

**MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS
COUNCIL HELD ON WEDNESDAY 22ND FEBRUARY 2012 AT THE
TUNBRIDGE HALL, TUNBRIDGE COMMENCING AT 12:02 P.M.**

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ENCLOSED

**Council Meeting Minutes & Special Committees of Council Minutes
General Information Bulletin
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- Item 17.1.1 - MAV Insurance Risk Audit Report Southern Midlands Council

**MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS
COUNCIL HELD ON WEDNESDAY 22ND FEBRUARY 2012 AT THE
TUNBRIDGE HALL, TUNBRIDGE COMMENCING AT 12:02 P.M.**

OPEN COUNCIL MINUTES

1. PRAYERS

Rev Meg Evans conducted Prayers.

2. ATTENDANCE

Mayor A E Bisdee OAM, Deputy Mayor M Jones OAM, Clr A R Bantick, Clr C J Beven, Clr M Connors, Clr A O Green and Clr J L Jones OAM.

In Attendance: Mr T Kirkwood (General Manager) Mr A Benson (Manager Community & Corporate Development) Mr D Cundall (Planning Officer) and Mrs K Brazendale (Executive Assistant).

3. APOLOGIES

Clr B Campbell & Clr D F Fish.

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 25th January 2012, as circulated, are submitted for confirmation.

C/12/02/005/10832 DECISION

Moved by Clr J L Jones OAM, seconded by Deputy Mayor M Jones OAM

THAT the Minutes of the previous meeting of Council held on the 25th January 2012, as circulated, be confirmed.

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

5.2 SPECIAL COUNCIL MINUTES

Nil.

5.3 SPECIAL COMMITTEES OF COUNCIL MINUTES

5.3.1 Special Committees of Council - Receipt of Minutes

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

- **Southern Midlands Facilities and Recreation Committee** – meeting held 6th February 2012
- **Lake Dulverton and Callington Park Management Committee** – meeting held 8th February 2012

RECOMMENDATION

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

C/12/02/006/10833 DECISION

Moved by Clr M Connors, seconded by Clr C J Beven

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

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

5.3.2 Special Committees of Council - Endorsement of Recommendations

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

- **Southern Midlands Facilities and Recreation Committee** – meeting held 6th February 2012
- **Lake Dulverton and Callington Park Management Committee** – meeting held 8th February 2012

RECOMMENDATION

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

C/12/02/007/10834 DECISION

Moved by Clr C J Beven, seconded by Clr J L Jones OAM

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

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	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** – Meeting held 24th January 2012
- **Southern Waste Strategy Authority** - Nil

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

RECOMMENDATION

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

C/12/02/008/10835 DECISION

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

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

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

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** – Quarterly Report December 2011
- **Southern Waste Strategy Authority** – Nil

RECOMMENDATION

THAT the report from the Joint Authority be received.

C/12/02/010/10836 DECISION

Moved by Clr J L Jones OAM, seconded by Deputy Mayor M Jones OAM

THAT the report from the Joint Authority be received.

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

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.

A workshop was held at the Council Chambers, Kempton on 7th February 2012, commencing at 12.00 noon.

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

Apologies: Nil

Also in Attendance: General Manager (T F Kirkwood), Manager – Community and Corporate Development (A Benson) and Executive Assistant (K Brazendale).

The purpose of the workshop was to commence the bi-annual review of the Strategic Plan 2010-2015.

The outcomes of the workshop will be reflected in an amended draft of the Strategic Plan once the review process is completed.

RECOMMENDATION

THAT the information be received.

C/12/02/011/10837 DECISION

Moved by Clr C J Beven, seconded by Deputy Mayor M Jones OAM

THAT the information be received.

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

7. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

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

RECOMMENDATION

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

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

- Southern Midlands School Viability Working Group (Update) – Item 20.1
- Flour Mill Park, Campania – Camping (Item 20.2)
- In-Committee Items (2) – Items 21.1 and 21.2

C/12/02/012/10838 DECISION

Moved by Deputy Mayor M Jones OAM, seconded by Clr A O Green

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

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr A O Green	
√	Clr J L Jones OAM	

8. DECLARATIONS OF PECUNIARY INTEREST

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

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

Nil.

9. PUBLIC QUESTION TIME (SCHEDULED FOR 1.00 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.*

Mayor A E Bisdee advised the meeting that no formal questions on notice had been received for the meeting.

No questions were raised by members of the public.

9.1 PERMISSION TO ADDRESS COUNCIL

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

- Oatlands District High School Representatives (Mr Peter Baldwin & Jeff Williamson) will attend the meeting at approx 2.30 p.m. in relation to Item - 15.1.1

- Mr Brad Williams (Manager – Heritage Projects) will attend the meeting at approx. 3.00 p.m. to present his paper on SMC's archaeological projects. This was recently presented to the Australasian Society for Historical Archaeology's annual conference in Dunedin, New Zealand, Nov 16-20, 2011.

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

Nil.

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

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

11.1 DEVELOPMENT APPLICATIONS

11.1.1 Development Application for a 'Level 1 – Sand Quarry', defined as an Industry (Extractive) at 76 Mauriceston Lane, Dysart.

File Reference: T3072851

APPLICANT: Mr John Allen
REPORT AUTHOR: PLANNING OFFICER (DAVID CUNDALL)
DATE: 10th FEBRUARY 2012

ATTACHMENTS:

1. Site Photos
2. Representation
3. Environmental Health Officer Comments and EPN
4. Site Plan

THE PROPOSAL:

The applicant, Mr John Allen, has applied to Council for the development and use of a Sand Quarry (Level 1 Extraction Level) at land situated at Mauriceston Lane, Dysart.

The expected level of extraction is estimated at under 5,000 cubic meters of sand per year. At this level the quarry is to be assessed by both Council and Mineral Resources Tasmania. If the quarry was expected to have an output over 5,000 cubic meters per year then the quarry would have to be assessed at a higher level by the Environment Protection Authority and it would be expected that such a level would have a much greater impact on the surrounding area.

The extraction of sand does not require any blasting. It is a process of identifying a certain soil type found in certain areas and stripping back the top soil, and any vegetation, to reveal the sand below. The sand in this case is a coarse to fine grain of sand that would be typically used in construction for the bedding of pipes or pipelines.

It is the Council Officers' understanding that a sand extraction pit is relatively shallow in comparison to the other quarries (for stone and gravel products).

The sand is proposed to be extracted (dug) with a single front-end-loader that will also be used to load the product onto trucks. The applicant expects a maximum of 11 trucks (no

trailers) a week, creating a total possible maximum of 22 truck movements a week (in and out); though it has also been stated by the applicant that it would be an average of 1 truck (no trailer) visit per day, creating on average around 14 truck movements per week. It is noted that no sand is to be stockpiled on site. The sand is removed as and when needed to meet truck delivery needs.

The topsoil that is ‘stripped’ is typically stored on site for the later progressive rehabilitation of the site. This would be a requirement of Mineral Resources Tasmania and Council in accordance with the *Quarry Code of Practice 1999* (“the code”). The applicant has also stated rehabilitation works in the proposal. Evidence of a former sand quarry of a similar size is evident nearby. Though it is evident where the sand quarry once was, (approximately 20 years old), the vegetation has since grown and stabilised the top soil; making only a small impression in the landscape.

The applicant has also proposed to mitigate any sand, soil and dust disturbance caused by winds by way of installing a sprinkler system fed by a nearby bore water pump. It is proposed to install the sprinklers prior to the commencement of any works.

In accordance with *The Code*, air emissions (dust etc) ‘...should not normally be visible crossing the boundary of the premises’. Any quarry operator must conform with *The Code* and the ‘acceptable standards’ provided within the booklet. This includes measures to lessen vehicle speeds on site, use of water sprinklers to control air emissions and well planned stockpiles of stripped material and making best use of natural landscape features.

THE SITE

The land in question is cleared dry pasture land. A large part of the proposed site also has some gorse and bracken fern. The site is located on the slope of a small hillside. The applicant has indicated that Mineral Resources Tasmania would only allow for an extraction pit to be located within an area of around 1ha. The Development Application indicates the site to be much smaller than a hectare. Various site visits have also confirmed this to be the case. Council Officers are also confident in this, as the previous sand extraction pit (located nearby) was used as an example in the Development Application.

The site is about 1km from Clifton Vale Rd. Attachment 1 in this report indicates clearly where the site is located. Access to the site is from Mauriceston Lane along a proposed internal 700m long gravel track.

The nearest residence to the Quarry is the applicant, Mr Allen, who is adjoined by two neighbours located at a greater distance than Mr Allen (both respectively at 500-600m). The other nearest resident is a farm located around 700m away (across the valley and accessed off Clifton Vale Rd). Many contours in the land combined with some hedging and other vegetation tend to isolate the quarry from the nearest residents. However it would be possible to easily identify the site from Clifton Vale Rd (if looking for it).

The Jordan River intersects through the Mr Allen's land. The river would be an estimated 250m from the proposed extraction site and would be outside of a licensed site (Mineral Resources Tasmania). Some contours in the landscape would naturally inhibit any water run-off from the site; and the applicant has also proposed to implement the correct water management and erosion plans in accordance with *The Code*.

The land surrounding the site is rural land used in all manner of activities. This includes some dwellings and farms along Mauriceston Lane and Clifton Vale Rd, some former sand extraction sites found nearby (not just including the former site mentioned on Mr Allen's property) and a substantial gravel quarry located North of Mr Allen's property, but accessed off Mauriceston Lane. Though the land is quite dry at times, the Jordan River does give some farmers access to water for various agricultural pursuits.

LEGISLATIVE PERFORMANCE REQUIREMENTS

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

- *Land Use Planning and Approvals Act 1993*
- *Environmental Management and Pollution Control Act 1994*
- *The Mineral Resources Development Act 1995*
- *Dangerous Goods Regulations 1994*
- *Workplace Health and Safety Act 1995*
- *Quarry Code of Practice 1999*
- *Southern Midlands Planning Scheme 1998*
- *State Policy of Water Quality Management*
- *State Policy on the Protection of Agricultural Land 2009*

Council is to assess the application under the *Land Use Planning and Approvals Act 1993*, in association with *Environmental Management and Pollution Control Act 1994*, *The Quarry Code of Practice 1999*, and *Southern Midlands Planning Scheme 1998*. Consideration has also been given to the *State Policy of Water Quality Management* and the *State Policy on the Protection of Agricultural Land 2009*.

It is worth noting that impact mitigation controls and further monitoring of the proposed quarry is not just limited to Council.

THE APPLICATION

In consultation with Council's Environmental Health Officer, the applicant was to provide a completed 'Environmental Effects Report'. To demonstrate how potential environmental impacts and nuisances can be mitigated or controlled. Given that potential impacts as a result of the quarry are largely environmental concerns, the provided 'Environmental Effects Report' combined with discussions had with the Environmental Health Officer are a major component in assessing a proposed quarry.

The other details provided are:

- Proposed operating hours, of 8AM till 4PM Monday to Friday and 8AM till 12PM on Saturday (no operation on Sunday).
- One employee on site only and one front-end-loader.
- The location of the site and photos.
- Proposed access route.
- Vehicle Movements.
- Other details discussed in this report.

THE PLANNING SCHEME ASSESSMENT

Use/Development Definition

Under *Schedule 3 Use or Development Category Definitions* of the *Planning Scheme*, the proposed use and development is defined as an:

“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 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 or materials resulting from that extractive industry; and/or
- e) the repair and maintenance of vehicles and machinery used in connection with that extractive industry.”

Zone: Rural Agriculture Zone

The site of the proposed quarry is located entirely within the Rural Agriculture Zone, and not within any overlays or special areas. Given the ‘discretionary’ status of the proposal it would be reasonable for the Planning Officer to give a comment in relation to the below listed intentions of the Rural Agricultural Zone:

6.2.2 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;*

In the Rural Zone, a quarry is considered to be a rural type use of the land. Given also the location and size of the proposed operation, on a sloping part of the land; better farming land located closer to the Jordan can still be utilized for other agricultural and horticultural practices.

(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 proposal was advertised for fourteen days. Adjoining owners have the right to present any concerns to Council regarding potential conflict with intentions to conduct any such activities related to the Irrigation Scheme. Furthermore, the quarry site is contained well within the boundaries of the subject title.

(c) encourage expansion and diversification of agricultural activities;

The Clifton Vale Rd area is certainly an example of diversified rural land use activities. A proposed sand quarry would not be entirely out of place in the area.

(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;***

The quarry site is simply not big enough to jeopardise the long term capability of the land. An added truck a day to the road would not cause undue wear and tear on Council road infrastructure. Given also the road often sustains other trucks used in other rural enterprises.

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

No vegetation other than gorse, grass and bracken will be removed to allow for the quarry. All such vegetation and possibly more will be used to rehabilitate the site in accordance with the *Quarry Code of Practice 1999*.

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

As above.

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

The soil is ‘Class 5’. The Planning Officer, with a background in horticulture, is of the opinion that the soil would require added material for improvement; and though the area is dry sandy soil there is water access (when available) from the Jordan River. However, given the reasonably short lifespan of a sand quarry as determined by a license from Mineral Resources Tasmania, the land can and will be eventually re-instated to its former soil type and could in fact be used for grazing or horticultural practices.

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

The adjoining non-agricultural uses in this instance are the small number of dwellings in the area. But given that these dwellings are generally in association with larger lots and for farm type purposes there is no reason to indicate that the adjoining homes will adversely impact upon a quarry when conducted in accordance with the right guidelines.

Statutory Status

Under the *Planning Scheme*, an Industry (Extractive) is a ‘Discretionary Use/Development’ in the Rural Agriculture Zone. Such a use development:

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

Extract SMPS 1998

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

Public Notification and Representation

The application was advertised, and all adjoining owners notified on the 23rd December 2011 for the statutory 14 day period. One (1) representation was received. The application also generated some interest in the area. The representation received by Council expressed concern for the environmental and traffic impacts potentially generated by the development.

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

**T F KIRKWOOD
GENERAL MANAGER**

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

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**T F KIRKWOOD
GENERAL MANAGER**

Zone Development Standards

There are no proposed buildings or structures as part of this application. The proposed extraction area is also some significant distance from property boundaries. The development would not be out of character in the rural zone.

Referral

The application was referred, internally, to Council's Environmental Health Officer (EHO).

The EHO has written a short report detailing concerns and mitigation measures. The report has been referenced through-out this report, and has been included as 'Attachment 3'. The aforementioned 'Environmental Protection Notice', which includes eight (8) conditions of approval, must be included as a condition of compliance in the event that a permit is issued for the quarry.

Conclusion

The proposed sand quarry has been subject to all the correct rigors of an application for a planning permit.

One representation was received against the proposal, and as a result the proponent is committed to increased mitigation measures to prevent undue environmental impacts in the area. Council Officers, in their duty, have gone to some lengths to take account for the representation, in working with both the representor and the proponent to come to a reasonable outcome.

The proposal meets all the necessary planning scheme requirements and could operate within the confines of the *Environmental Management and Pollution Control Act 1994* and the *Quarry Code of Practice 1999*. It is also worth noting that the operation of the quarry will be further subject to conditioning and monitoring from Mineral Resources Tasmania and can be further monitored by Council, through the Environmental Protection Notice (EPN).

It is recommended that the proposal be granted a permit from Council subject to conditions to further enforce and ensure operation meets the necessary legislative requirements.

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 an Industry (Extractive) – 'Sand Quarry, 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 with the conditions of this permit and must not be altered or extended without the further written approval of Council.

- 2) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, which ever is later, in accordance with section 53 of the *land Use Planning and Approvals Act 1993*.
- 3) All activities associated with the operation of the quarry must comply and continue to comply with the attached ‘*Environmental Protection Notice*’ and ‘*Schedule 1 – Environmental Conditions*’. All *Environmental Conditions* requiring site works and development must be undertaken prior to the commencement of the quarry operation.
- 4) Extraction of material from the site is not to exceed 5,000 cubic meters per year.

Access

- 5) The existing access from the carriageway of the road onto the subject land must be formed using a sealed/gravel pavement in accordance with the construction and sight distance standards shown on standard drawings SD1012 and SD1009 prepared by the IPWE Aust (modified to suite site conditions and to the satisfaction of Council’s Manager of Works and Technical Services - Jack Lyall 6254 5008. The internal access road must be formed and constructed with an all weather surface (gravel)

Services

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

Use Amenity

- 7) The loading and unloading of vehicles and the storage of vehicles or materials shall be contained within the property boundaries and not on part of any road reserve or Public Open Space.
- 8) The developer must make good and/or clean any road surface or other element damaged or soiled by the development to the satisfaction of the Council’s Manger of Works and Technical Services.

Hours of Operation

- 9) 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	8:00 a.m. to 4:00 p.m.
Saturday	8:00 a.m. to 12:00 p.m.
Sunday and State-wide public holidays	Closed

The following advice applies to this permit:

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

C/12/02/027/10839 DECISION

Moved by Clr A O Green, seconded by Clr M Connors

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 an Industry (Extractive) – ‘Sand Quarry, 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 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*.
- 3) All activities associated with the operation of the quarry must comply and continue to comply with the attached ‘*Environmental Protection Notice*’ and ‘*Schedule 1 – Environmental Conditions*’. All *Environmental Conditions* requiring site works and development must be undertaken prior to the commencement of the quarry operation.
- 4) Extraction of material from the site is not to exceed 5,000 cubic meters per year.

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Saturday	8:00 a.m. to 12:00 p.m.
Sunday and State-wide public holidays	Closed

The following advice applies to this permit:

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

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

Proposed Mauriceston Lane Sand Quarry Site Photos

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

**T F KIRKWOOD
GENERAL MANAGER**

Photo 1: This photo was taken from Clifton Vale Road. The house to the right of the photograph are along Mauriceston Lane. The proposed development is approximately 1km from Clifton Vale Rd. You can see in the background evidence of a previous sand extraction pit.

