

**MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS
COUNCIL HELD ON WEDNESDAY 24TH APRIL 2013 AT THE LEVENDALE
HALL, LEVENDALE COMMENCING AT 10:00 A.M.**

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ENCLOSED

**Council Meeting Minutes & Special Committees of Council Minutes
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Enclosures**

- Item 11.1.1 Daly International - Application and Planners report
- Item 14.3.1
 1. Southern Midlands Arts Strategy
 2. Terms of Reference - Arts Advisory Committee
 3. Proposed Members of the SM Arts Advisory Committee

OPEN COUNCIL MINUTES

1. PRAYERS

Bo Pennicott from the Uniting Church conducted Prayers

2. ATTENDANCE

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

In Attendance: Mr A Benson (Acting General Manager) and Mrs K Brazendale (Executive Assistant).

3. APOLOGIES

Mr T Kirkwood (General Manager).

Deputy Mayor M Jones OAM and Clr B Campbell will be attending the meeting after they meet with the Swimming Pool Committee.

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 27th March 2013, as circulated, are submitted for confirmation.

C/13/04/005/19295 DECISION

Moved by Clr J L Jones OAM, seconded by Clr D F Fish

THAT the Minutes of the previous meeting of Council held on the 27th March 2013, as circulated, be confirmed.

CARRIED.

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

5.2 SPECIAL COUNCIL MINUTES

Nil.

5.3 SPECIAL COMMITTEES OF COUNCIL MINUTES**5.3.1 Special Committees of Council - Receipt of Minutes**

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

- Lake Dulverton & Callington Park Management Committee – meeting held 15th April 2013
- Audit and Risk Committee – meeting held 8th April 2013
- Chauncy Vale Wildlife Sanctuary Management Committee – meeting held 14th March 2013

RECOMMENDATION

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

C/13/04/006/19296 DECISION

Moved by Clr D F Fish, seconded by Clr M Connors

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

CARRIED.

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

5.3.2 Special Committees of Council - Endorsement of Recommendations

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

- Lake Dulverton & Callington Park Management Committee – meeting held 15th April 2013
- Audit and Risk Committee – meeting held 8th April 2013
- Chauncy Vale Wildlife Sanctuary Management Committee – meeting held 14th March 2013

RECOMMENDATION

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

It was requested that a copy of the Speed Humps Policy be forwarded to Maria Weeding for distribution to the Lake Dulverton Callington Park Committee

C/13/04/007/19297 DECISION

Moved by Clr D F Fish, seconded by Clr A O Green

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	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr M Connors	
√	Clr D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

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

5.4.1 Joint Authorities - Receipt of Minutes

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

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

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

NO DECISION REQUIRED

5.4.2 Joint Authorities - Receipt of Reports (Annual and Quarterly)

Section 36A of the Local Government Act 1993 provides the following;

36A. Annual reports of authorities

(1) A single authority or joint authority must submit an annual report to the single authority council or participating councils.

(2) The annual report of a single authority or joint authority is to include –

(a) a statement of its activities during the preceding financial year; and

(b) a statement of its performance in relation to the goals and objectives set for the preceding financial year; and

(c) the financial statements for the preceding financial year; and

(d) a copy of the audit opinion for the preceding financial year; and

(e) any other information it considers appropriate or necessary to inform the single authority council or participating councils of its performance and progress during the financial year.

Section 36B of the Local Government Act 1993 provides the following;

36B. Quarterly reports of authorities

(1) A single authority or joint authority must submit to the single authority council or participating councils a report as soon as practicable after the end of March, June, September and December in each year.

(2) The quarterly report of the single authority or joint authority is to include –

(a) a statement of its general performance; and

(b) a statement of its financial performance.

Reports prepared by the following Joint Authorities, as circulated, are submitted for receipt:

- **Southern Tasmanian Councils Authority** – Quarterly Report – March 2013
- **Southern Waste Strategy Authority** – Nil

RECOMMENDATION

THAT the report received from the Joint Authority be received.

C/13/04/010/19298 DECISION

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

THAT the report received from the Joint Authority be received.

CARRIED.

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

6. NOTIFICATION OF COUNCIL WORKSHOPS

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

A Council workshop was held on 4th April 2013 commencing at 9.00 a.m.

Attendance: Mayor A E Bisdee OAM, Deputy Mayor M Jones OAM, Cllrs 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: T F Kirkwood, A Benson and B Williams.

The Workshop was held to discuss four issues:

1. Council Owned Property - 5 Marlborough Street, Oatlands

Information containing Titles, Property Information Sheets (including valuations) and other background information was provided.

Following an on-site inspection, the following outcomes included:

- a) Proceed to sell the dwelling (excluding area surrounding the stables), following a proposed boundary adjustment aimed at creating two re-positioned titles. Lot 2 would adjoin Lot 1 which would contain the dwelling; and
- b) Access off Marlborough Street to be maintained to the Glenelg Street property – to be established through the boundary adjustment process.

A separate Agenda Report is provided to formalise these outcomes.

2. 79 High Street, Oatlands

An on-site inspection was conducted. Discussion followed in relation to the conservation / restoration program and the identification of possible end uses. This included consideration of the proposal submitted by the Southern Midlands Community Radio Station Inc.

In summary, the outcomes were:

- a) An allocation to be included in the 2013/14 which would enable immediate conservation works to be undertaken on the shop-front and northern side of the building (irrespective of the outcome of the grant application);

- b) Rear section of the building (i.e. addition containing asbestos) to be removed;
 - c) General agreement that landscaping should be kept to a minimum;
 - d) In relation to the Radio Station proposal, Council request a copy of the Business Plan, or details contained within, which is referred to in the submission;
 - e) An on-site inspection be arranged with representatives of the Radio Station to gain an understanding of their building / accommodation requirements. Councillors to be notified if they wish to attend.
3. Local Government Board – review into the Number of Councillors elected to the Southern Midlands Council

A preliminary draft submission which contained relevant information considered by the Local Government Board during past reviews was presented to the workshop.

Comments or details which are to be incorporated in a further draft include:

- Details of voter participation at past elections;
- Referring to past recent subdivision developments which are now reaching maturity, and relatively large subdivision proposals coming through;
- Statistics relating to the ‘socio economic (SEIFA) index’, sourced through the Australian Bureau of Statistics.

4. Roche Hall Property – redevelopment of the Goal Arch Site

The aim of this session was to identify/confirm the actual development area; and consider the submission(s) received in response to Council’s invitation to the community to submit ideas and suggestions as to how this site may be redeveloped.

The workshop confirmed the need to review the Planning Permit (issued for relocation of the Goal Arch) to gain a full understanding of the requirements detailed in the permit, particularly as it relates to the ‘school gates’ etc.; and consult with the Department of Education (as the property owner) in terms of their requirements.

The Workshop concluded at approximately 12.30 p.m.

RECOMMENDATION

THAT the information be received and the outcomes of the workshops held 4th April 2013 noted.

C/13/04/013/19299 DECISION

Moved by Clr D F Fish, seconded by Clr M Connors

THAT the information be received and the outcomes of the workshops held 4th April 2013 noted.

CARRIED.

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

Mr D Mackey (Manager Strategic Projects), Mr S Mitchell (Building Compliance Officer) and Deputy Mayor M Jones OAM attended the meeting at 10.17 a.m.

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.

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

- National Sea Highway – Submission by the National Highway Coalition
- LGAT Magazine Article by Allan Garcia (Item 20.2)
- Correspondence received from Mr Dick Adams MP - Digital Switch Over (Item 20.3)
- Correspondence sent to Deputy Mayor M Jones OAM requesting a bike track at Oatlands
- LGAT – Sale of meeting room table (item 20.5)
- Closed Session (Item 21.1)

RECOMMENDATION

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

C/13/04/014/19300 DECISION

Moved by Clr M Connors, 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 D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

8. DECLARATIONS OF PECUNIARY INTEREST

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

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

Nil

9. PUBLIC QUESTION TIME (SCHEDULED FOR 12.30 PM)

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

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

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

Refer to item held later in the meeting.

9.1 PERMISSION TO ADDRESS COUNCIL

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

- 11.00 a.m. - NBN Co Representatives – Lalla Mackenzie and Jodie Frazer will attend the meeting to provide Council with an NBN Co, Progress Update and Briefing of Activities.
- 11.45 a.m. - Mr Rick Bzowy will attend the meeting to discuss Item 15.8.1

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

Nil

C/13/04/017/19301 DECISION

Moved by Clr A O Green, seconded by Clr A R Bantick

THAT item 14.4.1 be brought forward onto the 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 D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

Clr B Campbell attended the meeting at 10.23 a.m.

14.4.1 Proposed Southern Midlands Council *Caravan Policy*

AUTHOR: PLUMBING INSPECTOR AND BUILDING COMPLIANCE OFFICER
- (S MITCHELL)
DATE: 16TH APRIL 2013

ATTACHMENT: *Caravan Policy (April 2013)*

INTRODUCTION

At the last Council Meeting of the 27th March 2013 a draft *Caravan Policy* was tabled for comment and approval.

After some discussion and recommendations from Elected Members, Council Officers endeavoured to revisit the *Policy* and respond to some questions that were asked by Elected Members at the meeting.

The following report is a response to the questions raised by Elected Members.

Questions and Answers

The following are the questions and concerns that were raised by some of the Elected Members for information and decision on the *Caravan Policy* pursuant to the Recommendation of this report.

1. *Elected Member Question*

“Does this Policy involve family and or friends wishing to stay at a property which already has an occupied dwelling?”

Council Officer Explanation

This is covered by *Section 4.1 (v) (a)* ‘The temporary occupation of a caravan in conjunction with an occupied dwelling on the same property may be permitted after obtaining approval from Council. ‘

This will require an assessment by Council Officers to ascertain the length of stay, the location of caravan on the property to see if it is appropriate for access and not too close to the neighbouring property and any other relevant matters depending on the site specifics.

This does not require a licence for a short term stay for the purposes of a visiting holiday.

If it is for the purpose of nowhere else to go, or live, or other reasons (financial hardship) and the option of living in a caravan on a friends’ or family property is the only viable option then section 4.1 (v) (b) ‘Occupation of a caravan may be permitted in the case of documented severe financial hardship and this will be at the General Managers discretion’ will apply.

A licence may or may not be required, in this case, depending on the length of stay required and other factors taken into account at the time of assessment i.e. has the proposed property an occupied dwelling or is it a vacant property?

This means they will need to produce documented evidence of their financial hardship and Council Officers will still need to do an inspection of the proposed location as previously explained above and report any matters relevant to the General Manager for his consideration in making a decision.

2. *Elected Member Question*

“What is the effect of this policy on seasonal fruit and vegetable pickers?”

Council Officer Explanation

Enquiries were made in the Coal River Valley region as this is the only location in this local government area of any real significance in regards to seasonal pickers, a number of properties do not allow anyone to stay at their property for insurance reasons and there are a very small number of properties allow for up to approximately 6 caravans/tents.

The length of stay, is at the maximum, usually 1 month.

The information that has been is that some pickers stay at Richmond caravan and camping area and some have lodgings in the area. Some camp pretty rough in the surrounding bush area, while there are some that camp on the Flour Mill Park grounds in Campania; this is really another matter for consideration for Council to address outside of this policy.

3. *Elected Member Question*

“What are the proposed fees?”

The fee is proposed to be \$200.00 for a period of 6 months. This is for the assessment, inspection, the issuing of the licence and keeping a record of the licence on a register.

The fee is a minimum charge and only just covers costs, if accommodation had to be sourced by means of renting a house it would be in the vicinity of \$200.00 to \$300.00 per week or living in their current accommodation which may be at a similar rate and a lot of travelling may be required to get to and from the building site.

Conclusion and Rationale for Policy

The desire of creating a caravan policy and the issuing of a licence is to not only to try and have some control over the location and health and safety aspects of the caravan on a property. It is to give the home owner/builder the opportunity to live onsite while building their dream home for a number of reasons. Some are that it is a more practical option to live onsite or close by and then there are security reasons of protecting the assets on site and so on.

It is believed that this policy is also in line with Councils Vision and Mission statement in providing fair and equitable considerations for all the people who wish to come and enjoy the ability to be able to build their dream home in this local government area.

Councillors are referred to the attached revised *Caravan Policy*. There are some minor word changes for review.

It is recommended the *Caravan Policy* is approved and implemented by Council.

RECOMMENDATION**THAT**

- A. The report is received by Council;**
- B. The attached *Caravan Policy* is approved and implemented by Council.**

C/13/04/020/19302 DECISION

Moved by Clr A O Green, seconded by Clr B Campbell

THAT

- A. the report is received by Council;
- B. the attached *Caravan Policy* is approved (with amendments) and implemented by Council.

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 A O Green	
√	Clr J L Jones OAM	

Caravan Policy

1.0 POLICY STATEMENT

- 1.1 Council will manage occupancy of caravans in the local government area to ensure a safe and healthy environment for all, protect residential amenity and encourage best practice.

2.0 OBJECTIVE

- 2.1 To outline requirements for those who wish to place and or occupy a caravan on private land in the Southern Midlands Local Government Area.

3.0 SCOPE

- 3.1 A licence is required for the placement and occupation of caravans on private land for the purpose of living on site when building a dwelling in the Southern Midlands Local Government Area.

4.0 PROCEDURE

4.1 Conditions & Restrictions

- (i) A licence is required to place a caravan on private land and occupy it as a residence on a temporary basis. (limited to a single caravan per property)
- (ii) A caravan must not be occupied for more than 30 consecutive days in any one calendar year without a current licence issued by Council.
- (iii) A caravan license will be issued for a period of 6 months (maximum of 4 permits x 6 months in total 2 years in line with The Building Act 2000) and reviewed at **each** reapplication stage to see if sufficient progress is being made on the building of the permanent dwelling before approval and reissue of a new license will be given for a further period of time.

- (iv) Planning, Building, Plumbing and Special Plumbing Permits (if applicable) must be approved and issued for a permanent dwelling on the property before a caravan license is granted.
- (v) The occupation of a caravan on a permanent basis is prohibited however;
 - (a) The temporary occupation of a caravan in conjunction with an occupied dwelling on the property shall be permitted after informing Council and an assessment being undertaken to ascertain the amenities and location to neighbouring property are appropriate. (visiting relatives or friends)
 - (b) Occupation of a caravan on a vacant allotment may be permitted after assessment on a case by case basis, in the case of documented severe financial hardship and this will be at the General Managers discretion.
- (vi) A owner or occupier of land must not allow any person to occupy a caravan situated on that land in exchange for payment or any in kind work or financial benefit paid to them or an external party.
- (vii) Relocatable, non-registrable buildings and shipping containers are not covered by this policy and will be subject to the relevant planning, building, plumbing, etc. controls.

4.2 LICENSE APPLICATION REQUIREMENTS and MATTERS FOR CONSIDERATION which may include the following.

- (i) To apply for a caravan license, the applicant must complete the Licence Application Form and provide the following information:
 - (a) Details of the proposed method of disposal of the waste water (ie: effluent and sullage water) from the caravan. The disposal method must be approved by Councils Environmental Health Officer.
 - (b) Copy of the certificate of title;
 - (c) A detailed site plan showing the proposed siting of the caravan, accesses, existing buildings and landscaping and neighbouring dwellings. The site plan is preferred to be A4 or A3 in size and to a scale of 1:100;

- (d) Permits for planning, building and plumbing for a permanent dwelling to be built on the property must be approved and issued before a caravan license can be issued.
- (e) Payment of the prescribed fees. (which are subject to annual review and adjustment)
- (f) If the applicant is not the property owner, written consent must be obtained by the property owner.
- (h) Adequate water supplies must be available to the satisfaction of the Environmental Health Officer.
- (I) No nuisance may be created or caused by the occupation, or placement of the caravan.
- (j) The caravan shall be placed no closer than 2 metres from rear and side boundaries.
- (k) The caravan shall be placed to the rear of the block if possible and shall not be placed in front of any constructed dwelling if possible, or within six metres of the front boundary.
- (l) Sufficient space is to be provided on the site for off-street parking of any vehicle associated with the occupants of the caravan.
- (m) The caravan shall be equipped with an approved smoke detector alarm.
- (n) Council may revoke the caravan license if any of the conditions of the license are not adhered to.
- (o) Any external additions to the caravan must not be undertaken. (an integral awning is exempt)

4.3 DEFINITIONS

- (i) A **caravan** is defined as
 - (a) a large enclosed vehicle capable of being pulled by a car or truck and equipped to be lived in.

- (iii) "**unregisterable relocatable building**" is defined as a relocatable building that –
 - (a) is not registrable as a motor vehicle or trailer; and
 - (b) is designed to be moved between sites;

4.4 EXEMPTIONS

- (i) A caravan need not be licensed if it is:
 - (a) Placed on Council land appointed as a caravan park/stop over area.
 - (b) Situated on private land approved by the Council as a caravan park;
 - (c) Used by a travelling show person in the ordinary course of their business; ie: at shows, regattas, public events, etc. the storage of such on private land shall be in a tidy and orderly fashion as not to create a nuisance and to be kept at the rear of the property if possible.
 - (d) Used by Council work gangs or contractors involved in construction work for the Council;
 - (e) Situated at a person's principal residence or property solely for the purpose of storing.

5. POLICY REVIEW

- (i) Policy to be reviewed every three years.

Mr D Cundall (Planning Officer) attended the meeting at 10.35 a.m.

C/13/04/025/19303 DECISION

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

THAT the meeting be suspended for the presentation by Mr Rick Bzowy.

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 A O Green	
√	Clr J L Jones OAM	

Mr J Lyall (Manager – Works & Technical Services) attended the meeting at 11.07 a.m.

Council Address:

Architect Mr Rick Bzowy undertook a presentation to the Council meeting of the proposed Midlands Aquatic and Recreation Centre.

