of practice & then dam constructed on the quarry site.

Southern Midlands Council
 Kempton
 19 NOV 2014
 Received:
 File No: _____

| |
|--|
| (o) List any materials stored or used on site which may contaminate the soil or groundwater and describe what measures would be undertaken to prevent contamination of the site. |
| No such materials will be stored on site |
| (p) Outline a brief history of the site, describing previous uses. |
| Existing quarry site farm burrow pit on rural property |
| (q) Describe any routine or potential accidental emissions which may cause injury or affect the health of people, and outline any measures that will be taken to reduce this risk. |
| Site is well setback from neighbouring dwellings, such that in the unlikely event of any emissions there should not be any off site effects |
| (r) Describe any areas and uses in the vicinity of the site which may be vulnerable to routine or accidental emissions and their foreseeable consequences. |
| Property is rural land surrounded by other rural land. |

Southern Midlands Council
Merrimoon
19 NOV 2014
Received:
File No: _____

| |
|--|
| (s) Describe any contingency plans you have prepared for accidental emissions, breakdowns and malfunctions. |
| Single person operation, so will be managed as necessary |
| |
| |
| |
| |
| (t) Describe any methods used on the site for minimising waste production (reduce, re-use, recycle). |
| No waste generated on site |
| |
| |
| |
| |
| (u) Describe any measures to trap and treat contaminated stormwater and fire water prior to emission to external storm drains and water courses. |
| Stormwater as per plans, all stormwater surface water will ultimately flow into an existing farm dam & not onto any adjoining properties. |
| |
| |
| |
| (v) Describe any external natural or human made hazards existing in the vicinity for example high bushfire risk, flood plain. |
| Well maintained access road, single person operation, Alternate access available in the event of an Emergency |
| |
| |
| |

Item Midlands Council
Kensington
19 NOV 2014

| |
|---|
| (w) Describe any programs you propose for monitoring the effects of your proposal, or to check that your activity complies with regulations/performance objectives. |
| Operated in accordance with the quarry code of practice. Any complaints will be followed up promptly. |
| (y) Include any other information which you consider should be taken into account when assessing your application. |
| due to the fact we lost all of our Forestry's income, the Quarry would complement our Earthmoving Business. |

9 ASSOCIATED DEVELOPMENTS

Will there be any new development (quarry, warehouse etc.) or increase in activity at another site (for example truck depot) which will occur as a direct result of the development described in this document? If so, give a brief description

| |
|---|
| No new development or activity on the property at this stage. |
|---|

I/WE DECLARE THAT, TO THE BEST OF MY/OUR KNOWLEDGE, THE INFORMATION PROVIDED IN THIS DOCUMENT IS TRUE AND ACCURATE.

| | |
|--------------------------|---|
| Signature of applicant/s | <i>M. J. Gault</i> <i>J. J. Carlson</i> |
| Date | 24-10-14 |

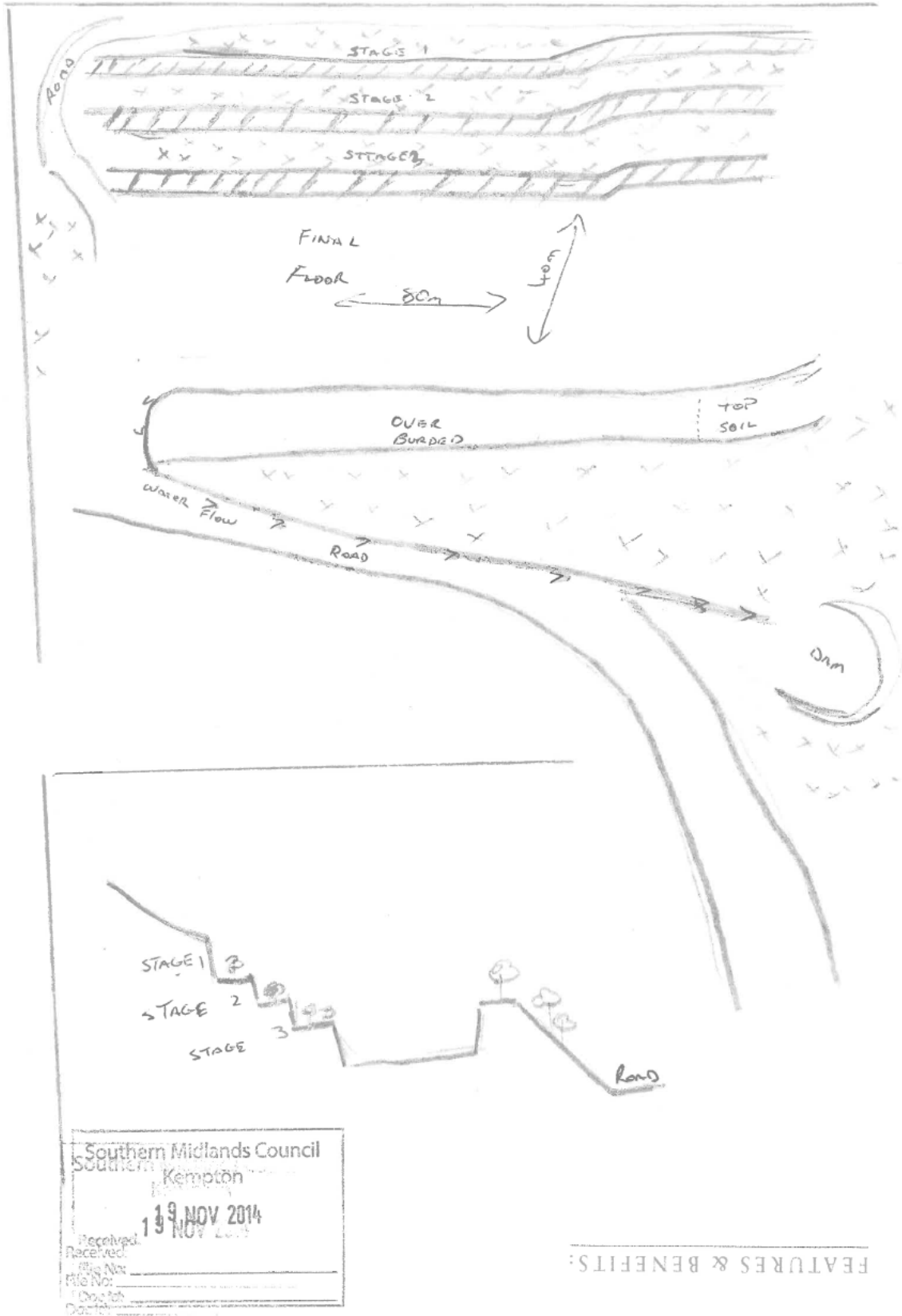
Southern Midlands Council

Key Clerk

19 NOV 2014

received

at No:



Southern Midlands Council
Southern
Kempston
13 NOV 2014
Received
File No:
Date:

FEATURES & BENEFITS:





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 Campania Structure Plan Project - Update****AUTHOR** MANAGER STRATEGIC PROJECTS (D MACKEY)**DATE** 7TH JANUARY 2015**ATTACHMENT** Project Brief**ISSUE**

Development of a structure plan for the township of Campania.

UPDATE

Councillors will be aware of a previous decision to formulate a structure plan for the township of Campania. Informal discussions with private sector planners revealed that a structure planning exercise for a town the size of Campania could be undertaken for around \$15,000 (plus in-kind support).

Council has agreed to provide a budget allocation of \$5,000 and through the course of 2014 the Department of State Growth (formally Economic Development Tourism and the Arts) and the Education Department also agreed to provide \$5,000 each.

In late 2014 the project steering committee finalised the project brief, (refer attached). The Flour Mill Park Reference Group had input into the project plan during the first half of 2014. The delay in finalising the plan and corresponding brief was due to a delay in securing the external funding mentioned above.

The project brief has now been provided to a number of identified consultants, seeking tenders. Submissions have been requested by the first week in February.

It is intended that the project steering committee will appoint a consultant in February and the project will get under way shortly after and be completed in the middle of the year.

RECOMMENDATION

THAT the information be received.

DECISION

| Vote For | Councillor | Vote Against |
|----------|----------------------|--------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

**SOUTHERN
MIDLANDS
COUNCIL**



CAMPANIA STRUCTURE PLAN

PROJECT BRIEF

18 December 2014

1 INTRODUCTION

The Southern Midlands Council (SMC) proposes to develop a structure plan for the township of Campania.

The plan is needed to address a number of development issues including town expansion and population growth, future infrastructure needs, growth of the Campania District School, the future of the historic Flour Mill building and planning for the redevelopment of the school farm land following its pending sale. . A list of currently identified issues is included in Section 2.

The plan's recommendations are to constitute a coherent set of coordinated actions and strategies for SMC and other stakeholders to pursue. All recommendations are to be realistic, implementable, and achievable and meet the needs of key stakeholders and the community.

Project outputs are to include a spatial structure plan for the town, which might include one or more recommended long terms town expansion areas. Attachment 2 defines the approximate spatial boundaries of the structure plan study area for this purpose.

The project will be managed by SMC under the general guidance of a Steering Committee constituted by representatives of SMC, the Campania District School, the Department of State Growth and the Department of Education. More detailed input will be provided from a Working Group which will include representatives from the organisations on the Steering Committee plus representatives from the School Association, Imagine Campania, the Campania Hall Committee and other key community representatives.

Council wishes to appoint a suitable consultant to undertake the study.

2. ISSUES TO BE ADDRESSED

The first phase of the project will seek to identify and confirm all issues that ought to be addressed through the project.

To enable prospective consultants to understand the potential scope of issues to be addressed, the following preliminary list is provided.

(Also refer to the second map in Attachment 2)

2.1 Long term expansion of the town:

- The population size and demographic composition of Campania into the future.
- Aside from the school farm, most other vacant land zoned for village purposes has either been subdivided or has been approved for subdivision. There are no large areas of land in reserve for the medium-to-long term. The amount and location of new village land for town expansion into the medium and long term needs to be determined.

- A number of growth drivers exist. Anecdotal evidence suggests Campania is attractive to new residents as a commuter village for greater Hobart. The current expansion of the South East Irrigation Scheme and subsequent intensive agriculture in the region is likely to further increase demand for residential land in the town. Colebrook Main Road/Reeve Street/Mudwalls Road runs through Campania, a road that provides a link from the Midland Highway at Jericho to the Clarence / Sorell area, including the Hobart International Airport. The main line railway also runs through the town, although no station has existed in the town for many years.
- Campania faces some challenges and constraints to expansion that need to be considered:
 - To the East: The town runs into some of the best quality agricultural land in Southern Tasmania, which is generally protected from development by the Protection of Agricultural Land State Policy and the Southern Tasmania Regional Land Use Strategy.
 - To the West: Is the hill that is largely the Campania Bush Reserve. The structure plan process should determine if it is appropriate for more of the non-reserve part of the hill to be released for residential blocks. If it is appropriate, then the broad parameters of subdivision need to be determined.
 - To the North: Vacant land near the creek is flood prone. Expansion beyond the creek would likely constitute undesirable ribbon development.
 - To the South: Expanding southwards over lower quality agricultural land may be appropriate, but could also constitute ribbon development - if not well planned.

2.2 The long term growth of the School.

- This issue is interdependent with the long-term residential expansion of the town and the broader school catchment area. Other factors are the potential new or expanded land uses in the town and the surrounding region (e.g. commercial, industrial and agricultural) that might be identified and facilitated by the structure planning process.
- Strategies to facilitate increased enrolment are to be developed, keyed in with growth strategies for the town.
- The demographics of the town and the broader school catchment into the future will need to be forecast with a greater degree of precision than the raw ABS data, particularly the number of school-aged children in the town and surrounding region.
- Along with the potential student population of the school, the educational facilities necessary to support them will also need to be determined. In addition to the existing school structure, a current question is whether to expand to include years 11 and 12.

2.3 The pending sale and future development of the school farm:

- This is a substantial area of land within the town.
- It is very likely that the best use of this land in the future is for residential subdivision. However, this ought to be confirmed.
- The highest and best use of the entire property may not be residential. For example; the land that fronts the main road might best be zoned for commercial use. Some other parts of the land might be suitable for other uses, such as light industrial.
- The broad brush future layout of the land is to be examined, such as the location of new roads, public open space and pedestrian pathways and their linkages to the existing roads and public open space.
- The current eastern boundary of the school farm will potentially be the long-term town boundary. If so, consideration needs to be given to long term buffering between intensive farming activities and residential use on either side of the boundary.
- Potentially, the sale of the school farm might occur prior to the end of the project. In this circumstance it is envisaged that the project will proactively engage with the new owner.

2.4 The long term future of the Campania Flour Mill and surrounding land:

- This is an iconic heritage building located in the heart of the town and owned by the Education Department.
- For many years the building has accommodated the school's MTD classrooms and workshops. It is currently not used by the school and is leased on a short term basis to a third party. Most of the surrounding land is leased to SMC as part of a public park.
- Further to the long term infrastructure needs of the school considered under section 2.2, the likely medium-to-long term opportunities for the Flour Mill building for school purposes needs to be considered.
- The most appropriate long-term ownership of the land around the mill building that forms part of the public park area is also a matter for consideration. Again, the outcome of the considerations under section 2.2 will be a key factor for consideration in regard to this point.

2.5 More definitive zoning for the town:

- In the planning scheme, the entire town is zoned 'Village'. An alternative is to define discrete areas for business, residential, light industry, community use, etc.
- Such a change could encourage a stronger, more focussed village commercial

centre to develop whilst ensuring the growing residential areas remain firmly 'residential' in use thereby providing for better residential amenity into the long term.

- The planning scheme would also then be more definitive in terms of what is appropriate where - and this would facilitate the establishment of new businesses, services and industries in appropriate locations.
- The project is to determine if and where a stronger, more focussed village centre ought to be located.

2.6 Accommodation / camping area for season fruit pickers.

- During the annual fruit picking season a large proportion of Flour Mill Park becomes the temporary home of numerous fruit pickers who service the many large orchards of the Coal River Valley. The current expansion of the South East Irrigation Scheme is likely to lead to increasing numbers of fruit pickers seeking temporary accommodation in the area.
- Although the use of Flour Mill Park for this purpose is a long-term existing seasonal use, the area is an informal camping area only and, aside from the toilet block and picnic huts, there are no proper camping amenities. In addition, there are occasional use conflicts with local users of the park.
- A key question is: is this the best location for the seasonal workers' accommodation?
 - If so, should Council aim to make it a fully compliant camping ground?
 - Such a goal would need a great deal of capital funding – where could this be found and who would operate the facility and cover associated on-going expenses?
 - This would also reduce the size of Flour Mill Park available for day to day use by the local community.
 - If Flour Mill Park is not the best location for seasonal workers, are there alternative locations within or around the town and how could they be developed to accommodate the fruit pickers?
 - Are there other locations in the area or other solutions to accommodating seasonal worker that do not involve camping within the town? Could the existing caravan park at Richmond adequately cater for the need to provide seasonal accommodation for fruit pickers?
 - Engagement with orchardists and relevant labour hire firms may be necessary to determine the answers to these questions.

2.7 The Campania Hall and Farmer's Market:

- The Campania Hall is a key community facility and its associated monthly Farmer's Market an important regular event. There is a need to ensure existing facilities and events are strengthened by any changes.

2.8 The Campania Recreation Ground and its sporting clubs:

- As with the Hall, existing facilities and groups need to be integrated with the broader town plan and strengthened by any change.

2.9 Infrastructure Providers:

- The main road through Campania is a State Government road. The Department of State Growth will need to be involved in the structure planning process.
- Expansion of the town will have implications for the potable water supply and sewerage treatment infrastructure of the town and associated mains networks. TasWater will need to be involved in the structure planning process.

2.10 Other issues:

Other issues might be raised by key stakeholders or members of the general public during the first phase of the process and may be subsequently agreed as appropriate to be addressed through the structure plan process.

In dealing with all the above issues within one integrated process the plan will constitute an integrated strategic approach for the future development of Campania.

3. CONSULTANCY TASKS

Council desires the project to follow the 'planning charrette' methodology (or an innovative adaption thereof). This is a short, sharp, intense method of undertaking local strategic land use planning that produces results in a timely fashion.

Attachment 1 provides a general description of the Planning Charrette process (derived from a NSW state government planning department document). As indicated, the core of the charrette process is a series of consecutive workshops involving key stakeholders and community members, which may be over several days, with the aim being to resolve all the key issues and set the plan down on paper by the end.