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

**T F KIRKWOOD
GENERAL MANAGER**

Photo 2: This photo was taken from the proposed extraction site looking north to north east towards the representor's house and Mauriceston Lane.



Photo 3: Proposed Extraction Pit Area. Looking South West. Pit will be to around the red line. But not to the ridge-line.

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

**T F KIRKWOOD
GENERAL MANAGER**

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

**T F KIRKWOOD
GENERAL MANAGER**

Environmental Health Officer Comments for proposed Sand Quarry
76 Mauriceton Lane, Dysart

The proposed small sand quarry is a Level 1 Activity under the *Environmental Management & Pollution Control Act 1994*, and as such its environmental assessment is undertaken by Council. The Environment Protection Authority (EPA) has published a *Quarry Code of Practice* and the environmental issues have been considered against this. In this regard it should be noted that this *Code of Practice* applies to all sizes and types of quarries and there are no specific guidelines for sand quarries.

The location of the proposed sand quarry is such that the nearest dwelling (where the representors live) will be over 400m away, and the *Quarry Code of Practice* recommends a minimum setback of 300m for quarries where no blasting, crushing, etc. is proposed. Also the actual quarry site will be essentially shielded from the representor's dwelling by an existing line of trees. In this regard, a second site inspection was undertaken with the applicant to clarify issues raised by the representors, including the location of the quarry in relation to their dwelling.

The representors have expressed concern about the local winds causing sand to blow around the area and cause a nuisance. In this regard the applicant has indicated that the excavation area will be kept to a minimum and that top soil will be stockpiled on the site and the area progressively covered and re-vegetated. Also water from a bore is available adjacent to the applicant's dwelling and he has indicated that this will be piped to the quarry area, so that it can be used for damping down the sand so as to limit the potential for it to blow off site. The *Quarry Code of Practice* details that watering of stockpiles, roads and loaded vehicles is a valid method of controlling dust emissions.

The proponent has a water bore adjacent to his dwelling, and has indicated that he is able to provide water from this bore to the quarry area, to provide surface wetting. It is proposed that the quarry will be limited in size (ie: in the area of sand that is uncovered) so as to limit any off site effects and this will more easily enable the exposed sand to be 'wetted' (when necessary).

The representor indicated that the prevailing winds are likely to blow sand from the quarry onto his property. However a row of trees on the western/north-western edge of the quarry site would assist in lessening the likelihood of sand moving off site in this manner.

In terms of vehicular access to the site and the potential for noise emissions, this should be considered against the proposed location of the sand quarry, in a rural/farming area, with a number of small quarries existing in the area. The low number of truck movements proposed is unlikely to lead to any noise emissions of a significant nature, and the proposed access "road" to the site from

Mauriceton Lane will be located some distance away from the existing adjacent dwelling. Noise from the quarry is unlikely to cause an environmental nuisance, with only a few truckloads of sand being excavated daily, and no blasting proposed.

Following receipt of the Planning Application and a site meeting with the representors, discussions were held with the Senior Environmental Health Officer at Clarence City Council as they have a number of sand quarries in the South Arm area. He indicated that they have not had problems with wind-blown sand with the sand having a reasonably large particle size. He indicated that wetting of the quarry area (as has been proposed by the proponent) is a reasonable method of minimizing the movement of sand. He agreed that a setback to the nearest adjacent dwelling of over 400m would appear sufficient. He also indicated that access 'roads' (particularly if over sand) can cause more problems than the quarry/excavation area itself as vehicles tend to disturb the sand when they drive over it. In this regard the applicant has indicated that most of the access 'road' is over an existing "red-gravel" track and that as such it is not likely to be disturbed to any significant degree by the movement of vehicles over it.

It is noted that representors have raised a number of valid concerns in relation to the proposed sand quarry and it is important that (if approved) that the sand quarry is managed/operated in an environmentally acceptable manner. From an environmental perspective it is considered that development of the sand quarry can proceed. It is however recommended that an Environment protection Notice (EPN), in accordance with the *Environmental Management & Pollution Control Act 1994* be included with any Planning Permit issued, if the proposed development is approved by Council. A draft EPN is attached.

Leon McGuinness
(Environmental Health Officer)

Environment Protection Notice No. 3072851

Issued under the Environmental Management and Pollution Control Act 1994

Issued to: John Allen, 76 Mauriceton Lane, Dysart

Environmentally Relevant Activity: Sand Quarry at 76 Mauriceton Lane, Dysart (PID: 3072851)

I, Leon McGuinness, Environmental Health Officer, Southern Midlands Council, being a Council Officer (in accordance with section 21 of the *Environmental Management and Pollution Control Act 1994* (the Act)), and in relation to the above mentioned environmentally relevant activity and to secure compliance with the general environmental duty of the Act, issue this environment protection notice to the above mentioned person as the person responsible for the activity.

GROUND

This Environment Protection Notice (EPN) is issued on the grounds that:

The quarrying of sand is an environmentally relevant activity and it is necessary to have the operation of the quarry managed such that it occurs in an environmentally acceptable manner that is compliance with the Act.

DEFINITIONS

Unless the contrary appears, words and expressions used in this EPN have the meaning given to them in the Act. If there is any inconsistency between the apparent definition in the EPN and a definition in the Act, the Act prevails to the extent of the inconsistency.

REQUIREMENTS

In accordance with s.44(3) of the Act, the person to whom this notice is issued is required to comply with the conditions contained in **Schedule 1** of this notice.

PENALTIES

If a person bound by an EPN contravenes a requirement of the notice that person is guilty of an offence and is subject to Part 4 (Enforcement Provisions) of the Act.

NOTICE TAKES EFFECT

This notice takes effect on the date on which it is served upon the owner or operator of the sand quarry.

APPEAL RIGHTS

An appeal may be made to the Resource Management and Planning Appeal Tribunal against this environment protection notice, or against any requirement contained in the notice, within 14 days of the date of the notice, by writing to:

The Chairperson
Resource Management and Planning Appeal Tribunal
GPO Box 2036
HOBART TAS 7001

.....

Signed:
Environmental Health Officer
Southern Midlands Council

Date: 14th February 2012

SCHEDULE 1

ENVIRONMENTAL CONDITIONS

1. Operation of the sand quarry is to be in accordance with the *Quarry Code of Practice* (1999).
2. Operation of the quarry is to only be undertaken in the area subject to the approved Mining Lease associated with the quarry and the relevant Planning Permit.
3. A water supply is to be maintained to the quarry site to allow for “wetting” of materials so as to assist in limiting material blowing from the property.
4. The quarry is to be operated such that noise emissions are limited and there is compliance with section 53 of the *Environmental Management and Pollution Control Act 1994*.
5. Perimeter cut off drains are to be constructed at strategic locations surrounding the quarry site to prevent, as far as is practicable, surface run off from entering the quarry area, and all reasonable measures must be implemented to ensure that any sediment transported along these drains remains on the land.
6. A spill kit, appropriate for the types and volumes of materials handled on the land must be kept in an appropriate location to assist with the containment of spilt environmentally hazardous materials.
7. The site is to be progressively covered with topsoil and revegetated so as to ensure that the size of the quarry is maintained as small as is practicable.
8. Tree screen to be planted on the western/north western boundary of the quarry site, so as to reduce the likelihood of wind blown material moving off the property.



where Grade 1 Quarry for Sand on Mauriceston is proposed to be opened
Proposed access Rd to quarry on Mauriceston
Nearest Public Rd in a straight line

11.2 SUBDIVISIONS

11.2.1 Development Application, (SA 2011/11), for a Subdivision (Boundary Adjustment) at Tasman Hwy, Orielton.

File Reference: 3072886 ALDRI

APPLICANT: Rogerson & Birch Surveyors
LANDOWNER: Mr Kevin Downham
REPORT AUTHOR: PLANNING OFFICER (DAVID CUNDALL)
DATE 14th FEBRUARY 2012

ATTACHMENTS: Plan of Boundary Adjustment
Site Photos
Representation

THE PROPOSAL:

The applicant, Rogerson and Birch Surveyors on behalf of the landowner Mr Kevin Downham have applied to Council for the adjustment and re-arrangement of title boundaries for land situated in the vicinity of ‘Black Charlies Opening’ and Aldridge Road on the Tasman Highway, Orielton.

The proposal is to re-arrange 5 existing land titles, comprising of titles ranging from roughly 0.6ha up to 221.1ha into 5 titles ranging from 14.55ha to 92.7ha. The proposed titles will all have frontage onto the Tasman Highway, with accesses from the ‘winding’ stretch of road running from the northern end of Aldridge Road to the saddle of the hill known as ‘Black Charlies Opening’.

The existing lots consist of two 5ha lots located at the base of the hill, one large 221ha lot comprising of most of the area in question (most of the bush land leading up to ‘Black Charlies Opening’), a small .6ha lot in the vicinity of a former quarry and a square 20ha lot accessed via a reserve type road from the Tasman Highway. Though the intent of the boundary adjustment is not mentioned in the application, it would be the Planning Officers deduction, as a result of discussions with the applicant that the re-arrangement is to create more manageable parcels of land that could be attractive to buyers looking to live in the rural forest area.

Though all the proposed lots have road frontage, not all accesses are formed or existing. The applicant has included in the proposed plan of survey, proposed access points along the Tasman Hwy which are mostly existing and infrequently used farm gates or old tracks.

The proposed plan of survey is included as attachment 1 of this report and should be viewed in conjunction with attachment 2 ‘site photos’.

THE SITE

The land in question is located on either side of the Tasman Highway on a winding section of the road. The terrain is very steep and slopes into a tight valley running north to south. There are very few places suitable for a dwelling and therefore the proposed lots are shaped around possible house sites.

The landscape in most places is heavily timbered. The location of the highway, and the steep topography, has made extensive timber harvesting and clearance a difficult operation. There are however some cleared pasture areas in proposed lot 1 and 2.

The land has been used for a small number of activities including quarrying, forestry, some grazing and possibly other rural recreational pursuits such as hunting and recreational vehicles. There are not many houses in the area, with some along Aldridge Road and one recently approved on a parcel of land (also owned by Mr Downham) at the base of the hill. It is basically a steep and forested area.

LEGISLATIVE PERFORMANCE REQUIREMENTS

The proposal must be assessed by Council in association with the Department of Infrastructure Energy and Resources (Roads Division) in accordance with the following requirements:

- *Land Use Planning and Approvals Act 1993*
- *Local Government Building and Miscellaneous Provisions Act 1993*
- *Southern Midlands Planning Scheme 1998*
- *State Policy of Water Quality Management*
- *State Policy on the Protection of Agricultural Land 2009*

Council is to assess the application under the *Land Use Planning and Approvals Act 1993*, in association with the *Southern Midlands Planning Scheme 1998*. Consideration has also been given to the *State Policy of Water Quality Management* and the *State Policy on the Protection of Agricultural Land 2009*.

THE APPLICATION

The application provided to Council consists of a Plan of Survey depicting the existing lots and the proposed lots. The Planning Officer also requested that proposed points of access be included in the plan.

A significant part of the application has also been site meetings and discussions had with the involved parties.

THE PLANNING SCHEME ASSESSMENT

Use/Development Definition

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

Statutory Status

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

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

Extract SMPS 1998

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

Zone: Rural Forest Zone

The land is located entirely within the Rural Forest Zone, and contains within it an attenuation area overlay around the existing quarry site. Given the ‘discretionary’ status, applications should not conflict with the intent of the zone. It would therefore be reasonable for the Planning Officer to give a comment in relation to the below listed intentions of the Rural Forest Zone. The Rural Forest Zone recognises the large areas of Crown Lands and private land that remain as bush land or forestry plantation, that may be utilised for forestry, agriculture, conservation and recreation purposes in the future.

6.2.2 The intent of the Rural Forest Zone is to:

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

The current boundary arrangement has little regard to the contours of the landscape, the Tasman Highway or the large amounts of vegetation. It would seem in the current political climate that significant forestry would not occur in the area, and also a large portion of the forest is threatened vegetation.

Extractive industry is already an ‘existing use’ in the area, and it seems operations have ceased. Such a boundary adjustment should not fetter such activities (given their intended positioning).

The land would be considered to be of some scenic, conservation and recreational value. It is rare to see large tracts of steeply forested terrain harvested along tourist routes.

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

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

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

Marketable lots, such as those proposed would be more in line with the multi-use nature of the rural forest zone. Though having said, anybody could apply to Council to construct a dwelling on the existing titles; and given that some of the existing titles are reasonably small for the rural area, a potential land owner would only be living on the land for residential purposes.

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

The boundary adjustment would have no negative impacts upon this intent. In some regards the larger 221ha lot divided into smaller lots would encourage buyers that would want a ‘bush lifestyle’, limited to some rural type uses. The land would be of very little horticultural or grazing value (given steepness).

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

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

Public Notification and Representation

The application was advertised, and all adjoining owners notified on the 21st December 2011 for the statutory 14 day period (extended to take into office closures and public holidays). One (1) representation was received. The representation received by Council expressed concern for the safety of road users and potential land use conflicts through the encouragement of more people to the area.

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

**T F KIRKWOOD
GENERAL MANAGER**

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

**T F KIRKWOOD
GENERAL MANAGER**

Zone Development Standards

In accordance with the planning scheme, all lots (adjusted or otherwise) must have a 6m wide road frontage. All proposed lots meet this requirement.

Aside from meeting the intent of the Rural Forest Zone, and the road frontage, no other standards are applicable to this application.

Bushfire Risk Reduction

Another matter worth considering under the scheme is that the proposed lots are of sufficient size to contain a dwelling within a 'Bushfire Protection Zone' and a 'Fuel Modified Buffer Zone'. Given the smallest of the lots is 14ha, a bushfire management plan should be achievable. Also any potential land buyers have direct access onto a road (Tasman Hwy) that could potentially take people away from the threat of fire (in such an event).

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

Referral & Access Concerns

Due to the potential re-arrangement of accesses onto a State owned road, the application was referred to DIER Traffic and Infrastructure Branch for comment and further advice. DIER officers gave advice and recommendations for changes to the access arrangements. Such recommended changes were found to be necessary during a site visit to the area. Under the planning scheme, Council must include any conditions recommended by the road authority in the issue of any permit.

Trying to ensure safe access arrangements in collaboration with DIER has undoubtedly been the top priority in assessing this application. If the application is approved by Council, then the application has proven to be a useful mechanism for Council to improve access arrangements to the area.

The worst of the proposed accesses is Lot 2 and Lot 4. The ‘existing farm gate access’ to Lot 2 is located on the western side of the road and appears just as a break in the road barrier and on a sweeping bend leading into a tight corner. Sight distance is very bad. Nobody should ever attempt to access this property whilst travelling south. If approval is given to the subdivision then it would be conditioned to the effect that this access is permanently removed from the property. A safer access can be achieved by relocating the proposed access towards the southern boundary, where there is more opportunity to put in an access with better sight distance and less topographical constraints.

The proposed access to Lot 4, depicted in one of the attached photos, can only be entered if travelling south and could only be exited by travelling north (lot 2 has a similar issue except in the opposite direction). The recommended improvement would be to close this access and relocate it south (off a road site pull over area). It could be relocated alongside the proposed Lot 5 access.

Lot 1 and Lot 2 have reasonable sight distance and would require some minor upgrade works to comply with the requirements of DIER.

Conclusion

The proposed boundary adjustment has been assessed correctly in accordance with the Southern Midlands Planning Scheme, taking into serious consideration access and potential residential issues. It must be further reminded that the proposal is a re-arrangement of lots and not the creation of new lots altogether.

By encouraging more people to live in the area, the parcels of land, could be better managed and utilised with little detriment to the surrounding land uses (barring in mind it is not really used at all).

One representation was received against the proposal, and as a result the applicant in discussions with the Planning Officer and DIER Officers has accepted that the proposed and questionably ‘existing’ accesses all require either relocation or improvements to ensure user safety. The representors concerns have been discussed at length in the report.

It is recommended that the proposal be granted a permit from Council subject to conditions to further enforce and ensure operation meets the necessary legislative requirements.

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 an Industry (Extractive) – ‘Sand Quarry, and that a permit be issued with the following conditions.

General

- 1) Subdivision use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- 2) Property services must be contained wholly within each lots served or an easement to the satisfaction of the Council’s Municipal Engineer or responsible authority.
- 3) The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.
- 4) All works required by the conditions of approval contained within this Permit will be at the developer’s expense.

Easement detail

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

Access Improvements

- 6) The proposed access to Lot 2 must be relocated towards the southern property boundary. The existing access, as depicted in the plan of survey must be removed or rendered inoperable to the satisfaction of the Traffic and Infrastructure Branch of the Department of Infrastructure, Energy & Resources.
- 7) The proposed access to Lot 4 must be relocated towards the southern property boundary to be accessed from the existing road reserve ‘pull over’ area. The existing access, as depicted in the plan of survey must be removed or rendered inoperable to the satisfaction of Traffic and Infrastructure Branch of the Department of Infrastructure, Energy & Resources.

- 8) Each lot requires access improvements in accordance with the construction and sight distance standard requirements of the Traffic and Infrastructure Branch of the Department of Infrastructure, Energy & Resources.
 - a. A Works Permit from the Department must be obtained prior to any works within the road reservation commencing. No works on the State Road shall commence until the Minister’s consent has been obtained and a permit issued in accordance with the *Roads and Jetties Act 1935*
- 9) A Traffic Management Plan prepared by a suitably qualified person in accordance with Section G2.6 of DIER (February 2005): *General Specifications*, Department of Infrastructure, Energy and Resources, Hobart and the referenced document DIER (June 2004): *Traffic Control at Work Sites Code of Practice*, Department of Infrastructure, Energy and Resources, Hobart or the current replacements must be submitted to DIER in association with an application for a works permit and prior to the commencement of any work within a public road reserve. All traffic control is required to be performed and certified by accredited traffic control personnel and all works within the road reserve to comply with all relevant occupational health and safety regulations.