The Deputy Mayor, who is the Chairman of the Pool Steering Committee, advised the Council meeting that Mr Bzowy had undertaken the same presentation to the Pool Steering Committee at 9.00am in the Council Chambers at Oatlands, seeking the Committee's consideration and asking for a recommendation to Council that the project be formally lodged for development approval.

The Deputy Mayor advised that the Pool Steering Committee were impressed with the design concept provided by Mr Bzowy and formally recorded the following motion.

The Pool Steering Committee resolved unanimously that the Pool Steering Committee recommend to the Southern Midlands Council that the Midlands Aquatic and Recreation Centre Project be formally lodged for development approval

It was noted by the Deputy Mayor that there were three members of the Pool Steering Committee who were unable to attend the presentation in the morning. He advised that they had been circulated with a copy of the concept plans the previous day and had been asked to provide questions and feedback in relation to the plans prior to or during the meeting (via telephone). It was noted that the three members of the Steering Committee were in full support of the concept and supported the resolution.

The Deputy Mayor commended the Pool Steering Committee resolution to the Council meeting.

The presentation concluded at 11.15 a.m. and the meeting was resumed

15.8.1 Midlands Aquatic & Recreation Centre Development

AUTHOR ACTING GENERAL MANAGER (A BENSON)
DATE 19th April 2013

ISSUE

Council, as the land managers of the proposed pool site are to receive and consider a recommendation from the Pool Steering Committee for the development application and associated documentation prepared by Bzowy Architecture to be lodged for formal consideration by the Planning Authority.

BACKGROUND

In June 2012, Council appointed Bzowy Architecture to progress planning for the Midlands Aquatic & Recreation Centre. This followed endorsement of the initial concept plan prepared by Mr Rick Bzowy (Bzowy Architecture) in April 2012.

The existing Pool Steering Committee was appointed as the responsible Committee to oversee this stage of the project.

In summary, Bzowy Architecture was engaged to create a Development Application for the Southern Midlands Aquatic Centre. The purpose of this commission was twofold.

Firstly to create an architectural and planning response to secure Development Approval. In so doing the consultation, design and documentation processes must address all the varied issues relating to the development of the centre, from operational, social and community needs, to the resolution of planning, historical and environmental parameters.

The second and parallel process is to use this investigative and consultative process to accurately determine the technical suitability of the site for the actual development itself. Issues of infrastructure, planning and environment must be assessed so that once Development Approval is secured the Council can confidently move the project forward.

This process would also involve the preparation of an updated cost estimate of the finished design.

The Steering Committee has met on a number of occasions to provide direct comment and feedback into the proposal, and is currently awaiting the final draft documents for approval. In addition, the consultant has met with Council officers to seek advice and confirm design parameters etc.

This stage of the project involved the following deliverables;

- Architectural Documentation
- Site Plan
- Floor Plan
- Roof Plan
- Elevations
- Sections
- Three Dimensional Analysis
- Landscaping and Streetscape Impact
- Heritage Overlay
- Parking and vehicular movement
- Signage
- Demolition plans
- Shadow Diagrams
- Site Survey (if required)
- Proposed Infrastructure Documentation
- Concept services and engineering plans
- Wastewater, stormwater disposal, carpark hydraulics, water reticulation connection and/or extension
- Proposed Aquatic Treatment System
- Initial proposal for budget purposes

Project Reports

- Application Forms
- Architecture and Planning Analyses
- Infrastructure
- Geotechnical analysis to determine soil characteristics and contamination levels
- Traffic Impact Analysis
- Overview of impacts on the nearby road systems. Recommendations for upgrades to safety and traffic control devices.
- Signage
- Preliminary outline featuring scale and location
- Brief Archaeological statement in consultation with Heritage Project Manager
- Heritage Impact Assessment
 - Potential impacts on adjoining heritage listed buildings. Conformity with the Planning Scheme Historic Precinct Special Area preferably through justification of development against the Scheme Intent and standards

Councillors have been provided a number of updates and briefings in respect of this project at various points through the project development phase, by both Mr Bzowy and the General Manager.

DETAIL

Mr Bzowy will be providing a presentation to the Pool Steering Committee at 9.00am on the morning of Wednesday 24th April 2013 seeking approval of the project to proceed to Development Application lodgement. A recommendation, with or without possible amendments to the documentation will be recorded following the presentation and the associated discussion.

The Deputy Mayor, who is the Chairman of that Committee, will table that recommendation from the Pool Steering Committee at the Council meeting, following a full presentation at the Council meeting by Mr Bzowy.

RECOMMENDATION

For discussion and consideration of the Pool Steering Committee's recommendation.

C/13/04/028/19304 DECISION

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

THAT the Midlands Aquatic and Recreation Centre Project be formally lodged for development approval.

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 A O Green	
√	Clr J L Jones OAM	

The meeting was suspended at 11.20 a.m. for a short break and resumed at 11.36 a.m.

Council Address:

NBN Co Representatives – Lalla Mackenzie and Jodie Frazer addressed Council with an Update and Briefing of Activities and the NBN Co Progress.

The presentation concluded at 12.20 p.m. and the meeting resumed.

C/13/04/029/19305 DECISION

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

THAT Item 12.12.1 be brought forward onto the 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 B Campbell	
√	Clr M Connors	
√	Clr D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

Clr J L Jones OAM left the meeting at 12.45 p.m.

12.12 OFFICER REPORTS – WORKS & TECHNICAL SERVICES (ENGINEERING)

12.12.1 Manager - Works & Technical Services Report

File Ref: 3/075

AUTHOR MANAGER – WORKS & TECHNICAL SERVICES (J LYALL)
DATE 18TH APRIL 2013

ROADS PROGRAM

Maintenance Grading - Campania and Tunnack area.

Drainage works continuing on the Woodsdale Road and culvert clearing being undertaken on the Buckland Road and surrounding area.

BRIDGE PROGRAM

Council's contract bridge inspector has inspected the Shene Road Bridge and has recommended a load limit of 10 tonne to be installed due to a broken / damaged beam. Council erected the new limit signs on the 15th April 2013. This bridge is scheduled to be replaced and the order has been placed for casting. Property owners have been advised. An update on short term works to assist property owners will be discussed at the meeting.

WASTE MANAGEMENT PROGRAM

All transfer stations are experiencing an influx of material greater than normal therefore extra loads are needed to remove the waste.

TOWN FACILITIES PROGRAM

Campania Hall - Car Park works will continue this week coming.

WORKS SERVICES PROGRAM

Staff Leave/Resignations/Appointments

➤ Nil.

The following Works and Services issues were raised for discussion:

Roads Program – Rhyndaston road works continue and to be completed before starting any further works.

Bridge Program – Shene Road Mangalore, placement of “strut” under the bridge has been undertaken as an interim move to increase the load capacity of the timber bridge and will be reinspected by Tas Span on Friday. Hopefully this will be successful taking into account the current 10 tonne restriction. The new bridge will be installed in late May or early June.

Chauncy Vale Road, Bagdad, bridge construction works to be completed and bridge being installed on the 14th May 2013.

Waste Management Program – Extra waste is being received at the Oatlands Transfer Station which is causing concern.

General:

- Campania Hall Car park - works will commence Monday in readiness to have it sealed by Friday.
- Kempton Blue Place – issues associated with water Mr J Lyall to investigate.
- Street lighting – Mr J Lyall to investigate and report to Aurora those not working in the area of High Street, Oatlands.
- Signage - Osbournes Road is missing Mr J Lyall to investigate.
- Junction Improvement works Stonehenge / Woodsdale intersection upgrade works to commence June 2013.
- Skills (Government Paper) UTAS Technical and Engineering staff working on pavements Courses.
- Daniels Road Colebrook, Narrow and large tree Mr J Lyall to inspect
- High Street, Oatlands Fence collapsed onto footpath area. Council staff to investigate.
- Estate Road Campania – dumped waste Council received a Thank-you for cleaning this area.
- Condition of Swanston Road, Swanston pass second bridge. Mr J Lyall to inspect.

RECOMMENDATION

THAT the information be received.

C/13/04/031/19306 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 B Campbell	
√	Clr M Connors	
√	Clr D F Fish	
√	Clr A O Green	

Clr J L Jones returned to the meeting at 12.50 p.m.

PUBLIC CONSULTATION SESSION

One (1) member of the community attended the Public Consultation session which commenced at 12.45 p.m.

The following issues were raised and/or discussed:

- Dumping of rubbish
- Illegal wood hooking

The Acting General Manager advised that he would follow up these issues with Mrs McConnon

The Public Question time concluded at 1.04 p.n. and the meeting was suspended for lunch.

The meeting resumed at 1.42 p.m.

C/13/04/032/19307 DECISION

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

THAT Item 11.4.1 be brought forward onto the 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 B Campbell	
√	Clr M Connors	
√	Clr D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

11.4.1 Progression Towards a New Southern Midlands Planning Scheme - (Informal) Public Consultation

File Ref: 9/084

AUTHOR MANAGER STRATEGIC PROJECTS (D MACKEY)

DATE 18TH APRIL 2013

PREVIOUSLY

DISTRIBUTED 1. Preliminary Draft Southern Midlands Planning Scheme

1. INTRODUCTION

Council officers have prepared a new draft planning scheme for the municipality and endorsement is being sought to invite input from the community.

The draft scheme has been prepared largely through collaboration with the other eleven Councils in the Southern region through the Southern Tasmania Regional Planning Project. The majority of provisions in the scheme are the intended ‘regional model planning scheme’ provisions.

The format and structure of the planning scheme, as well as most definitions and the ‘mechanical provisions’, have been set by the State through its new standard Template for Planning Schemes. These aspects of the scheme are mandatory.

2. BACKGROUND

The Regional Planning Project concluded the first major phase of its work in October 2011, being the delivery of a draft Southern Regional Land Use Strategy to the Minister for Planning. The Minister subsequently formally declared it to be a statutory *Regional Strategy*. (This followed its endorsement by all twelve Southern Tasmanian Councils.)

The key impact of the declared Regional Land Use Strategy is that new planning schemes must be consistent with it.

The second major output of the Southern Tasmania Regional Planning Project is the suite of contemporary and consistent planning schemes, one for each of the twelve Planning Authorities in Southern Tasmania. The Regional Project has been working with each Council to achieve this.

All new planning schemes in the State will have to be based on the State’s Planning Scheme Template for Tasmania. The Template only provides the ‘bare bones’ of planning schemes – mechanical provisions, standard layout, structure and definitions and common zone names and zone purpose statements. It does not provide the development and use standards that are the key provisions in terms of day-to-day development control.

The majority of these have been drafted by Councils acting collectively within the region - to create the regional model planning scheme provisions - and individual Councils in drafting specific local provisions to take account of unique aspects within each local area.

A large portion of future consistency and commonality between planning schemes will come from the regional model planning scheme.

The local provisions recognise that there are genuine differences and peculiarities between Council areas across the region. Each planning scheme will therefore contain planning scheme provisions particular to it. It is intended that the amount of local provisions in each scheme will be minimal so that the proportion of consistent provisions is maximised. The philosophy is: “be the same unless there is a reason to be different.”

Therefore, the new draft Southern Midlands Planning Schemes will include content provided from three sources:

- The State - the Planning Scheme Template for Tasmania (plus any State-wide development and use standards that the State might develop).
- The Region - the great majority of Zone provisions and most Codes).
- The Council - local provisions necessary to reflect specific local circumstances or protect important local values. For Southern Midlands, the key ‘local provisions’ are the Heritage Precinct provisions.

3. COUNCILLOR WORKSHOP – 17 APRIL 2013

On 17 April 2013 a Councillor workshop was held at Council’s Kempton offices to consider the draft scheme developed by Council officers. Workshop outcomes are as follows:

1. Noted that the key aspects of the draft new planning scheme are:
 - (i) The zoning of the vast majority of land will be zoned the nearest equivalent State Template zone. Most zones in the current Southern Midlands Planning Scheme 1998 have a reasonably close match within the State Template suite of zones.
 - (ii) Substantive zone changes intended for the new planning scheme are:
 - (a) those that are recommended within the Bagdad Mangalore Structure Plan (previously endorsed by Council);
 - (b) the expansion of the Significant Agriculture Zone to areas that are serviced or potentially serviced by new and/or expanded irrigation schemes and that have good quality soil;

- (iii) Zone translations from current scheme to new Template-based scheme that are not straight-forward are:
 - (a) the Rural Residential B Zone area in the hills to the west of Bagdad. Given the nature of the area, the new Template zone is proposed to be Environmental Living;
 - (b) the zoning of the Callington Mill complex in Oatlands. Given the nature of the use of the restored Mill, the current community purpose zone is not considered reasonable. It is therefore proposed to extend the adjacent business zone, which runs the length of High Street, to cover Callington Mill. (The adjacent Callington Park to remain community use zone).
 - (iv) Other changes are those that are derived from the need to conform with the State Template for Planning Schemes and the obligation to conform with the regional model planning scheme provisions for Southern Tasmania.
2. The following issues are yet to be resolved:
- (i) The spatial extent of the heritage precincts.
 - (ii) The area covered by the biodiversity code overlay.
 - (iii) The treatment of the land at Tea Tree Road proposed to accommodate the Buddhist Cultural Park.
3. The following changes are to be made to the draft scheme prior to (informal) public consultation:
- (i) ‘Visitor Accommodation’ to be ‘permitted’ in the Rural Resource Zone (noting the regional Use Standard for this use),
 - (ii) Campania – Village Zone – Use Table: Qualifications creating ‘permitted’ use status for business uses along the main street to also extend to Climie Street in vicinity of the post office and the other businesses.
4. The following choices are adopted in regard to the optional provisions of the Regional Model Planning Scheme:
- (i) Biodiversity Code: Will apply via a spatial overlay on the planning scheme maps, (i.e. not generally);
 - (ii) Biodiversity Code: Will not include the concept of ‘biodiversity offsets’.

- (iii) Onsite Wastewater Management Code: No need for this code in Southern Midlands as there are no critical areas of under-sized lots unserved by a reticulated sewer system.

4. COUNCILS GOING FORWARD TOGETHER

It is important that each Council within the region keeps in step with the others in the scheme drafting process. All schemes should be drafted contemporaneously, lodged with the Minister at the same time and proceed through the statutory public exhibition, assessment, and approval process together - with common issues being dealt with in common TPC hearings.

It is intended that all Councils will be able to consider their draft schemes at their April or May Council meetings to determine if they consider them suitable to be subject to public consultation.

The informal (non-statutory) public consultation process would then be able to commence in June. All Councils have previously endorsed the principle that the draft schemes should be subject to **informal** consultation prior to finalising them and sending them into the statutory process at the Tasmanian Planning Commission. There are two reasons for this:

- Once a draft is submitted into the statutory process there are limitations on the extent of change possible without repeating statutory consultation (in order to afford the public ‘due process’).
- The informal consultation process will enable many desirable changes to the draft schemes to be identified and implemented easily and quickly, outside of the more cumbersome and bureaucratic statutory process.

The June 2013 public consultation process will be a coordinated effort between all Southern Councils.

It is noted that Kingborough and Huon Valley had early drafts of their schemes out for public consultation in November 2012. These Councils will nevertheless participate in the joint process in June. One reason they undertook a ‘preliminary’ consultation process is they have more local issues to sort out than most other councils. This is because:

- Kingborough is moving from a very high performance-based scheme with only six zones into a new Template scheme in which there will be around 20 zones. Much of the Kingborough will therefore have to be ‘rezoned’. Most other Councils in Southern Tasmania have a similar division of zones to the Template, and therefore most of their properties will be moving to a Template zone that more or less resembles the previous zone.

- Huon Valley is merging three old different schemes into one Template based scheme. Again, this will likely raise a larger number of ‘local issues’ that it will need to sort out with its local communities, that most other Council areas.

5. OUTLINE OF PUBLIC CONSULTATION

The June (informal) consultation period will be the first time the public will be provided with an opportunity to comment on the proposed regional model provisions. It is important that all members of the public in Southern Tasmania can provide comment on the intended regional provisions through one coordinated process, regardless of which municipality they live in.

At the same time they will be able to see their own Council’s proposed local level provisions and will be able to provide comment on them also. Understanding the local level provisions and the regional provisions in the context of each other and the State Template will be an important aspect of this process, and is a key reason why a draft of the regional model planning scheme has not already been exposed to the general public for comment. It can only be understood in the context of state and local planning scheme content - and the planning scheme maps.

Comments received during public consultation will relate to text from all three sources, and submissions will be treated differently accordingly. It will be important that members of the public can distinguish the source of the content that they wish to comment on. Therefore, the text in the draft schemes will be colour-coded.

Following the conclusion of the advertising period:

- Submissions pertaining to local provisions will be considered and resolved by the relevant Council.
- Submissions pertaining to intended regional provisions will be collated by the Regional Planning Project and considered collectively through a regional process involving all Southern Councils, with some input from the Tasmanian Planning Commission.
- Submissions pertaining to the State-mandated text will not be able to be considered by Councils or the Regional Project at all. These submissions will be passed on to the State for their records. This informal public consultation process does not have any ability whatsoever to amend State text.

The timeframe for considering and resolving the issues raised by the public will take several months. It is not possible to foreshadow exactly how long as it will depend, in part, and the number and nature of the submissions received, particularly in respect of the regional provisions, and the ease in reaching agreement amongst the 12 Southern Councils in their resolution.

Once all public consultation issues have been resolved, the Councils will then be able to amend their draft of their planning schemes for formal submission to the Minister.

The text in the draft planning schemes will be colour-coded so that members of the community can easily distinguish between the state, regional and local provisions. This will also provide for a level of openness, transparency and political accountability that has been a significant deficiency of Tasmania's planning system in the past.

The Regional Project is currently preparing a regional public consultation plan. At the next Council meeting a draft Southern Midlands public consultation plan will be presented for Councillor input and finalisation.