It is considered that the Campania situation lends itself to such a process because it is a discrete contained area, most of the issues are fairly well known and there are organised and active local community groups to engage with (including the School community, Imagine Campania, the Hall Committee, the Cricket/Football Clubs).

The methodology described in Attachment 1 will need to be modified to suit the Campania situation. For example, given the size of the town, (and the available budget) the number of charrette workshop days may be fewer than indicated. In addition, it will be necessary to spread the workshop days over a longer period to maximise the ability of interested members of the community to attend. For example, a schedule of one

workshop day per week over a three of four week period will likely be more appropriate.

It is envisaged that the process will involve one or more workshops the Working Group and other workshops open to all community members, culminating in an outcomes presentation towards the end of the process in which affirmation is sought from all participants.

Planning consultants lodging tenders for the work will be requested to include a proposed project plan. The project plan will need to include a specific process to engage with and seek the input of the school's students.

Council, along with the Campania District School, will provide in-kind support in providing meeting venues, publicising workshops and distributing information into the community.

The consultant will also be required to review and have regard to the objectives and outcomes relevant to the future of Campania detailed in strategic planning documents. These will be provided to the successful consultant and will include:

- The Southern Tasmania Regional Land Use Strategy.
- The Southern Tasmania Industrial land Strategy.
- Land Use Strategy – Brighton, Central Highlands, Derwent Valley and Southern Midlands Land Use Strategy (A Joint Land Use Planning Initiative Output).
- The Joint Land Use Planning Initiative – Settlement and Open Space Strategy.
- The Midlands Economic Development & Landuse Strategy.
- Southern Midlands Planning Scheme 1998.
- Draft Southern Midlands Interim planning Scheme 2014.

4. STAKEHOLDERS

4.1 Key Stakeholders:

- Southern Midlands Council.
- The Campania District School.
- Imagine Campania.
- The Campania Hall Committee
- The Department of State Growth.
- The Department of Education.

4.2 Other Stakeholders:

- The general Campania community.
- The Campania Cricket Club.
- Campania Football Club.
- Farmers / The Coal River Producers Association.
- TasWater.
- The Department of State Growth, (Transport Infrastructure Services)
- Hazell Bros.
- Others, as identified at the Inception Meeting.

5. PROJECT STEERING AND MANAGEMENT

A high-level Project Steering Committee will be formed involving representatives of the organisations providing funding towards the project and/or owning major assets within the town potentially impacted by the project outcomes:

- Southern Midlands Council
- The Campania District School
- The Education Department
- The Department of State Growth.

It is envisaged the steering committee will likely meet only a few times during the project – principally to initiate the project, including selecting the project consultant, the project inception meeting) and at the project's conclusion to endorse the outcomes..

The steering committee will be joined by representatives of the key stakeholders to form a Working Group. It is envisaged that this group will have a significant degree of contact with the project consultants. The Working Group will also be available at other key points within the project work plan to engage with the project consultant.

Southern Midlands Council will provide an officer to undertake day-to-day project management.

6. ENDORSEMENT AND IMPLEMENTATION OF OUTCOMES

The final report, *The Campania Structure Plan 2015*, will not constitute a statutory document. The implementation of its recommendations will be reliant on their acceptance by the key stakeholders.

Southern Midlands Council will need to consider and resolve to accept the recommendations at a formal Council meeting. This will be a separate decision of Council. Other key land-owning organisation, such as the Campania District School, will similarly need to endorse the recommendations 'in-house'.

Pursuing various recommendations will then take multiple pathways. For example, some may require statutory processes such as amending the planning scheme, others may require budget allocation and yet others may require management actions of the various key stakeholders

Similarly, other stakeholders that might be subject to recommendations in the final report will need to make their own separate determination whether to endorse and pursue them.

It is vitally important, therefore, that all stakeholders fully engage with the project so that the overarching vision for Campania is genuinely shared by all.

7. INDICATIVE PROJECT TIMELINE

A detailed project timeline is to be developed by the consultant in consultation with the Working Group. An indicative timeline is as follows:

| | |
|-------------------|--|
| November 2014 | Funding from DoE confirmed (SMC and Department of State Growth funding was confirmed in May & June). |
| December 2014 | Project Steering Committee forms. |
| December 2014 | Project Plan finalised by the Project Steering Committee. |
| December 2014 | Council advertises for submissions from planning consultants. |
| 6 February 2015 | Close of submissions. |
| Mid February 2015 | Appointment of the consultant. |
| March 2015 | Planning charrette workshops. (Includes initial community consultation). |
| April 2015 | Consultant completes draft document. |
| May 2015 | Final community consultation. |
| June 2015 | Final document endorsed by Steering Committee. |
| July 2015 | Final document endorsed by the project funding organisations. |

Note: The charrette workshops are to avoid the school holiday periods.

8. ANTICIPATED BUDGET

It is anticipated the project budget will be in the order of \$15,000.

Additional in-kind support will be provided by Southern Midlands Council and the Campania District School (provision of meeting venues, distribution of information to the community, etc).

9. TENDERS EVALUATION CRITERIA

The successful consultant will be selected on the basis of the following criteria:

- Ability to meet desired consultancy tasks and deliver desired outputs,
- Project methodology, including project plan showing various stages and approach to undertaking the works.
- Skills, qualifications & experience,
- Understanding and experience in strategic land use planning,
- Understanding and experience in economic development research and planning,
- Ability to deliver on time,
- Value for money.

10. SUBMISSION OF TENDERS AND CLOSING DATE

All Tenders must be forwarded by close of business Friday 6 February 2015.

Tenders may either be posted to:

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

Or emailed to

Email: mail@southernmidlands.tas.gov.au

11. CONTACT DETAILS

Further information regarding the consultancy can be obtained from:

Damian Mackey
Manager Strategic Projects
Southern Midlands Council
Phone: 6259 3011
Email: dmackey@southernmidlands.tas.gov.au

ATTACHMENT 1

The ‘Planning Charrette’ Concept.

EXCERPT FROM:

Ideas for Community Consultation.

A discussion on principles and procedures for making consultation work.

A report prepared for the NSW Department of Urban Affairs and Planning

February 2001

Dr Lyn Carson and Dr Katharine Gelber

Method 6: Charrette

A charrette is an intensive, consultative planning process. The term ‘charrette’ is derived from the French word for ‘little cart’. Students at the École de Beaux-arts in Paris from the mid 1800s to the 1930s were asked to produce work weekly. The work was handed in by being placed in the ‘charrette’ as it trundled across the studio. It was adapted by a US architectural and planning firm, Duany and Plater-Zyberg, for producing high quality urban design solutions within a short period of time (Forseyth 1997: 83).

A charrette involves a rapid and dynamic interchange of ideas between planning practitioners, stakeholders and the general community. To prepare for a charrette, a convening team of planning practitioners publicises the issue under discussion widely, and books venues for large public meetings.

On day one, the convenors draw up some preliminary issues for discussion. On the evening of day one, a public meeting is held to allow the general community to identify options and desired outcomes from the planning process, via discussion both collectively and in smaller, facilitated groups.

On day two, the convenors meet with stakeholder groups, such as landowners, developers and those with an interest in the region at issue such as environmentalists. This allows for ‘expert’ input into devising planning options. On day three the convenors draw together a list of options by combining their understanding of community concerns with the preferred outcomes of the interest groups. These options are produced in a format which is open to public inspection by the community and the stakeholders concerns. If the convenors feel some of the options suggested are unviable or conflict with community values, they can incorporate this into the planning options they put forward. Focus meetings are held with stakeholders and interested community members.

On day four the convenors hold a detailed and intensive workshop to formulate the preferred outcomes from the previous day into concrete planning proposals.

On day five this process is completed, including (if applicable) the production of sketches

and materials for presentation. On the evening of day five, another public meeting is held to present the planning proposals to the general community. If this brings up strong public opposition to the proposals made, an extra day may be necessary to respond to this criticism.

Charrettes may be split over two weekends, or held on consecutive days.

The actual number of days may vary.

The main characteristics of a charrette are that:

- It is convened by a team of planning practitioners, who work intensively with the options put forward by all other participants to draw up feasible planning proposals and who facilitate the meetings.
- It involves consultation with the general community via well-publicised public meetings.
- It involves consultation with stakeholders and special interest groups via meetings with the convenors.
- The community takes part in initially devising options, and is given the opportunity to assess the outcomes, thereby cushioning the specialist input.
- It takes place over an intensive one week period.
- It produces concrete planning proposals in a rapid period of time.
- To be successful, prior community agreement that ‘something should be done’ is required.
- It resembles a rapid four-step model.

Advantages:

A charrette is a rapid planning procedure which produces concrete results within one week. The community is involved both in envisioning the outcomes at an early stage, and in assessing the planning proposals at the final stage.

There is the opportunity for the community to have input at a number of stages in the planning process. Community involvement is therefore meaningful and well-placed. A charrette is also relatively cost-effective.

New technologies can be easily and very usefully incorporated into the charrette model, for assistance with design of sketches and production of materials for presentation.

Disadvantages:

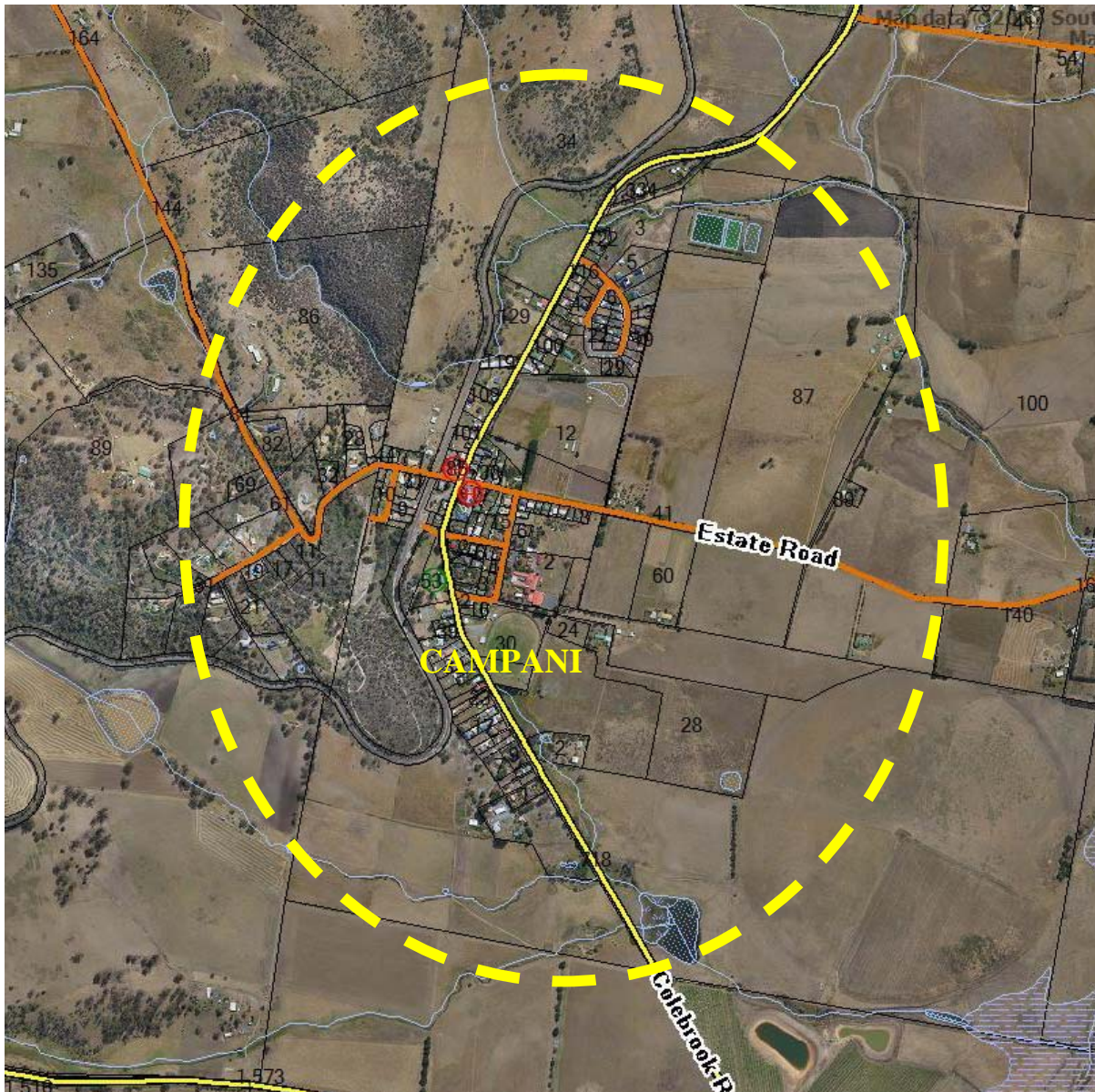
Because the charrette takes place in a short period of time, there is a possibility that some participants may feel they had insufficient time to understand the process or the issue fully. Also, a charrette does not involve random selection and is unrepresentative of the community as a whole. Broad community consultation is undertaken via public meetings, which are likely to be attended by those individuals who feel strongly about the issue under discussion. It is therefore difficult to involve groups usually marginalised from the consultative process.

When is this method useful?

This method can be useful when a plan in a region or area or involving a particular site needs to be drawn up within a short period of time, and some community consultation is still desired. A charrette acts like an intensive four-step model of its own.

ATTACHMENT 2

Outer extent of the subject area:



This defines the area for which spatial recommendations are sought. Some issues extend outside the area, for example; the school catchment area.

Issues Map



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

Nil.

13.5 BUILDINGS

Strategic Plan Reference – Page 15

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

Nil.

13.6 SEWERS

Strategic Plan Reference – Page 15

1.6.1 Increase the capacity of access to reticulated sewerage services.

Nil.

13.7 WATER

Strategic Plan Reference – Page 15

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

Nil.

13.8 IRRIGATION

Strategic Plan Reference – Page 15

1.8.1 Increase access to irrigation water within the municipality.

Nil.

13.9 DRAINAGE

Strategic Plan Reference – Page 16

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

Nil.

13.10 WASTE

Strategic Plan Reference – Page 17

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

Nil.

13.11 INFORMATION, COMMUNICATION TECHNOLOGY

Strategic Plan Reference – Page 17

1.11.1 Improve access to modern communications infrastructure.

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 21ST JANUARY 2015**ROADS PROGRAM**

Maintenance Grading is being undertaken as required. Verge Mowing is continuing in the Colebrook area at present.

Commencement of works associated with the Road reconstruction program.

BRIDGE PROGRAM

Tender meeting on site for the Rotherwood Road Bridge is scheduled for 23rd January 2015.

WASTE MANAGEMENT PROGRAM

Extra cartage is still being required to keep sites clear and tidy.

RECOMMENDATION

THAT the information be received.

DECISION

| Vote For | Councillor | Vote Against |
|-----------------|----------------------|---------------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

14.1 RESIDENTIAL

Strategic Plan Reference – Page 18

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

Nil.

14.2 TOURISM

Strategic Plan Reference – Page 19

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

Nil.

14.3 BUSINESS

Strategic Plan Reference – Page 20

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

Nil.

14.4 INDUSTRY

Strategic Plan Reference – Page 21

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

Nil.

14.5 INTEGRATION

Strategic Plan Reference – Page 21

2.5.1 The integrated development of towns and villages in the Southern Midlands.
2.5.2 The Bagdad Bypass and the integration of development.

Nil.

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 21ST JANUARY 2015

ISSUE

Southern Midlands Heritage Projects – report from Manager Heritage Projects

DETAIL

During last month, Southern Midlands Council heritage projects have included:

- Detailed project planning is being undertaken ahead of the commencement of the 5x5x5 project. A communications plan is being developed to gain publicity and administrative arrangements are being put in-place.
- Awaiting notification on the National Stronger Regions fund application for the Oatlands Commissariat.
- Alan Townsend has recruited several volunteers who are undertaking independent projects on SMC heritage projects.
- Alan Townsend is planning events for the National trust Heritage Festival and is liaising with relevant partners for an ANZAC centenary event.

RECOMMENDATION

THAT the information be received.