Final Plan – Sealing

- 10) 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.
- 11) A fee of \$150.00, or as otherwise determined in accordance with Council’s adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey for each stage.
- 12) All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey. It is the Subdivider’s responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
- 13) The Subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

Construction amenity

- 14) The development must only be carried out between the following hours unless otherwise approved by the Council’s Manager Environment and Development Services:

Monday to Friday	7:00 AM to 6:00 PM
Saturday	8:00 AM to 6:00 PM
Sunday and State-wide public holidays	10:00 AM to 6:00 PM

- 15) All subdivision works associated with the development of the land must be carried out in such a manner so as not to unreasonably cause injury to, or unreasonably prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of –
 - a. Emission from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property.
 - b. Transport of materials, goods or commodities to or from the land.
 - c. Appearance of any building, works or materials.
- 16) Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager Environment & Development Services.
- 17) Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

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

C/12/02/050/10840 DECISION

Moved by Clr M Connors, seconded by Clr J L Jones OAM

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

General

- 1) Subdivision use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- 2) Property services must be contained wholly within each lots served or an easement to the satisfaction of the Council's Municipal Engineer or responsible authority.

- 3) The developer must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.
- 4) All works required by the conditions of approval contained within this Permit will be at the developer's expense.

Easement detail

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

Access Improvements

- 6) The proposed access to Lot 2 must be relocated towards the southern property boundary. The existing access, as depicted in the plan of survey must be removed or rendered inoperable by the re-instatement of the road safety barrier to the satisfaction of the Traffic and Infrastructure Branch of the Department of Infrastructure, Energy & Resources.
- 7) The proposed access to Lot 4 must be relocated towards the southern property boundary to be accessed from the existing road reserve 'pull over' area. The existing access, as depicted in the plan of survey must be removed or rendered inoperable by the re-instatement and continuation of the storm water drain to the satisfaction of Traffic and Infrastructure Branch of the Department of Infrastructure, Energy & Resources.
- 8) Each lot requires access improvements in accordance with the construction and sight distance standard requirements of the Traffic and Infrastructure Branch of the Department of Infrastructure, Energy & Resources.

- a. A Works Permit from the Department must be obtained prior to any works within the road reservation commencing. No works on the State Road shall commence until the Minister's consent has been obtained and a permit issued in accordance with the *Roads and Jetties Act 1935*

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

Final Plan – Sealing

- 10) 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.
- 11) A fee of \$150.00, or as otherwise determined in accordance with Council's adopted fee schedule, must be paid to Council for the sealing of the final approved plan of survey for each stage.
- 12) All conditions of this permit, including either the completion of all works and maintenance or payment of security in accordance with this permit, must be satisfied before the Council seals the final plan of survey. It is the Subdivider's responsibility to notify Council in writing that the conditions of the permit have been satisfied and to arrange any required inspections.
- 13) The Subdivider must pay any Titles Office lodgment fees direct to the Recorder of Titles.

Construction amenity

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

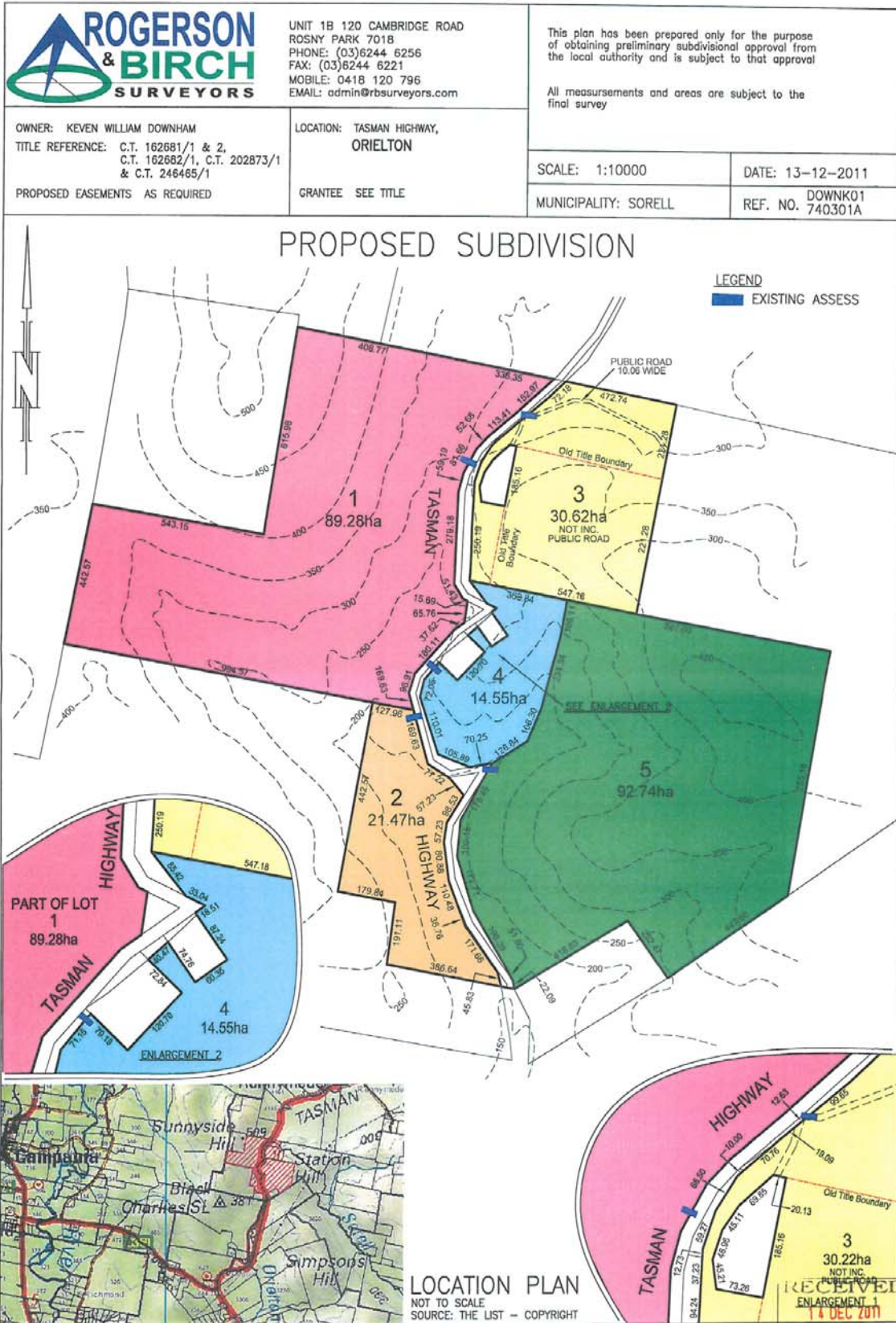
Monday to Friday	7:00 AM to 6:00 PM
Saturday	8:00 AM to 6:00 PM
Sunday and State-wide public holidays	10:00 AM to 6:00 PM
- 15) All subdivision works associated with the development of the land must be carried out in such a manner so as not to unreasonably cause injury to, or unreasonably prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of –
 - b. Emission from activities or equipment related to the use or development, including noise and vibration, which can be detected by a person at the boundary with another property.
 - c. Transport of materials, goods or commodities to or from the land.
 - d. Appearance of any building, works or materials.
- 16) Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager Environment & Development Services.
- 17) Public roadways or footpaths must not be used for the storage of any construction materials or wastes, for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period.

THE FOLLOWING ADVICE APPLIES TO THIS PERMIT:

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

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	



Proposed Boundary Adjustment – Orielton – Site and Access Photos



One of the Existing 'pull over' areas that could be used to provide better access to Lot 4 and 5.



Another pull over area that could be used for lot access



Existing rough access and proposed access to Lot 3



Site Distance to Lot 3 quite Good. Proposed Lot 1 Access is located approx 50m south of this access.



Proposed Lot 1 Access. Site Distance Reasonable.



Another Pull-Over area and possible access to Lot 4



Site distance in this photo is not great. But a definite improvement on what was initially proposed. This could be an optional site access, given that traffic travelling at the 85th percentile would be reasonably low for a highway. Also given that this 'pull over' area is already existing, people would better expect to see traffic in the area.



Example of an unacceptable 'access'. This one would give access to Lot 4. Traffic can only enter if travelling south (down the hill) and could only leave by heading north (up the hill). For anybody that wanted to access this lot using this access they would need to find a safe place to turn around and continue on their journey. Note the poor site distance.

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

**T F KIRKWOOD
GENERAL MANAGER**

11.3 MUNICIPAL SEAL (PLANNING AUTHORITY)

Nil.

11.4 PLANNING (OTHER)

Nil

12. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)

12.1 ROADS

Strategic Plan Reference – Page 13

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

Nil

12.2 BRIDGES

Strategic Plan Reference – Page 14

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

Nil.

12.3 WALKWAYS

Strategic Plan Reference – Page 14

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

Nil.

12.4 LIGHTING

Strategic Plan Reference – Page 14

1.4.1 Improve lighting for pedestrians.

Nil.

The meeting was suspended for lunch at 12.36 p.m. and resumed at 1.05 p.m. with the commencement of the Public Consultations Session.

PUBLIC CONSULTATION SESSION

Five (5) members of the community attended the Public Consultation session which commenced at 1.05 p.m.

The following issues were raised and/or discussed:

Rhyndaston and Woolridge Roads, Rhyndaston - Mr Rick Wilton raised concerns relating to:

- a) Rhyndaston Road – capital works required to improve road condition. Concern expressed that a written reply had not been received in response to correspondence submitted. Questioned availability for ‘black spot’ road funding.
- b) Woolridge Road – urgent work required as the road is presently untrafficable, particularly for small vehicles. Roadside slashing not continued for full length of road.

Tunbridge Township - Spraying Contractor - weed spraying of entire township area needed – not just selected areas.

Tunbridge Park:

- a) extension of BBQ Hut – no works to date; and
- b) Coach – to be transported to Oatlands School for restoration works.

Overhanging trees from private property (corner of Ballochmyle Road) – traffic hazard – notice to be given to property owner.

Tunbridge Sign – northern end of township – missing - refer to Northern Midlands Council.

Road Issues:

- Scott’s Street - re-sheeting; and
- Main Road (vicinity of Community Club) - pothole

The Public Consultation session concluded at 1.32 p.m. and the meeting resumed.

Mr D Cundall (Planning Officer) left the meeting at 1.54 p.m.

12.5 SEWERS

Strategic Plan Reference – Page 14

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

12.5.1 Water and Sewerage Corporations – Combination - Update

File Ref:

AUTHOR GENERAL MANAGER (T KIRKWOOD)
DATE 12th FEBRUARY 2012

ATTACHMENT: Extract from the Minutes of the Council Meeting held 25th January 2012
Copy of Letter dated 16th January 2012 from the Chairman of Southern Water to the STCA Chairman.

ISSUE

To provide Council with an update in relation to the proposed combination of the three Water and Sewerage Corporations into a single state-wide entity.

BACKGROUND

In reference to the attached Minutes of the previous meeting, the purpose of that Item was to inform Council of the issues that had been referred to the Chairman of Southern for his consideration and comment.

DETAIL

The Chairman of Southern Water, Mr Miles Hampton, has since responded to the Southern Tasmanian Councils Association Chairman (Lord Mayor Damon Thomas) - refer copy of letter dated 16th January 2012). The letter responds to each of the issues raised.

This response was subsequently considered by the STCA and in general terms, the preferred governance model remains as the most significant issue. In relation to the conduct of a broader due diligence, whilst there is still some issues of concern, it was acknowledged that such an exercise may incur considerable expenditure without achieving any specific outcomes. This position reflected the comments provided in the response from Southern Water and the number of variables and ‘unknowns’ going forward.

As an outcome of the STCA meeting, it was agreed that the General Manager's would proceed to document a detailed governance model (not just principles or options), which could then be referred to individual Councils in the southern region for consideration and approval.

The aim is to achieve a consensus of Southern Tasmanian Councils prior to the next meeting of the Local Government Association of Tasmania (scheduled for 29th March 2012). The adopted model in the south would then be presented to all Councils at the LGAT meeting. Endorsement of the model by all Tasmanian Councils would effectively be a prerequisite to STCA Councils being prepared to negotiate with the State Government to establish a single statewide corporation.

Human Resources & Financial Implications – Pending response to above.

Community Consultation & Public Relations Implications – Pending response to above.

Policy Implications – Policy position.

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

THAT the information be received.

C/12/02/067/10841 DECISION

Moved by Deputy Mayor M Jones OAM, seconded by Clr J L Jones OAM

THAT:

- a) The information be received;
- b) Council endorse the proposed governance principles, with the Board appointments being made by the combined group of regional representatives (following receipt of a recommendation from the Selection Panel).

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
	Clr A O Green	√

EXTRACT FROM THE MINUTES OF THE COUNCIL MEETING HELD 25th JAN 2012

12.5 SEWERS

Strategic Plan Reference – Page 14

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

12.5.1 Water and Sewerage Corporations – Combination - Update

File Ref:

AUTHOR GENERAL MANAGER (T KIRKWOOD)
DATE 19th JANUARY 2012

ATTACHMENT: Nil
ENCLOSURE: Nil.

ISSUE

To provide Council with an update in relation to the proposed combination of the three Water and Sewerage Corporations into a single state-wide entity.

BACKGROUND

Council, at its December 2011 meeting were provided with:

- a) a ‘Water and Sewerage Governance Principles’ paper prepared by the Local Government Association of Tasmania; and
- b) a copy of the Financial Analysis report prepared by Deloitte Touche Tohmatsu.

As an outcome of that meeting, Council resolved as follows:

“THAT:

- a) the information be received;*
- b) Council note the issues contained within the ‘Governance Principles’ document;*
- c) Council request further information (and possible options) in relation to specific government models (to be referred to STCA General Managers); and*
- d) Council require further due diligence work to be undertaken, particularly in relation to any community service implications; and likely amendments to forward capital works programs for the respective corporations. “*

DETAIL

STCA General Managers have subsequently met to discuss feedback and comment from each of the Southern Tasmanian Councils, or at least from those Councils that had given some level of consideration to the two documents.

The following is an extract from a letter that was produced from that meeting and sent to the Chairman of the Water and Sewerage Corporation(s) Mr M Hampton.

“The Southern Tasmanian Councils have discussed the proposed merger of the three Water and Sewerage Corporations, both independently, as individual councils and collectively and, while generally supportive of an investigation into the options, have a number of issues and concerns about which they would like further clarification before committing to any particular course of action.

In respect to the operational parameters of a possible merged business the councils would be interested to know:

1. The expected impact of a merged water corporation on the level and scope of service provided to each municipal area and its residents and ratepayers and the associated guarantees that no municipality would be disadvantaged compared to the current structure.
2. The likely impact on the short, medium and long term price of water and sewerage services - as determined by the Regulator - of a merged corporation. It is noted in this regard that the modeling undertaken by Deloitte assumes that the projected financially advantageous position of a merged corporation would translate into increased distributions (including dividends) to the Owners.
3. The impact on the capital expenditure priorities of merging the three corporations and the process by which capital expenditure will be prioritised, especially in respect to the potential cross subsidization of one region by another given the separate nature of the regional water and sewerage systems.

There were two issues discussed that related to the councils’ desire to have a due diligence undertaken of the merger proposal. The first relates to the Deloitte report. While the councils were comforted by the Deloitte review they would be interested to better understand the assumptions upon which the Deloitte work was based. Further specific questions in relation to the Deloitte report are included in Appendix A.

The second issue is a level of nervousness by the General Managers that they have insufficient information to present to the elected members regarding the impact of a merged Water and Sewerage Corporation on both their council finances and the communities their councils serve.

There was a strong feeling that the Water and Sewerage Corporations need to undertake a more comprehensive due diligence of the costs and benefits of the proposed merger for each municipality if elected members are to make an informed decision on the issue.

Matters to be addressed include:

1. The financial impact for the existing corporations if Onstream were to be abolished.
2. The financial impact on the projected figures for a merged corporation if the current State Government subsidy to Cradle Coast is discontinued upon amalgamation.
3. A comprehensive table showing the forecast distributions from years FY13 to FY21.

In respect to the governance issues, there was recognition (by the General Managers) of the merit associated with the adoption of the following principles:

1. All voting should be based on equity shares. The equity of each shareholder is the amount determined as per the Treasurer's Allocation Order.
2. The appointment of a skills based Board of 8 members with no specific regional representation.
3. Recommendations to the Owners of suitable candidates for Chair and Directors made by a selection panel established by the Owners. Membership of the selection panel should be:
 - i. 2 owners from the South,
 - ii. 1 owner from the North
 - iii. 1 owner from the North West.
 - iv. Chair (once appointed)
4. Decisions regarding appointment of Chair and Directors should be made by the Owners with voting by equity share.
5. Two meetings of Owners per year (the AGM plus one other) to discuss:
 - i) Corporate Plan,
 - ii) SLE (when appropriate) and
 - iii) Progress generally
6. Quarterly reports to be provided directly to the Owners.
7. Distributions based on equity share and not varied unless equity is contributed or withdrawn.
8. Oversight by Parliament, current role of Treasurer and GBE scrutiny to be removed since the business is owned by Local Government and subject to Corporations Law.

The Councils would be interested in your views in respect to these governance issues and would be happy to consider alternatives that might offer better outcomes for their councils, corporations or their communities. In this regard, it is recognised that there are a number of gaps including, for example, the level of remuneration of Directors

Owner Councils would also be interested to gain an understanding of positions adopted by the Owner Councils in the other two regions, if this information has been made available to you.”