6. THE PATHWAY FORWARD AFTER (INFORMAL) PUBLIC CONSULTATION: 'INTERIM SCHEME' OR 'DRAFT SCHEME'?

Two years ago the State amended the Land Use Planning and Approvals Act 1993 to re-introduce the concept of interim planning schemes, which had been eliminated in 1993 when the legislation was overhauled. The Regional Project MoU between the State and the 12 Southern Councils sets down the State's expectation that the new planning schemes will be submitted to the State by Councils as 'draft interim planning schemes'.

It is noted that the 'traditional' (post-1993) draft planning scheme approval pathway remains in the Act. Therefore, Councils technically have the option of submitting their draft planning schemes to the State as either draft interim planning schemes or as 'traditional' draft schemes.

As Councillors are aware, the key difference is that interim planning schemes come into effect prior to the statutory public consultation and formal hearings process, whilst in the traditional pathway new schemes coming into effect at the end of that process.

The Solicitor General has provided advice to the Tasmanian Planning Commission that highlights some potential issues that arise through the use of the Interim Planning Scheme mechanism. These revolve around potential impacts on property rights that an Interim Planning Scheme may have due to 'due process' not being afforded to landowners by the statutory public consultation and hearings process prior to the scheme coming into effect at law.

Whilst this was initially identified by the STCA as a potential risk prior to the signing of the MoU, the legislation had not been written and the detailed process of creating an interim planning scheme was therefore not known at the time.

The real impact of the Solicitor General's advice is that Interim Planning Schemes are significantly limited in terms of the extent of change that can be brought in by them. This means that Interim Planning Schemes will not be 'the best schemes'.

The southern Councils are all committed to the introduction of new planning schemes and have invested a considerably amount in preparing their new schemes. It is anticipated that the Councils will wish to implement their new planning schemes as ‘the best schemes’. That is: in the most effective and efficient manner, providing contemporary land use management while ensuring that the outcomes for the community are fair and equitable and that the new planning schemes are legally robust and will not be subject to future legal challenge.

It should be noted that, in order to achieve the objectives of the Regional Planning Project’s MoU, we would need to make a collective decision - so that all 12 Councils adopt the same pathway. Regional consistency would likely be severely diminished through the statutory process if, for example, some Councils choose the interim scheme pathway and others the traditional pathway.

In the coming months, the 12 Councils will need to collectively choose which pathway to pursue.

7. PLANNING SCHEMES ONLINE AND THE CONTENT MANAGEMENT SYSTEM

The Tasmanian Planning Commission is implementing an IT solution to assist the drafting, assessing, managing and accessing of all planning scheme provisions across the State.

From the Regional Planning Project’s point of view, this is most welcome and timely. The solution will have the following characteristics:

- Reduced cost in drafting planning schemes:
 - Allow the collective drafting of planning scheme documents into which text from multiple sources must appear.
 - Enable specified text to be automatically common to various schemes on a state wide or region-wide basis.
 - Allow for common provisions to be drafted and amended at one source, regardless of how many schemes they are common to.
 - Provide surety that intended common provisions are accurately portrayed in final scheme documents.
- More manageable public consultation processes:
 - Provide a single website where all draft schemes are available.

- Enable on-line comments to be lodged by members of the public against specific provisions, thereby automating a significant component of the public notification process.
- More effective assessment of comments and the schemes:
 - Enable statutory reviewers of draft scheme provisions to view public comments, lodge their own comments, see the comments made by their fellow reviewers and suggest amended wording.
 - Provide for multiple levels of access and authority, in terms of reviewing, commenting, drafting, approving and publishing changes.
- An easily understandable end user interface:
 - Access to all planning scheme ordinances being via a single website, which holds the current and correct version of all schemes.
 - Enquiries regarding a particular property and a particular proposed use identify only those parts of the planning scheme that are relevant.
 - Minimise the need for hard copies of entire planning schemes to be printed.
 - Provide for a simple public user interface.
- Clearly portraying to the public that the State has a single, coordinated system of planning schemes.

The public consultation process in June will enable the public to view the planning schemes easily and efficiently on-line.

This will be a very timely improvement to the system and will speed up the drafting of our planning schemes.

Hard copies will also be available for viewing at Council offices.

RECOMMENDATION

THAT:

- A. Council endorse the first draft of the new Southern Midlands Planning Scheme to be put out for (informal) public consultation in June, noting the following:**

- 1. The key aspects of the draft new planning scheme are:**

- (i) **The zoning of the vast majority of land will be zoned the nearest equivalent State Template zone. Most zones in the current Southern Midlands Planning Scheme 1998 have a reasonably close match within the State Template suite of zones.**
 - (ii) **Substantive zone changes intended for the new planning scheme are:**
 - (a) **those that are recommended within the Bagdad Mangalore Structure Plan (previously endorsed by Council);**
 - (b) **the expansion of the Significant Agriculture Zone to areas that are serviced or potentially serviced by new and/or expanded irrigation schemes and that have good quality soil;**
 - (iii) **Proposed zone translations from current scheme to new Template-based scheme that are not straight-forward are:**
 - (a) **the Rural Residential B Zone area in the hills to the west of Bagdad. Given the nature of the area, the new Template zone is proposed to be Environmental Living;**
 - (b) **the zoning of the Callington Mill complex in Oatlands. Given the nature of the use of the restored Mill, the current community purpose zone is not considered reasonable. It is therefore proposed to extend the adjacent business zone, which runs the length of High Street, to cover Callington Mill. (The adjacent Callington Park to remain community use zone).**
 - (iv) **Other changes are those that are derived from the need to conform with the State Template for Planning Schemes and the obligation to conform with the regional model planning scheme provisions for Southern Tasmania.**
- 2. **The following issues are yet to be resolved:**
 - (i) **The spatial extent of the heritage precincts.**
 - (ii) **The area covered by the biodiversity code overlay.**
 - (iii) **The treatment of the land at Tea Tree Road proposed to accommodate the Buddhist Cultural Park.**
- 3. **The following changes are to be made to the draft scheme prior to (informal) public consultation:**

- (i) **‘Visitor Accommodation’ to be ‘permitted’ in the Rural Resource Zone (noting the regional Use Standard for this use),**
 - (ii) **Campania – Village Zone – Use Table: Qualifications creating ‘permitted’ use status for business uses along the main street to also extent to Climie Street in vicinity of the post office and the other businesses.**
- 4. **The following choices are adopted in regard to the optional provisions of the Regional Model Planning Scheme:**
 - (i) **Biodiversity Code: Will apply via a spatial overlay on the planning scheme maps, (i.e. not generally);**
 - (ii) **Biodiversity Code: Will not include the concept of ‘biodiversity offsets’.**
 - (iii) **Onsite Wastewater Management Code: No need for this code in Southern Midlands as there are no critical areas of under-sized lots unserved by a reticulated sewer system.**
- B. **A further Councillor workshop be undertaken prior to the May Council meeting to resolve the following matters:**
 - 1. **The unresolved issues listed in A2, above.**
- C. **Council officers prepare a public consultation plan for consideration at the next Council meeting, including:**
 - 1. **Exhibition details of the Draft Southern Midlands Scheme, including a schedule of public information sessions;**
 - 2. **Coordination details with the regional public consultation process combining the other eleven Councils in the Southern region.**

C/13/04/043/19308 DECISION

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

THAT:

A. Council endorse the first draft of the new Southern Midlands Planning Scheme to be put out for (informal) public consultation in June, noting the following:

1. The key aspects of the draft new planning scheme are:

- (i) The zoning of the vast majority of land will be zoned the nearest equivalent State Template zone. Most zones in the current Southern Midlands Planning Scheme 1998 have a reasonably close match within the State Template suite of zones.
- (ii) Substantive zone changes intended for the new planning scheme are:
 - (a) those that are recommended within the Bagdad Mangalore Structure Plan (previously endorsed by Council);
 - (b) the expansion of the Significant Agriculture Zone to areas that are serviced or potentially serviced by new and/or expanded irrigation schemes and that have good quality soil;
- (iii) Proposed zone translations from current scheme to new Template-based scheme that are not straight-forward are:
 - (a) the Rural Residential B Zone area in the hills to the west of Bagdad. Given the nature of the area, the new Template zone is proposed to be Environmental Living;
 - (b) the zoning of the Callington Mill complex in Oatlands. Given the nature of the use of the restored Mill, the current community purpose zone is not considered reasonable. It is therefore proposed to extend the adjacent business zone, which runs the length of High Street, to cover Callington Mill. (The adjacent Callington Park to remain community use zone).
- (iv) Other changes are those that are derived from the need to conform with the State Template for Planning Schemes and the obligation to conform with the regional model planning scheme provisions for Southern Tasmania.

2. The following issues are yet to be resolved:

- (i) The spatial extent of the heritage precincts.
- (ii) The area covered by the biodiversity code overlay.

(iii) The treatment of the land at Tea Tree Road proposed to accommodate the Buddhist Cultural Park.

3. The following changes are to be made to the draft scheme prior to (informal) public consultation:

(i) ‘Visitor Accommodation’ to be ‘permitted’ in the Rural Resource Zone (noting the regional Use Standard for this use),

(ii) Campania – Village Zone – Use Table: Qualifications creating ‘permitted’ use status for business uses along the main street to also extent to Climie Street in vicinity of the post office and the other businesses.

4. The following choices are adopted in regard to the optional provisions of the Regional Model Planning Scheme:

(i) Biodiversity Code: Will apply via a spatial overlay on the planning scheme maps, (i.e. not generally);

(ii) Biodiversity Code: Will not include the concept of ‘biodiversity offsets’.

(iii) Onsite Wastewater Management Code: No need for this code in Southern Midlands as there are no critical areas of under-sized lots unserved by a reticulated sewer system.

B. A further Councillor workshop be undertaken on 20th May 2013 at the Kempton Office to resolve the following matters:

1. The unresolved issues listed in A2, above.

C. Council officers prepare a public consultation plan for consideration at the next Council meeting, including:

1. Exhibition details of the Draft Southern Midlands Scheme, including a schedule of public information sessions;
2. Coordination details with the regional public consultation process combining the other eleven Councils in the Southern region.

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 A O Green	
√	Clr J L Jones OAM	

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 proposed Telecommunications Infrastructure (NBN Tower) at Native Corners Rd, Campania.

File Reference: 5893581

REPORT AUTHOR: PLANNING OFFICER (D CUNDALL)

DATE: 17TH APRIL 2013

ENCLOSURE: Daly International - Application and Planners report

THE PROPOSAL

The applicant, Daly International on behalf of NBN Pty Ltd, a Government Business Enterprise (GBE), seek development approval to construct Telecommunications Infrastructure (NBN Tower) on Southern Midlands Council Property at the Campania Bush Reserve and former Campania municipal tip site.

The tower is a 'fixed wireless tower' necessary to implement wireless high-speed broadband to the residents of Campania as part of the National Broadband Network initiative. A wireless tower is one of the alternatives to the fixed fibre optic network.

Such a use/development is assessed predominately under a specific Schedule of the Planning Scheme under Schedule 8 – Telecommunications Infrastructure. The land is zoned Environmental Management.

THE SITE

The land is a bush land reserve located at the end of Water Lane in Campania. Water Lane is a small gravel road off Native Corners Rd, used to access the cemetery and the bush land reserve. The proposed site is at the end of the lane, past the cemetery and on the former Council tip site.

The proposed site is cleared of vegetation but the area is surrounded by mostly native trees and bush land.

See the attached report for more detail and photos of site (Attachment 1).

THE APPLICATION

The applicant, Daly International acts and works on behalf of the NBN Co Ltd (GBE). Daly International is responsible for the project management and planning of the Wireless Tower. They have provided a completed standard application form, landowner declaration (consent to the lodgement of the application under the *Land Use Planning and Approvals Act 1993*), comprehensive planning report and detailed analysis and feedback and support from recent public consultation by the NBN Co Ltd.

THE PLANNING SCHEME ASSESSMENT**Use/Development Definition**

The proposal is defined as a Utility (Minor) under the Planning Scheme use/development definitions. It is also further defined as Telecommunications Infrastructure and is therefore specifically assessed under the ‘Schedule 8 – Telecommunications Infrastructure’.

Zone:

The proposal is situated entirely in the Environmental Management Zone. The zone is part of a suite of Community Activity Zones which include the ‘Utilities Zone’ and the ‘Community Use Zone’. The intent of the Environmental Management Zone is to:

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

[Extract SMPS 1998]

Statutory Status

Under the *Planning Scheme*, the type of work is defined as a ‘Discretionary Use/Development’ in the Zone Table of Use/Development. 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 another 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 for the statutory 14 day period. No letters or enquiries were received from any members of the public during the course of assessing the Development Application. A response from Tasrail was however received and has been tabled below with comment (in ‘External Advice’).

7.4 Development Standards of the Community Activities Zone – The development standards are the same for the Utilities, Environmental Management and the Community Use Zone:

7.4.1 Setback and Building Height

- a) Buildings shall not exceed 8 metres in height.*
- b) No minimum setback is specified, except that where a Community Activity Zone neighbours a non-Community Activity Zone, the setback applicable in the neighbouring zone shall apply.*

Planning Officer Response

Though the tower is 25m high and clearly in excess of the 8m specified in 7.4.1, Telecommunications Infrastructure is to be assessed under:

S8.2.1 Relationship to the Scheme:

- (a) To the extent that any statement contained in this Schedule is inconsistent with any other provision of this Scheme the provisions of the Schedule shall apply in relation to telecommunications infrastructure.*

Accordingly, the development proposal must be assessed under Schedule 8. Such infrastructure has a unique status in the Planning Scheme.

Schedule 8 – Telecommunications Infrastructure [Scheme Extract]

S8.1 Principles

- a) To accommodate the provision of telecommunications infrastructure to allow equitable access by all residents, whilst minimising the impact of such infrastructure on community values in accordance with the objectives of the Resource Management and Planning System.*

- b) To encourage co-location and sharing of facilities, where such capacity exists, and where doing so will not compromise the objectives as stated in Appendix 1.*
- c) To ensure proposals for the installation of telecommunications infrastructure form part of a local or regional network plan to enable consideration of the proposal on a broader and potentially regional basis.*

S8.2.2 Matters for Consideration

- a) In determining any application for issue of a planning permit, the planning authority must be satisfied the proposal has demonstrated that the objectives and performance criteria in Appendix 1 will be achieved during the installation and operation of the proposed telecommunications infrastructure.*

Planning Officer Response

Accordingly, Appendix 1 of the Scheme is included below. The applicant has provided their analysis against the objectives and performance criteria of Appendix 1.

The Planning Officer will further this analysis by way of standard assessment and consideration of the Applicant's response and analysis.

The applicant's response to the objectives and performance criteria is in the Attachment 1 – 'Planning Report' 6.0 Planning Considerations (from pp18-23).

Appendix 1 [Scheme Extract]

To protect important public views such as vistas to significant public buildings, streetscapes and heritage areas.	Telecommunications infrastructure does not intrude into identified important public views or measures are taken to minimise intrusion.
To avoid obstruction of private views from the building line/principal windows by telecommunication lines.	Placement of telecommunication lines avoids or minimises obstruction of private views.

Residential Amenity	
To protect residential amenity	Infrastructure servicing a network (facilities not requiring installation on an individual street basis) is not located in residential areas unless a need to do otherwise is demonstrated.

Environmental Values	
To protect threatened species or species at risk of becoming a threatened species (as defined in the <i>Threatened Species Protection Act 1995</i>) and the habitats, ecological communities or places essential to their continuing existence.	The proposed infrastructure does not adversely impact on identified threatened species or species at risk of becoming a threatened species.
To protect areas identified as having significant natural values.	The proposed infrastructure does not adversely affect areas identified as having significant natural values.
To protect flora and fauna, habitats and ecological communities.	The proposed infrastructure uses best practise environmental management to minimise harm to the environment.

Land Stability	
To ensure that telecommunications infrastructure does not cause land instability.	Telecommunications infrastructure (including specific access routes) does not cause erosion or cause land instability during installation and operation. Telecommunications infrastructure is not located in areas of known unstable land where the risk is identified as unacceptable for development or installation of infrastructure.

Agricultural Land	
To protect the productive capacity and efficient farming operations of agricultural land.	Infrastructure installation and operation does not degrade or restrict the productive capacity of agricultural land. Infrastructure is placed on property boundaries or fence lines (not including road alignment boundaries).
Heritage Values	
To protect items, places or areas identified as having aboriginal, natural, cultural, or maritime heritage significance.	Proposals for construction and operation of telecommunications infrastructure are approved by the Tasmanian Heritage Council in accordance with the requirements of the <i>Historic Cultural Heritage Act 1995</i> and/or are consistent with recommendations by the Aboriginal Heritage Section of D.P.I.W.E.
Access	
To ensure that telecommunications infrastructure does not impede movement of vehicular and other modes of transport.	The location of aerial telecommunications infrastructure allows adequate clearance for vehicular traffic and will not pose a danger or encumbrance to other land users or aircraft.

Planning Officer Response – to Appendix 1 and Applicant Analysis

Visual Amenity

This site was chosen by the Applicant for its ability to provide for the tower with the best direct line of site to the potential customers in Campania without undue visual impacts or pressure on existing services or disruption to community land or major concern to sensitive uses.

The site, a clearing of the former tip site in the middle of bushland, is suitable for a non-sensitive use. The large trees and scrub soften a small tower especially against the backdrop of larger hills. The tower therefore avoids impacts on the skyline or visually dominating the local landscape.

The objectives of *Visual Amenity* include performance criteria for the height of the infrastructure. Rural Areas 60m; Industrial Areas 45m; Commercial Areas 40m; and Residential Areas 20m. The performance criteria is not depicting ‘zones’ as ‘areas’. The Performance Criteria is more descriptive. The applicant believes the land to be a ‘rural residential’ area. Given the bushland, mixed uses, railway line, water reservoir, larger blocks and setbacks this description is adequate for the purpose of this assessment. The Planning Officer would agree with the Applicant’s comments in this regard.