DECISION

| Vote For | Councillor | Vote Against |
|----------|----------------------|--------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

15.2 NATURAL**Strategic Plan Reference – Page 23/24**

3.2.1 Identify and protect areas that are of high conservation value.

3.2.2 Encourage the adoption of best practice land care techniques.

15.2.1 Landcare Unit & Climate Change – General Report

AUTHOR NRM PROGRAMS MANAGER – M WEEDING

DATE 20TH JANUARY 2015**ISSUE**

Southern Midlands Landcare Unit and GIS Monthly Report

DETAIL

- The Bushlinks 500 project has concluded. A final report is now being prepared. The project finances have now been audited by an external auditor in preparation to report back to the Australian Government. A more detailed report on the project will now be provided to the February meeting.
- Mapping work for Council's Development and Environmental Services staff continues. A set of road maps for internal use has also been generated.
- Minor maintenance works on trees and weeds continue on the Dulverton Walking Track.
- As at 15th January, the Lake had received approx. 160 Ml of water through the Midlands Water Scheme since 1st October. This water has been delivered in the Tas Irrigation 'summer' period, due to some 'space' in the delivery line being made available. Council has an annual winter take allocation of 215 Ml, with the winter period being 1st April to 30th Sept. Given that we only have 55 Ml of water left to remain within budget, the volume of water being delivered to the lake per day has now been reduced considerably, including some days when no water will be delivered. With the recent heavy rainfall event, the Lake water level in the 51 Ha area section rose by 75mm. In weeks prior to that, the lake had been increasing approx. 10mm per week due to the high flow rate able to be delivered by the Midlands Water Scheme, despite the hot weather at this time of the year.
- The funding application to remove a somewhat hidden gorse patch recently found at the edge of Lake Dulverton was not funded.
- There is interest in the removal of the Callington Mill cap. See separate report.

RECOMMENDATION

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

DECISION

| Vote For | Councillor | Vote Against |
|-----------------|----------------------|---------------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

15.2.2 Old Callington Mill Cap - Proposed Removal of the Cap to a New Location

AUTHOR NRM PROGRAMS MANAGER – M WEEDING
DATE 20TH JANUARY 2015

ISSUE

Future use of the old Callington Mill Cap at Callington Park – Information on current situation.

DETAIL

It is now three years almost to the day since Council explored the issue of moving the old cap to be displayed on the northern edge of the town just off the Midlands Highway. With too many transport, ‘highway corridor’ planning and permit issues and cost factors to resolve, it was decided to not proceed with the idea, and instead refer to the community for ideas on future use options. Despite a few ideas being put forward, none were taken further due to a range of issues each idea presented. Over several occasions, including a more recent intensified campaign, the cap has been offered to the general public for removal from the site, with all costs for removal to be borne by the interested party.

Mr Robert Bowen, from the property ‘Carrington’ near Richmond, recently contacted the Council and is keen to receive the cap. Mr Bowen wants to use the cap on his own property. He wants to have it as a feature within his garden setting, using the cap as a roof to the proposed garden feature. He has made preliminary plans as to how the cap will be placed, having bought some pipe to be used as part of the columns structure to hold the cap up off the ground. Mr Bowen and a representative of Elliots Cranes have recently been to view the cap on site and work through the logistics of removing the cap and transporting it to the Richmond area. The plan is to place the cap on the trailer in a tilted position, thereby considerably lowering the height of the fan tail component. Subject to Elliots Cranes being able to arrange the transport permits required for Mr Bowen, and placement of the cap on their low loader to remain below 5 meters in height, then it may be within a fortnight of the cap being removed.

Human Resources & Financial Implications

The Southern Midlands Council will need to make access to the site via the Barrack Street car park. Allowance for this scenario has been planned well in advance, hence the post and rail fence was never finished to facilitate for the removal of the cap at some later date. Access will be gained by moving a few star steel pickets and temporary barricading.

Community Consultation & Public Relations Implications

There has been extensive consultation at all levels over the last three years. This has included involving visiting the local school to ask students for ideas, advertising locally within the municipality, through to using the Council web site to advertise to a wide audience regarding the opportunity to reuse this unique cap.

Web site Implications

The cap has been featured on the Southern Midlands Council website as late as December 2014. There is currently no reference to it as at Jan 2015.

Policy Implications – NA**RECOMMENDATION**

THAT the Councillors note the information.

DECISION

| Vote For | Councillor | Vote Against |
|-----------------|----------------------|---------------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

15.3 CULTURAL

Strategic Plan Reference – Page 24

3.3.1 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 25

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

Nil.

15.5 CLIMATE CHANGE

Strategic Plan Reference – Page 25

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

Nil.

16 OPERATIONAL MATTERS ARISING LIFESTYLE

16.1 COMMUNITY HEALTH AND WELLBEING

Strategic Plan Reference – Page 26

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

Nil.

16.2 YOUTH

Strategic Plan Reference – Page 26

4.2.1 Increase the retention of young people in the municipality.

Nil.

16.3 SENIORS

Strategic Plan Reference – Page 27

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

Nil.

16.4 CHILDREN AND FAMILIES

Strategic Plan Reference – Page 27

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

Nil.

16.5 VOLUNTEERS

Strategic Plan Reference – Page 27

4.5.1 Encourage community members to volunteer.

Nil.

16.6 ACCESS

Strategic Plan Reference – Page 28

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

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

Nil.

16.7 PUBLIC HEALTH

Strategic Plan Reference – Page 28

4.7.1 Monitor and maintain a safe and healthy public environment.

Nil.

16.8 RECREATION

Strategic Plan Reference – Page 29

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

Nil.

16.9 ANIMALS

Strategic Plan Reference – Page 29

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

Nil.

16.10 EDUCATION

Strategic Plan Reference – Page 29

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

Nil.

17 OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

17.1 RETENTION

Strategic Plan Reference – Page 30

5.1.1 Maintain and strengthen communities in the Southern Midlands.

Nil.

17.2 CAPACITY AND SUSTAINABILITY**Strategic Plan Reference – Page 30**

5.2.1 Build the capacity of the Community to help itself and embrace the framework and strategies articulated through social inclusion to achieve sustainability.

17.2.1 Colebrook Golf Club – Financial Support for the Coal River Classic

AUTHOR EXECUTIVE ASSISTANT (K BRAZENDALE)

DATE 5TH JANUARY 2015

ISSUE

Council to consider a donation to the Colebrook Golf Club to assist with the organisation of the 2015 Coal River Classic, scheduled for the 31st January and 1st February 2015.

BACKGROUND

Council has previously made a donation of \$200 to assist in the conduct of the 2010 and 2012 event.

The 2014 event attracted the following participants - Friday 48 Veteran Ladies, Saturday 115 Men and Ladies, Sunday morning 48 Men and Sunday afternoon 23 couples.

The Colebrook Golf Club (or the Coal River Classic Event) is not specifically recognised in Council's Donations Policy, and hence the request is to be considered on its merit.

The Coal River Classic is a significant golfing event held on an annual basis. Apparently it attracts approximately 150 entries from throughout Tasmania.

Whilst the Golf Club is a private membership organisation, it may be appropriate for Council to consider a donation based on the economic benefits that such a two day event may realise.

Human Resources & Financial Implications – Any contribution would need to be funded from the Donations Budget.

Community Consultation & Public Relations Implications – Each request for these types of donation are considered on a case by case basis.

Policy Implications – This request falls outside the guidelines of Council's donations policy and is submitted for consideration.

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

THAT Council donate \$200 to the Colebrook Golf Club to assist with the organisation of the 2015 Coal River Classic.

DECISION

| Vote For | Councillor | Vote Against |
|-----------------|----------------------|---------------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

17.3 SAFETY

Strategic Plan Reference – Page 31

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

Nil.

17.4 CONSULTATION AND COMMUNICATION

Strategic Plan Reference – Page 31

5.4.1 Improve the effectiveness of consultation and communication with the Community.

Nil.

18. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

18.1 IMPROVEMENT

Strategic Plan Reference – Page 32

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

18.1.1 Shared Services Agreement (Draft) – Participating Councils

AUTHOR GENERAL MANAGER (T KIRKWOOD)
DATE 15th JANUARY 2015

ATTACHMENT: Nil
ENCLOSURE: Draft Common Services Agreement
Available on request – 89 Page Report prepared by Professor Brian Dollery entitled “Stimulating Council Collaboration – Common Service Model for Tasmania Local Government”

ISSUE

Council to consider:

- a) formal participation in the “Common Services Joint Venture”; and
- b) the terms and conditions of entering into the Venture based on the draft ‘Shared Services Agreement’ enclosed.

BACKGROUND

Whilst the sharing of resources has been in place for a number of years, it is fair to say that it has been on an ad hoc basis without any firm foundation or strategic focus. Essentially it has occurred between two Councils where a need has been identified by one Council, and there is spare capacity within another capacity.

At present, the Southern Midlands Council has a number of ongoing arrangements, plus a number of other shorter-term arrangements ‘as and when’ required. These include:

- a) Plumbing Permit Authority and inspection services (ongoing) - Dewent Valley Council;
- b) Engineering for Development Services and Asset Management (ongoing) - Brighton Council;
- c) Animal Control (short-term / intermittent) – Brighton and Glenorchy Councils;
- d) Flocon (road maintenance services) - Brighton Council; and

- e) Pool lifeguard(s) (short-term / intermittent) - Northern Midlands & Central Highlands Councils.

The concept of a formal Joint Venture (or similar structure) has been proposed for a considerable period.

Following recent announcements by the State Government, and in particular the Minister for Local Government relating to the need for local government reform / amalgamation, together with an increased focus on this issue by the media, it is certainly reached the stage whereby there is a need to formalise the current ad hoc arrangements and establish a structure which provides a strategic and sound basis for the provision of shared services.

Recognising that the Minister for Local Government has invited representatives from all Councils to attend a series of regional meetings in mid-February 2015, the aim is to seek prior confirmation from a number of Councils (preferably a minimum of five) that they are willing to participate in a “Common Services Joint Venture”; and generally accept the proposed terms and conditions noting that the detail will be considered by the nominated representatives.

At this initial stage, the Joint Venture concept is being formally considered by

- 1) Brighton Council
- 2) Glamorgan-Spring Bay Council
- 3) Glenorchy Council;
- 4) Sorell Council
- 5) Southern Midlands Council; and
- 6) Tasman Council

This list takes into account those who have participated to date in the development of the Joint Venture concept, which to some extent reflects current resource sharing arrangements.

Several other Councils are also interested in being involved in the proposal including Central Highlands, Flinders, Derwent Valley and Huon Valley.

DETAIL

The ‘Common Services Joint Venture’ model has been identified as being the most appropriate structure (at this stage) to address key current major issues, and was confirmed following the conduct of a Value Management Workshop held in December 2014.

In addition to providing a strategic and sound basis upon which to continue the current practice of ad hoc resource sharing, it also aims to address:

- The desire to take the initiative and set the agenda in the debate on Council efficiency and local government reform.
- Developing a strategic approach which could possibly be presented to the meeting of Councils called by the Minister for Local Government on 11th February 2015; and
- the push for Council amalgamations from vested interests, particularly Tasmanians for Reform (The Property Council), which is expected to grow.

This Joint Venture shared services arrangement is obviously submitted as a real alternative to amalgamation (either forced or voluntary). Indeed, many experts consider this to be a more efficient, cost effective and importantly, democratic approach than amalgamation into larger local government authorities.

There is now strong evidence to validate that existing shared services are working and providing significant efficiencies for participating Councils.

Professor Brian Dollery, a long-term opponent and critic of local government amalgamation, has prepared a report entitled ‘Stimulating Council Collaboration – Common Service Model for Tasmania Local Government’. This is an 89 page report and full copies can be provided to all interested Councillors upon request.

Human Resources & Financial Implications – While it is understood that the Minister for Local Government has not set Agenda for the meeting on 11th February, other than to discuss the issue with Councils, it is believed he will offer funding for the development of business cases and feasibility studies on council reform.

Community Consultation & Public Relations Implications – A Communications Plan, with specific strategies to communicate with various stakeholders has been drafted and will be refined / implemented by the representatives appointed to the Committee.

The aim is to ensure that there is a full understanding about the benefits of shared services; highlight current and past arrangements; and widely promote the details of past successes.

The following is an example of the key messages:

- A Common Services Joint Venture model can provide the most efficient, cost effective and democratic outcome for ratepayers, local communities and for Tasmania.
- Such a model can provide improved quality of life and living standards for families and ratepayers.
- It ensures stronger rural and regional communities with no loss of community, infrastructure and local representation.
- It facilitates more efficient local government operations.
- It supports rate restraint and financial sustainability.
- It provides consistency and professionalism of services across municipalities;

- It enhances regional focus.
- It supports the decentralised population base of Tasmania.
- It delivers strategic capacity, financial sustainability and service delivery in a consistent and professional manner across all member Councils.
- Importantly, the group of Councils is not opposed to local government reform and is keen to achieve efficiencies while maintaining local identity and representation.

Policy Implications – Policy position.

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

THAT Council endorse:

- a) formal participation in the “Common Services Joint Venture”; and
- b) the terms and conditions of entering into the Venture based on the draft ‘Shared Services Agreement’ (as submitted).

DECISION

| Vote For | Councillor | Vote Against |
|-----------------|----------------------|---------------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

18.2 SUSTAINABILITY**Strategic Plan Reference – Page 33 & 34**

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

18.2.1 Local Government Representation – National Plan to Reduce Violence against Women and their Children

AUTHOR EXECUTIVE ASSISTANT – (K BRAZENDEALE)

DATE 5TH JANUARY 2015**ISSUE**

To inform council that the Local Government Association of Tasmania has been requested to put forward nominations for a representative to support the Tasmanian Government's commitment to the National Plan to Reduce Violence against Women and their Children 2010-2022 (the National Plan) and the implementation of its Second Action Plan – Moving Ahead 2013-2016.

BACKGROUND

The National Plan focuses on stopping violence before it happens in the first place, supporting women who have experienced violence, stopping men from committing violence and building the evidence base so that we learn more about 'what works' in reducing domestic and family violence and sexual assault. The Second Action plan builds on the First Action Plan to channel efforts towards ongoing and new priorities and broaden communication and consultation mechanisms to engage a more diverse range of sectors, groups and communities. An integral part of focusing efforts in the right direction is ensuring that the Tasmanian Community has a voice in the implementation of the National Plan.

DETAIL

Membership of the Consultative Group is reviewed annually to ensure member's expertise aligns with the priorities on the current three-year Action Plan, with membership of the Consultative Group undertaken on a voluntary basis.

The consultative Group comprises both government and non-government members and meets up to three times year and some out of session work may be required by Members.

Local Government nominees are required to complete and return the enclosed Statement in Support of Nominations Form, Application Form, a statement that addresses the selection criteria, and a current Curriculum Vitae.

Human Resources & Financial Implications - Nil.

Community Consultation & Public Relations Implications - Nil.

Policy Implications – Nil.

Priority - Implementation Time Frame – nominations close 6th February 2015.

RECOMMENDATION

THAT Council consider making a nomination.

DECISION

| Vote For | Councillor | Vote Against |
|-----------------|----------------------|---------------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

18.2.2 New Policy – Unreasonable Complainant Conduct Policy

AUTHOR MANAGER, COMMUNITY & CORPORATE DEVELOPMENT (A BENSON)

DATE 19TH DECEMBER 2014

ATTACHMENT Please note: attachments were included in the first report to Council and therefore have not been reissued with this Agenda as there were no recommended changes at that meeting. A copy will be available at the meeting if required for further reference.

ISSUE

Unreasonable complainant conduct has a resourcing and cost implication, as well as a health, welfare & safety issue for both officers and the complainant alike. This proposed Policy will provide a structure and guidance in assisting both the Complainant and Council come to a more speedy resolution of outstanding matters.