Appendix A

Issues relating to the Deloitte Report:

1. Was a sensitivity analysis undertaken for the projected savings, given that the quantum of savings over 10 years are relatively small?
2. The report on page 6 notes that no comprehensive due diligence has been undertaken or was requested.
3. The report on page 6 also notes the advisability of seeking legal or commercial advice in relation to the proposal to form a single corporation – is such advice being obtained?
4. Given that most savings relate to cost duplication avoidance, rather than economies of scale, how will regional operational requirements be met, given that on page 10, savings are identified as arising due to CEO, senior executive and management positions no longer being required? Do these cost savings include abolishing Onstream?
5. What proportion of the projected savings fall into each of the three categories of savings identified on page 8?
6. How realistic are cost savings related to audit and regulation given that the single corporation will be much larger than each of the current four corporations?
7. Will an analysis of the relative values of each corporation be undertaken as a basis for determining the contribution of each corporation to an amalgamated corporation?
8. Given that distributions for Southern Water are estimated to reduce from 64% to 50% over the period to 2021 (page 14), while the distributions for the other 2 regional corporations will substantially increase over the same period (CMW 15% to 23%; BLW from 20% to 26%), what is the incentive for Southern Water to consider an amalgamation?

Other Issues:

1. Given the financial performance of Cradle Mountain Water which in its first year of operation recorded an after-tax profit of \$922 000, with distributions to owners in the year to 30 June 2010 of \$1.6 million, below the priority distribution level of \$4.9 million, what are the reasons offered by the board of Southern Water in recommending an amalgamation?
2. At the recent **HOUSE OF ASSEMBLY SELECT COMMITTEE ON WATER AND SEWERAGE, HOBART 17/2/11 (PAINE/HAMPTON/PILLENS)** the following comment was made by Mr Hampton (page 2 <http://www.parliament.tas.gov.au/ctee/House/Transcripts/17%20February%2011%20-%20Hobart.pdf>)

Firstly, as to whether there ought to be one, two or three corporations, the board believes that it is too early in the life of the new businesses to consider a radical departure from the existing set of arrangements with three regional corporations, if indeed that were ever to be considered. That being said, for the record I make some observations about the pluses and minuses for one, two or three corporations. Ignoring consideration - I will park Onstream for the moment.

The relationship with our council owners is challenging enough as it is. Moving to one corporation will only make it more difficult to maintain communication and receive input from 29 different owners. The issues in each region, as we are increasingly discovering as the corporations develop, are distinct and in many areas may be better handled in separate regional corporations. On the other side of the ledger, Cradle Mountain is in a difficult financial position relative to the other corporations - a more challenging financial position - carrying significant debt. So, from the point of view of that corporation, a combination with either one or both of the other corporations might make sense. I guess the question is: is that equitable to the owners of the other corporations who chose not to transfer significant debt across when the corporations were established.

The efficiency benefit of one corporation versus two or three can largely be secured by sensible cooperation between the three corporations. It is my assessment, having been a common director from inception and previously a direct chairman of Hobart Water, that the additional cost of having three corporations versus one corporation is likely to be less than one per cent of operating costs. I will leave it to others to form a view as to whether that is too high a price to pay or is a small price to pay for the greater focus and closer relationship with owner councils that the three regional corporations would deliver.

A detailed explanation of how the Deloitte report has changed the views and position in relation to a single corporation expressed earlier this year would be beneficial.

Human Resources & Financial Implications – Pending response to above.

Community Consultation & Public Relations Implications – Pending response to above.

Policy Implications – Policy position, with specific comment sought in relation to the governance principles which will be the foundation for the development of a preferred governance model.

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

THAT:

- a) **the information be received; and**
- b) **Council provide comment and direction in relation to the governance principles identified by the STCA General Managers.**

C/12/01/052/10806 DECISION

Moved by Clr J L Jones OAM, seconded by Deputy Mayor M Jones OAM

THAT:

- a) the information be received; and
- b) Council endorse the governance principals as identified by the General Managers and documented in the Agenda report.

CARRIED.

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



16 January 2012

Alderman Damon Thomas
Lord Mayor, Hobart City
Chairman, Southern Tasmanian Councils Authority
By email: lord.mayor@hobartcity.com.au

Dear Damon

I respond to your letter of 23 December 2011 and received at Southern Water on 5 January 2012.

In doing so I have sought to answer the questions detailed in your letter in the order in which they were raised.

Questions re Operational Matters

1. Impact on Service Delivery

There is no reason to expect that the level and scope of service provided to any municipal area would be diminished.

The savings that have been identified are in administrative roles, not in service delivery activities.

Indeed on the contrary it is possible that the enhanced scale will enable a merged corporation to identify optimal solutions that may not be identified on a standalone basis and, as a consequence, both the level and scope of service may in fact be improved.

The opportunity for a larger corporation to attract and retain skilled expertise will provide impetus to drive service delivery benefits whilst at the same time reducing costs.

2. Impact on Pricing

This matter has not been raised with the Regulator.

However the current revenue of each of the corporations is substantially below the maximum level that would be approved by the economic regulator.

This will still be the case in 10 years time, albeit the gap will be diminished.

The consequence is there is no reason why the regulator would seek to impose prices that were less than would be the case in the absence of a merger.

In other words there is every reason to expect that the improved returns (from merger savings) will flow through to the owner Councils in the form of higher tax payments and dividends.

3. *Impact on Capital Expenditure Priorities*

The capital expenditure plans of the three corporations for FY13-FY15 have been clearly detailed in the Price and Service Plans lodged with the Regulator. It is submitted that, providing those plans are complied with, there is no opportunity for regional cross subsidization in that period.

Contemporary work undertaken by the three corporations suggests that the capital expenditure to bring current infrastructure up to date is roughly proportional to the assets in each region.

If a single corporation was to be established it is possible that beyond the period of the Price and Service Plan, the health and environment regulators may set priorities on a statewide basis.

As a consequence some works in a region may be delayed in order that more pressing issues in another region are addressed.

However it is submitted such adjustments would be at the margin and in any event be issues of timing rather than permanent deferral.

Finally there would be no reason why the owner Councils could not place a requirement in the Shareholders' Letter of Expectations (SLE) that capital programs should approximate pro rata regional assets over relevant asset planning timeframes.

Questions re impact on Councils

We have previously provided a table detailing the financial impact on individual Councils over a ten-year period.

For ease of reference a copy of that table is attached as Attachment A.

The table shows all owner Councils to be significantly better off as shareholders in a single corporation.

1. *Abolition of Onstream*

In August 2011 we moved to change the activities of Onstream so that in future it will only undertake core shared services and therefore, we will achieve a significant reduction in costs.

Your question re Onstream can be construed in one of two ways.

It could mean the abolition of the entity Onstream but a continuation of shared services.

In this instance there will be some additional savings to the regional corporations but the savings will not be significant.

Alternatively it could mean the abolition of the entity Onstream and the abandonment of shared services.

The boards of the three regional corporations believe that the savings from combining certain core functions has been and will continue to be significant, in the millions of dollar per annum.

The abandonment of shared services will increase the costs of each regional corporation significantly.

2. *Discontinuation of special assistance to Cradle Mountain Water*

The State Government has announced a special payment to CMW of \$1.9M in each of FY12, FY13 and FY14.

If the subsidy to CMW is discontinued the extent of any monetary loss to a merged entity would obviously depend on the timing of removal.

However with forecast savings over ten years in excess of \$60M the effect on the financial projections would be minimal.

As a pre condition of Council support for a merger, it would not be unreasonable for owner Councils to seek an undertaking from the government that it would not withdraw the subsidy.

3. *Forecast Distributions*

Forecast distributions comprise loan guarantee payments, tax equivalent payments and dividend payments.

The dividend payments reflect the actual level of net profit after tax and the dividend payout ratio.

Under the current SLE, owner Councils have given the directors guidance flagging an expectation that the dividend payout ratio will be no less than 50%.

Attachment B shows forecast distributions to each Council assuming a 50% payout ratio, other than in FY13 and FY14, where the payout ratio is higher in order to achieve priority distributions.

For ease of calculation the analysis assumes all payments are made in the year of income.

In addition to showing the forecast distributions the table also shows the growth in asset value that would be attributable to each Council.

The growth in asset value reflects each Council share in the growth in retained earnings.

Proposed Further Due Diligence

It is the view of the board that the due diligence work undertaken by Deloitte is appropriate as it addressed the two key issues: the extent of savings and the equity entitlement.

Several Council General Managers had input into the scope prior to the appointment of Deloitte and the actual scope of the due diligence reflected that input.

The board considers it inappropriate to fund further work when in its view the key issues have already been addressed.

However in the event that STCA wishes to appoint its own consultant to undertake further due diligence, Southern Water will provide every reasonable assistance.

Questions re governance

Whilst in raising a possible merger of the corporations I put forward a suggested governance model, it was only intended to indicate how governance arrangements might possibly work.

The governance arrangements are clearly a matter for owner Councils.

However you have asked for my views in respect of your proposals and I comment on four matters.

- The equity entitlement for STCA members in a merged corporation is greater in the arrangements that I have proposed than would be the case if the methodology proposed in your letter was adopted.
- I proposed that the selection panel actually appoints the board. STCA has proposed that the selection panel puts forward names to the owner Councils who then vote on board appointments.

It is my view that the procedure proposed by STCA could well cause high quality candidates not to put their names forward because they would not wish the public scrutiny that would come with voting by 29 Councils.

Further it could well mean that a board did not have the necessary skills balance.

- It is my view that a board of eight directors is not necessary.

- Finally, it is my view that regional representation is important, a position that differs from the STCA proposal.

I am unaware of the views of owner Councils in other regions.

Questions from your Appendix A

1. *Savings Sensitivity*

We are unsure what you are seeking here. We identified savings of at least \$5.8M and have put forward an analysis based on \$5M savings.

Obviously if the savings are more or less than \$5M, the benefit to the owner Councils will either be increased or diminished.

However we believe that we have taken a very conservative view of the level of savings.

2. *Deloitte Due Diligence*

It is correct that Deloitte was not commissioned to undertake a comprehensive due diligence. Deloitte was appointed to review the reasonableness of the savings assumptions and the proposed equity entitlements. (Refer the comments above.)

3. *Commercial and Legal Advice*

The disclaimer that you refer to is standard in such reports.

But in any event it is our view that because any change of structure will require legislative change, there is little to be gained by our engaging commercial or legal advisers until firstly there is a broad consensus to proceed and secondly draft legislation is available for examination.

4. *Effect on regional operational requirements*

As noted in 1 above, the savings are largely administrative and we do not expect any material impact on regional operational requirements.

The estimated savings do not include the savings arising from the restructure of Onstream undertaken in August 2011.

5. *Category of savings*

The savings identified reflect created savings.

In its report, Deloitte makes it clear that it would expect savings in the other two categories but these have not been quantified.

We note that having identified savings of \$5.8M our analysis of the merger benefits assumes savings of only \$5M.

6. *Reduced regulatory costs*

In FY12 the three regional corporations will spend in excess of \$3.43M in direct costs of regulation and audit.

It is our view that this will reduce to no more than \$2.315M.

The requirements for audit and reporting are greater due to duplication, and the need to communicate during the process with different boards and management. This applies to both internal and external audit.

Similarly with respect to regulation, where multiple meetings, draft communications and board consideration are required, considerable senior management resources are involved. Currently this includes internal liaison to ensure common approaches are taken on a statewide basis.

A large part of the cost of regulation is the need for regulators to resource the review of three or four corporations as the case may be rather than one corporation.

7. *Assessment of Relative Values*

The assessment of relative values could be undertaken in a number of ways including:

- reference to relative asset backing, or
- reference to current relative earnings, or
- reference to future earnings contributions.

It would also seek to reduce anomalies or one-offs that might distort key numbers.

Given the differing stages of evolution of the corporations, it is the view of the board that relative asset values should be assessed by reference to future earnings contributions.

Equally it is not unreasonable to expect that all parties will benefit, albeit the extent of gains may differ.

Deloitte was provided with a proposal that the equity be allocated SW/BLW/CW 50.5/26.25/23.25 with allocation to individual Councils within regions being calculated by reference to current residual equity entitlements.

The Deloitte report extensively reviewed the proposed assessment of relative values and concluded that the proposal was reasonable.

8. *Distributions*

The chart on page 14 of the Deloitte report clearly demonstrates that the profitability of BLW and CMW will increase more rapidly than will the profitability of SW.

As explained in the initial presentation to Councils, the corporations are at varying stages of evolution.

However the regulatory environment within which the corporations operate will, by design and effect, mean that in time the profitability of the corporations relative to assets employed will become similar.

So while one corporation may today be relatively more profitable than the other corporations this will not be the case once all of the corporations have reached 'steady state'.

We take 'steady state' to be the point in time when customers are being charged similar tariffs for similar levels of service and supply.

That is why we have looked at the case for merging the business across a ten-year period.

We have established that there are savings to be had, they are significant, and under the scenario we propose, all Councils will be significantly better off as shareholders in a merged corporation.

Other Issues

1. *Reason for Recommendation*

The board makes its recommendation for a simple reason: all Tasmanian Councils including southern Councils would be better off than they would be if the corporations were to continue on a standalone basis.

In doing so we have examined the likely performance of the three regional corporations over an extended period of time, not simply focused the result in one prior year.

Indeed it is worth remembering that more than 60% of the NPAT of SW in FY11 comprised substantial developer contributions and other grants, items that will almost certainly vary significantly over time and cannot necessarily be expected to continue at FY11 levels.

Further it is noted that priority distributions cease to exist beyond 13 November 2013.

It is acknowledged that CMW performance in the early years is relatively poor, but its performance improves at a faster rate than the other two corporations.

2. *House of Assembly Committee*

The views that I expressed in February at the HASC hearing reflected the position of the board at that time and mirrored the written submission made by the board to the HASC in December 2010.

I note for the record however that at the time the written submission to HASC was finalized, a number of directors favored a single corporation

During February, March and April 2011 I met with almost all Council Mayors and General Managers around the state.

The overwhelming message given to me was that we needed to ensure that the corporations were operated as efficiently as possible.

Further with the greater involvement that comes with the role of Chairman, in a short period of time I came to realize the extent of duplication of effort that was occurring across the three regional corporations.

I reviewed the overall cost structure and it became clear that the comments provided to the HASC understated the savings achievable from a move to a single corporation.

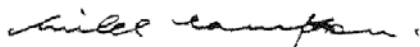
The review identified that savings in the range \$3-5M could be expected, representing between 1.5-2.5% of operating costs rather than the 1% suggested to the HASC.

The Deloitte report has confirmed that savings of 2.5% should be expected, but foreshadowed that savings could be materially greater.

Please note the Deloitte report did not, as you suggest, cause a change of views.

The majority of directors had already resolved to recommend a merger to the owner Councils.

Yours sincerely



Miles Hampton
Chairman

Attached: Attachments A & B

ATTACHMENT A COMPARISON: STANDALONE VS MERGED

\$'000	Current Residual Equity	Regional Share in Merged Corporation	Council Equity in Merged Corporation	Ten Year Total Entitlement to LGF/Tax/NPAT	
				Standalone	Merged
Break O Day	7.40%		1.9425%	10,488	12,078
Dorset	3.70%		0.9713%	5,244	6,039
Flinders Island	0.70%		0.1838%	992	1,143
George Town	4.30%		1.1288%	6,094	7,018
Launceston	51.90%		13.6238%	73,557	84,709
Meander	10.60%		2.7825%	15,023	17,301
Northern Midlands	8.90%		2.3363%	12,614	14,526
West Tamar	12.50%		3.2813%	17,716	20,402
	100.00%	26.2500%	26.2500%	141,728	163,217
Burnie	17.80%		4.1385%	24,409	25,732
Central Coast	20.50%		4.7663%	28,111	29,635
Circular Head	6.80%		1.5810%	9,325	9,830
Devonport	23.50%		5.4638%	32,225	33,972
Kentish	1.90%		0.4418%	2,605	2,747
King Island	1.40%		0.3255%	1,920	2,024
Latrobe	8.20%		1.9065%	11,245	11,854
Waratah Wynyard	12.10%		2.8133%	16,593	17,492
West Coast	7.80%		1.8135%	10,696	11,276
	100.00%	23.2500%	23.2500%	137,129	144,563

Brighton	6.10%		3.0805%	17,340	19,154
Central Highlands	1.00%		0.5050%	2,843	3,140
Clarence	21.90%		11.0595%	62,254	68,766
Derwent Valley	2.70%		1.3635%	7,675	8,478
GSB	4.10%		2.0705%	11,655	12,874
Glenorchy	21.50%		10.8575%	<u>61,117</u>	<u>67,510</u>
Hobart	21.50%		10.8575%	61,117	67,510
Huon Valley	4.20%		2.1210%	11,939	13,188
Kingborough	12.20%		6.1610%	34,680	38,308
Sorell	3.20%		1.6160%	9,096	10,048
Southern Midlands	1.50%		0.7575%	<u>4,264</u>	<u>4,710</u>
Tasman	0.10%		0.0505%	284	314
	100.00%	50.50%	50.50%	284,264	313,998
		100.00%		563,121	621,778