The tower is the smallest possible tower of its type. At 25 m, even though it will sit higher than most of the trees in the area, it will not be higher than Kandara Court roadway. The tower site (base) is at 100m elevation whilst Kandara Court is at 120 - 140m elevation (see Map 1 – 10m contour lines below). The lowest point of the northern most block however sits at round 110m in the eastern most corner. It would be envisaged however that any residential development on this block would be closer to the 115-120m elevation.

In terms of distance, the tower would be 176m from the nearest boundary of the lowest Kandara Court lot to the tower. A potential building site on this lower lot would be around 247m (See Map 2).

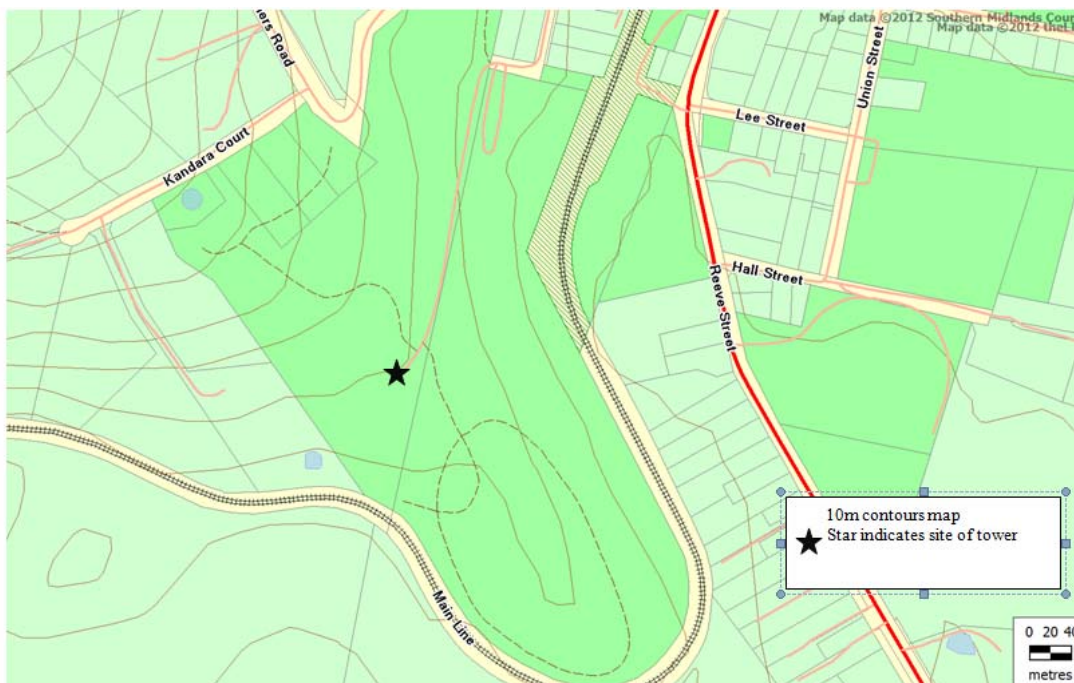
The proposal is still deemed appropriate considering the existing vegetation in the area, the smaller size of the tower and the ability for potential residents of Kandara Court to have good direct access to high-speed broadband. The tower will also sit at around 247m from a potential building site on the lowest lot, this is a considerable distance.

Views from the township and other surrounds should be largely undisturbed and minimal.

Residential Amenity

The nearest resident is 130m on the adjoining lot to the tower. The Kandara Court Lots are 164m to the nearest boundary. A building site on this block would be around 200m from the tower.

The applicant considers the tower to be compatible with the surrounding area. The only impost on amenity is possible visual amenity. However given no vegetation is required to be removed and the tower relies on existing vegetation to assist in its concealment, it can be considered that the tower is compatible with its surrounds.



Map 1 – 10m Contour Lines



Environmental Values

The level of disturbance to such values is very minimal. Some trees branches may need to be lopped to allow for machinery to enter the site. Such works will need to be further discussed with Council Officers prior to any works commencing. Avoidance of such measures where possible is the normal practice.

The use of a former tip site makes suitable use of land that maybe inappropriate for a sensitive type use and does not require any significant disturbance to habitat or a vegetative community.

Land Stability

The Applicant has proposed a geotechnical analysis of the stability of the site prior to any works commencing. This would seem highly necessary given its former use and also to allow for large footings for a 25m tower. It would be recommended that any approval include a copy of this analysis.

Agricultural Land

This is not agricultural land.

Heritage Values

Landscape impacts are considered minimal considering the height of the tower. There are no known heritage sites or places in close proximity to the site.

Access

The infrastructure is not considered an encumbrance on vehicular traffic, foot traffic or aircraft.

EXTERNAL AND INTERNAL ADVICE

The Planning Officer sought advice from Tasrail and Council's Environmental Health Officer in regard to the proximity of the railway and the proposal to build a non-sensitive use on a potentially contaminated site.

Tasrail

Notification was given to the Rail Authority, Tasrail, as an adjoining landowner and under 11.10.2 External Advice, of the scheme:

- a) Council may seek the advice of any organisation or person in its consideration of an application.

Council Officers require this advice as part of their assessment and recommendation to Council. Council seek Tasrail's advice in decision making and informing the landowner or developer of the rail asset and the expectations of developing next to a rail asset. The advice from Tasrail is transcribed below:

Tasrail Response:

Dear Council

RE: APPLICATION FOR PLANNING PERMIT FOR LAND ADJOINING RAILWAY ASSET

Thank you for Council's notification received by email on 16 April 2013 regarding a Development Application for a Telecommunications Infrastructure (NBN Tower) at Native Corners Road, Campania.

The rail infrastructure in the state is a critical part of the transport infrastructure and capacity. It must be assumed in the consideration of any development that rail services will be maintained and even increased. The railway at the location of the proposed development is currently part of Tasmania's operational rail network and it should therefore be noted that property in proximity to the rail corridor can be adversely affected by a number of factors, these include:

Drainage

- Water creates major problems for rail formations and must be controlled within the rail corridor. As a result, a licence is required from TasRail for any proposed drainage onto the rail corridor from an adjoining property;

- In certain circumstances drainage from the rail corridor onto adjoining property is permitted and may impact the adjoining property.

Vibration and noise

- *Train operations create vibration and noise. Any new development must take this into consideration as it may impact on quality of life. Building structure design should consider these issues. We recommend that buildings are located as far as possible from the rail corridor;*

-

- *Please read the attached Environment Protection Authority (noise) Policy 2009. Part 4; transport infrastructure, public roads, railways, ports & airports.*

Night time noise

- *Train operations are undertaken at any time of the day or night. This is not expected to change.*

- *Any development must take this into consideration*

Line of sight

- *From a safety perspective line of sight is important when operating a railway. New developments that are going to impact on the line of sight must be assessed by the rail operator. This can include proposed planting/growth of vegetation and building structures.*

Level crossing

- *Line of sight is critical for level crossings and must be maintained.*

Safety issues are addressed

- *Access to the rail corridor is limited to people with permission;*

- *A 3m safety exclusion zone exists along the railway line.*

Traffic

- *We would recommend that the council consider any changes to traffic volumes in regards to current crossing capacity and design within the locality of any development proposal.*

Access to corridor

- *Residents need to be aware that access to the rail corridor needs to be approved and that any use of the rail corridor needs to be licensed. This includes such issues as drainage, water pipes, electrical infrastructure, crossings or the like. It must also be stressed that there is, under all circumstances, a 3m safety exclusion zone exists from the edge of the nearest rail out each side;*

- *Access to the rail corridor requires relevant safety methods in place and subsequent approval by TasRail must be sought.*

Access to property across the rail corridor

- *All crossings must be licensed, conditions appropriate to the location will apply. It is illegal to build and access a private rail crossing without a licence.*

TasRail has previously identified the proposed development area as a possible and future rail realignment route, however no current or expected short term funding for this proposal is expected. In order to facilitate a possible rail realignment within Certificate of Title 209344 Folio

16 all endeavours by the applicant should be made to locate the proposed Telecommunication Tower to as far North-West as possible.

Providing that the applicant is made aware of the issues detailed above, TasRail can see no reason why this development should not proceed.

If Council or the applicant would like to discuss this matter further please contact me on (03) 6227 5212 or by email landmanagement@tasrail.com.au
[Letter End]

Environmental Health and Contaminated Land

Council's Environmental Health Officer has provided the following advice:

The “wireless facility” (NBN Tower and building) is proposed for land which formerly was the site of the “Campania Tip”, and in accordance with the Environmental Protection Authority (EPA) Information Bulletin No. 12 (“Site Contamination Sign-off Process”) it can be considered as a “potentially contaminated site”. Thus consideration needs to be given to any issues that may arise from the development occurring on such land.

Where such development is changing the use of the land to a “sensitive use” then a formal sign off by the EPA is recommended. However the proposed change of use (“Wireless facility”) is not considered a sensitive use such that the formal sign off provisions would apply. This is because when completed the facility will be essentially un-manned and only visited occasionally by staff, and any waste material buried on the site is unlikely to be disturbed by the on-going use of the site (i.e.: after construction).

The “Site Contamination Sign-off Process” also recommends a number of other options as alternatives to a formal sign-off, and these may include:

- Development of a Contamination Management Plan to manage human health and environmental risks during construction;
- Erection of signage and appropriate management of the site during construction; and
- Erection of a fence or other barrier to control access.

It is possible during construction work such as excavation of footings (especially for the tower which are likely to be reasonably deep) that some “waste material” may be encountered and as such suitable precautions need to be in place to manage such an eventuality. In this regard it should be noted that the site was a “municipal tip” and not a “commercial site” so the type of waste deposited is likely to be at the “lower end of risk” in terms of waste material.

Taking these matters into account it is considered that the site contamination issues would be best be managed by having the developer prepare a Contamination Management Plan which details the processes to be followed during construction. It is recommended that the following condition be included with any Planning Permit that may be issued:

- A Contamination Management Plan (as defined in Clause 4.2 of the Environmental Protection Authority (EPA) Information Bulletin No. 12 (“Site Contamination Sign-off Process”) and to manage the human health and environmental risks during construction associated with the construction of the Wireless Facility on potentially contaminated land (old tip site), and approved by Council’s Environmental Health Officer, is to be prepared prior to any site/construction works commencing.

Planning Officer Response and Action

Rail Asset

The letter has been discussed with the applicant’s town planner at Daly International Pty Ltd. Tasrail’s advice has been forward to Daly International. Such advice should also be included as part of any planning permit issued to the applicant. This is standard practice for Council.

The applicant has the responsibility to pass on the information to NBN Pty Ltd for any further action.

If the NBN Co Ltd would like to move the tower it would possibly require further approval by Council. Discussion between Tasrail and NBN Co Ltd is recommended. The Tasrail advice shall be included in any approval given.

Environmental Health and Contaminated Land

Based on the advice and recommendations of the Environmental Health Officer, and in accordance with the ‘EPA’s Bulletin’ it is recommended that any approval include a condition regarding the implementation of a ‘Contamination Management Plan’.

Though the planning scheme does not have a particular code to deal with ‘Contaminated Land’ it does call for its consideration as part of the assessment. In accordance with the ‘EPA’s Bulletin’, the advice of the Environmental Health Officer and best practice advice, the inclusion of a condition that specifically relates to this component of the works is certainly warranted in the best interests of health and safety.

CONCLUSION

It can be concluded that the application has been assessed against the relevant clauses of the Southern Midlands Planning Scheme and where necessary Council Officers have sought further information and advice.

The planning scheme specifically deals with Telecommunications Infrastructure under its Schedule 8. This Schedule sets out the standards for telecommunications within the municipality taking precedence over other parts of the scheme.

The development is deemed appropriate to the area and is a suitable use of a former tip site.

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 Telecommunications Infrastructure (NBN Tower) at Native Corners Rd, Campania 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*.

Contaminated Land

- 3) A Contamination Management Plan (as defined in *Clause 4.2 of the Environmental Protection Authority (EPA) Information Bulletin No. 12 (“Site Contamination Sign-off Process”)*) and to manage the human health and environmental risks during construction associated with the construction of the Wireless Facility on potentially contaminated land (old tip site), and approved by Council’s Environmental Health Officer. The plan is to be prepared and submitted to Council prior to any site/construction works commencing. A copy of the *Bulletin No.12* can be obtained at http://epa.tas.gov.au/documents/information_bulletin_112.pdf

Land Stability

- 4) Geo-technical analysis, described in ‘*Objective 4 – Land stability (p21 of Planning Report – Proposed Fixed Wireless Facility – Native Corners Rd (Off Water Lane) Campania, February 2013)*’ shall be submitted to Council prior to works commencing.

Amenity

- 5) Before any work commences a schedule specifying the finish and colours of all external surfaces and samples must be submitted to and approved by the Council’s Manager of Development and Environmental Services. The schedule must provide for finished colours that blend or are sympathetic with the area to minimise visual intrusion. The schedule shall form part of this permit when approved.

Protection of Water Quality

- 6) Before any work commences a soil and water management plan (SWMP) prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, must be approved by Council's Manager of Development and Environmental Services before development of the land commences (refer to advice below). The SWMP shall form part of this permit when approved.
- a. *The Soil and Water Management Plan may form part of, or shall relate to the required 'Contamination Management Plan' pursuant to Condition (3) of this Permit.*
- 7) Before any work commences install temporary run-off, erosion and sediment controls in accordance with the recommendations of the approved SWMP and maintain these controls at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's Manager of Development and Environmental Services.

Services

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

Construction Amenity

- 9) The development must only be carried out between the following hours unless otherwise approved by the Council's Manager of Development and Environmental Services:
- | | |
|---------------------------------------|-------------------------|
| Monday to Friday | 7:00 a.m. to 6:00 p.m. |
| Saturday | 8:00 a.m. to 6:00 p.m. |
| Sunday and State-wide public holidays | 10:00 a.m. to 6:00 p.m. |
- 10) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
- a. Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - b. The transportation of materials, goods and commodities to and from the land.

- c. Obstruction of any public footway or highway.
 - d. Appearance of any unsightly building used as part of the construction, works or materials.
 - e. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager of Development and Environmental Services.
- 11) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manger of Works and Technical Services.

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.
- B. This permit is in addition to a building permit. Construction and site works must not commence until a Building Permit has been issued in accordance with the Building Act 2000.

Railway Line

- C. A copy of the advice received from Tasmania Railway Pty Ltd dated 17th April 2013 is attached for your information.

Soil and Water Management

- D. The SWMP shall be prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, the State Policy for Water Quality Management 1997 and the requirements of the Council's Manager of Development and Environmental Services and show the following -
 - a. Allotment boundaries, north-point, contours, layout of roads, driveways, building envelopes and reticulated services (including power and telephone and any on-site drainage or water supply), impervious surfaces and types of all existing natural vegetation;
 - b. Critical natural areas such as drainage lines, recharge area, wetlands, and unstable land;
 - c. Estimated dates of the start and completion of the works;
 - d. Timing of the site rehabilitation or landscape program;
 - e. Details of land clearing and earthworks or trenching and location of soil stockpiles associated with roads, driveways, building sites, reticulated services and fire hazard protection;

- f. Arrangements to be made for surface and subsurface drainage and vegetation management in order to prevent sheet and tunnel erosion;
 - g. Temporary erosion and sedimentation controls to be used on the site; and
 - h. Recommendations for the treatment and disposal of wastewater in accordance with Standards Australia: *AS/NZS 1547: On-site wastewater management*, Standards Australia, Sydney, 2000.
- E. Appropriate temporary erosion and sedimentation control measures include, but are not limited to, the following -
- a. Minimise site disturbance and vegetation removal;
 - b. Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (eg. temporarily connected to Council's storm water system, a watercourse or road drain);
 - c. Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
 - d. Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains;
 - e. Gutters spouting and downpipes installed and connected to the approved stormwater system before the roofing is installed; and
 - f. Rehabilitation of all disturbed areas as soon as possible.

C/13/04/062/19309 DECISION

Moved by Deputy Mayor M Jones OAM, 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 Telecommunications Infrastructure (NBN Tower) at Native Corners Rd, Campania 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*.

Contaminated Land

- 3) Submission of a Contamination Management Plan (as defined in *Clause 4.2* of the *Environmental Protection Authority (EPA) Information Bulletin No. 12 “Site Contamination Sign-off Process”*) for approval by Council’s Environmental Health Officer prior to any site/construction works commencing. The Plan is to manage the human health and environmental risks during construction associated with the construction of the Wireless Facility on potentially contaminated land (old tip site). A copy of the *Bulletin No.12* can be obtained at http://epa.tas.gov.au/documents/information_bulletin_112.pdf

Land Stability

- 4) Geo-technical analysis, described in ‘*Objective 4 – Land stability (p21 of Planning Report – Proposed Fixed Wireless Facility – Native Corners Rd (Off Water Lane) Campania, February 2013)*’ shall be submitted to Council prior to works commencing.

Amenity

- 5) Before any work commences a schedule specifying the finish and colours of all external surfaces and samples must be submitted to and approved by the Council’s Manager of Development and Environmental Services. The schedule must provide for finished colours that blend or are sympathetic with the area to minimise visual intrusion. The schedule shall form part of this permit when approved.

Protection of Water Quality

- 6) Before any work commences a soil and water management plan (SWMP) prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, must be approved by Council’s Manager of Development and Environmental Services before development of the land commences (refer to advice below). The SWMP shall form part of this permit when approved.

- a. *The Soil and Water Management Plan may form part of, or shall relate to the required ‘Contamination Management Plan’ pursuant to Condition (3) of this Permit.*

- 7) Before any work commences install temporary run-off, erosion and sediment controls in accordance with the recommendations of the approved SWMP and maintain these controls at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's Manager of Development and Environmental Services.