BACKGROUND

Report to the December 2014 Council Meeting
[EXTRACT]

18.2.1 Unreasonable Complainant Conduct Policy

AUTHOR MANAGER, COMMUNITY & CORPORATE DEVELOPMENT (A BENSON)

DATE 9TH DECEMBER 2014

ENCLOSURE Draft Version 1_Unreasonable Complainant Conduct Policy
Managing Unreasonable Compliant Conduct Practice Manual 2nd Edition, NSW Ombudsman (on behalf of all Ombudsman's Offices across Australia)

ISSUE

Unreasonable complainant conduct (UCC) has been an on-going problem for public sector organisations for many years. Local Government have been dealing with this issue (in some form) since it was first established, over 150 years ago. The issue was highlighted more than 25 years ago in a speech by the former High Court Justice Kirby, who observed that: One of the universal problems for the Ombudsman is the chronic complainer; people who feel passionately about their own cause and are uncompromising in their reaction to a negative conclusion on the part of the Ombudsman. Such people can sometimes cause a great deal of disproportionate disruption to the work of the Ombudsman and his staff. He continued: Of course, the Ombudsman already can decline to investigate matters. But vexatious complainants can cause a great deal of time

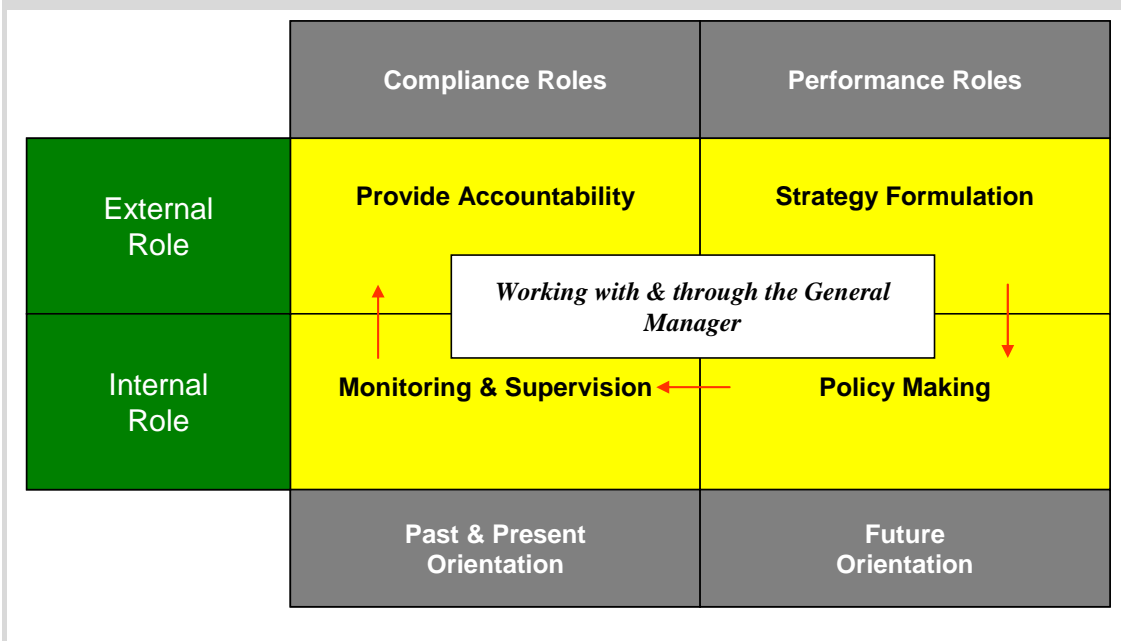
loss. The obvious point here is that Local Government is the first “port of call” in the complaints process and indeed it is only when all reasonable responses have been exhausted by Council Officers, that the Complainant takes the issue to the Ombudsman. All of the matters referred to in Justice Kirby’s statement will have first been experienced by Local Government prior to their elevation to the Ombudsman’s attention.

This is a cost minimisation matter as well as a health, welfare and safety issue for both officers and the complainant alike.

BACKGROUND

FRAMEWORK FOR ANALYSING COUNCIL’S GOVERNANCE FUNCTION

The diagram below along with its explanation has been the subject of previous presentations to Council; however, it is meaningful to reflect on this governance framework when policy documents are presented to Council. As part of this framework it is important for Council to be aware of and monitor audits and related governance review mechanisms that are undertaken within the organisation, based on Council’s strategies and policies.



DETAIL

The last Council meeting spent a considerable time discussing the matter of unreasonable complainant conduct and as a response to that discussion the Manager Community & Corporate Development was asked to meet with the Mayor, the General Manager, as well as the Manager Development & Environmental Services, to explore the issue and then develop a policy framework for managing such matters.

Research was undertaken and it was found that the combined Ombudsman’s Offices around Australia had in recent times produced a draft policy and gone to the 2nd Edition of their Practice Manual on the subject. The draft policy has been adapted to the

Southern Midlands requirements, whilst not losing the rigour and intent of the original draft. The attached draft policy is the product of that modification. It is important that the Practice Manual be adopted as a companion resource for the proposed policy as it provides valuable support information for Managers and Officers alike to manage unreasonable complainant conduct in a professional and sensitive manner.

The policy seeks to divide Unreasonable Complainant Conduct into five categories of conduct:

- Unreasonable persistence
- Unreasonable demands
- Unreasonable lack of cooperation
- Unreasonable arguments
- Unreasonable behaviours

Draft versions 1 of the Unreasonable Complainant Conduct Policy, along with the 2nd Edition Practice Manual are tabled for Council's consideration. It is noted that this matter is covered to some extent in other Council policies/documents, namely SMC Customer Service Charter, Development & Environmental Services Regulatory Complaints Policy, Dog Management Policy, SMC Enforcement Policy, along with the general Complaints Management System. Once this proposed policy has been adopted (with or without modification) the remaining policies and procedures will be reviewed to provide a comprehensive and well-articulated framework in which to manage Customer and Staff expectations in a transparent and timely manner.

As Councillors are aware, the process for any policy document is, that it is tabled at one meeting and then "lays on the table" until the next meeting, to enable Councillors sufficient time to work through and consider all of the ramifications of the strategy/policy, before the document is finally considered for adoption at the following meeting.

RECOMMENDATION

THAT Council

- 1. Receive and note the report;**
- 2. Consider the Unreasonable Complainant Conduct Policy – draft version 1 for adoption at the January 2015 Council meeting**
- 3. Consider the Unreasonable Complainant Conduct Practice Manual 2nd Edition for adoption as a resource to support the proposed Unreasonable Complainant Conduct Policy at the January 2015 Council meeting**

C/14/12/086/19917 DECISION

Moved by Clr B Campbell, seconded by Clr E Batt
 THAT Council

1. Receive and note the report;
2. Consider the Unreasonable Complainant Conduct Policy – draft version 1 for adoption at the January 2015 Council meeting
3. Consider the Unreasonable Complainant Conduct Practice Manual 2nd Edition for adoption as a resource to support the proposed Unreasonable Complainant Conduct Policy at the January 2015 Council meeting

CARRIED

| Vote For | Councillor | Vote Against |
|----------|----------------------|--------------|
| √ | Mayor A E Bisdee OAM | |
| √ | Clr A R Bantick | |
| √ | Clr E Batt | |
| √ | Clr B Campbell | |
| √ | Clr D F Fish | |
| √ | Clr A O Green | |

[END OF EXTRACT]

DETAIL

The draft policy was tabled at the December 2014 Council meeting for Council's consideration. As Councillors are aware, the process for any policy document is, that it is tabled at one meeting and then "lays on the table" until the next meeting, to enable Councillors sufficient time to work through and consider all of the ramifications of the strategy/policy, before the document is finally considered for adoption at the following meeting.

Whilst no modifications have been made to the document that was tabled at the December 2014 meeting, final input is sought.

RECOMMENDATION**That Council**

1. **Receive and note the report;**
2. **Adopt the Unreasonable Complainant Conduct Policy; and**
3. **Adopt the Unreasonable Complainant Conduct Practice Manual 2nd Edition as a resource to support the Unreasonable Complainant Conduct Policy**

| Vote For | Councillor | Vote Against |
|----------|----------------------|--------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

18.2.3 New Policies – First Reading

- 1. LEAVE MANAGEMENT POLICY**
- 2. INFORMATION MANAGEMENT POLICY**
- 3. PERSONAL INFORMATION PROTECTION POLICY**
- 4. WORKPLACE HEALTH & SAFETY POLICY**
- 5. RISK MANAGEMENT FRAMEWORK**

AUTHOR MANAGER, COMMUNITY & CORPORATE DEVELOPMENT (A BENSON) and RECORDS MANAGEMENT OFFICER (E GREEN)

DATE 22ND JANUARY 2015

ENCLOSURE

1. Draft version 1_Leave Management Policy
2. Draft version 1_Information Management Policy
3. Draft version 1_Personal Information Protection Policy
4. Draft version 1_Workplace Health & Safety Policy
5. Draft version 1_Risk Management Framework

ISSUES

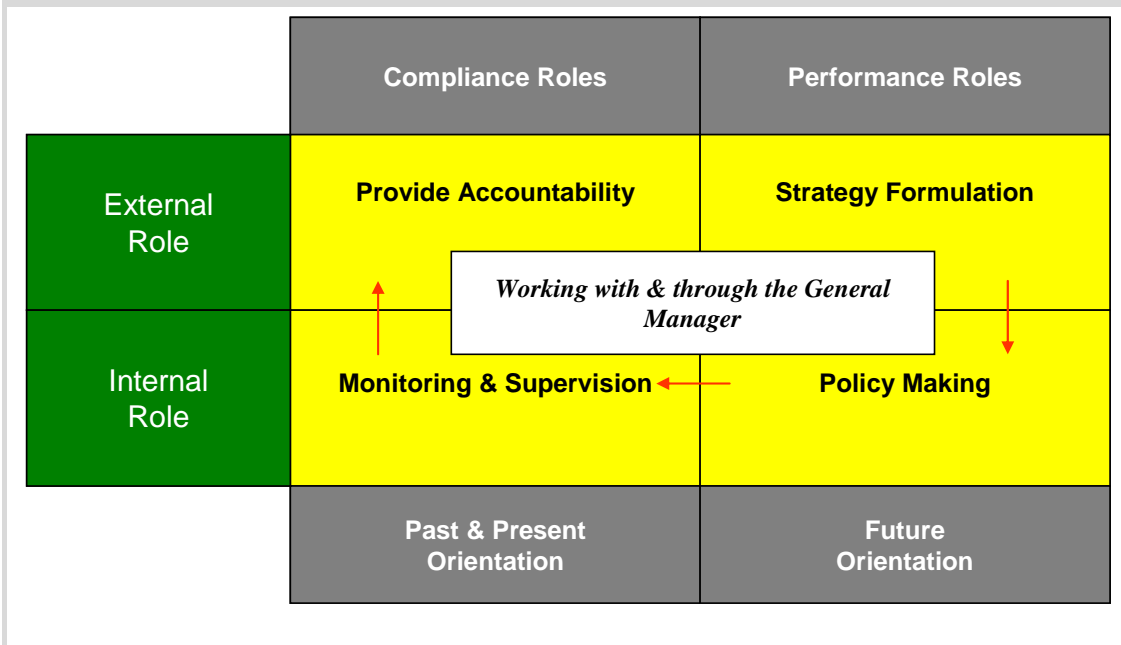
1. Leave Management: Leave Management has been a matter raised through the Audit & Risk Management Committee. The policy seeks to have large accrued annual leave or long service leave entitlements managed at an acceptable and consistent manner/level throughout the organisation.
2. Information Management: Council does not have a current policy in respect of Information Management, specifically in regard to Council’s records management system. This policy seeks to address that current short fall.
3. Personal Information Protection: Personal Information Protection is legislated under the Personal Information Protection Act. Clause 5(1) in Schedule 1 of the Act requires that a personal information custodian, (eg a Council), must clearly set out in a document/policy its management of personal information and clause 5(2) requires that document to be produced to anyone who asks for it. This proposed Policy addresses Council’s requirements under the Act.
4. Workplace Health & Safety: Whilst Council has a range of policies within the general framework of WH&S requirements, (eg Sun Protection Policy) it does not have an overarching WH&S Policy. This proposed Policy addresses this matter.
5. Risk Management Framework: Whilst Council has a considerable number of policies, strategies, officer roles/ responsibilities, Committee roles/responsibilities and associate documents; it does not have a “framework” document that brings all

of those elements together in once concise document. This proposed Risk Management Framework document seeks to address that need.

BACKGROUND

FRAMEWORK FOR ANALYSING COUNCIL’S GOVERNANCE FUNCTION

The diagram below along with its explanation has been the subject of previous presentations to Council; however, it is meaningful to reflect on this governance framework when policy documents are presented to Council. As part of this framework it is important for Council to be aware of and monitor audits and related governance review mechanisms that are undertaken within the organisation, based on Council’s strategies and policies.



DETAIL

Draft version 1 of the Leave Management Policy, draft version 1_Information Management Policy, draft version 1_Personal Information Protection Policy, draft version 1_Workplace Health & Safety Policy and finally draft version1_Risk Management Framework are tabled for Council’s consideration. It is noted that the proposals in respect of Leave Management as well as the Risk Management Framework have been tabled at the recent Audit & Risk Management Committee. The Committee’s recommendation was that the two documents be forwarded to Council for consideration and in due course adoption.

As Councillors are aware, the process for any policy document is, that it is tabled at one meeting and then “lays on the table” until the next meeting, to enable Councillors sufficient time to work through and consider all of the ramifications of the

strategy/policy, before the document is finally considered for adoption at the following meeting.

RECOMMENDATION

THAT Council

- 1. Receive and note the report;**
- 2. Consider Draft version 1_Leave Management Policy for adoption at the February 2015 Council meeting**
- 3. Consider Draft version 1_ Information Management Policy for adoption at the February 2015 Council meeting**
- 4. Consider Draft version 1_Personal Information Protection Policy for adoption at the February 2015 Council meeting**
- 5. Consider Draft version 1_Workplace Health & Safety Policy for adoption at the February 2015 Council meeting**
- 6. Consider Draft version 1_ Risk Management Framework for adoption at the February 2015 Council meeting**

DECISION

| Vote For | Councillor | Vote Against |
|-----------------|----------------------|---------------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

18.2.4 Amendment of Existing Policy Code for Tenders and Contracts

AUTHOR MANAGER, COMMUNITY & CORPORATE
DEVELOPMENT (A BENSON)

DATE 22ND JANUARY 2015

ENCLOSURE 1. Draft version 5 _Code of Tenders and Contracts

ISSUE

The current Code for Tenders and Contracts was approved in 2013. There is no reference to the use of an Electronic Procurement Portal (E Procurement Portal) in this current Code.

Definition of E Procurement Portal – electronic procurement sometimes also known as supplier exchange, is the business-to-government purchase and sale of supplies, work and services through the Internet as well as other information and networking systems, such as electronic data exchange. Elements of e-procurement include Request for Tender, Request for Quotation. This is in effect an electronic Tender Box that tracks the tender process with full audit accountability and is at “arm’s length” from Council Officers in a secure environment.

The use of E Procurement Portals is becoming increasingly widespread across the Government sector, in Australia. From a Southern Midlands Council perspective every effort should be made to ensure that doing business with Council is as easy as possible and ensure that Council’s engagement with the private sector through the Tender process is in line with *Best Practice*.

The use of an E Procurement Portal does away with the need for a Tender Box, where the Tenders are deposited by the Tenderer prior to the closing time/date. The E Procurement Portal houses the Request for Tender (RFT) document prepared by Council Officers and when the Portal is accessed by a potential Tender it requires a password along with other details prior to the Portal releasing the RFT. The Tenderer can lodge a range of documents at any time of the day or night and on a progressive basis. All such transactions are logged and captured in a detailed Audit Report, which is provided to Council when the Portal releases all of the Tender submissions to Council, as a fully compliant and transparent audit record.