ATTACHMENT B	PROJECTED DISTRIBUTIONS											
	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21			
Brighton 3.08%	Distributions	758	922	1,007	1,169	1,313	1,472	1,667	1,881	2,120		
	Asset growth	362	443	481	562	633	712	812	923	1,048		
	Total Return	1,120	1,365	1,488	1,731	1,946	2,184	2,479	2,805	3,168	19,154	
C Highlands 0.51%	Distributions	124	151	165	192	215	241	273	308	347		
	Asset growth	59	73	79	92	104	117	133	151	172		
	Total Return	184	224	244	284	319	358	406	460	519	3,140	
Clarence 11.06%	Distributions	2,723	3,310	3,616	4,197	4,715	5,286	5,984	6,754	7,610		
	Asset growth	1,299	1,591	1,727	2,016	2,272	2,556	2,915	3,315	3,764		
	Total Return	4,022	4,901	5,343	6,213	6,988	7,842	8,900	10,069	11,373	68,766	
Derwent Valley 1.36%	Distributions	336	408	446	517	581	652	738	833	938		
	Asset growth	160	196	213	249	280	315	359	409	464		
	Total Return	496	604	659	766	861	967	1,097	1,241	1,402	8,478	
Glamorgan SB 2.07%	Distributions	510	620	677	786	883	990	1,120	1,265	1,425		
	Asset growth	243	298	323	377	425	479	546	621	705		
	Total Return	753	918	1,000	1,163	1,308	1,468	1,666	1,885	2,129	12,874	
Glenorchy 10.86%	Distributions	2,673	3,250	3,550	4,120	4,629	5,189	5,875	6,631	7,471		
	Asset growth	1,276	1,562	1,695	1,979	2,231	2,510	2,862	3,254	3,695		
	Total Return	3,949	4,811	5,245	6,100	6,860	7,699	8,737	9,885	11,165	67,510	

ATTACHMENT B	PROJECTED DISTRIBUTIONS										
	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21		
Hobart											
Distributions	2,673	3,250	3,550	4,120	4,629	5,189	5,875	6,631	7,471		
10.86% Asset growth	1,276	1,562	1,695	1,979	2,231	2,510	2,862	3,254	3,695		
Total Return	3,949	4,811	5,245	6,100	6,860	7,699	8,737	9,885	11,165		67,510
Huon Valley											
Distributions	522	635	694	805	904	1,014	1,148	1,295	1,459		
2.12% Asset growth	249	305	331	387	436	490	559	636	722		
Total Return	771	940	1,025	1,192	1,340	1,504	1,707	1,931	2,181		13,188
Kingborough											
Distributions	1,517	1,844	2,015	2,338	2,627	2,944	3,334	3,763	4,239		
6.16% Asset growth	724	886	962	1,123	1,266	1,424	1,624	1,847	2,097		
Total Return	2,241	2,730	2,976	3,461	3,893	4,368	4,958	5,609	6,336		38,308
Sorell											
Distributions	398	484	528	613	689	772	874	987	1,112		
1.62% Asset growth	190	232	252	295	332	374	426	484	550		
Total Return	588	716	781	908	1,021	1,146	1,300	1,471	1,662		10,048
Southern Midlands											
Distributions	187	227	248	287	323	362	410	463	521		
0.76% Asset growth	89	109	118	138	156	175	200	227	258		
Total Return	276	336	366	426	479	537	610	690	779		4,710
Tasman											
Distributions	12	15	17	19	22	24	27	31	35		
0.05% Asset growth	6	7	8	9	10	12	13	15	17		
Total Return	18	22	24	28	32	36	41	46	52		314

12.5.2 Water and Sewerage Corporation (Southern Water) – Re-appointment of Owners’ Representatives (Process) & Payment of Representatives

File Ref:

AUTHOR GENERAL MANAGER (T KIRKWOOD)
DATE 10th FEBRUARY 2012

ATTACHMENT: Nil
ENCLOSURE: Nil.

ISSUE

Council to:

- a) confirm the preferred process to re-appoint the Owners’ Representatives for Southern Water; and
- b) determine its position in relation to the proposed payment of Owners’ Representatives.

BACKGROUND

The initial appointment of the Owners’ Representatives for Southern Water expired in June 2011, however the appointments were extended for a further six months (to December 2011) in recognition that the House of Assembly Select Committee report could recommend that the system of Owners’ Representatives be replaced by some alternative.

The current representatives are Mayor Tony Foster, Mayor Graham Bury and Mr Henry Edgell.

Council at its last meeting resolved to support the STCA recommendation that:

- (a) new Owners’ Representative appointments for a three year term be deferred until 1 July 2012;
- (b) the existing Owners’ Representatives be reappointed for a six month period commencing 1 January 2012.

Relevant sections of the *Water and Sewerage Corporations Act 2008* are as follows:

4. Interpretation.

“Owners Representatives”, in relation to a Regional Corporation, means the Owners Representatives appointed by the members of the Regional Corporations under section 19;

"special majority" means a majority representing at least 75% of –

(a) in relation to the members of a Regional Corporation, all the members of that Regional Corporation; or

(b) in relation to the Owners' Representatives for a Regional Corporation, all the Owners' Representatives for that Regional Corporation; or

(c) in relation to the Owners' Representatives for all Regional Corporations, the aggregate of all the Owners' Representatives for all Regional Corporations; or

(d) in relation to the Selection Committee, all of the members of the Selection Committee, except the Chairperson when excluded by section 20(9);

19. Owners' Representatives for Regional Corporations

(1) The members of a Regional Corporation must, by special majority, appoint 3 persons as Owners' Representatives for that Regional Corporation.

(2) Where persons have been appointed as Owners' Representatives for a Regional Corporation under subsection (1), one or more members of that Regional Corporation are to notify the Treasurer in writing of the appointments.

(3) Subject to subsection (7), each Owners' Representative for a Regional Corporation is to hold that office for a term of 3 years from the date of his or her appointment, or such shorter period –

(a) as set out in the constitution of the Regional Corporation; or

(b) as determined by the members of the Regional Corporation at the time of the appointment of that Owners' Representative.

(4) Subsection (3) does not limit the number of times a person may be appointed to the role of Owners' Representative.

(5) If at any time a vacancy occurs in the role of an Owners' Representative for a Regional Corporation, the members of that Regional Corporation must, as soon as is practicable, do all things necessary to appoint a person to fill that vacancy in accordance with the procedures set out in this Act.

(6) The Owners' Representatives for a Regional Corporation are to –

*(a) consult with other Owners' Representatives and undertake such other functions imposed on Owners' Representatives for a Regional Corporation under this Act; and
(b) act as the official liaison between the Board of the Regional Corporation and the members of that Regional Corporation.*

(7) The members of a Regional Corporation may, by special majority, remove any person from the role of Owners' Representative for that Regional Corporation.

The Owners representatives will also be required to play a role as a "consulting group" to the Treasurer in relation to any changes or modifications to the constitution of the Corporation.

DETAIL

Whilst Councillors are fully aware that there is a considerable amount of discussion relating to the establishment of a single Statewide Corporation, it is extremely unlikely that any change will be introduced prior to July 2012. Hence there is a need to consider a process to appoint the Owners' Representatives beyond 1st July 2012 and ensure that the Representatives are in place by that time.

Note: The process will only be activated if necessary.

ISSUE 1 – PROCESS TO APPOINT OWNERS REPRESENTATIVES

Basically, there are two options:

Option 1:

Divide the Southern Region into three groups of Councils, with each group submitting a single Owner Representative. (NB: This was the process used in 2008).

Under this option the 12 Councils were divided into 3 groups on the basis of population size. This resulted in the following groups:

Large Councils: Hobart, Glenorchy, Clarence and Kingborough.

Medium size Councils: Brighton, Sorell, Derwent Valley and Huon Valley.

Small Councils: Tasman, Glamorgan Spring Bay, Central Highlands and Southern Midlands

Process:

- Each of the four Councils within the group seek nominations from qualified and interested individuals.
- Those wishing to be appointed as a nominee provide a brief summary of their claim/s to the position based on the criteria outlined above.
- Each Council elects an individual to be its nominee.
- The four nominees of each group hold a meeting at which they decide which one of their number is best qualified to represent theirs and the regional interest. (The discussion may be facilitated by the four General Managers of those Councils if necessary.)
- If a decision cannot be made, each Elected Member of each Council in a group of Councils will vote for their preferred nominee using a preferential voting system. (Note that the recommended groupings mean that there would be equal numbers of Elected Members from each Council in each Council Group - 12 in each of the large Councils and 9 in each of the small and medium size Councils);
- The names of the three persons nominated by steps 1) to 5) are forwarded to all Councils for their agreement to the nominations. At least 9 of the 12 Councils will need to agree;

Option 2:

Nomination of three Owner Representative to represent the interests all Owner Councils in the region.

Process:

- Nominations are sought from qualified and interested individuals.
- Those wishing to be appointed as an Owners' Representative provide a brief summary of their claim/s to the position based on the criteria outlined above.
- The names of the persons nominated are forwarded to all General Managers with the statement that each has prepared with a ballot paper.
- Each Council then votes for the three representatives in a preferential system.
- The names of those elected by steps 1) to 4) are forwarded to all Councils for their agreement that these persons serve as Owners Representatives. At least 9 of the 12 Councils will need to agree.

If a simple majority of the twelve Owner councils does not support either option 1 or option 2:

- each Owner Council appoints a delegate to attend a meeting to resolve the impasse;
- A meeting of Owners' delegates is held to resolve the matter and determine the method of nomination; and
- Each council will agree with the outcome of the meeting of delegates.

ISSUE 2 – PAYMENT TO OWNERS REPRESENTATIVES

Payment of the Owners’ Representatives has been discussed previously by the Owners when it was, in part, resolved to consider the matter again at the time of re-appointment.

The Northern Region pays each of its representatives \$5,000 per annum and it will be recommended that this be extended to the Southern Region. The basis for the recommendation is that the work entailed has proved to be greater than was originally envisaged.

The STCA has provided the following recommendation:

- (a) That from 1st July 2012, the Owners’ Representatives be paid \$5,000 per annum; and
- (b) That the cost of payments to the Owners’ Representatives and additional costs including allocations for legal advice and the travelling expenses of the Owners Representatives be recovered from the Owner Councils through an increase in subscriptions payable to the STCA and that this be dealt with through the STCA 2012/13 budget process.

It will be further recommended that, as part of its 2012/13 budget process, the STCA recover an amount from member subscriptions to meet the cost of payments to the Owners Representatives as well as a further amount of \$5,000 per annum to enable the STCA to fully meet the costs of support for the Owners’ Representatives. For the past four years, the cost of support of the Owners’ Representatives has been subsidised by the STCA. The costs to be recovered includes allocations for legal advice and travelling expenses of Owners Representatives. It does not include payment for work undertaken by the STCA CEO.

Human Resources & Financial Implications – Should a payment to Owners’ Representatives be introduced, including an allowance for legal and ‘out-of-pocket’ expenses (total \$20,000), it is assumed that this will be apportioned based on the percentage equity each Council has in the Corporation.

Council’s percentage equity in Southern Water is 1.5%, meaning its annual contribution would be \$300.00.

Community Consultation & Public Relations Implications – N/A.

Policy Implications – Option 1 (i.e. grouping of Councils) was the preferred option for the appointment of Owners’ Representatives in 2008.

Priority - Implementation Time Frame – The process will be initiated in April 2012 if necessary.

RECOMMENDATION

THAT Council:

- (a) endorse Option 1 as the preferred method of appointing the Owners’ Representatives; and
- (b) endorse the STCA recommendation that from 1st July 2012, the Owners’ Representatives be paid \$5,000 per annum (noting that the cost of payments to the Owners’ Representatives and additional costs including allocations for legal advice and the travelling expenses of the Owners Representatives will be recovered from the Owner Councils through an increase in subscriptions payable to the STCA and that this be dealt with through the STCA 2012/13 budget process).

C/12/02/091/10842 DECISION

Moved by Clr J L Jones OAM, seconded by Deputy Mayor M Jones OAM

THAT Council endorse Option 1 as the preferred method of appointing the Owners’ Representatives.

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

Moved by Clr M Connors, seconded by Clr

THAT Council endorse the STCA recommendation that from 1st July 2012, the Owners’ Representatives be paid \$5,000 per annum (noting that the cost of payments to the Owners’ Representatives and additional costs including allocations for legal advice and the travelling expenses of the Owners Representatives will be recovered from the Owner Councils through an increase in subscriptions payable to the STCA and that this be dealt with through the STCA 2012/13 budget process).

MOTION LAPSED DUE TO THE LACK OF A SECONDER

12.6 WATER

Strategic Plan Reference – Page 15

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

12.6.1 Blackman Water Pty Ltd – Sale of Shares

File Ref:

AUTHOR GENERAL MANAGER (T KIRKWOOD)
DATE 12TH FEBRUARY 2012

ATTACHMENT: Nil.
ENCLOSURE: Nil.

ISSUE

Council to consider sale of its shares in Blackman Water Pty Ltd with the proceeds to be re-invested within the Tunbridge community.

BACKGROUND

In June 2006, Council purchased 25 Shares (based on 25 megalitres) in the Blackman River Dam. The actual ‘Ordinary Shares’ are in Blackman Water Pty Ltd and have a value of \$1.00 per share.

The total purchase price for the 25 megalitres came to \$14,846.65 (approx. \$594 per megalitre).

DETAIL

Council has paid a number of levies since time of purchase, including an annual monitoring levy (appears to have increased from \$3.00 per megalitre in 2007/08 to \$5.00 in 2010/11); a recent levy for legal costs (\$13 per megalitre); and a levy for repair of the spillway (about \$16.50 per megalitre).

At the same time, I noted from the file that in September 2010, Council traded 9 megalitres of its water entitlement for \$120 per megalitre – total income of \$1,080.00. This sale amount has basically offset the expenses outlaid on an annual basis to date.

Council is reminded that the intent of investing in the Blackman River Dam was to secure access to a reliable water supply for the Tunbridge township, particularly during times of severe drought. Subsequent to this, Council no longer has responsibility for the Tunbridge Water Scheme (nor any water schemes), and the introduction of the Midlands Water Scheme will ensure an adequate and reliable supply to the township in the future.

NB: Council's equity share in the Tunbridge Dam was viewed as a separate investment outside Council's Water infrastructure, and ownership did not transfer to Southern Water.

Human Resources & Financial Implications – Councillors are aware that there are differing (or competing) requests from within the Tunbridge community for Council to invest in community infrastructure (i.e. public toilet facilities; and the community owned 'not-for-profit' Tunbridge Community Club).

Given the unlikelihood that mutual agreement will be reached within the community in terms of a priority project, there is an opportunity for Council to sell its equity in Blackman Water Pty Ltd and essentially have additional funds available to reinvest.

Basically, a new public toilet facility will cost in the vicinity of \$40,000 (Note: there is no specific design nor a preferred location confirmed); and the Tunbridge Community Club would appreciate any cash commitment from Council in support of its application for funding to the Tasmanian Community Fund (TCF). I am advised that the revised cost for the Community Club project is \$164,000, with an amount of \$90,000 being sought from the TCF. The balance of funds are to be provided by the Club through use of existing cash reserves; fundraising and voluntary contributions etc.

Currently there is approx. \$21,000 available, being the net sale proceeds from the Tunbridge Fire Station property to the Tasmania Fire Service, and potentially, the sale value of the Blackman Water Pty Ltd Shares could be added to this amount.

Options that Council may wish to consider include:

- a) dividing the total funds available equally between the two projects (noting that Council would need to fund the balance of the Public Toilet project from its Capital Works Program);
- b) determine some other percentage split; or
- c) allocate all funds to one project only.

Community Consultation & Public Relations Implications – Issues could be raised for discussion through both the public question time session, and the community meeting scheduled to commence at 5.00 p.m. on the day of the Council Meeting.

Policy Implications – N/A

Priority - Implementation Time Frame – Immediate, on the basis that the Tunbridge Community Club need to finalise its application to the Tasmanian Community Fund and will need to detail any Council contribution in its submission.

RECOMMENDATION

THAT:

- a) **Council proceed to sell its shares in Blackman Water Pty Ltd (process to be confirmed); and**
- b) **The proceeds to be re-invested within the Tunbridge community, which is to be determined following consultation with the community.**

C/12/02/094/10843 DECISION

Moved by Clr C J Beven, seconded by Deputy Mayor M Jones OAM

THAT:

- a) Council commence a consultative process regarding the sale of its shares in Blackman Water Pty Ltd; and
- b) if sold, the net proceeds be re-invested within the Tunbridge community.

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

12.7 IRRIGATION

Strategic Plan Reference – Page 15

1.7.1 Increase access to irrigation water within the municipality.

Nil.

12.8 DRAINAGE

Strategic Plan Reference – Page 15

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

Nil.

12.9 WASTE

Strategic Plan Reference – Page 16

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

Nil.

12.10 INFORMATION, COMMUNICATION TECHNOLOGY

Strategic Plan Reference – Page 16

1.10.1 Improve access to modern communications infrastructure.

Nil.

12.11 SIGNAGE

Strategic Plan Reference – Page 16

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

Nil.

12.12 PUBLIC AMENITIES

Strategic Plan Reference – Page

1.12.1 Develop a policy framework along with design guidelines for public amenities

Nil.

The meeting was suspended at 2.25 p.m. for a short break and resumed at 2.39 p.m.

Mr J Lyall (Manager – Works and Technical Services) attended the meeting at 2.39 p.m.

Mr Peter Baldwin and Mr Jeff Williamson attended the meeting at 2.39 p.m. to make comment in relation to this item.