Services

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

Construction Amenity

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

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

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

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

- 11) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manger of Works and Technical Services.

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.
- a. Any requirements for aviation safety that necessitate modification to the proposed tower, such as safety lighting, should be brought to the attention of the Southern Midlands Council prior to its installation.
- B. This permit is in addition to a building permit. Construction and site works must not commence until a Building Permit has been issued in accordance with the Building Act 2000.

Railway Line

- C. A copy of the advice received from Tasmania Railway Pty Ltd dated 17th April 2013 is attached for your information.

Soil and Water Management

- D. The SWMP shall be prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, the State Policy for Water Quality Management 1997 and the requirements of the Council's Manager of Development and Environmental Services and show the following -
- a. Allotment boundaries, north-point, contours, layout of roads, driveways, building envelopes and reticulated services (including power and telephone and any on-site drainage or water supply), impervious surfaces and types of all existing natural vegetation;
- b. Critical natural areas such as drainage lines, recharge area, wetlands, and unstable land;
- c. Estimated dates of the start and completion of the works;
- d. Timing of the site rehabilitation or landscape program;
- e. Details of land clearing and earthworks or trenching and location of soil stockpiles associated with roads, driveways, building sites, reticulated services and fire hazard protection;
- f. Arrangements to be made for surface and subsurface drainage and vegetation management in order to prevent sheet and tunnel erosion;
- g. Temporary erosion and sedimentation controls to be used on the site; and
- h. Recommendations for the treatment and disposal of wastewater in accordance with Standards Australia: *AS/NZS 1547: On-site wastewater management*, Standards Australia, Sydney, 2000.
- E. Appropriate temporary erosion and sedimentation control measures include, but are not limited to, the following -

- a. Minimise site disturbance and vegetation removal;
- b. Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (eg. temporarily connected to Council’s storm water system, a watercourse or road drain);
- c. Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
- d. Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains;
- e. Gutters spouting and downpipes installed and connected to the approved stormwater system before the roofing is installed; and
- f. Rehabilitation of all disturbed areas as soon as possible

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 A O Green	
√	Clr J L Jones OAM	

11.1.2 Development Application - DA 2013/4 for a Dwelling in the Rural Agriculture Zone at 3245 Midland Hwy, Melton Mowbray

File Reference: T5465149

REPORT AUTHOR: PLANNING OFFICER (D CUNDALL)

DATE: 16TH APRIL 2013

ATTACHMENTS:

1. Site Plan and Elevations
2. Representation

THE PROPOSAL:

The applicant Richard and Emma Boon seek development approval to construct a dwelling on land situated at 3245 Midland Highway, Melton Mowbray. The land is zoned Rural Agriculture.

Under the Southern Midlands Planning Scheme 1998, a Dwelling is a Discretionary Use/Development in this zone.

Access is from a Proclaimed Access onto the Midland Highway via an existing access that serves multiple properties and uses.

THE SITE

The land is a 161ha farming lot located in Melton Mowbray. The property is located between the historic properties of Mt Vernon and Kelvin Grove. The proposed position of the house is among the pine tree rows on the hillside at approximately 1.7km from the Midland Highway.



#2 The building marked is an old stud ram shed. It is currently used as farm storage. *Phu*, 12/3/13

Photo 1 – Aerial photo of land – Black dot marks the house location.

The land is used for grazing, forestry and some cropping. The position of the proposed home is located on a relatively flat area of an elevated easterly facing bank with the back drop of rolling hills.

There are currently rows of pine trees and clumps of planted native vegetation in the vicinity of the proposed house. The proposed building site is devoid of any vegetation aside from pasture. There is currently a gravelled access track that reaches the proposed building site.

The proposed house would have extensive views over the Melton Mowbray and Kempton area. The house is a larger 291 m² single story dwelling and weatherboard pitched roof outbuilding. The materials are a mix of mostly brick and hardwood weatherboards. The brickwork is to be bagged and painted and the weatherboards to be painted or possibly oiled. The finished colours are to be neutral colours. The proposed roof is a medium pitched gabled and hipped zincalume clad roof chosen for its ability to fade in time.

The proposed outbuilding is a 10m by 6m weatherboard garage with medium pitched gabled roof. The western side is to be clad in rough sawn weatherboard and the remainder painted with roller doors facing toward the house. The gabled end faces the highway.

THE APPLICATION

The applicant has provided a completed standard application form, detailed site plan and elevation drawings, aerial photography marking the location of the house, Bushfire Hazard Management Plan and other standard documents. The Planning Officer has also had numerous discussions with the applicant.

THE PLANNING SCHEME ASSESSMENT

Use/Development Definition

The proposal is defined as a Dwelling (Single) under the Southern Midlands Planning Scheme 1998.

Zone:

The land is zoned Rural Agriculture Zone. There are no special areas or overlays in the vicinity of the proposed dwelling.

Statutory Status

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

- 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 another 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.

Public Notification and Representation

The application was advertised, and all adjoining owners notified on the 15th March 2013 for the statutory 14 day period.

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

**T F KIRKWOOD
GENERAL MANAGER**

Planning Officer Response

The concerns will be addressed as part of the assessment of the dwelling against the standards and considerations for building a dwelling in the Rural Zone. Further and more specific comment will be provided as part of the summary of this report.

There is however a photo montage of the landscape demonstrating the location of the proposed dwelling (see Photo 2). The montage was taken from the access road to the Mt Vernon Property, at approximately 200m from the highway access. There is also a photo taken from the approximately 50m east of the proposed building site looking toward Mt Vernon (see Photo 3). The proposed dwelling is partially screened by a planting of native vegetation. Mt Vernon is also screened by vegetation.

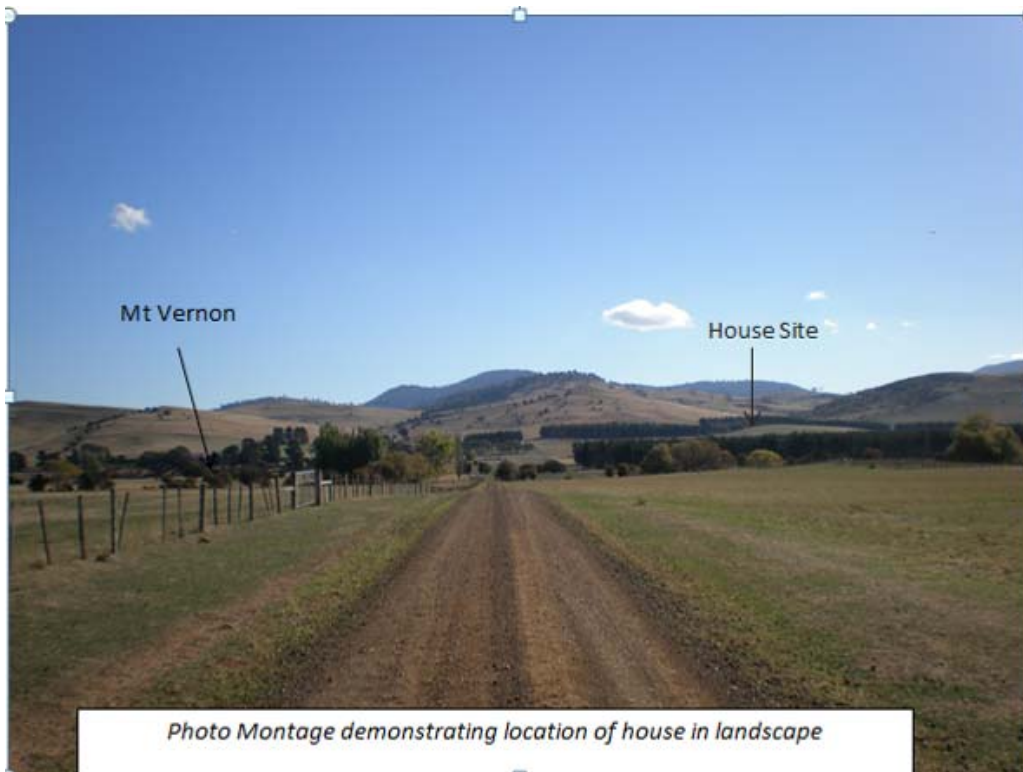


Photo 2 – Photo of landscape depicts the location of the proposed dwelling and its placement in the landscape and its proximity to Mt Vernon.

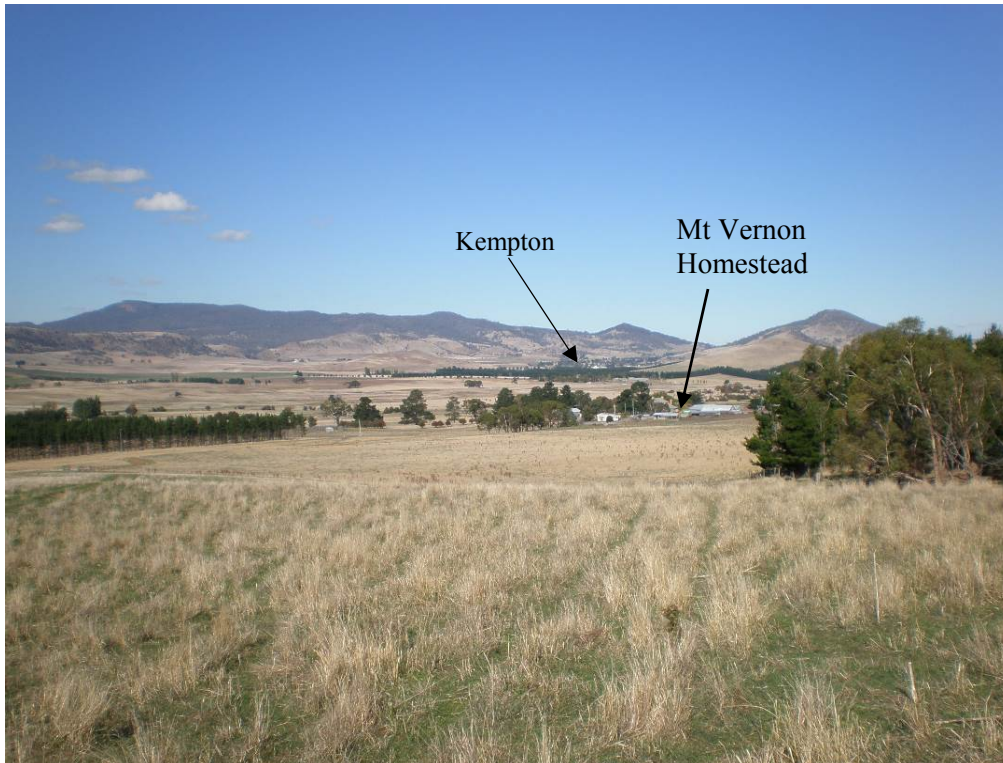


Photo 3 – Looking toward Kempton and Mt Vernon. Photo taken approximately 50m east of the building site.

Development Standards of the Rural Agriculture Zone (Clause 6.3 of Scheme):

The development shall meet the standards of the Rural Agriculture Zone below.

6.3.1 Setback and Building Height

The building does not invoke discretion under this clause. The building is a significant distance from the closest boundary and is below the 10m height standard.

It would seem also the large setbacks from neighbouring properties is considerate to other landowners or potential landowners and should not fetter or impinge on the ability for others to farm by way of proximity to agricultural land practices or other industry that may require reasonable attenuation distances.

6.3.3 Rural Character

The aim of these provisions is to ensure that development does not detract from the character of the rural areas. To satisfy this aim the design and appearance of new development should:

- a) *have minimal impact on the existing landscape character of the surrounding area;*

The Kempton and Melton Mowbray area is a unique rural landscape. It consists of rolling hills, timbered ridges, tiers and relatively flat farming land interspersed with homesteads and the small village settlements of Kempton and Melton Mowbray. The Midland Highway runs through the land in the vicinity of the original colonial road that ran from North to South. The highway plantings, landscape plantings, farm buildings and original and grand homesteads are a significant part of the area.

New development should not dominate this landscape and should fit in with the shape and character of the area.

One way to assess the application is to consider if the position of a new house in this location continues the traditional building patterns in the area. This can be assessed against the standards of this scheme which are intended to reflect this type of thinking.

Judging by the views from the Midland Highway and the provided 'Photo 2' it would seem that a dwelling in this location seems to fit into the landscape much like the other homesteads and old colonial buildings.

Considering the back drop of rolling hills and far off timbered tiers, the inclusion of a larger and somewhat grand modern house in this area, resting on a slight rise, yet below the saddle of the hills provides for a very idyllic setting.

Arguably the Georgian character of the day would have positioned a homestead a little lower than the proposed site, and would effectively imitate the other homesteads in the valley, i.e. Woodlands, Kelvin Grove, Mt Vernon, Belgrove and The Grange. All these places sit slightly lower in the landscape, but still retain a hilly backdrop that diverts the eye to the homestead and its stately surroundings. Landscape plantings and trees around these homesteads also contribute to its appearance.

The proposed dwelling is almost a modern interpretation of this notion. It consists of a larger homestead, in an idyllic setting, looking over the grand landscaped estates of the farming district. Examining early pre-1900 photographs of the area indicate that the landscape has indeed evolved over time; but it still retains its key character of open farmland, cleared lower hills, timbered ridges, sparse and sporadic plantings of trees and pockets of development that surround the Midland Highway and the Jordan River and its tributaries. There is hardly any ribbon development, large subdivisions or bold modern development (aside from the Midland Highway) in the whole ‘valley’ area. New and potentially conspicuous development has been generally built in the vicinity of existing development. Developments such as big farm-sheds or silos are generally constructed close to the main homestead or among other sheds and trees.

There are very few modern houses and sheds in the area and most have been built in the saddles or bases of hills, and are surrounded by tree plantings. There are however some that have been built on open slopes and in isolation that look exposed and out of character with the surrounding area.

If approved some pockets of additional trees, much like the native planting to the south could be warranted and minimise the risk of the building appearing exposed after the clearance or harvesting of the rows of pine trees. Some low shrubs along the contours of the hillside could also be appropriate. The developer has provided landscaping plans as part of the application

- b) not significantly alter or impact on the appearance of the natural environment, watercourses or the skyline;*

The proposed dwelling does not require the removal of vegetation. The Bushfire Hazard Management Plan has been approved by the Tasmanian Fire Service (by a qualified District Officer) and has indicated that the construction materials of the buildings’ shall meet the Building Code of Australia requirements for Bushfire Prone Areas (lower attack level – ‘12.5’).

The building is not on the skyline or and does not require the alteration or disturbance to watercourses or catchment areas.

- c) be of a scale and design that is not intrusive within the rural landscape;*

The materials and design are sympathetic to both the natural environment and a colonial type landscape. The steeply pitched roof and minimal use of modern materials also contribute to an historic setting.

The shape of the house is unique, but still encompasses traditional building design forms.

- d) be constructed of materials, colours and finishes complimentary to existing rural buildings and the rural setting; and*

The applicant has chosen traditional materials that do not contrast with the landscape area. Bagged and painted brickwork and timber can be painted with colours that are subservient or complimentary to the surrounding area. There is not a large amount of glass, bulky steel work or permanently reflective material.

The use of a zincalume roof, however, could initially create contrast and cause reflection. This type of roof does fade in time and will become a more appropriate external material in time. This material shall be considered in any decision made by Council that the 'shine' of this material is proven to fade.

Council Officers would normally recommend a condition on a development permit that a building in a rural area is to be constructed of colours and materials that blend with the external surroundings.

There are no other buildings on the lot. There are however other rural buildings in the area.

- e) require minimal excavation for building sites and the construction and location of access roads to avoid the unsightly appearance of major cut and fill works.*

The building site is predominately flat and would require very minimal excavation.

Modifying the landscape or cutting a steep slope to accommodate a building and driveway in this type of terrain would be visible from all vantage points. The building site is however making use of existing flat surfaces and access tracks.

The driveway is already in place, and can be barely seen from the Midland Highway. Any further gravel access tracks and parking areas should use neutral or local gravels that do not contrast with the surrounding countryside. The access track should also follow natural contours and not run along sharp or straight lines. Driveways with a 'zig zag' type pattern or straight lines leave a very sharp scar on the landscape.

6.2.2 Intent of the Rural Agriculture Zone

The proposal, though discretionary, largely meets the intent of the Rural Agriculture Zone. The very large lot and suitable setbacks from waterways, boundaries and other farming activity could allow the home-owner to live and farm on the land with-out risk of

fettering other agricultural activity or placing a residential use on ‘significant land’ or potentially intensive rural land.

Road Activity Zone – Road Authority

As the development is accessed from the Midland Highway and as the development is a defined ‘change of use’ of the land and intensification of an existing access the application must be referred to the Road Authority. This is clearly stipulated in ‘Part 8’ of the Scheme.

The application was referred to the Department of Infrastructure Energy and Resources (DIER) as they are the Road Authority. They confirmed that the ‘Mt Vernon’ access is a ‘Proclaimed Access’ and not a ‘Limited Access’. Most accesses onto a State Road require a license and separate permission from the State Government. A proclaimed access does not have this status.

DIER has requested the inclusion of the condition for the access to be sealed and upgraded to accord with current minimum construction standards. The developer will require permission from DIER prior to the works commencing. Under Part 8.10 (b) of the Scheme Council should attach the DIER condition to a permit.

The response from DIER is included below

The response from DIER:

*Midland Highway at Melton Mowbray
Proposed Dwelling – “Mount Vernon”
3245 Midland Highway
Tasberry Holdings Pty Ltd/R. M. & E. F. Boon*

Thank you for your referral dated 18th March, 2013, in relation to the above matter, and I provide the following comments/advice in response for your consideration.

As you have advised in your letter, access to the property is via a proclaimed place of access to the Midland Highway. This is confirmed by the Department.

It is noted, however, that despite a number of requests, the access remains unsealed. At the time of a past subdivision undertaken by the current owners of the property, Tasberry Holdings, it was requested that the access be sealed and, I believe, on a couple of occasions since. Whilst the property remains in the ownership of the subdivider, it is considered prudent that the access sealing works be undertaken.