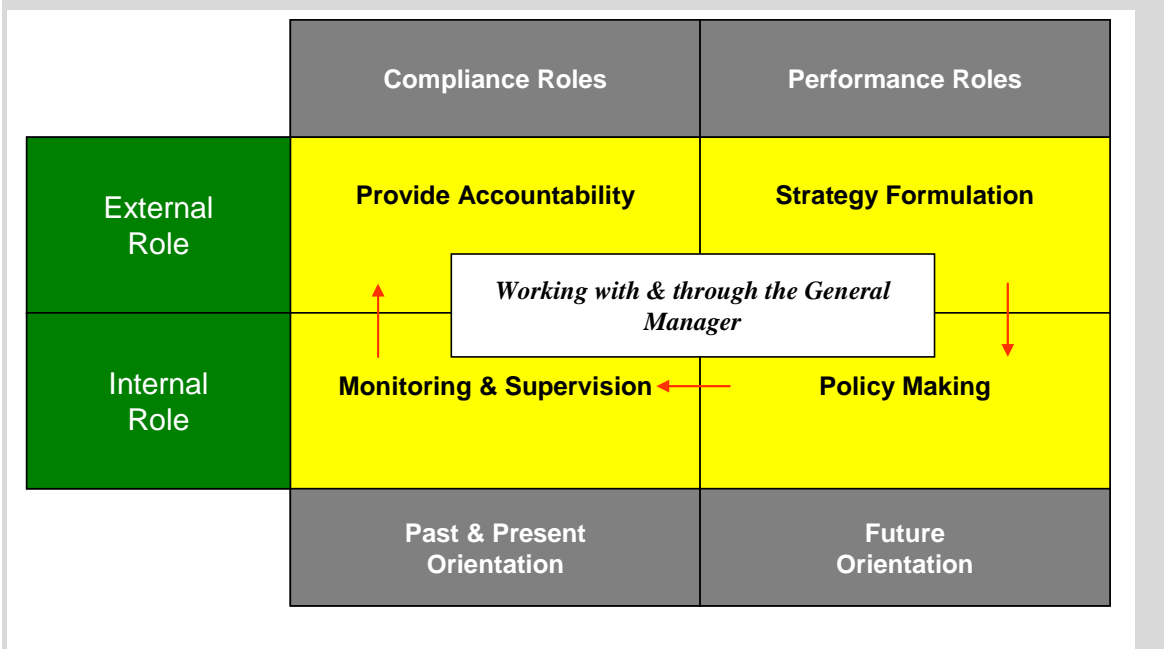
Currently Council advertises in the Mercury with quite a detailed advertisement, in the order of \$800 per advertisement. If using a E Procurement Portal, a very brief advertisement is placed referring the potential Tenderer to the E Procurement Portal, which includes all information. Currently after being contacted by the potential Tenderer, the Council Officer emails the RFT out and then record the details of the potential Tenderer in a register. These are examples of processes where time, effort and costs can be saved using an E Procurement Portal. The annual subscription for a custom E Procurement Portal on Council’s website is \$2,500pa, a figure that would be saved many times over.

To accommodate an E Procurement Portal within Council’s Tendering system, a change to the Code of Tenders and Contracts is required. This report encapsulates those proposed changes to the Code.

BACKGROUND

FRAMEWORK FOR ANALYSING COUNCIL’S GOVERNANCE FUNCTION

The diagram below along with its explanation has been the subject of previous presentations to Council; however, it is meaningful to reflect on this governance framework when policy documents are presented to Council. As part of this framework it is important for Council to be aware of and monitor audits and related governance review mechanisms that are undertaken within the organisation, based on Council’s strategies and policies.



DETAIL

Draft version 5 of the Code of Tenders and Contracts is attached and shows the minor changes required to the document to allow the use of an E Procurement Portal as part of Council’s Tender system. An E Procurement Portal system ticks all of the boxes in respect of risk management, transparency, accountability, equity and is easily integrated with Council’s existing system. It provides the best possible medium for Council to attract cost effective Tender solutions and demonstrates that Southern Midlands Council is at the leading edge of customer and supplier engagement, that by default provides added value to our stakeholders/ratepayers. This matter was raised and discussed at the recent Audit & Risk Management Committee, with the Committee recommending that a report be provided to Council.

As Councillors are aware, the process for any policy document is, that it is tabled at one meeting and then “lays on the table” until the next meeting, to enable Councillors sufficient time to work through and consider all of the ramifications of the strategy/policy, before the document is finally considered for adoption at the following meeting. As this is a very minor adjustment to the well-considered Code of Tenders and Contracts document it is recommended that its amendment to the Code be adopted at this meeting, without the additional timeline of one month’s wait for final adoption by Council.

RECOMMENDATION

THAT Council

1. **Receive and note the report;**
2. **Support the adoption of an E Procurement Portal in the Southern Midlands Council procurement process; and**
3. **Adopt version 5_ Code of Tenders and Contracts.**

DECISION

| Vote For | Councillor | Vote Against |
|----------|----------------------|--------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

18.2.5 Maher’ Point Property (PID 5842047 – Volume 115861 – Folio 1) – Sale of Maher’s Point Cottage

AUTHOR GENERAL MANAGER AND ACTING MANAGER
DEVELOPMENT & ENVIRONMENTAL SERVICES
DATE 22nd JANUARY 2015

- ATTACHMENT: 1. Extract from the Minutes of the Special Council Meeting held 10th September 2014 (includes copy of Title - PID 5842047 (Title Reference 115861/1).
 2. Copy of Subdivision Proposal Plan and Planning Permit issued.

ISSUE

Council to formally resolve in accordance with Section 178 of the *Local Government Act 1993* to sell the Maher’s Point Cottage property (including the identified area indicated on the attached Map).

BACKGROUND

Refer attached extract from the Minutes of the Special Council Meeting held 10th September 2014.

Particular reference is made to the decision at that meeting:

“THAT:

- a) Council initiate a subdivision application based on creating a separate allotment which would incorporate that area of land as identified on the attached Plan (incorporating the cottage); and*
- b) This process be undertaken prior to proceeding with the sale of public land process.”*

Council Officers lodged a Development Application to subdivide Maher’s Point Cottage from the Balance Land on the lake side on the 19th November 2014 (copy of proposal plan attached).

The Application was advertised for the statutory 14 day time period. No representation or comment was received.

The Application was assessed and a permit to subdivide the land was granted by the Development Assessment Committee subject to conditions and advice on the 9th December 2014.

Should the Council seek to enact the Permit and subdivide the land, a registered land surveyor must create a new final plan of subdivision for lodgement at the Lands Titles Office to create the new title. Council has 2 years to enact the permit or apply for a further 2 year extension of time.

Note: Council should remember that the Cottage has not been used as a dwelling for a long time and does not retain any existing use rights as a dwelling under the Land Use Planning and Approvals Act 1993. Therefore any new buyer will need a planning permit before living in the cottage and may require further building and plumbing approvals.

The Dwelling change of use is currently prohibited under the current Planning Scheme 1998 but at Council's discretion under the upcoming Interim Planning Scheme. The Interim Planning Scheme must be in force for a person to lodge an application for a change of use and indeed for Council to grant such a permit. As a further reminder the Interim Planning Scheme should be declared in the first quarter of 2015.

A copy of the Planning Permit is also included as an attachment to this report.

DETAIL

Following from the above, it is important to acknowledge that the area of land is classified as 'Public Land' under the *Local Government Act 1993*, being an area that has been used for recreation and public use purposes.

Prior to disposal of public land, Council must comply with section 178 of the *Local Government Act 1993*. The following is an extract from the Act:

“178. Sale, exchange and disposal of public land

(1) A council may sell, lease, donate, exchange or otherwise dispose of public land owned by it in accordance with this section.

(2) Public land that is leased for any period by a council remains public land during that period.

(3) A resolution of the council to sell, lease, donate, exchange or otherwise dispose of public land is to be passed by an absolute majority.

(4) If a council intends to sell, lease, donate, exchange or otherwise dispose of public land, the general manager is to—

(a) publish that intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and

(ab) display a copy of the notice on any boundary of the public land that abuts a highway; and

(b) notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication.

(5) If the general manager does not receive any objection under subsection (4) and an appeal is not made under section 178A, the council may sell, lease, donate, exchange or otherwise dispose of public land in accordance with its intention as published under subsection (4).

(6) The council must –

(a) consider any objection lodged; and

(b) by notice in writing within 7 days after making a decision to take or not to take any action under this section, advise any person who lodged an objection of –

(i) that decision; and

(ii) the right to appeal against that decision under section 178A.

(7) The council must not decide to take any action under this section if –

(a) any objection lodged under this section is being considered; or

(b) an appeal made under section 178A has not yet been determined; or

(c) the Appeal Tribunal has made a determination under section 178B(b) or (c).

(8)

Preparation of the final Survey Plan, including re-fencing of the boundary, will be deferred pending completion of the ‘Sale of Public Land’ process.

As a final step, Council will need to determine the sale method which can be considered at a later date.

Human Resources & Financial Implications – All costs associated with preparing the property for sale will be recouped through the sale proceeds. In reference to the process, formal survey, and re-fencing, has been deferred pending the advertisement for objections in case the process is terminated as result of this statutory procedure.

Community Consultation & Public Relations Implications – The broader community will be provided with an opportunity to comment through the advertising process (i.e. sale of public land).

Council Web Site Implications: *Nil.*

Policy Implications – Policy position

Priority - Implementation Time Frame – The initial advertising process will be undertaken following Council decision.

RECOMMENDATION

THAT Council:

- a) **Formally resolve in accordance with section 178 of the *Local Government Act 1993*, that it intends to dispose of that area of land identified as Lot 1 of the Subdivision Plan (approx. 3,080 m2); and**
- b) **Publish its intention to sell on at least 2 separate occasions in the Mercury newspaper, and display a copy of the notice on the boundary of the public land.**

DECISION (BY ABSOLUTE MAJORITY)

| Vote For | Councillor | Vote Against |
|-----------------|----------------------|---------------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |



Our Ref: T5842047 Esplanade

**PLANNING PERMIT N° SA 2014/12
Subdivision (1 lot plus balance)
Maher's Point Cottage, Chatham Street Oatlands**

Council has issued this Permit, subject to the conditions set out below, for a Subdivision (1 lot plus balance) at the land situated at Esplanade, Oatlands and described on 16/227 and submitted by D Mackey obo Southern Midlands Council.

This Permit will lapse after a period of two (2) years from the date on which it was granted if the use or development in respect of which it was granted has not substantially commenced within that period.

CONDITIONS

General

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

Final plan

2. A final approved plan of survey and schedule of easements as necessary, together with two (2) copies, must be submitted to Council for sealing. The final approved plan of survey must be substantially the same as the endorsed plan of subdivision and must be prepared in accordance with the requirements of the Recorder of Titles.
3. A fee of \$170.00, or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey for each stage.
4. All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey for each stage. It is the subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
5. The subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

Address all correspondence to: The General Manager, PO Box 21, Oatlands, Tasmania 7120
Oatlands Office: 71 High Street, Oatlands Phone (03) 6254 5000 Fax (03) 6254 5014
Kempton Office: 85 Main Street, Kempton Phone (03) 6259 3011 Fax (03) 6259 1327
Email Address: mail@southernmidlands.tas.gov.au Web: www.southernmidlands.tas.gov.au
AHN 68 653 459 589

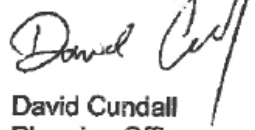
Existing services

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

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT: -

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

9th December 2014

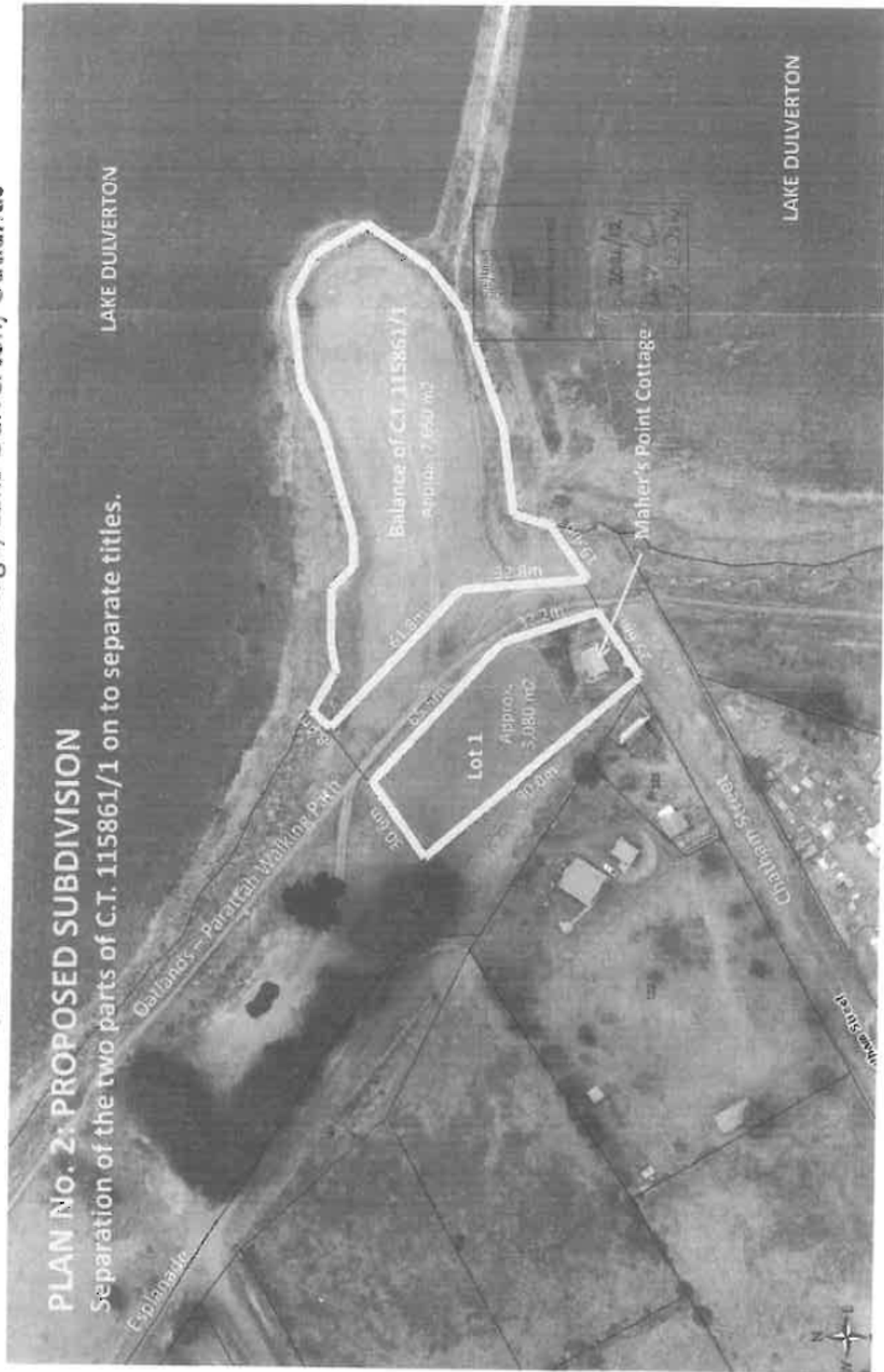


David Cundall
Planning Officer
OBO Development Assessment Committee
Development & Environmental Services

Subdivision Proposal Plan – Maher's Point Cottage, Lake Dulverton, Oatlands

PLAN No. 2: PROPOSED SUBDIVISION

Separation of the two parts of C.T. 115861/1 on to separate titles.



EXTRACT FROM THE MINUTES OF THE SPECIAL COUNCIL MEETING

HELD 10th SEPTEMBER 2014

18.2.1 *Maher’ Point Property (PID 5842047 – Volume 115861 – Folio 1) – Sale of Maher’s Point Cottage*

File Ref:

AUTHOR GENERAL MANAGER AND MANAGER DEVELOPMENT &
ENVIRONMENTAL SERVICES

DATE 4 SEPTEMBER 2014

ATTACHMENT: 1. Copy of Title - PID 5842047 (Title Reference 115861/1).
 2. Map (to define the proposed boundary of the area to be sold).
 3. Zone Map - Southern Midlands Planning Scheme 1998

ISSUE

Council to formally resolve in accordance with Section 177 of the *Local Government Act 1993* to sell the Mahe’s Point Cottage property (including the identified area indicated on the attached Map).

This matter was considered at the last Council meeting. A decision was deferred pending consideration of planning issues.

BACKGROUND

Mahe’s Point Cottage (c 1830) is a classic example of a vernacular building because it typifies the architecture, building methods and locally available materials used by poorer, free settlers. Such buildings are now rare because, until recently, they have not been considered worth saving. The land was originally ‘a location’ (grant) to Daniel Dillon, but Denis Mahe was one of the first residents of the cottage. A number of families have resided in the cottage. The last time it was used as a residence was in the late 1970s. From the 1970s to 1995 the building decayed to reach the point that it was best described as ‘a ruin’. By 1995 there were varying opinions as to whether the building could be ever be restored back to being inhabitable, with some suggesting the remains should be pulled down for safety reasons.

The following is a brief synopsis of the decisions and activity that has occurred since 1995:

1995 - The building was purchased by the Southern Midlands Council from the Estate of R T Fish.