15.1.1 Partnership Opportunity to Facilitate Meaningful Youth/Community Development in Oatlands

File Ref:

AUTHOR GENERAL MANAGER (T KIRKWOOD) AND MANAGER COMMUNITY & CORPORATE DEVELOPMENT (A BENSON)

DATE 16TH FEBRUARY 2012

ATTACHMENTS: Oatlands Youth & Community Development Project

BACKGROUND

(Extract from Strategic Plan)

STRATEGIC		OPERATIONAL
4. LIFESTYLE	What we are aiming to achieve:	Key strategies and actions to achieve our aims:
4.1 Youth	<p>4.1.1 Increase the retention of young people in the municipality</p>	<ul style="list-style-type: none"> ● 4.1.1.1 Facilitate a mentoring and leadership program in partnership with the schools in the Southern Midlands ● 4.1.1.2 Develop youth programs that cover employment and training as well as being linked to social, recreational and entertainment activities ● 4.1.1.3 Continue to identify and respond to the need for facilities for families with children (family day care, day centres) ● 4.1.1.4 In Partnership with the State Government investigate ways to enhance the delivery of youth services in the Southern Midlands ● 4.1.1.5 Respond and monitor the recreation needs of the young people of the Southern Midlands

STRATEGIC		OPERATIONAL
5. COMMUNITY	What we are aiming to achieve:	Key strategies and actions to achieve our aims:
5.2 Capacity & Sustainability	5.2.1 Build the capacity of the Community to help itself and embrace the framework & strategies articulated by the Social Inclusion Commissioner to achieve sustainability	<ul style="list-style-type: none"> ● 5.2.1.1 Support community groups who wish to run and/or develop Community based facilities ● 5.2.1.2 Support community groups who wish to run and/or develop Community based events ● 5.2.1.3 Continue to provide funding opportunities for Community Groups through the Southern Midlands Community Small Grants Program ● 5.2.1.4 Provide support to Community groups to access grants from a wide range of sources ● 5.2.1.5 Provide support to Community groups in their establishment and on-going development ● 5.2.1.6 Provide support to the Community in addressing major impacts that affect the ability of the Community to work cohesively together

The abovementioned extracts from the Southern Midlands Strategic Plan 2010 – 2015 articulate Council’s desire to raise the profile of young people and their engagement with Community based activities in the Southern Midlands.

Council has to some extent, delivered on these Strategic Aims and their associated Actions in the Campania area, through the identification of a significant issue, eg anti-social behaviour/vandalism, then the development of a concept plan to engage with the stakeholders and develop a shared vision of how the issue(s) can be turned around. Council officers and elected members facilitated these processes and at this point in time a number of expectations are being met, along with a reduction of anti social behaviour. This model has proved effective in its formative period of implementation.

Geoff Williamson, the Acting Principal of the Oatlands District High School (ODHS) (former Principal of Campania District High School) has approached Council to work in partnership with the ODHS in developing a Youth & Community Development Project.

The details of the proposal are contained in the attached document titled “*Oatlands Youth & Community Development Project*”. Whilst this document was the starting point of

discussions, there has been some refinement through discussion with Council officers and other stakeholders.

In summary, there are a range of Community Development activities that will be undertaken by the Pete Baldwin, (the School Social Worker with the Department of Education) working with young people in the Community.

The current funding for Pete is

DoE Learning Services South pay for one day/week

ODHS based on identified need pay for two days/week

To maximise the return for the young people and for the Community this needs to be a full time role, therefore additional funding is required, hence the ODHS approaching Council.

A meeting was convened where Geoff Williamson articulated his vision, he then advised that if Pete is not able to be engaged on a full time basis for twelve months at ODHS, he will be contracted out to two other schools, Bothwell DHS and Triabunna DHS and the opportunity for meaningful engagement with the young people plus the wider Community would by enlarge be lost. He advised that a decision is required immediately to nullify the later actions by the DoE.

With the very worthy plans detailed within the proposal, that in many way aligns to Council Strategic Plan, along with Geoff's comments, Council officers commenced discussions as to how the funds (approximately \$40,000) could be raised;

1. The Manager Community & Corporate Development facilitated discussions with Lana Benson and Tracey Turale from the Rural Primary Health Service and a commitment has been secured for \$8,000 until the end of June 2012, with a further option of funding if the budget allows it;
2. \$7,000 is possible through other sources
3. Rural Alive & Well may be in a position to assist
4. Grant proposal could galvanised additional funds

Effectively there are a number of funding sources that are not able to be confirmed in the short term and as such an underwriting of the project funds would be required. The General Manager suggested that there should be a joint obligation by both Council and ODHS to underwrite the balance. The underwriting would commit \$12,500 from both parties, with an 80% chance on the total funding being achieved without having to call on the underwriters.

Council also may elect to provide direct contribution (over 2 financial years ie 2011/2012 & 2012/2013), which would reduce the sum to be underwritten

As with any funding arrangement, the funding bodies, eg RPHS, SMC and others may have a range of caveats that they could place on any funding, based on objectives to be achieved, project outputs, level of engagement, etc, some of the objectives could be:

Clear objectives:

- establishment of a youth group
- wider Community/Stakeholder engagement and participation
- open to all kids
- how to engage with non-Oatlands school students
- the establishment of champions/facilitators in Oatlands

For discussion and decision

RECOMMENDATION

THAT Council:

- 1. Support the ODHS Oatlands Youth & Community Development Project initiative as a project partner;**
- 2. Provide a cash contribution of \$5,000 over two financial years towards the project (\$2,500 in 2011/2012 & \$2,500 in 2012/2013);**
- 3. Provide in-kind contribution in the way of staff time/support for the project; and**
- 4. Underwrite the project to the value of \$10,000 over two financial years (\$5,000 in 2011/2012 & \$5,000 in 2012/2013).**

C/12/02/099/10844 DECISION

Moved by Deputy Mayor M Jones OAM, seconded by Clr J L Jones OAM

THAT Council:

- 1. Support the ODHS Oatlands Youth & Community Development Project initiative as a project partner;**
- 2. Provide a cash contribution of \$5,000 over two financial years towards the project (\$2,500 in 2011/2012 & \$2,500 in 2012/2013);**
- 3. Provide in-kind contribution in the way of staff time/support for the project; and**
- 4. Underwrite the project to the value of \$10,000 over two financial years (\$5,000 in 2011/2012 & \$5,000 in 2012/2013).**

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

2012

Oatlands District School -
Department Of Education
TAS

Peter James Baldwin,
School Social Worker &
Geoff Williamson,
Principal.

[FUNDING PROPOSAL - OATLANDS YOUTH & COMMUNITY DEVELOPMENT PROJECT]

Oatlands District School intend to employ a 'Youth Community Development Leader' for a 12 month trial during 2012 as detailed within this proposal, and is seeking financial assistance from the Southern Midlands Council to make this possible.

RATIONALE:

This proposal attends to the needs of the Oatlands and surrounding rural communities, hoping to improve social capital and active youth participation in the region. By inspiring and guiding students at Oatlands District School to plan and execute positive community development projects, it is expected the proposed ‘Youth & Community Development Leader’ will encourage stronger relationships with other community members and business within the local community.

Oatlands is the town hub for the surrounding rural communities within the Southern Midlands district. The population is dispersed throughout a large geographical area across the Southern Midlands of Tasmania. This area has limited services, positive recreational facilities or opportunities for youth. The population (like much of Tasmania) is ageing, exaggerated by a strong trend of young people leaving the area seeking educational, recreational and vocational opportunities. School Social Work research conducted in 2011 has revealed that there is a negative cultural divide between the younger and older generations. Youth report they feel under-valued, misunderstood and often ‘demonised’ by the wider population. This proposal reveals a strong desire to create broad scale positive attitudinal change amongst the youth and wider populations.

Oatlands District High intends to create a joint partnership between the school and the Southern Midlands Council to address these barriers, increase social capital and to raise the profile of young people within the town. Flow-on benefits are expected in school retention rates, improved sense of belonging within the community, improved youth mental health, as well as lowered drug, alcohol and crime rates. There is also potential for community development projects to increase tourism within the township of Oatlands. Oatlands District School intends to employ a full-time ‘Youth & Community Development Leader’ for a 12 month trial during 2012 as detailed below, and is seeking financial assistance from the Southern Midlands Council to make this possible.

ROLE: *Youth & Community Development Leader*

Full-Time = Monday-Thursday 9am-5pm + 1 Saturday per month 10am-10pm // School Holidays = one day per week for 12 hrs.

STAKEHOLDERS: School students & their parents, school staff, community members, local businesses, Southern Midlands Council, Learning Services South

AIMS:

- Inspire and empower young people to engage with the local community as active young citizens, influencing wider, positive attitudinal shifts within the community
- Build social capital within the Oatlands district
- Encourage youth to be involved in the cultural and tourism aspects of the Oatlands district
- Encourage and develop positive partnerships between youth, the school, local business and the local community

- Address & reduce youth drug & alcohol dependence
- Address & reduce youth depression and mental health issues
- Improve school retention
- Improve community retention through social capital
- Improve recreational, educational and vocational opportunities for youth within the area

PROPOSED PROJECTS:

- *Youth Centre/drop-in centre*
 - Building on school property owned by Department of Education (school will absorb running costs)
 - Open during school hours, after school and also weekends once a month
 - All planning and projects to be developed and actioned in collaboration with youth and the general community
- *Youth Advisory Council*
 - Small group of inspired youth and school staff dedicated to improving the Oatlands community
 - Meet regularly to identify issues, develop strategies, plans and projects
 - Eg: Re-design Oatlands town welcome signs, re-design public toilet block, create path and signs around lake for a tourist walk
 - Report back regularly to the Southern Midlands Council
- *Plan and execute one youth/community event in Oatlands per term*
 - Eg: Concert, camping trip, festival, market, car boot sale etc.
 - Devised, planned, fundraised and executed by young people

FINANCES: (Based on School Social Worker level 1.3 salary including on costs)

- *Learning Services South* – Providing in-kind support for Oatlands District School with .2 (one day per week) allocation within the role of *School Social Worker*
 - \$18 333.84 Salary
- *Oatlands District School* – Providing .4 (two days per week) allocation within the proposed Community Project Leader role
 - \$ 36 667.68
- *Southern Midlands Council* – We request the following funds:
 - *Salary contribution* - \$36 667.68
 - *Funds to 'kick-start' the community development project fund* - \$3,000
 - TOTAL REQUESTED - \$39 667.68

12.13 OFFICER REPORTS – WORKS & TECHNICAL SERVICES (ENGINEERING)

12.13.1 Manager - Works & Technical Services Report

File Ref: 3/075

AUTHOR MANAGER – WORKS & SERVICES (J LYALL)

DATE 17TH FEBRUARY 2012

ROADS PROGRAM

Gravel re-sheeting – Brown Mountain and Springvale Road areas.

Stonor Road – drainage works to be commenced within next fortnight in preparation for reconstruction and seal.

Drainage & Culvert Cleaning – Chrichton Road, Mount Seymour

Maintenance Grading – Mount Seymour area.

Bitumen Patching – Inglewood Road – to commence 20th February 2012, and Huntington Tier Road (pending reconstruction and seal).

BRIDGE PROGRAM

Works commence on the Elderslie Road Bridge at Broadmarsh. Ongoing preparations for other capital replacements.

WASTE MANAGEMENT PROGRAM

No operational issues.

TOWN FACILITIES PROGRAM

General grass mowing.

Campania Footpath – construction of ‘missing link’ – to be scheduled within coming weeks.

Midland Highway Signs – installations completed.

WORKS SERVICES PROGRAM

Nil.

The following Works and Technical Services issues were raised for discussion:

Bridge Program – Mosquito Valley Creek Bridge replacement – to be installed in approximately two weeks utilising two of the previously purchased culvert units. Eddington Road Bridge, Bagdad is scheduled for Wednesday 14th March 2012. Elderslie Road Bridge – update provided.

Other Bridge Replacements – engineering endorsement has been finalised for all other bridge replacements.

Town Facilities – High Street, Oatlands – parking (vicinity of Roxy Supermarket) – Police have expressed safety concerns regarding the angle parking opposite the Supermarket. This is mostly due to the increased traffic in this area. Options to be assessed, including the option of ‘off-street’ car parking at the rear of the Supermarket.

RECOMMENDATION

THAT the information be received.

C/12/02/104/10845 DECISION

Moved by Clr J L Jones OAM, seconded by Deputy Mayor M Jones OAM

THAT the information be received.

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

13.1 RESIDENTIAL

Strategic Plan Reference – Page 17

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

Nil.

13.2 TOURISM

Strategic Plan Reference – Page 17

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

Nil.

13.3 BUSINESS

Strategic Plan Reference – Page 18

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

2.3.1b Increase employment within the municipality.

Nil.

13.4 INDUSTRY

Strategic Plan Reference – Page 19

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

Nil.

13.5 INTEGRATION

Strategic Plan Reference – Page 19

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

Nil.

14 OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)

14.1 HERITAGE

Strategic Plan Reference – Page 20

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

File Ref: 3/097

AUTHOR MANAGER HERITAGE PROJECTS (B WILLIAMS)

DATE 22nd FEBRUARY 2012

ISSUE

Southern Midlands Heritage Projects – report from Manager Heritage Projects

DETAIL

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

- Progressing the Oatlands Gaol interpretation project. Draft panels etc have been completed and currently being reviewed. Construction of gabion walls between the gaol and pool is 2/3 complete.
- A three-week archaeological excavation season was undertaken at the Oatlands Gaol (gallows, solitary cells, old gaol), Callington Park (tannery) and survey work at the Spring Hill Road and Probation Stations. 12 students plus 5 supervisors (all volunteers) participated in the program, which was supported by Arts Tasmania and Heritage Tasmania. The season was very successful, with reports pending (both on the archaeological works, and overall project). An open day was held on 12th February which attracted over 400 visitors.
- Brad Williams has been reappointed to a second term on the Tasmanian Heritage Council, which represents an important link between Southern Midlands Council and the Tasmanian Heritage Council/Heritage Tasmania.
- The outcome of the *Your Community Heritage* grant program is still being awaited, with SMC having applied for over \$150,000 for four projects.

RECOMMENDATION

THAT the information be received.

C/12/02/107/10846 DECISION

Moved by Clr A O Green, seconded by Deputy Mayor M Jones OAM

THAT the information be received.

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

14.2 NATURAL

Strategic Plan Reference – Page 20

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

14.2.1 Landcare Unit & Climate Change – General Report

File Ref: 03/082

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

DATE 14TH FEBRUARY 2012

ISSUE

Southern Midlands Landcare Unit & Climate Change Report.

DETAIL

Climate Change

- The review and update of Councils Climate Change Action Plan is continuing.
- Council’s draft Climate Change Adaptation Plan, is being produced through the STCAs Regional Climate Change Adaptation Project, and will now be completed by late February.
- The Council’s Climate Change web page has been updated with the inclusion of a future climate change profile for the Midlands.
- Climate Connect Program Grant progress - John Todd is going to provide quantitative figures on the energy efficiencies and savings should his report recommendations be implemented for the Council building in Oatlands. This information will be used to apply for a grant application under a new round of funding that is available for implementing energy efficiency works on public buildings. Graham is preparing the grant application.
- A funding application has been submitted to the Australian Government under the ‘Biodiversity Fund’ Round that closed on 31st January. The application totals \$843,000 and is for large scale revegetation and bushland restoration works in lowland grazing areas over three years. The application partners are NRM South, Natural Resource Planning (Rod Knight) and Central Highlands Council. The project also involves the Tasmanian Understorey Network.

- Helen has been busy with signage and research of information for to the proposed signs relating to Callington Park and the walking track.
- Helen updated the Council’s Web site with recent information and reports as they have become available.
- Maria has completed the final RLCIP Australian Government funding report for the walking track.

RECOMMENDATION

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

C/12/02/109/10847 DECISION

Moved by Clr C J Beven, seconded by Clr M Connors

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

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

14.3 CULTURAL

Strategic Plan Reference – Page 21

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

Nil.

14.4 REGULATORY (OTHER THAN PLANNING AUTHORITY AGENDA ITEMS)

Strategic Plan Reference – Page 21

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

Nil.

14.5 CLIMATE CHANGE

Strategic Plan Reference – Page 21

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

Nil.

15 OPERATIONAL MATTERS ARISING LIFESTYLE

15.1 YOUTH

Strategic Plan Reference – Page 22

4.1.1 Increase the retention of young people in the municipality.

Nil.

15.2 AGED

Strategic Plan Reference – Page 22

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

Nil.

15.3 CHILDREN AND FAMILIES

Strategic Plan Reference – Page 22

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

Nil.

15.4 VOLUNTEERS

Strategic Plan Reference – Page 22

4.4.1 Encourage community members to volunteer.

Nil.

15.5 ACCESS

Strategic Plan Reference – Page 22

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

Nil.

15.6 PUBLIC HEALTH

Strategic Plan Reference – Page 23

4.6.1 Monitor and maintain a safe and healthy public environment.

Nil.

15.7 RECREATION

Strategic Plan Reference – Page 23

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

Nil.

15.8 ANIMALS**Strategic Plan Reference – Page 23**

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

15.8.1 Animal Control Officer's Report

File Ref: 3/027

AUTHOR ANIMAL CONTROL OFFICER (G DENNE)

DATE 17TH FEBRUARY 2012

ISSUE

Consideration of Animal Control Officer's monthly report.

DETAIL

Refer Monthly Statement on Animal Control for period ending 31st January 2012.

Notes:

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

Dogs Impounded: 1 – adopted out to new owner.

Reclaims: 2 – Owners were identified immediately as a result of being micro chipped.

RECOMMENDATION

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

C/12/02/112/10848 DECISION

Moved by Deputy Mayor M Jones OAM, seconded by Clr M Connors

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

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

**SOUTHERN MIDLANDS COUNCIL
MONTHLY STATEMENT ON ANIMAL CONTROL
FOR PERIOD ENDING 31/1/2012**

Total of Dogs Impounded: 4
Dogs still in the Pound:

Breakdown Being:

ADOPTED	RECLAIMED	LETHALISED	ESCAPED
1	2	-	-

MONEY RECEIVED

Being For:

Pound	<u> </u>
	\$122.72
Reclaims	<u> </u>
	\$250.00
Dog Registrations	<u> </u>
Kennel Licence Fee	<u> </u>
Infringement Notices	<u> </u>
Complaint Lodgement Fee	<u> </u>
TOTAL	<u> </u>
	\$372.72

COMPLAINTS RECEIVED FOR PERIOD ENDING 31/1/2012

Dog at Large: 2
Dog Attacks: 0
Request Pick-ups: 2
After Hours Calls: 1
TOTAL 8

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

Animal Control Officer: **Garth Denne**

15.9 EDUCATION

Strategic Plan Reference – Page 23

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

Nil.