Should Council approve the proposed additional dwelling on the property, it is recommended/requested that Council include a condition in any planning permit it may issue to the effect that:

- *The access to the Midland Highway is to be upgraded to accord with current minimum construction standards, including sealing.*
- *No works on or affecting the State road reservation are to be undertaken until the necessary Ministerial consent, as required under Section 16 of the Roads and Jetties Act 1935, has been obtained and a permit issued through this Department. Contact is, therefore, to be made with the Department's Permits Officer at least 28 days prior to the desired date of commencement of any access works within the Midland Highway reservation (permits@dier.tas.gov.au or 6233 7177).*

If you have any queries, please do not hesitate in 'phoning/e-mailing me.

I would be grateful for a copy of Council's decision in due course.

[End]

Further Considerations and Representation

The representor is not objecting to the dwelling. The Planning Officer has had discussion with the representor, they wanted to have their views heard and consideration or justification be further given to the landscape setting and proximity to their heritage homestead.

The representor claims they were unsure of the positioning of the dwelling as the application did not provide an elevation showing the proposal in the landscape when viewed from the Midland Highway.

The 'landscape elevation' is rarely required by the Planning Authority and although it would have been useful in making this assessment, an on-site inspection was adequate for the Council Officers to form a view and assess the dwelling against the intent and standards of the Rural Zone.

The site plan, the aerial photograph and the fact that the building site can be viewed from the representor's driveway indicate that the proposed dwelling is a considerable distance away from Mt Vernon. The proposal would not look 'a part' of Mt Vernon and the shape and layout of the land provides for a natural separation between the two places when viewed from vantage points or the Midland Highway.

However some additional tree plantings in the spirit of other tree planting 'clusters' and landscaping would be appropriate to provide for further separation between the properties; this would be suitable prior the removal or harvest of the pine trees.

CONCLUSION

It can be concluded that upon detailed assessment, site photos, site investigation and the consideration of matters raised by the representor that the proposed dwelling largely meets the expectations, intent and standards of the planning scheme.

The application was advertised for 14 days for representation or comment and was also referred to the Road Authority (DIER).

Council received one letter of concern and also requested conditioning from DIER.

The traditional materials, potentially neutral colours, roof pitch and the lack of cut and fill are all positive components of the application. The applicant has also included intentions to provide some landscaping around the house, outbuilding and driveway. Some additional clusters of trees similar to the native plantings in the vicinity could also be beneficial to the landscape.

Though the house does sit higher than the colonial homesteads in the area, it shall be considered that the views from this location are magnificent and the building with its idyllic backdrop and elements of the Georgian landscape thinking and grandeur can be read into its placement.

The separation from the homesteads of Kelvin Grove and Mt Vernon, by way of hills, trees, river and boundaries does not create the false sense that the proposal is anyway affiliated with these places or imitative of the past. It is essentially a modern interpretation of building in this type of setting and deemed appropriate by Council Officers in accordance with the Planning Scheme.

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 Dwelling in the Rural Agriculture Zone at 3245 Midland Highway, Melton Mowbray.

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*.

Amenity

- 3) The developer is to submit a schedule specifying the finish and colours of all external surfaces. The schedule must provide for finished colours that blend in with the natural rural landscape to minimise visual intrusion and compliment the surrounding rural character. The schedule must be to the satisfaction of the Manager of Development and Environmental Services. The schedule shall form part of this permit when approved.

Bushfire Prone Areas

- 4) As the area in which the house is located is within a *Bushfire Prone Area*, the owners must comply and continue to comply with the approved *Bushfire Hazard Management Plan* with the following conditions:

The driveway access must be located over existing tracks or along natural contours to reduce visual impact through excavation and filling and erosion from water run-off.

- a) The Bushfire Hazard Management Plan is to be implemented prior to the occupation of the building.
- b) The owners shall maintain compliance with the provisions of the Bushfire Hazard Management Plan into the future.

Parking & Driveway

- 5) The areas set-aside for parking and associated access and turning must include:
 - i. A driveway access located over existing tracks or along natural contours to reduce visual impact through excavation and filling and erosion from water run-off.
 - ii. Landscaping shall be used to screen and minimise the visual impacts of the parking and turning area.
 - iii. Turning and parking areas are to use gravels to match the existing gravel surface.

Access to State Roads

- 6) The access to the Midland Highway is to be upgraded to accord with current minimum construction standards, including sealing, to the satisfaction of the Department of Infrastructure Energy and Resources:
 - a. No works on or affecting the State road reservation are to be undertaken until the necessary Ministerial consent, as required under Section 16 of the *Roads and Jetties Act 1935*, has been obtained and a permit issued through this Department. Contact is, therefore, to be made with the Department's Permits Officer at least 28 days prior to the desired date of commencement

of any access works within the Midland Highway reservation (permits@dier.tas.gov.au or 6233 7177).

Services

- 7) 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.

Stormwater

- 8) Drainage from the proposed development must drain to a legal discharge point to the satisfaction of Council's Plumbing Inspector (Shane Mitchell 6259 3003) and in accordance with a Plumbing permit issued by the Permit Authority in accordance with the *Building Act 2000*.

Protection of Water Quality

- 9) Before any work commences install temporary run-off, erosion and sediment controls (refer to advice below) and maintain these at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's Manager of Development and Environmental Services.
- 10) Wastewater from the development must discharge to an on-site waste disposal system in accordance with a Plumbing and Special Connection Permit issued by the Permit Authority in accordance with the *Building Act 2000* prior to the commencement of any works.

Construction Amenity

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

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

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

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

13) 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.

The following advice applies to this permit:

14) Additional landscaping is recommended. Plantings shall resemble or imitate the clumps of plantings on neighbouring properties and across the valley. Plantings can be native or exotic species but should avoid sharp or contrasting lines or patterns. Clumps of trees planted along natural contour lines or similar to the existing clump of natives (as of 2013 – located next to the proposed building site) would be appropriate.

Explanation: Upon the removal or harvesting of the pine tree rows, the dwelling may appear exposed on the hillside. Clumps of trees will help to avoid the dwelling from appearing isolated or in stark contrast to the surrounding landscape.

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

16) This permit is in addition to a building permit. Construction and site works must not commence until a Building Permit has been issued in accordance with the Building Act 2000.

17) Any containers located on site for construction purposes are to be removed at the completion of the project unless the necessary planning and building permit have been obtained by the developer/owner. Materials or goods stored in the open on the site shall be screened from view from people on adjoining properties, roads and reserves.

18) The permit issued under the *Road and Jetties Act 1935* will detail those conditions that are specific to the site, including requirements for warning signs, lighting and barricading in accordance with the relevant Australian Standard. Contact should be made with Department of Infrastructure Energy and Resources' Southern Region Network Supervisor to define and outline any applicable conditions or before commencing any work within the State Road reserve.

- 19) Appropriate temporary erosion and sedimentation control measures include, but are not limited to, the following -
- a. Minimise site disturbance and vegetation removal;
 - b. Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (eg. temporarily connected to Council's storm water system, a watercourse or road drain);
 - c. Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
 - d. Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains;
 - e. Gutters spouting and downpipes installed and connected to the approved stormwater system before the roofing is installed; and
 - f. Rehabilitation of all disturbed areas as soon as possible.

C/13/04/081/19310 DECISION

Moved by Cllr J L Jones OAM, seconded by Deputy Mayor M 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 Dwelling in the Rural Agriculture Zone at 3245 Midland Highway, Melton Mowbray.

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*.

Amenity

- 3) The developer is to submit a schedule specifying the finish and colours of all external surfaces. The schedule must provide for finished colours that blend in with the natural rural landscape to minimise visual intrusion and compliment the surrounding rural character. The schedule must be to the satisfaction of the

Manager of Development and Environmental Services. The schedule shall form part of this permit when approved.

Bushfire Prone Areas

- 4) As the area in which the house is located is within a *Bushfire Prone Area*, the owners must comply and continue to comply with the approved *Bushfire Hazard Management Plan* with the following conditions:

The driveway access must be located over existing tracks or along natural contours to reduce visual impact through excavation and filling and erosion from water run-off.

- a) The Bushfire Hazard Management Plan is to be implemented prior to the occupation of the building.
- b) The owners shall maintain compliance with the provisions of the Bushfire Hazard Management Plan into the future.

Parking & Driveway

- 5) The areas set-aside for parking and associated access and turning must include:
- i. A driveway access located over existing tracks or along natural contours to reduce visual impact through excavation and filling and erosion from water run-off.
 - ii. Landscaping shall be used to screen and minimise the visual impacts of the parking and turning area.
 - iii. The developer/landowner shall use gravels to match the existing gravel surface for any turning and parking areas.

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.

Stormwater

- 7) Drainage from the proposed development must drain to a legal discharge point to the satisfaction of Council's Plumbing Inspector (Shane Mitchell 6259 3003) and in accordance with a Plumbing permit issued by the Permit Authority in accordance with the *Building Act 2000*.

Protection of Water Quality

- 8) Before any work commences install temporary run-off, erosion and sediment controls (refer to advice below) and maintain these at full operational capacity until the land is effectively rehabilitated and stabilised after completion of the development in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South and to the satisfaction of Council's Manager of Development and Environmental Services.
- 9) Wastewater from the development must discharge to an on-site waste disposal system in accordance with a Plumbing and Special Connection Permit issued by the Permit Authority in accordance with the *Building Act 2000* prior to the commencement of any works.

Construction Amenity

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

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

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

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

- 12) 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.

The following advice applies to this permit:

- A. Additional landscaping is recommended. Plantings shall resemble or imitate the clumps of plantings on neighbouring properties and across the valley. Plantings can be native or exotic species but should avoid sharp or contrasting lines or patterns. Clumps of trees planted along natural contour lines or similar to the existing clump of natives on the property (as of 2013 – located next to the proposed building site) would be appropriate.

- a. *Explanation: Upon the removal or harvesting of the pine tree rows, the dwelling may appear exposed on the hillside. Clumps of trees will help to avoid the dwelling from appearing isolated or in stark contrast to the surrounding landscape.*

Access to State Roads

- B. The Department of Infrastructure Energy and Resources have recommended the access to Mt Vernon be upgraded to the current standard access requirement (sealed entrance). If the developer intends to upgrade the access then a permit must be obtained in discussion with the Department:

- a. No works on or affecting the State road reservation are to be undertaken until the necessary Ministerial consent, as required under Section 16 of the *Roads and Jetties Act 1935*, has been obtained and a permit issued through this Department. Contact is, therefore, to be made with the Department's Permits Officer at least 28 days prior to the desired date of commencement of any access works within the Midland Highway reservation (permits@dier.tas.gov.au or 6233 7177).

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

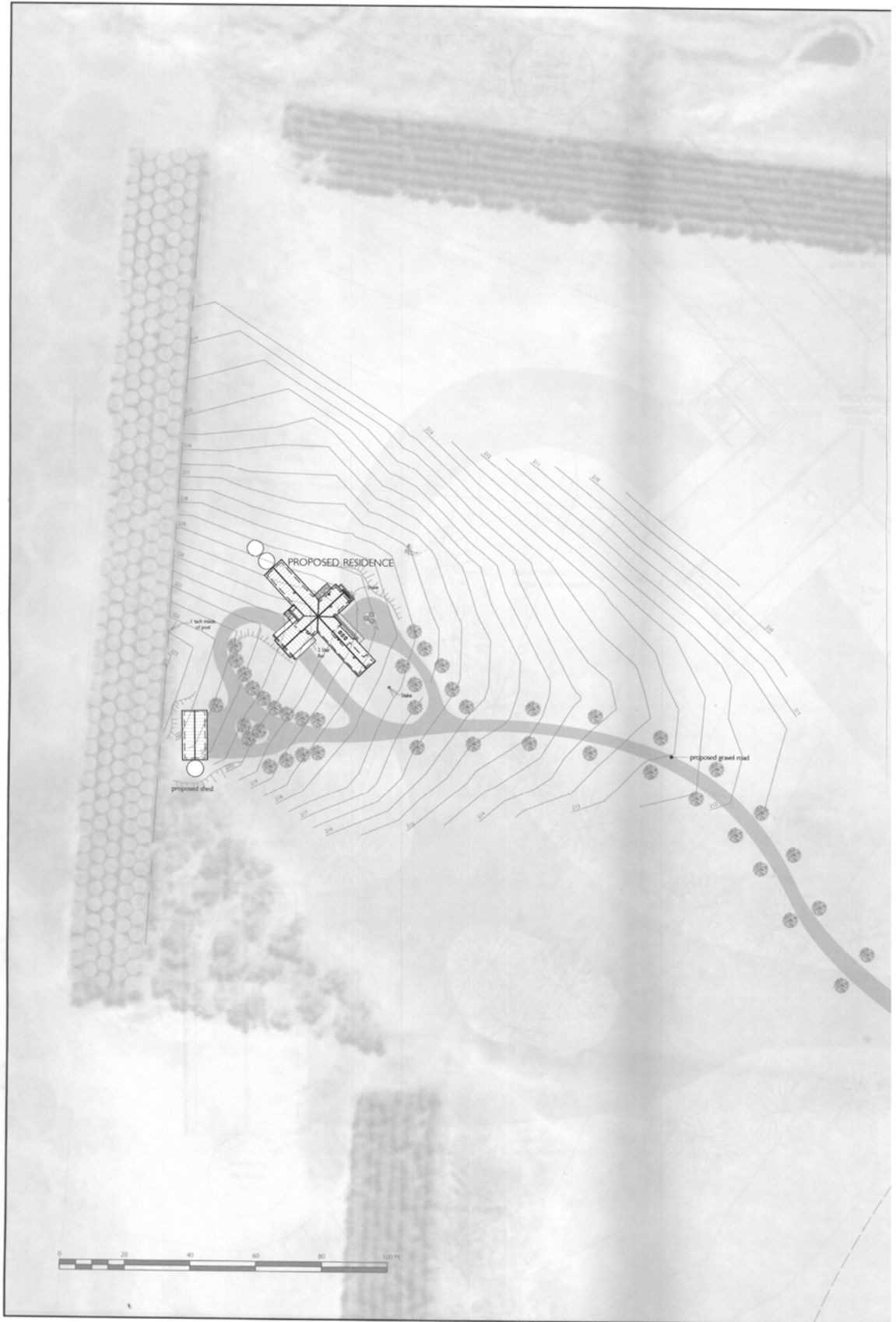
- D. This permit is in addition to a building permit. Construction and site works must not commence until a Building Permit has been issued in accordance with the Building Act 2000.

- E. Any containers located on site for construction purposes are to be removed at the completion of the project unless the necessary planning and building permit have been obtained by the developer/owner. Materials or goods stored in the open on the site shall be screened from view from people on adjoining properties, roads and reserves.

- F. The permit issued under the *Road and Jetties Act 1935* will detail those conditions that are specific to the site, including requirements for warning signs, lighting and barricading in accordance with the relevant Australian Standard. Contact should be made with Department of Infrastructure Energy and Resources’ Southern Region Network Supervisor to define and outline any applicable conditions or before commencing any work within the State Road reserve.
- G. Appropriate temporary erosion and sedimentation control measures include, but are not limited to, the following -
- a. Minimise site disturbance and vegetation removal;
 - b. Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (eg. temporarily connected to Council’s storm water system, a watercourse or road drain);
 - c. Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
 - d. Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains;
 - e. Gutters spouting and downpipes installed and connected to the approved stormwater system before the roofing is installed; and
 - f. Rehabilitation of all disturbed areas as soon as possible.

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 A O Green	
√	Clr J L Jones OAM	



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**

11.2 SUBDIVISIONS

11.3 MUNICIPAL SEAL (PLANNING AUTHORITY)

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

Nil Report

11.4 PLANNING (OTHER)

Refer item held later in the meeting

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.

12.2 BRIDGES

Strategic Plan Reference – Page 14

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

Nil.

12.3 WALKWAYS, CYCLE WAYS AND TRAILS

Strategic Plan Reference – Page 14

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

Nil.

12.4 LIGHTING

Strategic Plan Reference – Page 14

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

Nil.

12.5 SEWERS

Strategic Plan Reference – Page 15

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

Nil.

12.6 WATER

Strategic Plan Reference – Page 15

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

Nil.

12.7 IRRIGATION

Strategic Plan Reference – Page 15

- 1.7.1 Increase access to irrigation water within the municipality.

Nil.

12.8 DRAINAGE

Strategic Plan Reference – Page 16

- 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.

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 18

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

Nil.

13.3 BUSINESS

Strategic Plan Reference – Page 19

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

2.3.1b Increase employment within the municipality.

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

Nil.

13.4 INDUSTRY

Strategic Plan Reference – Page 20

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

Nil.

13.5 INTEGRATION

Strategic Plan Reference – Page 21

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 22

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

14.1.1 Heritage Projects program

File Ref: 3/097

AUTHOR MANAGER HERITAGE PROJECTS (B WILLIAMS)

DATE 19TH APRIL 2013

ISSUE

Southern Midlands Heritage Projects – report from Manager Heritage Projects

DETAIL

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

- The Oatlands Gaol Arch reconstruction is progressing.
- Refinements are being made to the Commissariat Conservation Management Plan ahead of lodgement of a DA for Stage-1 landscaping and exterior restoration of 79 High Street (and removal of non-heritage rear addition).
- Discussions are continuing with prospective end-users for 79 High Street (subject to a future report to Council).
- Finishing off the Kempton Watch House and landscaping – to be used for the Community Heritage Archive Exhibition in early May (a firm deadline!).
- Oatlands Court House amenities block is nearing completion.
- The Southern Midlands Community Archive Project (Rowena McDougall) is nearing completion with the final exhibition in May to coincide with the National Trust Heritage Festival.