September 1995 – August 2013 - Volunteer members of the Oatlands District Historical Society and the Lake Dulverton & Callington Park Management Committee (LD&CPMC) spent time restoring the cottage, largely under the direction of Graeme Raphael, a passionate champion for the cottage. T. G. Raphael passed away suddenly in August 2013.

October 2013 - The LD&CPMC applied for funding from the Tasmanian Community Fund to finalise the restoration of the cottage. The application was not successful.

February 2014 – The LD&CPMC requested that an Options Paper for the future direction and use of the building be developed.

March 2014 - An Options Paper for the Future Use of Maher’s Point Cottage was considered by the LD&CPMC. It was decided that the recommendation of seeking Expressions of Interest to Purchase the cottage be sought from the public, with the view to selling the cottage if, and only if, the right buyer is found. This committee recommendation was forwarded to Council.

March 2014 – Council endorse the recommendation of the LD&CPMC to seek expressions of interest for the purchase of the property, subject to the terms and conditions identified by the committee.

Following from the above, it is important to acknowledge that the area of land is classified as ‘Public Land’ under the *Local Government Act 1993*, being an area that has been used for recreation and public use purposes.

Prior to disposal of public land, Council must comply with section 178 of the *Local Government Act 1993*. The following is an extract from the Act:

“178. Sale, exchange and disposal of public land

(1) A council may sell, lease, donate, exchange or otherwise dispose of public land owned by it in accordance with this section.

(2) Public land that is leased for any period by a council remains public land during that period.

(3) A resolution of the council to sell, lease, donate, exchange or otherwise dispose of public land is to be passed by an absolute majority.

(4) If a council intends to sell, lease, donate, exchange or otherwise dispose of public land, the general manager is to–

(a) publish that intention on at least 2 separate occasions in a daily newspaper circulating in the municipal area; and

(ab) display a copy of the notice on any boundary of the public land that abuts a highway; and

(b) notify the public that objection to the proposed sale, lease, donation, exchange or disposal may be made to the general manager within 21 days of the date of the first publication.

(5) If the general manager does not receive any objection under subsection (4) and an appeal is not made under section 178A, the council may sell, lease, donate, exchange or otherwise dispose of public land in accordance with its intention as published under subsection (4).

(6) The council must –

(a) consider any objection lodged; and

(b) by notice in writing within 7 days after making a decision to take or not to take any action under this section, advise any person who lodged an objection of –

(i) that decision; and

(ii) the right to appeal against that decision under section 178A.

(7) The council must not decide to take any action under this section if –

(a) any objection lodged under this section is being considered; or

(b) an appeal made under section 178A has not yet been determined; or

(c) the Appeal Tribunal has made a determination under section 178B(b) or (c).

(8)

DETAIL

The existing property known as Maher’s Point includes the cottage and an area of land that extends out to the Lake foreshore – refer attached Copy of Title. Note, however, that the land is divided by a strip of Crown land (shown hatched on the title plan), being the former railway and now part of the Lake Dulverton walking track.

The cottage and its surrounding fenced curtilage, which includes a small paddock, forms the western section of the title. It is approximately 3,080 m².

The eastern section is unfenced and, in practical use terms, forms part of the Lake Dulverton foreshore area. It is approximately 7,580 m².

A subdivision will be required to excise the cottage and its curtilage, which is proposed to be sold, from the eastern section which is to be retained in public ownership.

In light of the above, the following is a summary of the proposed process that Council will need to progress through:

- a) Define the exact area that is to be sold;

- b) Council resolution to sell that area under section 178 of the *Local Government Act 1993*;
- c) Advertise Council's intent to sell (in accordance with the Act);
- d) Post advertising and consideration of any objections (if any) to proposed sale, prepare and submit development application for subdivision;
- e) Assuming approval, then proceed with final survey and re-fence property to suit; and
- f) Determine sale method and dispose.

A coloured map which defines the proposed boundary is included as an Attachment.

PLANNING CONSIDERATIONS

The land is zoned Environmental Management, as indicated on the attached zone plan.

Under Clause 7.1(c) of the Southern Midlands Planning Scheme 1998, the purpose of the zone is as follows:

The Environmental Management Zone recognises both public and private land that is primarily used for specific conservation purposes such as environmental protection, cultural heritage, nature conservation, scenic protection, maintenance of natural processes and protection of fragile landforms and allows for compatible forms of use and development. The zone allows for the continued management, use, development and conservation of these sites for the benefit of the local and regional community.

Under Clause 7.2.3, the intent of the zone is as follows:

The intent of the Environmental Management Zone is to:

- (a) give priority to the use of private and public lands for specific conservation purposes such as environmental protection, cultural heritage, nature conservation, scenic protection, maintenance of natural processes, protection of fragile landforms and catchment protection and maintenance of public recreation areas outside urban areas characterised by their natural qualities;
- (b) provide for appropriate forms of use and development compatible with the primary conservation intent of the particular area; and
- (c) allow for safe and convenient access to, and within, open space areas.

It is noted that Maher's Point Cottage is not listed on the state of local heritage registers at present. However, 'cultural heritage' conservation is one of the intents of the zone.

In terms of subdivision, the scheme does not provide specific standards. Instead, the following is provided (Clause 7.5):

No minimum lot size, access width or minimum internal rectangle is prescribed within the Community Use Zones, however each lot shall have sufficient area, suitable proportions, adequate services and reasonable vehicular access to satisfy its intended use.

It is considered that an application to subdivide to separate the two parts of the land could be accepted and considered by Council. This would be on the basis that the eastern part is to be retained as, in practice, part of the Lake Dulverton foreshore. This land protrudes into the sanctuary area and ought to always be retained as public (i.e. Council) owned land and continued to be used for public park / nature conservation purposes.

The separation of the western part of the lot, containing the historic cottage, could be considered if the ultimate aim is to ensure the cultural heritage values are conserved. If it is indeed the case, as the LD&CPMC appears to have concluded, that the best (and possibly only) way to ensure the heritage values are preserved and conserved into the future is to enable the cottage to pass into provide hands under strict conditions, then the subdivision of the land could be considered to be in accordance with the zone intent. However this would have to be put and proven as part of a subdivision application process. Such an application would be discretionary and subject to public notification.

Any proposal for further subdivision of the subject land would likely not be considered to be in accordance with the zone intent. Furthermore, access and servicing would be problematic.

The eastern part (the cottage part) would have sufficient area within its attached small paddock for an onsite waste water treatment system.

Human Resources & Financial Implications – All costs associated with preparing the property for sale will be recouped through the sale proceeds. In reference to the process, formal survey, and re-fencing, has been deferred pending the advertisement for objections (and subdivision approval) in case the process is terminated as result of these statutory procedures.

Community Consultation & Public Relations Implications – The broader community will be provided with an opportunity to comment through the two-stage advertising process (i.e. sale of public land and subdivision application).

Council Web Site Implications: *Nil.*

Policy Implications – Policy position

Priority - Implementation Time Frame – The initial advertising process will be undertaken following Council decision.

RECOMMENDATION

THAT Council:

- c) **Note the information and endorse the proposed process;**
- d) **Define the area of land that will be included with the Cottage for disposal;**
- e) **Formally resolve in accordance with section 178 of the *Local Government Act 1993*, that it intends to dispose of that area of land defined above; and**
- f) **Publish its intention to sell on at least 2 separate occasions in the Mercury newspaper, and display a copy of the notice on the boundary of the public land.**

DECISION (BY ABSOLUTE MAJORITY)

C/14/09/036/19817 DECISION (BY ABSOLUTE MAJORITY)

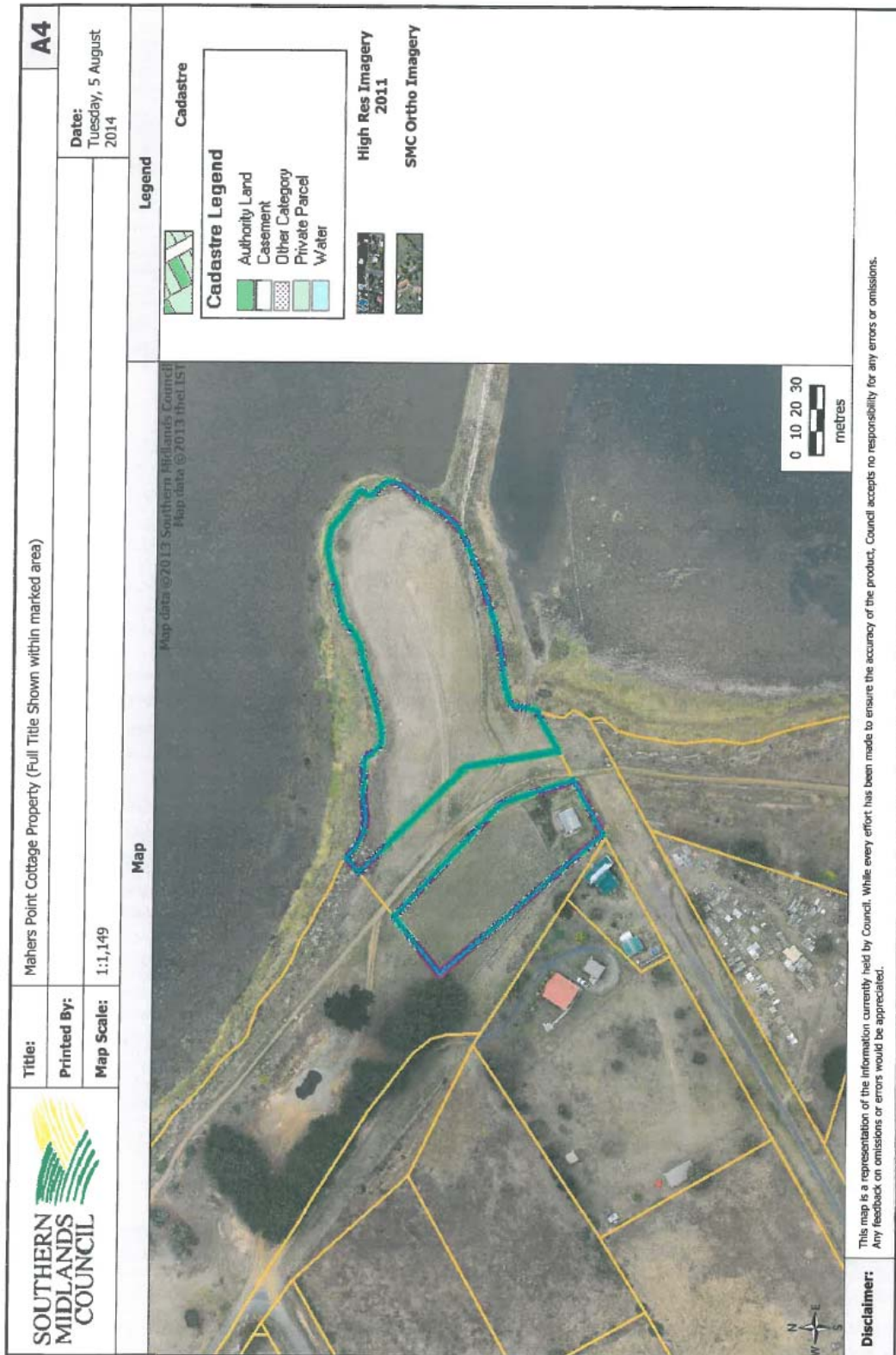
Moved by Clr J L Jones OAM, seconded by Clr A O Green

THAT:

- c) Council initiate a subdivision application based on creating a separate allotment which would incorporate that area of land as identified on the attached Plan (incorporating the cottage); and
- d) This process be undertaken prior to proceeding with the sale of public land process.

CARRIED

| Vote For | Councillor | Vote Against |
|----------|----------------------|--------------|
| √ | Mayor A E Bisdee OAM | |
| √ | Clr A R Bantick | |
| √ | Clr M Connors | |
| √ | Clr D F Fish | |
| √ | Clr A O Green | |
| √ | Clr J L Jones OAM | |



**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980**SEARCH OF TORRENS TITLE**

| | |
|------------------|------------------------------|
| VOLUME 115861 | FOLIO 1 |
| EDITION 2 | DATE OF ISSUE 08-Sep-1995 |

SEARCH DATE : 05-Aug-2014
SEARCH TIME : 09.32 AM

DESCRIPTION OF LAND

Town of OATLANDS
Lot 1 on Plan 115861
Being the land described in Conveyance No. 16/0227
Derivation : Part of 3-0-20 Granted to D. Dillon
Derived from W2232

SCHEDULE 1

B858921 TRANSFER to SOUTHERN MIDLANDS COUNCIL Registered
08-Sep-1995 at noon (MF:2343/153)

SCHEDULE 2

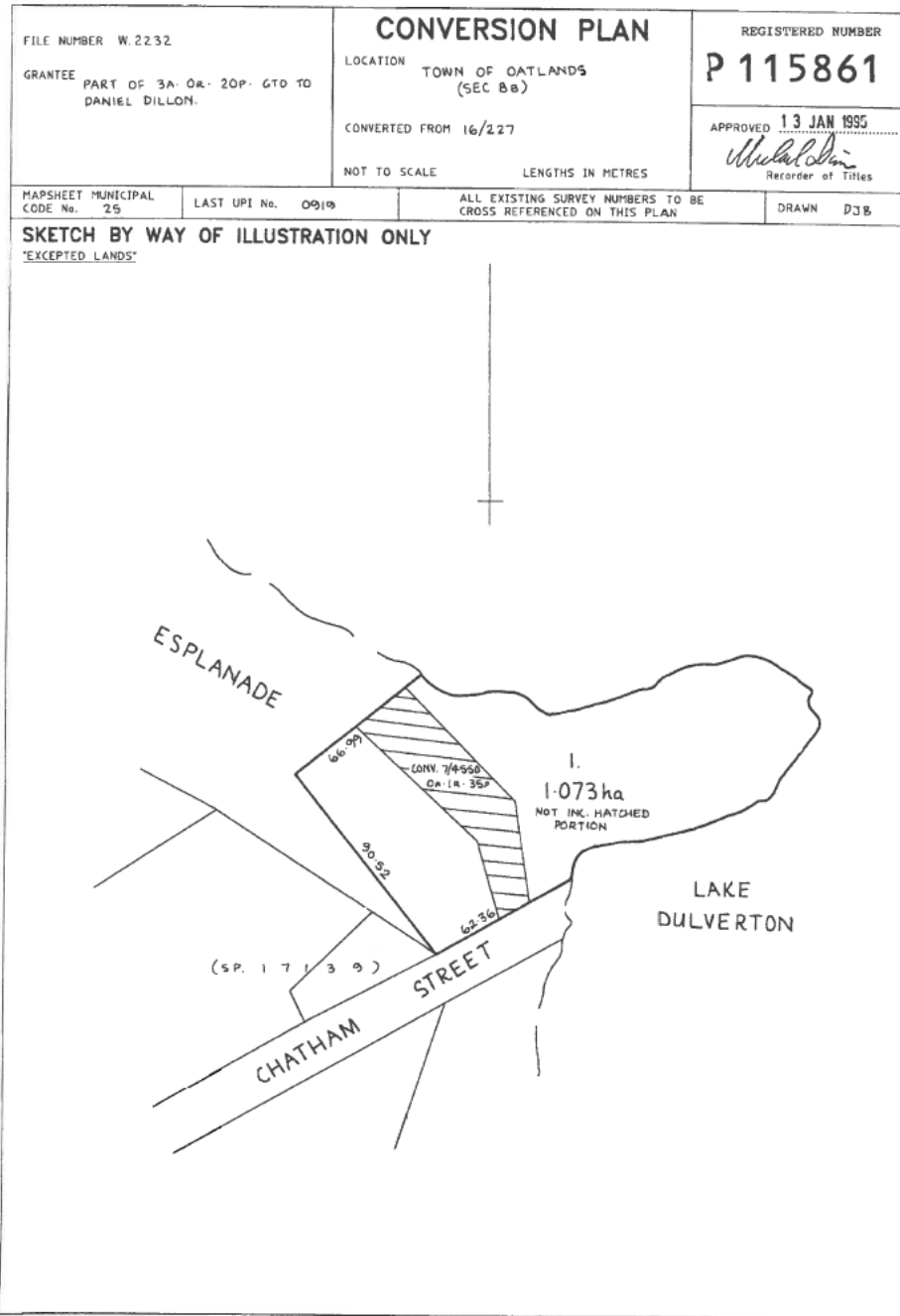
Reservations and conditions in the Crown Grant if any