16 OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

16.1 RETENTION

Strategic Plan Reference – Page 24

5.1.1 Maintain and strengthen communities in the Southern Midlands.

Nil.

16.2 CAPACITY

Strategic Plan Reference – Page 24

5.2.1 Build the capacity of the Community to help itself.

Nil.

16.3 SAFETY

Strategic Plan Reference – Page 24

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

Nil.

16.4 CONSULTATION

Strategic Plan Reference – Page 24

5.4.1 Improve the effectiveness of consultation with the Community.

Nil.

16.5 COMMUNICATION

Strategic Plan Reference – Page 25

5.5.1 Improve the effectiveness of communication with the Community.

Nil.

17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

17.1 IMPROVEMENT

Strategic Plan Reference – Page 26

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

17.1.1 MAV Insurance Risk Audit Report

File Ref:

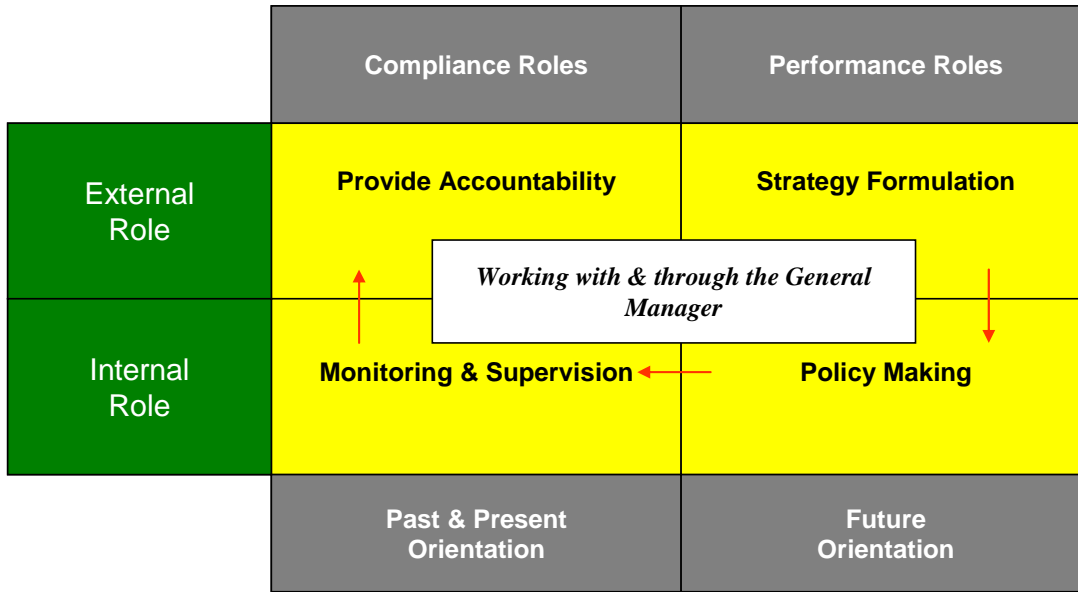
AUTHOR MANAGER COMMUNITY & CORPORATE DEVELOPMENT
(A BENSON)

DATE 16TH FEBRUARY 2012

ENCLOSURE: MAV Insurance Risk Audit Report Southern Midlands Council

BACKGROUND

Council is aware, through recent presentations, such as the review of the Strategic Plan 2010 – 2015, and also the review of the SMC Risk Management Strategy, of the Framework for Analysing Council's Governance Function. This framework has been drawn from Professor Robert Tricker's work on International Governance, where he developed the model in the figure below which clarifies the twin responsibilities of conformance and performance Tricker, R., *International Corporate Governance: Text Readings and Cases*, New York: Prentice Hall, 1994, p.149.



As part of this framework it is meaningful for Council to be aware of and monitor Audits and related governance review mechanisms that are undertaken within the organisation.

The attached Audit Report is part of a two yearly process undertaken by Council’s liability Insurer, MAV Insurance (formerly Civic Mutual Plus). The first year is the Audit and the second year is a progress assessment against the Audit findings. Since 2006 Council has gradually and consistently improved its performance under this Audit process. It should be noted that the new SMC Asset Management system that will be operational by April 2012 will provide a number of improvements to the SMC Audit result which will see the score catapulted to greater heights. As a benchmark, the current SMC result in the mid range of the Council’s across Tasmania.

RECOMMENDATION

THAT Council note the Audit Report

C/12/02/116/10849 DECISION

Moved by Deputy Mayor M Jones OAM, seconded by Clr A O Green

THAT Council note the Audit Report.

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

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

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

17.2.1 Local Government Association of Tasmania – Annual General Meeting & General Meeting (11th July 2012)

File Ref: 29/005

AUTHOR EXECUTIVE ASSISTANT (K BRAZENDALE)

DATE 17TH FEBRUARY 2012

ISSUE

Council to consider any issues for inclusion on the agenda as motions.

DETAIL

The Local Government Association of Tasmania has advised Council that it's Annual General Meeting and General Meeting will be held at the Wrest Point Casino on 11th July 2012, commencing at 11.00 am.

The Local Government Association is also calling for 'Notices of Motion' for the meeting. Motions need to be submitted by 30th March 2012.

Human Resources & Financial Implications – N/A

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

Policy Implications – N/A

Priority - Implementation Time Frame – Motions need to be submitted by 30th March 2012.

RECOMMENDATION

THAT Council determine if there are any issues for inclusion on the agenda as motions.

C/12/02/118/10850 DECISION

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

THAT:

- a) the information be received; and
- b) draft Motions be prepared for the following issues – to be considered at the next meeting:
 - a. Stormwater (overland run-off on private property) – legislative amendment to clarify Council’s responsibility; and
 - b. Accommodation Premises – lobby to re-introduce inspection requirements (i.e. under the Licensing Act) for accommodation premises to ensure appropriate standards are maintained.

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

Meeting suspended for a break at 3.41 p.m. and resumed at 3.57 p.m.

17.2.2 2012 National General Assembly of Local Government

File Ref: 29/001

AUTHOR EXECUTIVE ASSISTANT (K BRAZENDALE)

DATE 17TH FEBRUARY 2012

ISSUE

Council to:

- a) confirm its attendance at the National General Assembly of Local Government to be held between 17 – 20 June 2012 at the National Convention Centre in Canberra; and
- b) consider any issues for inclusion on the agenda as motions.

DETAIL

The National General Assembly of Local Government Conference will be held from 17th to 20th June, 2012 in Canberra.

The theme for the 2012 Conference is “National Voice, Local Choice – Infrastructure, Planning, Services’.”

The Early Bird Registration Fee is \$880.00. This fee does not include accommodation or airfares.

The Australia Local Government Association is also calling for ‘Notices of Motion’ for the meeting. Motions need to be submitted by 27th April 2012.

Human Resources & Financial Implications – Registration fees, accommodation and airfares to be funded from the 2011/2012 Budget.

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

Policy Implications – N/A

Priority - Implementation Time Frame – Delegates registration must be lodged prior to the 27th April 2012 to receive the early bird registration fee. Motions need to be submitted by 27th April 2012.

RECOMMENDATION**THAT Council:**

- a) confirm attendance at the 2012 National General Assembly of Local Government Conference (ALGA) to be held in Canberra; and
- b) identify any Motions which must be submitted by 27th April 2012.

C/12/02/120/10851 DECISION

Moved by Clr A O Green, seconded by Clr C J Beven

THAT:

- a) the Mayor attend the 2012 National General Assembly of Local Government Conference (ALGA) to be held in Canberra; and
- b) Councillors refer potential motions to the General Manager for inclusion on the next Agenda.

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

17.2.2 Inquiry into Local Government Elections

File Ref:

AUTHOR EXECUTIVE ASSISTANT (K BRAZENDALE)

DATE 17TH FEBRUARY 2012

ISSUE

Council to consider the Terms of Reference relating to the House of Assembly's Standing Committee on Community Development inquiry into Local Government Elections.

DETAIL

Council is in receipt of a letter from the House of Assembly Standing Committee on Community Development regarding the Inquiry into Local Government Elections.

They have invited Council to provide comment (by way of a submission if necessary) in relation to the following Terms of Reference:

- a) to inquire into and report upon whether it is appropriate and what is the most effective and efficient way to introduce compulsory voting for the State's Local Government Elections, prior to the next round of Council elections scheduled for 2013;
- b) examine developments in electronic voting systems, and the capacity to have such a system introduced in Tasmania;
- c) ensure appropriate public consultation is conducted on both matters (a) and (b);
- d) any other matter incidental; and
- e) that the Committee reports by 30th June 2012.

Human Resources & Financial Implications – N/A

Community Consultation & Public Relations Implications – To be considered.

Policy Implications – N/A

Priority - Implementation Time Frame – Submissions need to be lodged by 24th February 2012.

RECOMMENDATION

THAT Council identify any issues of concern relating to the Terms of Reference, noting the deadline for submissions is 24th February 2012.

C/12/02/122/10852 DECISION

Moved by Deputy Mayor M Jones OAM, seconded by Clr J L Jones OAM

THAT the information be received.

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
	Clr A O Green	√

17.3 FINANCES

Strategic Plan Reference – Page 28

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

17.3.1 Monthly Financial Statement (January 2012)

File Ref: 3/024

AUTHOR FINANCE OFFICER (S RAWNSLEY)

DATE 17th FEBRUARY 2012

Refer enclosed Report incorporating the following: -

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

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

- c) Rates & Charges Summary – 19th January 2012
- d) Cash Flow Statement - completed to 31st January 2012.

Note: Expenditure figures provided are for the period 1st July to 31st January 2012 approximately 59% of the period.

Comments

A. Current Expenditure Estimates (Operating Budget)

Strategic Theme – Infrastructure

- **Sub-Program –Roads** - expenditure to date (\$927,191 – 78.74%). This program will be monitored in the coming months.

Strategic Theme – Growth

- **Sub-Program – Business** - expenditure to date (\$63,817 – 123.32%). This Program is Private Works undertaken on a recharge basis.

Strategic Theme – Landscape

- **Sub-Program – Natural** - expenditure to date (\$84,261 – 83.34%). This program will be monitored in the coming months. ‘One-off’ annual costs have been paid.

Strategic Theme – Community

- **Sub-Program – Consultation** - expenditure to date (\$21,772 – 429.43%) Expenditure includes an amount of \$9,062 for Kempton School closure case study and an amount of \$975.00 Radio Station Licence. Budget to be closely monitored.
- **Sub-Program – Sustainability** - expenditure to date (\$810,786 – 61.56%) Various annual ‘one-off’ costs (e.g. insurance premiums) have been paid.

B. Capital Expenditure Estimates (Capital Budget)

Nil.

RECOMMENDATION

THAT the information be received.

C/12/02/125/10853 DECISION

Moved by Clr C J Beven, seconded by Deputy Mayor M Jones OAM

THAT the information be received.

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

SOUTHERN MIDLANDS COUNCIL : CURRENT EXPENDITURE 2011/12

SUMMARY SHEET

PROGRAM	TOTAL	REVISED BUDGET (GRANTS & OTHER REIMBURSEMENTS)	ACTUAL AS AT 31 JANUARY 2012 59%	VARIANCE (+/-)	% BASED ON REVISED BUDGET 100%
INFRASTRUCTURE					
Roads	1177492	1177492	927191	250301	78.74%
Bridges	103225	103225	36312	66912	35.18%
Walkways	164055	164055	88104	75951	53.70%
Lighting	77792	77792	42782	35010	55.00%
Irrigation	2450	2450	0	2450	0.00%
Drainage	32090	32090	7635	24455	23.79%
Waste	472642	472642	218373	254269	46.20%
Public Toilets	49710	49710	27025	22686	54.36%
Communications	0	0	0	0	0.00%
Signage	12300	12300	7344	4956	59.71%
INFRASTRUCTURE TOTAL:	2091756	2091756	1354767	736989	64.77%
GROWTH					
Residential	2900	2900	25	2875	0.85%
Mill Operations	910348	910348	461735	448613	50.72%
Tourism	33610	33610	12341	21269	36.72%
Business	51750	51750	63817	-12067	123.32%
Agriculture	11548	11548	1055	10493	9.13%
Integration	11548	11548	0	11548	0.00%
GROWTH TOTAL:	1021704	1021704	538973	482731	52.75%
LANDSCAPES					
Heritage	167308	167308	108506	58802	64.85%
Natural	101107	101107	84261	16846	83.34%
Cultural	0	0	0	0	0.00%
Regulatory	696156	696156	413385	282771	59.38%
Climate Change	35754	35754	25190	10564	70.45%
LANDSCAPES TOTAL:	1000324	1000324	631341	368983	63.11%
LIFESTYLE					
Youth	176541	176541	62023	114518	35.13%
Aged	0	0	0	0	0.00%
Childcare	16535	16535	5237	11298	31.67%
Volunteers	41757	47945	24880	23065	51.89%
Access	1405	1405	0	1405	0.00%
Public Health	7258	7258	2388	4869	32.91%
Recreation	334317	334317	220377	113940	65.92%
Animals	66375	66375	32939	33437	49.63%
Education	0	0	106	-106	0.00%
LIFESTYLE TOTAL:	644188	650376	347950	302426	53.50%
COMMUNITY					
Retention	0	0	0	0	0.00%
Capacity	27025	27025	10597	16428	39.21%
Safety	51400	51400	28252	23148	54.97%
Consultation	5070	5070	21772	-16702	429.43%
Communication	21125	21125	6240	14885	29.54%
COMMUNITY TOTAL:	104620	104620	66861	37759	63.91%
ORGANISATION					
Improvement	5850	5850	0	5850	0.00%
Sustainability	1317109	1317109	810786	506322	61.56%
Finances	227529	227529	118487	109042	52.08%
ORGANISATION TOTAL:	1550488	1550488	929273	621215	59.93%
TOTALS	6413080	6419268	3869164	2550103	60.27%

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2011-12
AS AT 31 DECEMBER 2011

INFRASTRUCTURE	ROAD ASSETS	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
	Resheeting Program	\$ 960,000	\$ 248,884	\$ 411,136	
	Reseal Program	\$ 362,460	\$ -	\$ 362,460	
	Reconstruct & Seal	\$ 45,000	\$ 1,163	\$ 43,837	
	Minor Seals (New)	\$ 50,000	\$ 2,326	\$ 47,674	
	Unsealed - Road Widening	\$ 60,000	\$ 3,490	\$ 56,510	
		\$ 45,000	\$ 1,136	\$ 43,864	
		\$ 45,000	\$ -	\$ 45,000	
		\$ 110,000	\$ 1,272	\$ 108,728	
		\$ 55,000	\$ 4,162	\$ 50,838	
		\$ 15,000	\$ -	\$ 15,000	
		\$ 10,000	\$ -	\$ 10,000	
		\$ 10,000	\$ -	\$ 10,000	
		\$ 20,000	\$ 12,814	\$ 7,186	
		\$ 20,000	\$ -	\$ 20,000	
		\$ 15,000	\$ -	\$ 15,000	
		\$ 15,000	\$ -	\$ 15,000	
		\$ 60,000	\$ 53,963	\$ 6,637	Includes \$40K Budget 2010/11)
		\$ 35,000	\$ -	\$ 35,000	
		\$ 8,000	\$ -	\$ 8,000	
		\$ 10,000	\$ 300	\$ 9,700	
		\$ 10,000	\$ -	\$ 10,000	
		\$ 20,000	\$ -	\$ 20,000	
		\$ 1,890,480	\$ 328,890	\$ 1,351,570	
		\$ 26,440	\$ -	\$ 26,440	
		\$ -	\$ 1,365	\$ 1,365	
		\$ 804,160	\$ 54,766	\$ 749,394	
		\$ 111,220	\$ 4,126	\$ 107,094	
		\$ 59,430	\$ 1,506	\$ 57,924	
		\$ 73,830	\$ 1,724	\$ 72,106	
		\$ -	\$ 641	\$ 641	
		\$ 91,840	\$ 56,929	\$ 34,911	
		\$ 125,480	\$ 1,540	\$ 123,940	
		\$ -	\$ -	\$ -	
		\$ -	\$ 6,515	\$ 6,515	Capitalised 30/6/11
		\$ -	\$ 6,243	\$ 6,243	Capitalised 30/6/11
		\$ -	\$ 15,474	\$ (15,474)	WIP - Carry Forward 2009/10
		\$ -	\$ 1,469	\$ 1,469	WIP - Carry Forward 2010/11
		\$ -	\$ 1,653	\$ 1,653	WIP - Carry Forward 2010/11
		\$ -	\$ 1,231	\$ 1,231	WIP - Carry Forward 2010/11
		\$ 1,292,400	\$ 155,182	\$ 1,137,218	
		\$ 26,440	\$ -	\$ 26,440	
		\$ -	\$ 1,365	\$ 1,365	
		\$ 804,160	\$ 54,766	\$ 749,394	
		\$ 111,220	\$ 4,126	\$ 107,094	
		\$ 59,430	\$ 1,506	\$ 57,924	
		\$ 73,830	\$ 1,724	\$ 72,106	
		\$ -	\$ 641	\$ 641	
		\$ 91,840	\$ 56,929	\$ 34,911	
		\$ 125,480	\$ 1,540	\$ 123,940	
		\$ -	\$ -	\$ -	
		\$ -	\$ 6,515	\$ 6,515	Capitalised 30/6/11
		\$ -	\$ 6,243	\$ 6,243	Capitalised 30/6/11
		\$ -	\$ 15,474	\$ (15,474)	WIP - Carry Forward 2009/10
		\$ -	\$ 1,469	\$ 1,469	WIP - Carry Forward 2010/11
		\$ -	\$ 1,653	\$ 1,653	WIP - Carry Forward 2010/11
		\$ -	\$ 1,231	\$ 1,231	WIP - Carry Forward 2010/11
		\$ 1,292,400	\$ 155,182	\$ 1,137,218	