- The Southern Midlands Convict Sites Project (Alan Townsend) is also nearing completion, with a forthcoming exhibition.
- Both of these projects have significant potential for the development of a publication in the future.
- Alan Townsend is continuing a series of U3A lectures and is leading Council’s public program.
- Jen Jones (volunteer) has been leading a student work-experience program utilising the archaeological collection.
- Volunteer Elizabeth Smedley is facilitating an interpretation project for the Callington Steam Mill.
- Several successful courses have thus-far been run this year by the Heritage Education and Skills Centre. An archaeological survey was recently undertaken at Lovely Banks Probation Station using HESC students, with the support of Mr. Gerard McShane. The to-December program will be released in the next fortnight and forwarded to Councillors for information.

RECOMMENDATION

THAT the information be received.

C/13/04/099/19311 DECISION

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

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 B Campbell	
√	Clr M Connors	
√	Clr D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

14.2 NATURAL

Strategic Plan Reference – Page 23

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

14.2.1 Landcare Unit & Climate Change – General Report

File Ref: 03/082

AUTHORS NRM PROGRAMS MANAGER – (M WEEDING)

DATE 16th April 2013

ISSUE

Southern Midlands Landcare Unit and GIS Monthly Report

DETAIL

- Work on the Bushlinks 500 project continues. The native grass seed for the round one properties has been delivered from Victoria, ready for sowing, conditional upon an autumn break.
- The CEEP (Community Energy Efficiency Program) Project to retrofit the Town Hall for energy efficiency is progressing slowly. The work at the Town Hall was to be completed by the end of April but this looks more likely to occur in May due to delays.
- Graham Green and Damian Mackey have finalised the GIS matters regarding the new format and content for the Planning Scheme overlays. Graham assisted in the presentation of the planning scheme overlays at the workshop held on Wednesday 17th April.
- Maria Weeding has been involved with the Midlands Economic Development and Land Use Strategy Project (MEDALS). This has involved both internal and external workshops over the last 4 weeks.
- Graham Green attended a meeting with Planet Footprint. The trend for the reduction in the energy usage by Council continues down. A more detailed report will be provided to the next meeting of Council.

- The Midlands Water Scheme continues to progress with the spur line to Lake Dulverton now under construction.

RECOMMENDATION

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

C/13/04/101/19312 DECISION

Moved by Clr J L Jones OAM seconded by Clr B Campbell

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 B Campbell	
√	Clr M Connors	
√	Clr D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

D Mackey (Manager Strategic Projects) and D Cundall (Planning Officer) left the meeting at 2.40 p.m.

14.3 CULTURAL**Strategic Plan Reference – Page 23**

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

14.3.1 Establishment of the Southern Midlands Arts Advisory Committee

AUTHOR MANAGER COMMUNITY & CORPORATE DEVELOPMENT
(A BENSON)

DATE 18TH APRIL 2013

ENCLOSURES: 1. Southern Midlands Arts Strategy
 2. Terms of Reference - Arts Advisory Committee
 3. Proposed Members of the SM Arts Advisory Committee

ISSUE

To establishment the membership of the SM Arts Advisory Committee, under the authority approved by Council in the SM Arts Strategy and in accordance with the Arts Advisory Committee Terms of Reference.

BACKGROUND

Council established the SM Arts Strategy Working Group to develop an Arts Strategy for the Southern Midlands. A number of reports were provided to Council during the life of the Working Group, including, the Creative Communities Report which was the Community engagement process that the Working Group embarked upon to inform the final Arts Strategy

Three documents, ie the “Creative Communities Report”, the draft Southern Midlands Arts Strategy and the draft Terms of Reference for the proposed Arts Advisory Committee were presented for Council’s consideration and were adopted unanimously at the January 2013 Council meeting. . This effectively completed the remit of the SM Arts Strategy Working Group.

DETAIL

Registration of expression of interest was advertised in the Council’s March 2013 newsletter as well as on Council’s website for Membership of the SM Arts Advisory Committee. A number of the members of the Arts Strategy Working Group indicated that whilst they enjoyed participating in the Arts Strategy Working Group, time constraints precluded them from expressing an interest in seeking membership of the new

SM Arts Advisory Committee. Alternatively a number of other members of the Working Group were keen to put their respective names forward for consideration

The Terms of Reference state that;

[Extract]

- a. *The membership of the Committee shall consist of seven members made up as follows:-*
 - i. *One Southern Midlands Council Councillor*
 - ii. *Six Community Members*
 - iii. *The following Council officers shall be entitled to be ex officio to the Committee, however their numbers will not be included to achieve a quorum*
 - *Deputy General Manager / Manager Community & Corporate Development*
 - *Community Recreation Officer*
- b. *Membership nominations received shall be forwarded to Council for formal consideration and appointment and will consist of Community members with an interest in the arts and/or related areas, who express an interest in participation, from an advertisement placed in the newspaper;*

[End]

As Councillors would recall, at the January 2013 meeting Clr John Jones OAM was appointed as the Councillor on the SM Arts Advisory Committee and Clr Bob Campbell was appointed as his proxy.

Expressions of Interest have been received from the following people who were members of the Arts Strategy Working Group;

Edwin Batt, from Jericho/Melton Mowbray;

Dorothy Evans, from Kempton but soon to be from Tunbridge

Malcolm Hamilton, from Oatlands

Barbara Hamilton, from Oatlands

Lisa Rudd, from Bagdad

Kristina Szymanski, from the SM Rural Primary Health Service, is based in Oatlands and who is also a member of the Art Gallery Group. Kristina advised that she would very much like to participate in the Committee but would not stand in the way of another Community member's participation if the numbers did not allow it.

One additional expression of interest was received from Sherrie Jewson, from Kempton who was not a member of the Working Group; however she is in the process of establishing the Southern Midlands Arts Learning Centre, which will be a textile related arts experience.

Given Council has received seven expressions of interest for six positions, it is recommended that Council embrace all of the those who expressed an interest by appointing Edwin, Dorothy, Malcolm, Barbara, Lisa and Sherrie as Members of the Arts Advisory Committee. Given Kristina's special interest as a valued service provider through the SM Rural Primary Health Service and although she is not a resident of the Southern Midlands it is recommended that she is encouraged to attend, contribute and participate in meetings as a valued colleague and facilitator of artistic endeavour in our Community. All of these people are eminently qualified to represent the Community on this important Committee.

RECOMMENDATION

THAT Council

- 1 Receive and note the report;**
- 2 Appoint the following Community representatives as Members of the Southern Midlands Arts Advisory Committee;**
Edwin Batt, Dorothy Evans, Malcolm Hamilton, Barbara Hamilton, Lisa Rudd and Sherrie Jewson;
- 3. Ask Kristina Szymanski to participate with the Committee as a valued member of the Arts Community and a service provider representative in the Southern Midlands; and**
- 4. Encourage the Committee to embrace the principles established by the Arts Strategy Working Group in its Community engagement, by seeking to invite wide and varied participation in its meetings and decision making.**

C/13/04/105/19313 DECISION

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

THAT Council

- 1 Receive and note the report;**
- 2 Appoint the following Community representatives as Members of the Southern Midlands Arts Advisory Committee;**
Edwin Batt, Dorothy Evans, Malcolm Hamilton, Barbara Hamilton, Lisa Rudd and Sherrie Jewson;
- 3. Ask Kristina Szymanski to participate with the Committee as a valued member of the Arts Community and a service provider representative in the Southern Midlands; and**
- 4. Encourage the Committee to embrace the principles established by the Arts Strategy Working Group in its Community engagement, by seeking to invite wide and varied participation in its meetings and decision making.**

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 A O Green	
√	Clr J L Jones OAM	

14.4 REGULATORY (OTHER THAN PLANNING AUTHORITY AGENDA ITEMS)

Strategic Plan Reference – Page 24

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

Refer to item held earlier in the meeting

14.5 CLIMATE CHANGE

Strategic Plan Reference – Page 24

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

Nil.

15 OPERATIONAL MATTERS ARISING LIFESTYLE

15.1 COMMUNITY HEALTH AND WELLBEING

Strategic Plan Reference – Page 25

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

Nil.

15.2 YOUTH**Strategic Plan Reference – Page 25**

4.2.1 Increase the retention of young people in the municipality.

15.2.1 April/May 2013 School Holiday Program

AUTHOR COMMUNITY RECREATION OFFICER COMMUNITY & CORPORATE DEVELOPMENT DEPARTMENT – (G HUNT)

DATE 3RD APRIL 2013

ATTACHMENTS 1. School Holiday Program – April / May 2013 Flyer
2. Budget Estimate Summary

BACKGROUND

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

CURRENT SITUATION

Please refer to Attachments 1 & 2 which outline this April / May's activities and an estimated Budget Summary. As can be seen, considerable human and financial support has been obtained from external sources such as the Rural Primary Health Services and Communities for Children [via the 'Connecting Families and School Communities' program] which lessen the burden on Council's staff and financial resources.

Financial implications - On current costing estimates, Council's financial contribution to the two days of activities should be around \$380.00. A considerable amount of human resources in the administration, accounting and organisational roles of putting this program together is handled by several Council officers and would equate to well in excess of the \$\$ contribution by the other two partner organisations. These outcomes have worked very favourably for all concerned over previous programs.

RECOMMENDATION

THAT the information be received

C/13/04/108/19314 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 B Campbell	
√	Clr M Connors	
√	Clr D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

YOUTH SCHOOL HOLIDAY PROGRAM APRIL / MAY 2013

Southern Midlands Council, in conjunction with Rural Primary Health Service - Oatlands, and the “Connecting Families and School Communities” Program are once again pleased to announce an exciting array of excursions being held during the upcoming April / May 2013 school holiday period .

Day 1 Tuesday 23rd April 2013



We are extremely pleased to be able to present a fun-filled, energetic day with the Social Circus Tasmania team, matched up with a session of popcorn making and watching a new release movie – all at the Bagdad Primary School premises. The Social Circus session will include learning how to juggle, plate spinning, making human pyramids and much much more. The movie is sure to be a lot of fun too (Title to be advised) and making your own popcorn will make it taste a whole lot better too.

Please ensure children wear appropriate clothing and footwear.

Cost is \$10.00 per child

Day 2 Wednesday 1st May 2013



We are off to the big smoke today, with one session at the new ‘Mawson’s Skate’ arena in Mawson Place, and the other taking a River Derwent trip on the brand new Fast Ferry MONA ROMA. Both should be a real buzz with fun and games on the ‘synthetic ice’ and a boat trip on the fantastic MONA fast ferry, which is only a matter of weeks old and very luxurious. Skates will be provided – please ensure children have warm clothing to wear on the day – in particular warm socks.

Cost is \$10.00 per child

Age limits of 9 – 16 apply and numbers are limited. Please dress appropriately for the relevant activities. BYO snacks, drinks, sun hat and sunscreen for all days. If you have any special dietary needs please bring own food with you. Don’t forget – BYO lunches on both days so bring your lunch box full of goodies. **Any participants with significant medical conditions should provide a full emergency plan and appropriate medication/treatment – Failure to do so will result in exclusion from program/s.**

BUDGET – SCHOOL HOLIDAY PROGRAM APRIL / MAY 2013

INCOME - Estimated

Day 1	40 attendees @ \$10.00	\$ 400.00	
Day 2	40 attendees @ \$10.00	\$ 400.00	
RPHS Contribution		\$ 600.00	
Communities for Children contribution		<u>\$ 1080.00</u>	
TOTAL INCOME		\$2480.00	\$2480.00

EXPENDITURE- Estimated

Day 1 23 APRIL 2013			
Entry Fees	Mawson's Skate 40 x \$9	\$ 360.00	
MONA ROMA Ferry fares	40x \$20	\$ 800.00	
Transport	Bus hire	<u>\$ 600.00</u>	
Sub Total		\$1760.00	
Day 2 1 st MAY 2013			
Social Circus Tas fees		\$ 600.00	
Movie & Popcorn costs		\$ 150.00	
Transport – Bus hire		<u>\$ 350.00</u>	
Sub Total		\$ 1100.00	
TOTAL EXPENDITURE			\$2860.00

Financial Contribution by Council \$ 380.00

Council's Human Resources / Admin contribution to the program is extensive and at least on a par in dollar terms of other organizations financial contributions.

All figures are based on an average attendance of 40 young people per activity. Actual budget figures may vary slightly due participating numbers on the day.

15.3 SENIORS

Strategic Plan Reference – Page 26

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

Nil.

15.4 CHILDREN AND FAMILIES

Strategic Plan Reference – Page 26

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

Nil.

15.5 VOLUNTEERS

Strategic Plan Reference – Page 26

4.5.1 Encourage community members to volunteer.

Nil.

15.6 ACCESS

Strategic Plan Reference – Page 27

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

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

Nil.

15.7 PUBLIC HEALTH

Strategic Plan Reference – Page 27

4.7.1 Monitor and maintain a safe and healthy public environment.

Nil.

15.8 RECREATION

Strategic Plan Reference – Page 28

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

Refer to item held earlier in the meeting

15.9 ANIMALS

Strategic Plan Reference – Page 28

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

15.9.1 Animal Control Officers Report

File Ref: 3/027

AUTHOR ANIMAL CONTROL OFFICER (G DENNE)

DATE 19TH APRIL 2013

ISSUE

Consideration of Animal Control Officer’s monthly report.

DETAIL

Refer Monthly Statement on Animal Control for period ending 31st March 2013.

RECOMMENDATION

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

C/13/04/112/19315 DECISION

Moved by Clr A R Bantick, seconded by Clr D F Fish

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 B Campbell	
√	Clr M Connors	
√	Clr D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

C/13/04/113/19316 DECISION

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

THAT Council write to the Minister with concerns regarding the feral cat transfer of toxoplasmosis.

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 A O Green	
√	Clr J L Jones OAM	

**SOUTHERN MIDLANDS COUNCIL
MONTHLY STATEMENT ON ANIMAL CONTROL
FOR PERIOD ENDING 31/03/2013**

Total of Dogs Impounded: 5
Dogs still in the Pound: -

Breakdown Being:

ADOPTED	RECLAIMED	LETHALISED	ESCAPED
	5		

MONEY RECEIVED

Being For:

Pound	<u>\$36.36</u>
Reclaims	
Dog Registrations	<u>\$51.82</u>
Kennel Licence Fee	
Infringement Notices	
Complaint Lodgement Fee	
TOTAL	<u>\$88.18</u>

COMPLAINTS RECEIVED FOR PERIOD ENDING 31/03/2013

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

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

Animal Control Officer: **Garth Denne**

15.9.2 2013/2014 Animal Management Fees (incl. Dog Registrations)

File Ref: 2/002

AUTHOR ANIMAL CONTROL OFFICER
DATE 9th APRIL 2013

ISSUE

Adoption of the 2013-14 Animal Management Fees.

BACKGROUND

Dog Registration fees are to be adopted in accordance with Council's Dog Management Policy and the *Dog Control Act 2000*.

DETAIL

For information, the Animal Control operation provides for the following arrangements:

- Contractor engaged for 17 hours per week during normal Council office hours.
- In addition to this, the Contractor will respond to:
 1. Call-outs and special events as required by the General Manager or his delegate.
 2. Call-outs of an emergency nature, which shall include:
 - a) dog attacks on persons or stock;
 - b) animals impounded or detained by the public and the person(s) concerned are not prepared to house the animal(s) until the next working day; and
 - c) animals straying in areas that are likely to cause danger to the public (e.g. highways).

A mobile telephone is carried at all times for which a standby allowance of \$8 per day is paid. (Cost per annum \$2,920).

The following budget details have been submitted to indicate percentage cost recovery (57%) if the fees remain at the same level. For information, the actual percentage cost recovery budgeted for 2011-12 was 60% (up from 53% in 2010/11).

Budget Details

Expenditure

Refer Budget Working Paper attached – total expenditure of	\$ 71,055
Income	
- Present level of Fees (estimated)	\$(39,100)
- Infringements	\$(1,300)

Note: Income to date for the Animal Control Program is \$31,204 however a large number of dogs are registered prior to June 30 which is recognised as income this financial year.

Net Cost / Deficit **\$30,655**

There are currently 1,941 registered Dogs. Following Council's decision to introduce a standard fee, it is not possible to provide a breakdown by classification (i.e. Dogs (irrespective of sex) - Not sterilised, Spayed females and Neutered Males, Working Dogs etc).

Note: In relation to cost recovery through the collection of dog registration fees (and associated charges), at the time of considering the schedule of fees for 2012/13, it was queried as to what percentage of the Animal Control Officer's (ACO) time was dedicated to dog management issues, as opposed to other animal control matters (e.g. straying stock, snakes, animal welfare issues etc.) It should also be acknowledged that the ACO undertakes other works related tasks whilst performing his duties

In this regard, a basic assessment would indicate approximately 70 to 75% of the Animal Control Officers time would be committed to dog control issues.

Based on the recommended increase in registration fees for 2013/14, this would provide an additional \$2,000 in income (not included in estimated income above), which would then maintain the percentage cost recovery at 60.0%.

Human Resources & Financial Implications

The following fees and charges were adopted for the 2012-13 financial year:

	<u>Paid by the 31/7/12</u>	<u>Paid after 31/7/12</u>
Pensioners (first dog only)	\$ 12.00	\$35.00
All other Dog Categories	\$ 24.00	\$40.00
Guide Dogs	no charge.	

- Kennel Licence Application Fee - \$120.00
- Kennel Licence Renewal Fee - \$50.00
- Impounding Reclaim Fees - \$20 for the first impounding, \$40 for subsequent impoundings and \$10 per day maintenance
- Formal Notice of Complaint Fee - \$50.00
- Replacement of Registration Tag - \$5.00

In reference to Council's Dog Management Policy, refund of registration fees will only be provided for dogs that have died in the current year of registration. Refunds are only available on completion of the appropriate form lodged with Council by the owner of the dog subject of the claim. Any refund provided is on a pro-rata basis as at the time of application.