UNREGISTERED DEALINGS AND NOTATIONS

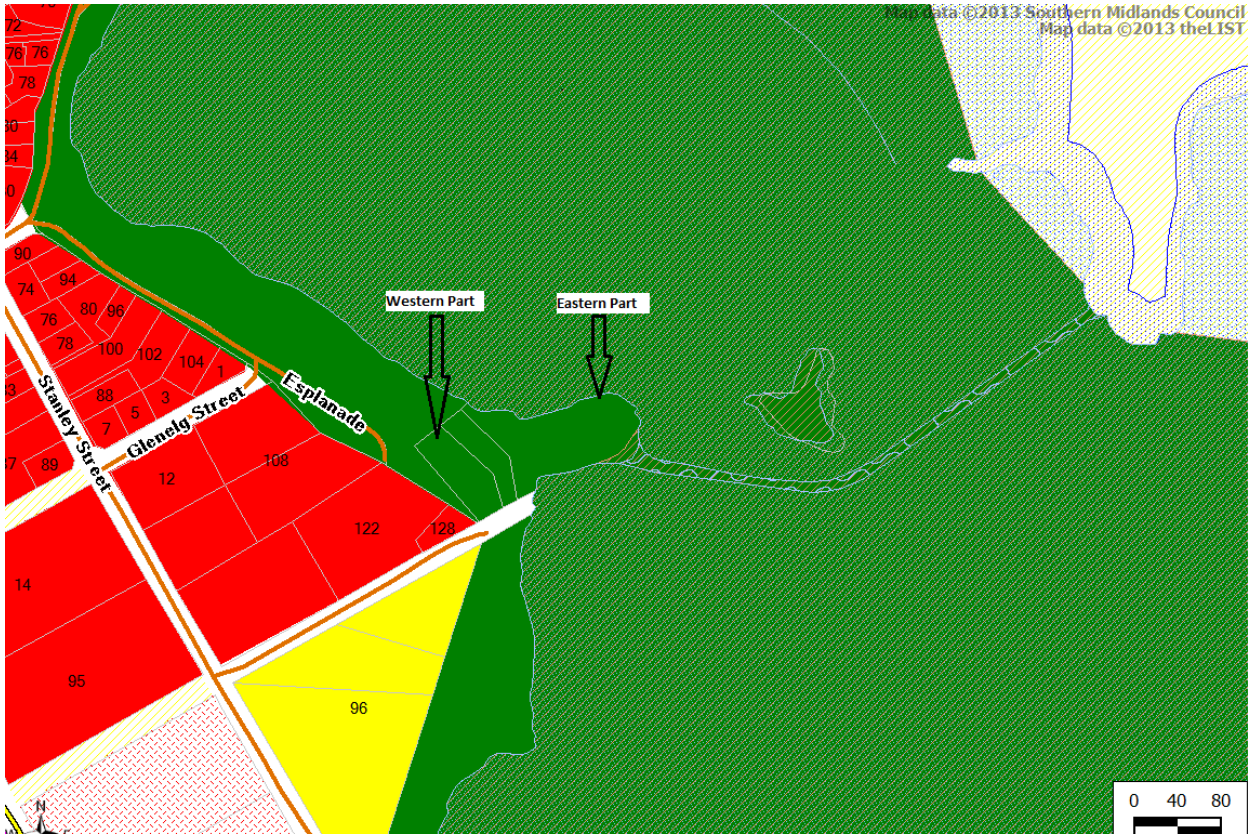
No unregistered dealings or other notations



FOLIO PLAN
 RECORDER OF TITLES
 Issued Pursuant to the Land Titles Act 1980



Zone Map



18.3 FINANCES**Strategic Plan Reference – Page 34 & 35**

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

18.3.1 Monthly Financial Statement (December 2014)

AUTHOR FINANCE OFFICER (C PENNICOTT)

DATE 22ND JANUARY 2015

Refer enclosed Report incorporating the following: -

- a) Statement of Comprehensive Income – 1st December 2014 to 31st December 2014 (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 12th January 2015
- e) Cash Flow Statement –December 2014

*Note: Expenditure figures provided are for the period 1st December to 31st December 2014 – approximately 50% of the period.***Comments****A. Current Expenditure Estimates (Operating Budget)****Strategic Theme – Growth**

- **Sub-Program – Business** - expenditure to date (\$133,154– 200.99%). Works undertaken on a recharge basis (e.g. Stornoway Contract – not included in original budget). Expenditure will be offset by income received.

Strategic Theme – Lifestyle

- **Sub-Program – Aged** – expenditure to date (\$1332 – 88.78%). Expenditure consists of payments associated with the Healthy Communities Initiative which are recovered via operational grants.
- **Sub-Program – Childcare** – expenditure to date (\$5,071 – 67.61%). Expenditure includes \$5,000 BFDC Grant to the Brighton Family Day Care.
- **Sub-Program – Animals** – expenditure to date (\$43,166 – 61.59%). Expenditure includes substantial legal costs associated with recent court processes relating to an appeal of a ‘dangerous dog declaration’.

Strategic Theme – Community

- **Sub-Program – Capacity** - expenditure to date (\$19,657 –56.12%). Expenditure relates to annual donations and sponsorship. Including \$4,545 support for MILE and disbursement of the remaining \$5,000 to the Tunbridge Town Hall for the sale of the Tunbridge Fire Station land.
- **Sub-Program – Consultation** - expenditure to date (\$3,473 – 68.51%). Expenditure of \$2,488 relates to Aurora expenses associated with the operation of the Radio Station (Transmitter Tower). Apportionment of expenses to be addressed through joint negotiation with Radio Station.

Strategic Theme – Organisation

- **Strategic Theme – Improvement** – expenditure to date (\$17,130 – 167.94%). All costs relate to the joint OH&S / Risk Management project being undertaken by six participating Councils under a resource sharing agreement. The \$16,980 is the total cost and is to be shared between the six (6) Councils with revenue coming back to Southern Midlands

B. Capital Expenditure Estimates (Capital Budget)

Nil.

RECOMMENDATION

THAT the information be received.

DECISION

| Vote For | Councillor | Vote Against |
|-----------------|----------------------|---------------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

**STATEMENT OF COMPREHENSIVE INCOME
FOR THE PERIOD
1st JULY 2014 to 31st DECEMBER 2014**

| | Annual Budget | Year to Date as at 31ST DECEMBER | % | Comments |
|---|---------------------|-------------------------------------|----------------|--|
| Income | | | | |
| General rates | \$ 4,384,707 | \$ 4,368,256 | 99.6% | Budget includes interest & Penalties to be imposed to end of June 2015 |
| User Fees (refer Note 1) | \$ 614,813 | \$ 330,314 | 53.7% | |
| Interest | \$ 245,000 | \$ 104,485 | 42.6% | |
| Government Subsidies | \$ 27,750 | - | 0.0% | Heavy Vehicle Licence Fees & Road Rescue MAIB reimbursements |
| Contract Income | \$ - | \$ - | 0.0% | |
| Other (refer Note 2) | \$ 308,188 | \$ 140,056 | 45.4% | |
| Sub-Total | \$ 5,580,458 | \$ 4,943,111 | 88.6% | |
| Grants - Operating | \$ 3,250,402 | \$ 1,625,954 | 50.0% | FAGS Grant \$3,245K |
| Total Income | \$ 8,830,860 | \$ 6,569,064 | 74.4% | |
| Expenses | | | | |
| Employee benefits | \$ 3,851,335 | \$ 1,679,657 | 43.6% | Less Roads - Resheeting Capitalised |
| Materials and contracts | \$ 2,729,768 | \$ 1,821,722 | 66.7% | Less Roads - Resheeting Capitalised, includes Land Tax |
| Depreciation and amortisation | \$ 2,654,000 | \$ 1,327,000 | 50.0% | Percentage Calculation (based on year-to-date) |
| Finance costs | \$ 53,023 | \$ 27,402 | 51.7% | |
| Contributions | \$ 178,450 | \$ 44,613 | 25.0% | Fire Service Levies |
| Other | \$ 228,242 | \$ 144,182 | 63.2% | Higher than budget due to Private Works expenditure |
| Total expenses | \$ 9,694,818 | \$ 5,044,576 | 52.0% | |
| Surplus (deficit) from operations | -\$ 863,958 | \$ 1,524,489 | -176.5% | |
| Grants - Capital (refer Note 3) | \$ 445,234 | \$ 5,000 | 1.1% | |
| Donations | \$ 2,500 | \$ 300 | 12.0% | |
| Sale Proceeds (Plant & Machinery) | \$ - | \$ 240,614 | 0.0% | |
| Net gain / (loss on disposal of non-current assets) | \$ - | \$ - | 0.0% | Budget Amount - Sale of Lots - Kandara Court |
| Surplus / (Deficit) | -\$ 416,224 | \$ 1,770,403 | -425.3% | |

NOTES

1. Income - User Fees (Budget \$614,813) includes:

| | | | | |
|----------------------|------------|----|---------|---|
| - All other Programs | \$ 296,813 | \$ | 192,261 | 64.8% |
| - Callington Mill | \$ 318,000 | \$ | 138,053 | 43.4% Actual Income Received (i.e. excluding Debtors) |
| | \$ 614,813 | \$ | 330,314 | |

2. Income - Other (Budget \$308,188) includes:

| | | | | |
|-----------------------------------|------------|----|---------|--|
| - Income (Private Works) | \$ 76,188 | \$ | 111,307 | 146.1% |
| - Tas Water Distributions | \$ 228,000 | \$ | 18,769 | 8.2% |
| - Public Open Space Contributions | \$ 4,000 | \$ | - | 0.0% |
| - Other | \$ - | \$ | 9,979 | 0.0% Insurance Recoveries; Headworks Contributions |
| | \$ 308,188 | \$ | 140,056 | |

3. Grant - Capital (Budget \$445,234) includes:

| | | | | |
|-----------------------------------|------------|----|-------|----------------------------------|
| - Roads To Recovery Grant | \$ 445,234 | \$ | - | 0.0% To be claimed in March 2015 |
| - DEDTA Economic Development Plan | \$ - | \$ | 5,000 | 1.1% |
| | \$ 445,234 | \$ | 5,000 | |

Note:

- Operating Grants
- School Holiday Program
- Communities For Children
- Australia Day Awards
- Healthy Communities Initiative

| | | | |
|--|------|----|-------|
| | \$ - | \$ | 2,400 |
| | \$ - | \$ | 1,091 |
| | \$ - | \$ | 1,973 |
| | \$ - | \$ | 3,604 |
| | \$ - | \$ | 9,067 |

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2014-15
AS AT 31 DECEMBER 2014

| INFRASTRUCTURE | ROAD ASSETS | BUDGET | EXPENDITURE | VARIANCE | COMMENTS |
|----------------|-----------------------------------|---------------------|-------------------|---------------------|---------------------------------------|
| | Resurfacing Program | \$ 600,000 | \$ 219,433 | \$ 380,568 | * |
| | Reseal Program | \$ 300,000 | \$ - | \$ 300,000 | |
| | Reconstruct & Seal | \$ 26,400 | \$ - | \$ 26,400 | |
| | Remove / Cut Bank Bank (DIER) | \$ 33,000 | \$ - | \$ 33,000 | |
| | | \$ 6,400 | \$ - | \$ 6,400 | |
| | | \$ 48,400 | \$ - | \$ 48,400 | |
| | | \$ 39,600 | \$ - | \$ 39,600 | |
| | Construct & Seal (Unsealed Roads) | \$ 39,375 | \$ 520 | \$ 38,855 | |
| | | \$ 13,750 | \$ - | \$ 13,750 | |
| | Minor Seals (New) | \$ 7,000 | \$ - | \$ 7,000 | |
| | | \$ 10,000 | \$ - | \$ 10,000 | |
| | | \$ 15,000 | \$ - | \$ 15,000 | |
| | Unsealed - Road Widening | \$ 20,000 | \$ 500 | \$ 19,500 | |
| | | \$ 20,000 | \$ 11,023 | \$ 8,977 | Budget Incls. \$11,023 expended 13/14 |
| | | \$ 30,000 | \$ - | \$ 30,000 | |
| | | \$ 19,000 | \$ - | \$ 19,000 | |
| | | \$ 20,000 | \$ - | \$ 20,000 | |
| | | \$ - | \$ - | \$ - | |
| | | \$ - | \$ - | \$ - | |
| | | \$ 211,000 | \$ 17,826 | \$ 193,174 | Budget Incls. \$16,044 expended 13/14 |
| | | \$ 20,000 | \$ 6,682 | \$ 13,308 | |
| | | \$ 83,000 | \$ - | \$ 83,000 | |
| | | \$ 25,600 | \$ 4,595 | \$ 21,005 | |
| | | \$ 5,000 | \$ - | \$ 5,000 | |
| | | \$ 20,250 | \$ - | \$ 20,250 | |
| | | \$ 3,000 | \$ - | \$ 3,000 | |
| | | \$ 15,000 | \$ - | \$ 15,000 | |
| | | \$ - | \$ 6,225 | \$ (6,225) | Replacement - Truck Accident |
| | | \$ 9,700 | \$ - | \$ 9,700 | |
| | | \$ 5,000 | \$ - | \$ 5,000 | |
| | | \$ 1,641,475 | \$ 266,815 | \$ 1,374,661 | |

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2014-15
AS AT 31 DECEMBER 2014

| | BUDGET | EXPENDITURE | VARIANCE | COMMENTS |
|----------------------|---------------------|-------------------|---------------------|--|
| BRIDGE ASSETS | | | | |
| C1030003 | \$ 436,272 | \$ 356,652 | \$ 79,380 | Brown Mountain Road (Coal River B637) |
| C1030023 | \$ 336,335 | \$ 3,225 | \$ 333,110 | Swainston Road - Little Swampport Rv (B 1716) |
| C1030028 | \$ 156,340 | \$ 22,858 | \$ 133,482 | Rotherwood Road Bridge (No. 1137) |
| C1030029 | \$ - | \$ 200 | \$ (200) | Elderslie Rd - Jordan River B486 |
| C1030030 | \$ - | \$ 1,090 | \$ (1,090) | Jones Rd (B5083) |
| C1030041 | \$ 142,600 | \$ - | \$ 142,600 | Kheme Road (Brazalee Creek B5175) |
| C1030044 | \$ 81,672 | \$ 1,304 | \$ 80,368 | Grahams Creek Road (Grahams Creek B2510) Elderslie Road |
| C1030045 | \$ 26,440 | \$ - | \$ 26,440 | Daniels Road - Marshalls Crk |
| | \$ 60,129 | \$ - | \$ 60,129 | Noyas Road (Limekiln Creek) |
| | \$ - | \$ 1,459 | \$ (1,459) | Fields Road Bridge (B1851) |
| C1030006 | \$ 212,650 | \$ - | \$ 212,650 | Inglewood Road (Tin Dish Rivulet B4289) |
| | \$ 107,290 | \$ - | \$ 107,290 | Muddy Plains Road (Summerfield Creek B417) |
| | \$ 107,290 | \$ - | \$ 107,290 | Nala Road (Kittys Rivulet B4284) |
| | \$ 56,950 | \$ - | \$ 56,950 | Sandy Lane (Red Rocks Race B4198) |
| | \$ 1,723,968 | \$ 387,038 | \$ 1,336,930 | |
| | | | | Roads to Recovery 484,180 |
| WALKWAYS | | | | |
| | \$ 40,000 | \$ - | \$ 40,000 | Footpaths - General (Program to be confirmed) |
| | \$ 10,000 | \$ - | \$ 10,000 | Campina Township - Reeve Street (Vicinity of Store) |
| C1040005 | \$ 80,000 | \$ 8,386 | \$ 71,614 | - Reeve Street (500 metres) |
| C1040005 | \$ 5,000 | \$ - | \$ 5,000 | - Review Management Plan (Site Plan) / Walking Tracks (Bush Reserve) |
| | \$ 9,100 | \$ 9,622 | \$ (522) | Oatlands Township - Esplanade (Roadside Stopover to Infant School) |
| C1040019 | \$ 15,000 | \$ - | \$ 15,000 | - High Street (Vicinity of School) |
| | \$ 6,000 | \$ - | \$ 6,000 | - High Street (Vicinity of Pancake Parlour) |
| | \$ 15,000 | \$ - | \$ 15,000 | - Church Street (K&G renewal) |
| | \$ 7,800 | \$ - | \$ 7,800 | Tunbridge Township - Various (to be confirmed) |
| | \$ - | \$ 39 | \$ (39) | Colebrook Township - Richmond Street |
| C1010005 | \$ - | \$ 372 | \$ (372) | - Kerib & Gutter (Footpath improvements) |
| C1040015 | \$ 8,000 | \$ - | \$ 8,000 | Parattah Township - Tunnock Main Road (Link footpath existing to Sailey's Rd) |
| | \$ 195,900 | \$ 18,419 | \$ 177,481 | |
| | \$ 6,262 | \$ 1,528 | \$ 6,734 | Mt Pleasant Rec Ground (10ML) - Balance |
| IRRIGATION | | | | |
| | \$ 8,262 | \$ 1,528 | \$ 6,734 | |