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2011-12
AS AT 31 DECEMBER 2011

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
WALKWAYS				
Footpaths - General (Program to be confirmed)	\$ 130,000	\$ -	\$ 130,000	
Bagdad Township	\$ -	\$ -	\$ -	
- School Rd Bagdad	\$ -	\$ -	\$ -	
Campania Township	\$ -	\$ -	\$ -	
- Nil	\$ -	\$ -	\$ -	
Colebrook Township	\$ -	\$ -	\$ -	
- Nil	\$ -	\$ -	\$ -	
Kempston Township	\$ -	\$ -	\$ -	
- Nil	\$ -	\$ -	\$ -	
Oatlands Township	\$ -	\$ -	\$ -	
- Nil	\$ -	\$ -	\$ -	
Tunbridge Township	\$ -	\$ -	\$ -	
- Nil	\$ -	\$ -	\$ -	
Tunnack Township	\$ -	\$ -	\$ -	
- Nil	\$ -	\$ -	\$ -	
Carried Forward:				
Bagdad Township	\$ 25,000	\$ -	\$ 25,000	
- Swan Street	\$ -	\$ -	\$ -	
Campania Township	\$ 10,000	\$ -	\$ 10,000	
- Reeve Street (Vicinity of Store)	\$ 5,000	\$ -	\$ 5,000	
- Review Management Plan (Site Plan) / Walking Tracks (Bush Reserve)	\$ -	\$ -	\$ -	
Oatlands Township	\$ 7,000	\$ -	\$ 7,000	
- High Street (Tree Planting)	\$ 7,000	\$ -	\$ 7,000	
Tunnack Township	\$ -	\$ -	\$ -	
	\$ 184,000	\$ -	\$ 184,000	
LIGHTING				
Nil Projects	\$ 270,000	\$ 336,503	\$ (66,503)	\$270K Grant Funded Final Costs
	\$ 270,000	\$ 336,503	\$ (66,503)	
DRAINAGE				
Bagdad	\$ 18,000	\$ -	\$ 18,000	
- Hill Lane Junction with Midland Highway - Pipe Open Drain	\$ 25,000	\$ -	\$ 25,000	
- Swan Street - Kerb & Gutter	\$ 12,000	\$ -	\$ 12,000	
- Vinnislead Road - S/W Drainage Imp's	\$ -	\$ -	\$ -	
Campania	\$ 28,000	\$ 3,750	\$ 24,250	
- Reeve Street (Open Drain - north of Telephone Box)	\$ 7,000	\$ -	\$ 7,000	
- Jones Subdivision - check with AB (requirements?)	\$ -	\$ -	\$ -	
Colebrook	\$ -	\$ 10,998	\$ (10,998)	
- Franklin Street- Stormwater	\$ -	\$ -	\$ -	
Kempston	\$ -	\$ -	\$ -	
- Nil	\$ -	\$ -	\$ -	
Oatlands	\$ 6,140	\$ -	\$ 6,140	
- Stanley St LUIS - between Albert Terraces & Nelson St - Pipe Open Drain	\$ 5,000	\$ -	\$ 5,000	
- High St/Wellington Street Junction	\$ -	\$ -	\$ -	
	\$ 101,140	\$ 14,348	\$ 86,791	
WASTE				
Oatlands WTS - Capital Improvements	\$ 7,500	\$ 2,030	\$ 5,470	Carried Forward:
	\$ 7,500	\$ 2,030	\$ 5,470	
PUBLIC TOILETS				
Colebrook - Power Connection & Lighting	\$ 5,000	\$ -	\$ 5,000	
	\$ 5,000	\$ -	\$ 5,000	

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2011-12
AS AT 31 DECEMBER 2011

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
LIFESTYLE				
RECREATION				
Recreation Committee	\$ 35,000	\$ 230	\$ 34,770	
Playground Equipment	-	-	-	
Kempston Memorial Hall	\$ 10,000	-	\$ 10,000	
Campania - Dirt Track	\$ 5,000	\$ 23,658	\$ (18,658)	
Colbrook Recreation Ground (Amenities)	\$ 16,367	-	\$ 16,367	
	\$ 66,367	\$ 24,088	\$ 42,279	
RLCIP Projects				
Community Library Extension	\$ 290,000	\$ 279,145	\$ 10,855	Includes \$45K RLCIP2 Funds & \$95K Grant
Melton Mowbray Roadside Park	-	750	-750	RLCIP Round 3
Bagged Walking & Riding Path	-	691	-691	
Station Park Kempston	-	50	-50	
Flour Mill Park Redevelopment	-	146	-146	
Dulverton Corridor Walkway	-	42,161	-42,161	
	\$ 290,000	\$ 322,943	\$ (32,943)	
COMMUNITY				
Road Accident Rescue Unit	\$ 3,000	-	\$ 3,000	
	\$ 3,000	\$ -	\$ 3,000	
ORGANISATION				
SUSTAINABILITY				
ADMINISTRATION				
Computer System (Hardware / Software)	\$ 20,000	\$ 21,755	\$ (1,755)	
Town Hall (External Windows - Repaint)	\$ 5,000	-	\$ 5,000	
Town Hall (Chairs)	\$ 5,000	-	\$ 5,000	
Town Hall (General)	\$ 10,000	-	\$ 10,000	
Town Hall (Upstairs) - Rewiring	\$ 5,000	-	\$ 5,000	
Asset Management - Computer Software	\$ 25,000	\$ 20,149	\$ 4,851	
WORKS				
Depot - Church Street - piling fences - South Parade boundary	\$ 4,550	-	\$ 4,550	
Minor Plant Purchases	\$ 6,500	\$ 5,939	\$ 561	
Radio System	\$ 2,000	-	\$ 2,000	
Security Key System	\$ 6,000	-	\$ 6,000	
Depot - Glenek Street (Security Fencing)	\$ 3,000	-	\$ 3,000	
Land Acquisition (General disposal / storage area)	\$ -	-	-	
Refer separate Schedule (Net Changeover)	\$ 734,152	\$ 425,929	\$ 308,223	
Light Vehicles	\$ 180,000	\$ 130,881	\$ 49,119	
Excavator (Approx. 2.70 tonne)	\$ 60,000	-	\$ 60,000	
Water Tank Replacement (Truck)	-	-	-	
	\$ 1,066,202	\$ 604,654	\$ 461,548	
Plant Replacement Program				
	\$ 6,121,836	\$ 1,950,160	\$ 3,171,676	
GRAND TOTALS				

SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED

SUMMARY OF RATES AND CHARGES

	16/02/2012	16/02/2011
Arrears Brought Forward	\$212,537.06	\$244,859.30
ADD Current Rates and Charges Levied	\$3,749,391.96	\$3,531,529.15
ADD Current Interest	\$41,511.81	\$42,286.31
TOTAL Rates and Charges Demanded	\$4,003,440.83	\$3,818,674.76
LESS Rates and Charges Collected	\$2,782,970.52	\$2,685,316.94
LESS Pensioner Remissions	\$185,125.96	\$171,219.80
LESS Other Remissions	-\$8,616.49	-\$5,397.34
LESS Discounts	\$13,009.28	\$11,277.31
TOTAL Rates and Charges Collected and Remitted	\$2,972,489.27	\$2,862,416.71
UNPAID RATES AND CHARGES	\$1,030,951.56	\$956,258.05
	25.75%	25.04%
	74.25%	74.96%
	69.51%	70.32%
	4.62%	4.48%
	-0.22%	-0.14%
	0.32%	0.30%

	INFLOWS (OUTFLOWS) (July 2011)	INFLOWS (OUTFLOWS) (August 2011)	INFLOWS (OUTFLOWS) (Sept 2011)	INFLOWS (OUTFLOWS) (Oct 2011)	INFLOWS (OUTFLOWS) (Nov 2011)	INFLOWS (OUTFLOWS) (Dec 2011)	INFLOWS (OUTFLOWS) (Jan 2012)	INFLOWS (OUTFLOWS) (Year to Date)
Cash flows from operating activities								
Payments	-	-	-	-	-	-	-	-
Employee costs	- 361,843.26	- 242,430.63	- 239,666.71	- 235,416.16	- 240,288.52	- 264,770.30	- 269,445.85	- 1,853,861.43
Materials and contracts	- 422,272.33	- 406,661.77	- 261,552.09	- 320,240.90	- 261,426.83	- 315,856.31	- 157,209.80	- 2,145,220.03
Interest	- 1,134.37	-	-	-	-	-	-	-
Other	- 9,030.87	- 16,960.94	- 70,256.75	- 16,757.49	- 19,139.30	- 56,321.94	- 34,800.53	- 223,267.82
	- 794,280.83	- 666,053.34	- 571,475.55	- 572,414.55	- 531,306.39	- 655,261.12	- 461,456.18	- 4,252,247.96
Receipts								
Rates	42,056.70	385,831.55	1,341,089.15	148,102.79	383,455.78	178,030.51	368,289.25	2,846,855.73
User charges	124,241.49	48,334.99	79,680.21	71,292.83	57,562.90	43,554.43	72,221.90	496,888.75
Interest received	25,369.29	42,111.25	28,758.03	34,709.61	35,699.50	22,268.21	21,187.85	210,103.74
Subsidies	-	-	-	-	-	-	-	-
Other revenue grants	3,198.00	540,880.72	4,500.00	6,636.36	552,245.70	-	9,374.25	1,098,086.53
GST Refunds from ATO	-	-	-	-	-	-	-	-
Other	63,206.37	92,601.90	37,253.54	27,156.20	45,986.05	4,294.52	53,175.60	125,350.88
	238,071.85	1,109,760.41	1,491,280.93	287,897.79	982,977.83	248,147.67	399,149.15	4,777,285.63
Net cash from operating activities	- 536,208.98	443,707.07	919,805.38	284,516.76	451,671.44	407,113.45	62,307.03	525,037.67
Cash flows from investing activities								
Payments for property, plant & equipment	- 61,243.40	- 160,457.10	- 25,981.10	- 149,223.56	- 162,179.09	- 319,285.10	- 373,836.34	- 1,252,205.69
Proceeds from sale of property, plant & equipment	-	14,275.45	-	25,642.00	343.48	-	177,977.73	218,238.66
Proceeds from Capital grants	-	41,006.25	-	-	47,100.00	-	-	88,106.25
Proceeds from Investments	-	-	-	-	-	-	-	-
Payment for Investments	-	-	-	-	-	-	-	-
Net cash used in investing activities	- 61,243.40	105,175.40	- 25,981.10	- 123,581.56	- 114,735.61	- 319,285.10	- 195,858.61	- 945,860.78
Cash flows from financing activities								
Repayment of borrowings	- 4,197.41	-	-	-	-	-	-	-
Proceeds from borrowings	-	-	-	-	8,973.19	41,214.71	-	54,385.31
Net cash from (used in) financing activities	- 4,197.41	-	-	-	8,973.19	41,214.71	-	54,385.31
Net increase/(decrease) in cash held	- 601,649.79	338,531.67	893,824.28	408,098.32	327,962.64	767,613.26	258,165.64	475,208.42
Cash at beginning of reporting year	8,152,371.61	7,550,721.82	7,889,253.49	8,783,077.77	8,374,979.45	8,702,942.09	7,935,328.83	8,152,371.61
Cash at end of reporting year	7,550,721.82	7,889,253.49	8,783,077.77	8,374,979.45	8,702,942.09	7,935,328.83	7,677,163.19	7,677,163.19

18. INFORMATION BULLETINS

Refer enclosed Bulletin dated 17th February 2012.

Information Bulletin dated 7th February 2012 circulated since previous meeting.

Issues Raised:

- Broadband services (Satellite) – NBN Co representatives to address Council
- Ground Spraying regulations – review regulations and consider implications for Council spraying activities
- Forestry Industry

C/12/02/133/10854 DECISION

Moved by Clr J L Jones OAM, seconded by Deputy Mayor M Jones OAM

THAT Council write to the Premier conveying its general support for the Forestry industry in Tasmania.

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

RECOMMENDATION

THAT the Information Bulletins dated 7th and 17th February 2012 be received and the contents noted.

C/12/02/133/10855 DECISION

Moved by Clr M Connors, seconded by Clr A O Green

THAT the Information Bulletins dated 7th and 17th February 2012 be received and the contents noted.

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

18.1 QUESTION TIME (COUNCILLORS)

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

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

1. Kempton Memorial Hall / RSL Facilities – provision of gravel (southern side of Hall) to assist RSL improve appearance.
2. Kempton Memorial Hall – placement of a ‘Name Plate’ on the Hall. Research to be undertaken to determine whether an original sign existed.
3. Roofing Works - 93 High Street, Oatlands (Griggs property) - Mr B Williams (Manager – Heritage Projects) provided an update to the meeting.
5. Radio Station 97.1 MIDFM – General Manager to provide a report for the next Council Meeting.
6. Oatlands Town Hall – Ongoing use of facility for public events – issues to be considered by Facilities & Recreation Committee and submit recommendation to Council.

19. MUNICIPAL SEAL

Nil.

20. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

20.1 SOUTHERN MIDLANDS SCHOOL VIABILITY WORKING GROUP (UPDATE)

File Ref:

AUTHOR GENERAL MANAGER

DATE 22nd FEBRUARY 2012

ISSUE

Council update.

BACKGROUND

The School Viability Reference Group has finalised its report entitled ‘Ministerial Report – School Viability’ and submitted it to the Minister for Education and Skills, the Hon N McKim MHA.

Whilst the Report has been released, the Minister (or the State Government) is yet to establish or announce its position in relation to the recommendations.

DETAIL

A meeting of the Working Group was held on Tuesday 21st February at the Council Chambers, Kempton for the purpose of:

1. gaining individual feedback in relation to the report generally, and more specifically the recommendations; and
2. determining a way forward (i.e. a plan of attack).

The following summarises the outcomes of the meeting:

The report should be targeted as being totally insufficient as a basis for making any key strategic decisions for the following reasons:

- whilst the report captures a significant amount of issues and concerns raised through the consultation process, these do not flow through to any conclusions, nor are they reflected in the recommendations;
- the whole premise of the report is based on school closures and saving dollars (no educational focus);
- the recommendations would place a considerable burden (and stress) on individual schools. (It raises an issue about schools needing to think strategically, but at the same time, are constantly under threat);
- the reports' recommendations, or the likely outcome(s), will not provide any certainty which is a necessity.

A communications strategy, which will document the key messages to be conveyed, is to be prepared which will recognise the following key stakeholders:

- a) State Government (and all political parties) and individual State elected members;
- b) Local Government generally (support to be secured from neighbouring Councils and all other interested Councils);
- c) Community (use of school newsletters etc); and
- d) Media.

In addition to targeting the report as an immediate priority, it is intended to prepare a briefing paper which captures some of the issues (including options and opportunities) raised in the Working Group's initial submission to the School Viability Reference Group. There was some reference to these in the SVRG's report.

It is then proposed to present this briefing paper to the Minister for Education and Skills as a means of moving forward.

Note: Should the recommendation relating to the need for individual schools to conduct 'self assessment' on an annual basis, the Working Group was firmly of the opinion that these assessment should be undertaken no less than every 3 years (preferable 5 years); the assessments should be undertaken within the broader region (not individual schools); and a standard approach should be introduced which would ensure consistency between submissions. The process should preferably involve local government.

The next meeting of the Southern Midlands Working Group is scheduled for Tuesday 13th March 2012, commencing at 3.00 p.m. (if not required earlier).

Human Resources & Financial Implications – Comment to be provided.

Community Consultation & Public Relations Implications – Positive.

Council Web Site Implications: N/A

Policy Implications – N/A

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

THAT:

- a) **The information be received; and**
- b) **Council acknowledge and endorse the approach to be taken.**

DECISION

C/12/02/137/10856 DECISION

Moved by Clr J L Jones OAM, seconded by Clr C J Beven

THAT:

- a) The information be received; and
- b) Council acknowledge and endorse the approach to be taken.

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

Mr T Kirkwood (General Manager) left the meeting at 4.35p.m. and returned at 4.37 p.m.

20.2 FLOUR MILL PARK – CAMPERS USAGE

Mayor A E Bisdee OAM reported that he had received representations regarding the number of campers within Flour Mill Park, and the impact it was having on general park users.

It was noted that Council may consider the need to erect a barrier to at least prevent encroachment into the playground.

C/12/02/138/10857 DECISION

Moved by Clr J L Jones OAM, seconded by Deputy Mayor M Jones OAM

THAT the information be received, noting that no action is to be taken to prevent camping within the Flour Mill Park.

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

RECOMMENDATION

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

C/12/02/139/10858 DECISION

Moved by Clr C J Beven, seconded by Deputy Mayor M Jones OAM

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

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

CLOSED COUNCIL MINUTES

21. BUSINESS IN “CLOSED SESSION “

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

**T F KIRKWOOD
GENERAL MANAGER**

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

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GENERAL MANAGER**

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**T F KIRKWOOD
GENERAL MANAGER**

EXCLUDED FROM THE MINUTES 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”.

C/12/02/157/10862 DECISION

Moved by Clr A O Green, seconded by Clr Deputy

THAT Council move out of “Closed Session”.

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

RECOMMENDATION

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

C/12/02/158/10863 DECISION

Moved by Clr A O Green, seconded by Deputy Mayor M Jones OAM

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

CARRIED.

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr J L Jones OAM	
√	Clr A O Green	

22. CLOSURE 5.10 P.M.