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2014/15
AS AT 31 DECEMBER 2014

| | | BUDGET | EXPENDITURE | VARIANCE | COMMENTS |
|------------------------|--|-------------------|-------------------|--------------------|---|
| DRAINAGE | | | | | |
| | Bagdad | | | | |
| | - Midland Hwy/ Swan St Drainage (McShane Property) | \$ 22,500 | \$ - | \$ 22,500 | |
| | - Swan Street - Kerb & Gutter (eastern & western side) | \$ 241,862 | \$ 129,639 | \$ 112,244 | Budget - allocated in 2013/14 |
| | - Hyland Crescent | \$ - | \$ 14,351 | \$ (14,351) | |
| | Campania | | | | |
| | - Reeve Street Open Drain (North Of Telephone Box) | \$ 45,000 | \$ 3,750 | \$ 41,250 | |
| | Colebrook | | | | |
| | - Franklin Street (Stormwater) | \$ - | \$ 100 | \$ (100) | |
| | Oatlands | | | | |
| | - Barrack Street (towards Mason St) | \$ 10,000 | \$ - | \$ 10,000 | |
| | - High St/Wellington Street Junction | \$ 5,000 | \$ - | \$ 5,000 | Included in costings for Wellington St |
| | - Stanley Street / Lake Duverton - Extension | \$ 13,000 | \$ 11,052 | \$ 1,948 | Project Completed |
| | - Wellington Street (150 metres - kerb replacement) | \$ 12,000 | \$ 25,000 | \$ (13,000) | Refer above (additional \$5K) - project completed |
| | - William Street (Church St to Gay St) | \$ 10,000 | \$ - | \$ 10,000 | |
| | | \$ 359,362 | \$ 183,892 | \$ 175,490 | |
| WASTE | | | | | |
| | Waste Receptives | \$ 7,500 | \$ 9,117 | \$ (1,617) | |
| | | \$ 7,500 | \$ 9,117 | \$ (1,617) | |
| PUBLIC TOILETS | | | | | |
| | Colebrook - Power Connection & Lighting | \$ 5,000 | \$ - | \$ 5,000 | |
| | Campania - Urinal / Plumbing / External Shower Head | \$ 4,000 | \$ - | \$ 4,000 | |
| | | \$ 9,000 | \$ - | \$ 9,000 | |
| SIGNAGE | | | | | |
| | Municipal Boundary (Brighton Bypass) | \$ 2,500 | \$ 2,657 | \$ (157) | Project Completed |
| | | \$ 2,500 | \$ 2,657 | \$ (157) | |
| RESIDENTIAL | | | | | |
| | Kandara Court Subdivision (Stages 1 and 2) | \$ - | \$ 39,895 | \$ (39,895) | Long-term WIP (pending Property Sales) |
| | | \$ - | \$ 39,895 | \$ (39,895) | |
| MILL OPERATIONS | | | | | |
| | Visitor Centre - Appliances | \$ - | \$ 426 | \$ (426) | |
| | | \$ - | \$ 426 | \$ (426) | |
| HERITAGE | | | | | |
| | Callington Mill (Master Precinct Plan) | \$ 20,000 | \$ 1,260 | \$ 18,740 | |
| | Southern Midlands Probation Station | \$ - | \$ 7,508 | \$ (7,508) | Grant Funded |
| | Commissariat (79 High Street) | \$ 89,500 | \$ 3,423 | \$ 86,077 | |
| | Oatlands Gaol - Minor Capital Works | \$ 7,000 | \$ 4,508 | \$ 2,492 | |
| | Kempston Watch House (Fibrot) | \$ 7,500 | \$ - | \$ 7,500 | |
| | | \$ 124,000 | \$ 16,697 | \$ 107,303 | |
| LANDSCAPES | | | | | |
| | Lake Duverton - Improvements | \$ - | \$ 6,232 | \$ (6,232) | |
| | Chauncy Vale - Day Dawn Cottage (Toilet Upgrade) | \$ 5,000 | \$ - | \$ 5,000 | |
| | | \$ 5,000 | \$ 6,232 | \$ (1,232) | |

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2014-15
AS AT 31 DECEMBER 2014

| REGULATORY | BUDGET | EXPENDITURE | VARIANCE | COMMENTS |
|------------|---------------------|---------------------|---------------------|------------------------------------|
| C3040001 | \$ 8,954 | \$ - | \$ 8,954 | |
| C3040001 | \$ 3,000 | \$ 1,438 | \$ 1,562 | |
| C3040001 | \$ 5,000 | \$ 2,700 | \$ 2,300 | |
| C3040001 | \$ 7,500 | \$ - | \$ 7,500 | |
| | \$ 24,454 | \$ 4,138 | \$ 20,316 | |
| | \$ 10,000 | \$ - | \$ 10,000 | |
| | \$ 5,000 | \$ - | \$ 5,000 | |
| | \$ - | \$ 1,293 | \$ (1,293) | |
| | \$ 15,000 | \$ 13,539 | \$ 1,461 | |
| | \$ (4,486) | \$ - | \$ (4,486) | |
| | \$ 3,300 | \$ 2,636 | \$ 664 | |
| | \$ 7,500 | \$ - | \$ 7,500 | |
| | \$ 8,995 | \$ 8,995 | \$ - | |
| | \$ 25,000 | \$ - | \$ 25,000 | |
| | \$ 10,000 | \$ - | \$ 10,000 | |
| | \$ 10,000 | \$ - | \$ 10,000 | |
| | \$ 10,000 | \$ 4,830 | \$ 5,170 | |
| | \$ 10,000 | \$ 5,297 | \$ 4,703 | |
| | \$ - | \$ 7,547 | \$ (7,547) | |
| | \$ 10,000 | \$ 3,764 | \$ 6,236 | |
| | \$ - | \$ 4,139 | \$ (4,139) | Ground Lighting - Budget Amendment |
| | \$ - | \$ 4,588 | \$ (4,588) | Ground Lighting - Budget Amendment |
| | \$ 5,200 | \$ 5,719 | \$ (5,719) | \$4K Grant Funded |
| | \$ 5,000 | \$ - | \$ 5,000 | |
| | \$ 130,497 | \$ 67,569 | \$ 62,928 | |
| | \$ 3,000 | \$ - | \$ 3,000 | |
| | \$ 3,000 | \$ - | \$ 3,000 | |
| | \$ 35,000 | \$ 59,793 | \$ (24,793) | |
| | \$ 15,000 | \$ - | \$ 15,000 | |
| | \$ 7,400 | \$ - | \$ 7,400 | |
| | \$ 7,500 | \$ - | \$ 7,500 | |
| | \$ 6,000 | \$ 4,789 | \$ 3,211 | |
| | \$ 6,000 | \$ - | \$ 6,000 | |
| | \$ 1,500 | \$ - | \$ 1,500 | |
| | \$ 5,000 | \$ 2,818 | \$ 2,182 | |
| | \$ 10,000 | \$ - | \$ 10,000 | |
| | \$ 5,000 | \$ - | \$ 5,000 | |
| | \$ 9,500 | \$ 5,308 | \$ 4,192 | |
| | \$ 2,000 | \$ - | \$ 2,000 | |
| | \$ 217,920 | \$ 170,477 | \$ 47,443 | |
| | \$ 168,000 | \$ 91,523 | \$ 106,477 | |
| | \$ - | \$ - | \$ - | |
| | \$ 36,000 | \$ - | \$ 36,000 | |
| | \$ 533,820 | \$ 304,707 | \$ 229,113 | |
| | \$ 4,768,758 | \$ 1,309,131 | \$ 3,459,627 | |
| | \$ 3,000 | \$ - | \$ 3,000 | |
| | \$ 3,000 | \$ - | \$ 3,000 | |
| | \$ 35,000 | \$ 59,793 | \$ (24,793) | |
| | \$ 15,000 | \$ - | \$ 15,000 | |
| | \$ 7,400 | \$ - | \$ 7,400 | |
| | \$ 7,500 | \$ - | \$ 7,500 | |
| | \$ 6,000 | \$ 4,789 | \$ 3,211 | |
| | \$ 6,000 | \$ - | \$ 6,000 | |
| | \$ 1,500 | \$ - | \$ 1,500 | |
| | \$ 5,000 | \$ 2,818 | \$ 2,182 | |
| | \$ 10,000 | \$ - | \$ 10,000 | |
| | \$ 5,000 | \$ - | \$ 5,000 | |
| | \$ 9,500 | \$ 5,308 | \$ 4,192 | |
| | \$ 2,000 | \$ - | \$ 2,000 | |
| | \$ 217,920 | \$ 170,477 | \$ 47,443 | |
| | \$ 168,000 | \$ 91,523 | \$ 106,477 | |
| | \$ - | \$ - | \$ - | |
| | \$ 36,000 | \$ - | \$ 36,000 | |
| | \$ 533,820 | \$ 304,707 | \$ 229,113 | |
| | \$ 4,768,758 | \$ 1,309,131 | \$ 3,459,627 | |

| SOUTHERN MIDLANDS COUNCIL | | | |
|--|--|--|--|
| SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED | | | |
| | This Financial Year 12th January 2015 | Last Financial Year 12th January 2014 | |
| Arrears brought forward as at July 1 | \$ 431,103.63 | \$ 352,040.89 | |
| ADD current rates and charges levied | \$ 4,326,873.65 | \$ 4,138,844.33 | |
| ADD current interest and penalty | \$ 34,587.88 | \$ 40,616.22 | |
| TOTAL rates and charges demanded | 100.00% \$ 4,792,565.16 | 100.00% \$ 4,531,501.44 | |
| LESS rates and charges collected | 57.86% \$ 2,772,899.50 | 56.20% \$ 2,546,671.46 | |
| LESS pensioner remissions | 4.52% \$ 216,791.65 | 4.54% \$ 205,931.70 | |
| LESS other remissions and refunds | -0.16% -\$ 7,668.38 | -0.12% -\$ 5,408.50 | |
| LESS discounts | 0.45% \$ 21,628.61 | 0.39% \$ 17,747.50 | |
| TOTAL rates and charges collected and remitted | 62.67% \$ 3,003,651.38 | 61.02% \$ 2,764,942.16 | |
| UNPAID RATES AND CHARGES | 37.33% \$ 1,788,913.78 | 38.98% \$ 1,766,559.28 | |

| | INFLOWS (OUTFLOWS) (July 2014) | INFLOWS (OUTFLOWS) (August 2014) | INFLOWS (OUTFLOWS) (September 2014) | INFLOWS (OUTFLOWS) (October 2014) | INFLOWS (OUTFLOWS) (November 2014) | INFLOWS (OUTFLOWS) (December 2014) | INFLOWS (OUTFLOWS) (Year to Date) |
|---|--------------------------------------|--|---|---|--|--|---|
| Cash flows from operating activities | | | | | | | |
| Payments | - | - | - | - | - | - | - |
| Employee costs | 286,297.46 | 268,596.25 | 270,131.91 | 239,132.31 | 400,241.97 | 245,082.68 | 1,709,482.58 |
| Materials and contracts | 521,480.45 | 306,375.10 | 373,753.54 | 428,830.09 | 164,442.42 | 227,023.86 | 2,021,903.46 |
| Interest | 373.55 | - | - | - | 8,701.09 | 18,326.99 | 27,401.63 |
| Other | 16,354.26 | 20,038.62 | 35,060.86 | 83,428.98 | 23,015.57 | 21,412.60 | 199,310.89 |
| | 824,505.72 | 595,009.97 | 678,946.31 | 751,391.38 | 596,401.05 | 511,846.13 | 3,958,100.56 |
| Receipts | - | - | - | - | - | - | - |
| Rates | 96,394.89 | 127,273.28 | 1,693,179.94 | 425,042.42 | 373,835.18 | 255,213.10 | 2,970,938.81 |
| User charges | 66,467.29 | 57,926.84 | 74,787.66 | 45,762.56 | 82,928.30 | 99,630.74 | 427,303.39 |
| Interest received | 17,918.73 | 10,122.94 | 20,688.05 | 18,022.03 | 16,523.83 | 21,208.92 | 104,484.50 |
| Subsidies | - | - | - | - | - | - | - |
| Other revenue grants | - | 812,046.89 | - | 3,490.91 | - | 5,000.00 | 820,537.80 |
| GST Refunds from ATO | - | - | - | - | - | - | - |
| Other | 68,007.19 | 30,214.61 | 49,892.91 | 76,718.11 | 145,646.65 | 174,927.29 | 93,898.42 |
| | 112,773.72 | 1,037,584.56 | 1,838,548.56 | 415,599.81 | 618,933.96 | 206,125.47 | 4,229,566.08 |
| | 711,732.00 | 442,574.59 | 1,159,602.25 | 335,791.57 | 22,532.91 | 305,720.66 | 271,465.52 |
| Net cash from operating activities | | | | | | | |
| Cash flows from investing activities | | | | | | | |
| Payments for property, plant & equipment | 58,787.91 | 80,497.25 | 124,934.81 | 222,026.69 | 60,040.85 | 234,868.48 | 781,155.99 |
| Proceeds from sale of property, plant & equipment | - | 14,720.91 | 13,636.36 | 31,863.63 | 810,415.98 | 180,392.83 | 240,613.73 |
| Proceeds from Capital grants | - | - | - | - | - | - | - |
| Proceeds from Investments | - | - | - | - | - | - | - |
| Payment for Investments | - | - | - | - | - | - | - |
| | 58,787.91 | 65,776.34 | 111,298.45 | 190,163.06 | 750,375.13 | 54,475.65 | 540,542.26 |
| Net cash used in investing activities | | | | | | | |
| Cash flows from financing activities | | | | | | | |
| Repayment of borrowings | 4,262.22 | - | - | - | 10,723.83 | 37,808.03 | 52,794.08 |
| Proceeds from borrowings | - | - | - | - | - | - | - |
| Net cash from (used in) financing activities | 4,262.22 | - | - | - | 10,723.83 | 37,808.03 | 52,794.08 |
| Net increase/(decrease) in cash held | 774,782.13 | 376,798.25 | 1,048,303.80 | 525,954.63 | 762,184.21 | 398,004.34 | 488,545.16 |
| Cash at beginning of reporting year | 7,992,781.80 | 7,217,999.67 | 7,594,797.92 | 8,643,101.72 | 8,117,147.09 | 8,879,331.30 | 7,992,781.80 |
| Cash at end of reporting year | 7,217,999.67 | 7,594,797.92 | 8,643,101.72 | 8,117,147.09 | 8,879,331.30 | 8,481,326.96 | 8,481,326.96 |

19. INFORMATION BULLETINS

Refer enclosed Bulletin dated 22nd January 2015.

Information Bulletin dated 16th January 2015, has been circulated since previous meeting.

RECOMMENDATION

THAT the Information Bulletins dated 16th January 2015 and 22nd January 2015 be received and the contents noted.

DECISION

| Vote For | Councillor | Vote Against |
|-----------------|----------------------|---------------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

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

| Vote For | Councillor | Vote Against |
|-----------------|----------------------|---------------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

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**

RECOMMENDATION

THAT Council move out of “Closed Session”.

DECISION

| Vote For | Councillor | Vote Against |
|-----------------|----------------------|---------------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

RECOMMENDATION

THAT Council endorse the decision made in “Closed Session”.

DECISION

| Vote For | Councillor | Vote Against |
|-----------------|----------------------|---------------------|
| | Mayor A E Bisdee OAM | |
| | Clr A R Bantick | |
| | Clr E Batt | |
| | Clr B Campbell | |
| | Clr D F Fish | |
| | Clr A O Green | |

23. CLOSURE