The Southern Midlands Council will transfer dog registrations from other Tasmanian Councils at no cost to the dog owner, provided the registration is for the same registration period.

Community Consultation & Public Relations Implications – Nil

Southern Midlands Council Web Site - The adopted Fees will be displayed on the Web Site.

Policy Implications - Policy position.

Priority - Implementation Time Frame – It is normal practice for reminder Notices to be issued in late May of each year. Registration fees are due on 1st July.

RECOMMENDATION

THAT Council adopt the following fees and charges for the 2013-14 period:

	<u>Paid by the 31/7/13</u>	<u>Paid after 31/7/13</u>
Pensioners (first dog only)	\$ 13.00	\$35.00
All other Dog Categories	\$ 25.00	\$40.00
Guide Dogs	no charge.	

- **Kennel Licence Application Fee - \$120.00**
- **Kennel Licence Renewal Fee - \$50.00**
- **Impounding Reclaim Fees - \$20 for the first impounding, \$40 for subsequent impoundings and \$10 per day maintenance**
- **Formal Notice of Complaint Fee - \$50.00**
- **Replacement of Registration Tag - \$5.00**

C/13/04/118/19317 DECISION

Moved by Clr A R Bantick, seconded by Deputy Mayor M Jones OAM

THAT Council adopt the following fees and charges for the 2013-14 period:

	<u>Paid by the 31/7/13</u>	<u>Paid after 31/7/13</u>
Pensioners (first dog only)	\$ 13.00	\$35.00
All other Dog Categories	\$ 25.00	\$40.00
Guide Dogs	no charge.	

- * Kennel Licence Application Fee - \$120.00
- * Kennel Licence Renewal Fee - \$50.00
- * Impounding Reclaim Fees - \$20 for the first impounding, \$40 for subsequent impoundings and \$10 per day maintenance
- * Formal Notice of Complaint Fee - \$50.00
- * Replacement of Registration Tag - \$5.00

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 A O Green	
√	Clr J L Jones OAM	

15.10 EDUCATION

Strategic Plan Reference – Page 28

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 29

5.1.1 Maintain and strengthen communities in the Southern Midlands.

Nil.

16.2 CAPACITY AND SUSTAINABILITY

Strategic Plan Reference – Page 29

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

Nil.

16.3 SAFETY

Strategic Plan Reference – Page 30

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

Nil.

16.4 CONSULTATION

Strategic Plan Reference – Page 30

5.4.1 Improve the effectiveness of consultation with the Community.

Nil.

16.5 COMMUNICATION

Strategic Plan Reference – Page 30

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 31

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

Nil.

17.2 SUSTAINABILITY

Strategic Plan Reference – Page 32 & 33

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

Nil.

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

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

17.3.1 Monthly Financial Statement (March 2013)

File Ref: 3/024

AUTHOR FINANCE OFFICER
DATE 12th APRIL 2013

Refer enclosed Report incorporating the following: -

- a) Statement of Comprehensive Income – 1st July 2012 to 31st March 2013 (including Notes)
- b) Current Expenditure Estimates
- c) Capital Expenditure Estimates

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

- d) Rates & Charges Summary – to be tabled at the meeting.
- e) Cash Flow Statement - July 2012 to March 2013.

Note: Expenditure figures provided are for the period 1st July to 31st March 2013 – approximately 75% of the period.

Comments**A. Current Expenditure Estimates (Operating Budget)****Strategic Theme – Infrastructure**

- **Sub-Program – Drainage** - expenditure to date (\$31,556 – 95.26%). General maintenance of drainage systems across various towns in municipal area. Budget to be monitored.
- **Sub-Program – Public Toilets** - expenditure to date (\$42,980 – 86.69%). Increased maintenance costs due to weekend servicing. Will reduce following peak visitation period.

- **Sub-Program – Signage** - expenditure to date (\$11,128 – 90.47%). Majority of signs purchased for financial year. Budget to be monitored.

Strategic Theme – Growth

- **Sub-Program – Business** - expenditure to date (\$62,612 – 94.511%). Works undertaken on a recharge basis. Will be offset by income received.

Strategic Theme – Lifestyle

- **Sub-Program – Recreation** - expenditure to date (\$339,113 – 97.36%). The total Budget for the Recreation Program is \$348,300 of which the Swimming Pool represents 30.50% (i.e. \$106,550). Expenditure to date for the Swimming Pool is \$99,584, which includes total payment for the management and supervision to YMCA until closure.

Costs allocated to this Program will reduce significantly following closure of the Swimming Pool. Budget to be monitored.

Strategic Theme – Community

- **Sub-Program – Consultation** - expenditure to date (\$6,979 – 137.65%). Includes approx. \$6,000 of Aurora expenses associated with the operation of the Radio Station. Part-reimbursement from Management Committee.

B. Capital Expenditure Estimates (Capital Budget)

Nil.

RECOMMENDATION

THAT the information be received.

C/13/04/122/19318 DECISION

Moved by Clr A O Green, 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 B Campbell	
√	Clr M Connors	
√	Clr D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

STATEMENT OF COMPREHENSIVE INCOME FOR THE PERIOD 1st JULY 2012 to 31st March 2013				
	Annual Budget	Year to Date as at 31st March	% To Date	Comments
Income				
General rates	\$ 3,992,510	\$ 4,001,864	100.2%	Budget includes Interest & Penalties to be imposed to end of June 2013
User Fees (refer Note 1)	\$ 728,389	\$ 463,692	63.7%	
Interest	\$ 260,000	\$ 197,128	75.8%	
Government Subsidies	\$ 31,700	\$ 27,994	88.3%	Heavy Vehicle Licence Fees & Road Rescue MAIB reimbursements
Contract Income	\$ -	\$ -	0.0%	
Other (refer Note 2)	\$ 85,188	\$ 50,861	59.7%	
Sub-Total	\$ 5,097,787	\$ 4,741,539	93.0%	
Grants - Operating	\$ 1,527,825	\$ 1,197,566	78.4%	FAGS Grant Only
Total Income	\$ 6,625,612	\$ 5,939,106	89.6%	
Expenses				
Employee benefits	\$ 3,608,779	\$ 2,380,692	66.0%	
Materials and contracts	\$ 2,595,324	\$ 1,875,132	72.3%	
Depreciation and amortisation	\$ 3,120,000	\$ 2,340,000	75.0%	Percentage Calculation (based on year-to-date)
Finance costs	\$ 58,800	\$ 30,904	52.6%	
Contributions	\$ 163,329	\$ 122,497	75.0%	Fire Service Levies
Other	\$ 244,908	\$ 163,394	66.7%	
Total expenses	\$ 9,791,140	\$ 6,912,619	70.6%	
Surplus (deficit) from operations	-\$ 3,165,528	-\$ 973,513	30.8%	
Grants - Capital (refer Note 3)	\$ 619,292	\$ 468,559	75.7%	
Donations	\$ 3,500	\$ -	0.0%	
Sale Proceeds (Plant & Machinery)	\$ -	\$ 123,162	0.0%	
Net gain / (loss on disposal of non-current assets)	\$ 240,000	\$ -	0.0%	Budget Amount - Sale of Lots - Kandara Court
Surplus / (Deficit)	-\$ 2,302,736	-\$ 381,792	16.6%	

NOTES

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

- All other Programs	\$ 288,889	\$ 215,724	74.7%
- Callington Mill	\$ 439,500	\$ 247,967	56.4%
	\$ 728,389	\$ 463,692	Actual Income Received (i.e. excluding Debtors)

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

- Income (Private Works)	\$ 76,188	\$ 45,798	60.1%
- Southern Water (Tax Equivalents)	\$ 5,000	-	0.0%
- Public Open Space Contributions	\$ 4,000	-	0.0%
	\$ 85,188	\$ 45,798	

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

- Roads To Recovery Grant	\$ 441,001	\$ 360,000	81.6%	To be claimed in March 2013
- Community Heritage Grants (rec'd in 2011/12)	\$ 144,550	\$ 10,000	6.9%	
- Cricket Nets (Campania) (rec'd in 2011/12)	\$ 24,430	-	0.0%	
- Community Centre (Interest Grant)	\$ 9,311	-	0.0%	To be claimed in June 2013
- Court House (TCF Grant)	\$ -	\$ 35,900		
- Gaol (TCF Grant)	\$ -	\$ 57,100		
- Climate Change Grant	\$ -	\$ 3,000		
- Mens Shed Grant	\$ -	\$ 2,550		
	\$ 619,292	\$ 468,550		

SOUTHERN MIDLANDS COUNCIL : CURRENT EXPENDITURE 2012/13

SUMMARY SHEET

PROGRAM	TOTAL	REVISED BUDGET (GRANTS & OTHER REIMBURSEMENTS)	ACTUAL AS AT 31 MARCH 2013 75%	VARIANCE (+/-)	% BASED ON REVISED BUDGET 100%
INFRASTRUCTURE					
Roads	1291666	1291666	938799	352867	72.68%
Bridges	81313	81313	29868	51445	36.73%
Walkways	167192	167192	131427	35765	78.61%
Lighting	82035	82035	42682	39353	52.03%
Irrigation	2450	2450	0	2450	0.00%
Drainage	33128	33128	31556	1572	95.26%
Waste	507046	507046	358925	148121	70.79%
Public Toilets	49580	49580	42980	6600	86.69%
Communications	0	0	0	0	0.00%
Signage	12300	12300	11128	1172	90.47%
INFRASTRUCTURE TOTAL:	2226710	2226710	1587366	639344	71.29%
GROWTH					
Residential	2900	2900	0	2900	0.00%
Mill Operations	759628	759628	512284	247344	67.44%
Tourism	34110	34110	21004	13106	61.58%
Business	66250	66250	62612	3638	94.51%
Agriculture	5256	5256	108	5148	2.06%
Integration	27600	27600	0	27600	0.00%
GROWTH TOTAL:	895744	895744	596007	299737	66.54%
LANDSCAPES					
Heritage	293347	293347	196686	96661	67.05%
Natural	132062	132062	93890	38172	71.10%
Cultural	0	0	0	0	0.00%
Regulatory	759930	759930	474156	285774	62.39%
Climate Change	39418	39418	15169	24249	38.48%
LANDSCAPES TOTAL:	1224757	1224757	779902	444855	63.68%
LIFESTYLE					
Youth	177469	177469	85977	91492	48.45%
Aged	1500	1500	835	665	55.70%
Childcare	16535	16535	5261	11274	31.82%
Volunteers	41311	41311	19967	21344	48.33%
Access	6405	6405	0	6405	0.00%
Public Health	7665	7665	1607	6058	20.96%
Recreation	348300	348300	339113	9187	97.36%
Animals	67690	67690	41148	26542	60.79%
Education	0	0	0	0	0.00%
LIFESTYLE TOTAL:	666875	666875	493909	172966	74.06%
COMMUNITY					
Retention	0	0	0	0	0.00%
Capacity	26025	26025	21922	4103	84.23%
Safety	51400	51400	45641	5759	88.80%
Consultation	5070	5070	6979	-1909	137.65%
Communication	15125	15125	7425	7700	49.09%
COMMUNITY TOTAL:	97620	97620	81967	15653	83.97%
ORGANISATION					
Improvement	5850	5850	392	5458	6.70%
Sustainability	1326000	1326000	989253	336747	74.60%
Finances	227585	227585	158677	68908	69.72%
ORGANISATION TOTAL:	1559435	1559435	1148323	411112	73.64%
TOTALS	6671141	6671141	4687474	1983667	70.26%

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2012-13
AS AT 31 MARCH 2013

INFRASTRUCTURE	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
ROAD ASSETS				
Resteeting Program	\$ 700,000	\$ 383,106	\$ 316,894	
Roads Resteeting (40.00 kms x 5.5 x 150mm x \$20 m3)				
Reseal Program	\$ 350,000	\$ 20,843	\$ 329,157	Stonor Road
Reconstruct & Seal				
Bagdad	\$ 20,000	\$ -	\$ 20,000	
Green Valley Road - from Kemmers to Bridge (approx. 100m)				
Dysart	\$ 80,000	\$ -	\$ 80,000	R2R
Cliftonvale Road				
Mangalore	\$ 45,000	\$ -	\$ 45,000	R2R
Ballyhooley Road - Road Improvements				
Oatlands	\$ 80,000	\$ 52,919	\$ 27,081	
Inglewood Road	\$ 45,000	\$ 1,735	\$ 43,265	R2R
Stanley Street (William St i.e. Thunderstone to Nelson - 380 metres x 6 metres)				
Minor Seals (New)				
Church Road	\$ 10,000	\$ -	\$ 10,000	
Hasting Street Junction	\$ 15,000	\$ -	\$ 15,000	
Pelham Road (end of Elderslie Rd)	\$ 10,000	\$ -	\$ 10,000	
Turbridge Main Road Verges (part - vicinity of Lodge)	\$ 5,000	\$ -	\$ 5,000	
Unsealed - Road Widening				
Church Road (Corner widening)	\$ 20,000	\$ -	\$ 20,000	
Estate Road (Survey Investigation Only - \$5,000)	\$ 15,000	\$ -	\$ 15,000	
Green Valley Road - Vicinity of Erosion Gully (Survey Investigation)	\$ 5,000	\$ -	\$ 5,000	
Hall Lane, Bagdad - widening	\$ 15,000	\$ -	\$ 15,000	
Nichols Road, Elderslie (Widen & Realign)	\$ 6,637	\$ -	\$ 6,637	
Rhyndaston Road (vicinity of Bevens)	\$ 50,000	\$ 22,371	\$ 27,629	R2R
Other:				
Church Road (Intersection with Elderslie Road) - Survey only	\$ 6,000	\$ 4,544	\$ 1,456	
Campania - Reeve St / Clime Street	\$ 25,600	\$ -	\$ 25,600	
Campania - Reeve St / Hall Street	\$ 5,000	\$ -	\$ 5,000	
Green Valley Road - complete Guard Rail	\$ 10,000	\$ -	\$ 10,000	
Huntington Tier (Road to Tip - Guard Rail)	\$ 8,000	\$ -	\$ 8,000	
Inglewood Road - Sight Improvements	\$ 8,000	\$ -	\$ 8,000	
Native Corners Road / Armstrongs Rd - Drainage (Budget - 50% Project Cost)	\$ 5,200	\$ -	\$ 5,200	50% Balance - Property Owner
Woodsdale Road - Landslip Area(s) - Engineering Assessment	\$ 9,700	\$ -	\$ 9,700	
Woodsdale Road - Landslip Area (vicinity Scotts Quarry)	\$ 15,000	\$ -	\$ 15,000	
Development Infrastructure Roads	\$ 20,000	\$ -	\$ 20,000	
Works In Progress (30/6/12):				
Eldon Road - Slip Repairs (incl. Guard Rail)	\$ 35,000	\$ 24,448	\$ 10,552	
Inglewood Road (Reconstruct & Seal)	\$ 110,000	\$ 32,061	\$ 77,939	
Nichols Road (Realignement)	\$ 60,000	\$ 60,710	\$ -710	
Woodsdale Rd & Stonehenge Road (Junction)	\$ 10,000	\$ 300	\$ 9,700	
	\$ 1,799,137	\$ 605,038	\$ 1,196,099	

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2012-13
AS AT 31 MARCH 2013

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
BRIDGE ASSETS				
Chauncy Vale Road (Browns Cave Creek B3763)	\$ 51,320	\$ 2,740	\$ 48,580	R2R
Daniels Road - Marshalls Ck	\$ 26,440	\$ -	\$ 26,440	
Swanston Road - Little Swanport Rv (B 1716)	\$ 40,000	\$ 460	\$ 39,540	Design Only
Eldon Road - Burns Creek (B456)	\$ 87,340	\$ 83,261	\$ 4,079	
Shene Road (B 4636)	\$ -	\$ 2,751	\$ -	
Works In Progress (30/6/12):				
Elderslie Rd (Grahams Creek Bridge)	\$ -	\$ 1,231	\$ 1,231	
Elderslie Rd (Jordan River Bridge)	\$ 804,160	\$ 871,522	\$ 67,362	
Fields Road (No. 1851)	\$ -	\$ 1,469	\$ 1,469	
Rotherwood Road Bridge (No. 1137)	\$ 57,000	\$ 2,538	\$ 54,464	
	\$ 1,056,260	\$ 965,971	\$ 100,289	
WALKWAYS				
Footpaths - General (Program to be confirmed)	\$ 130,000	\$ -	\$ 130,000	
Bagdad Township				
- East Bagdad Road (Le Comple to Highway)	\$ 50,000	\$ 4,969	\$ 45,031	
- Swan Street	\$ 25,000	\$ -	\$ 25,000	
Campania Township				
- Reeve Street (Vicinity of Store)	\$ 10,000	\$ -	\$ 10,000	
- Review Management Plan (Site Plan) / Walking Tracks (Bush Reserve)	\$ 5,000	\$ -	\$ 5,000	
Kempton Township				
- Huntingground Road (to School)	\$ 5,500	\$ -	\$ 5,500	
- Kempton Hall (rear of Hall)	\$ 4,000	\$ -	\$ 4,000	
- Main Street - Elizabeth St to Shop (exc front of Hotel)	\$ 14,445	\$ -	\$ 14,445	
Mangalore Township				
- Blackburnish Road (Mountford Drive down - 300 mm pipe - 110 metres)	\$ 16,500	\$ -	\$ 16,500	
Oatlands Township				
- High Street (Tree Planting)	\$ 7,000	\$ -	\$ 7,000	
Turnack Township				
- Various (to be confirmed)	\$ 7,000	\$ -	\$ 7,000	
	\$ 274,445	\$ 4,969	\$ 269,476	
Nil Projects	\$ -	\$ -	\$ -	
	\$ -	\$ -	\$ -	
DRAINAGE				
Bagdad				
- Hall Lane (opp Community Club)	\$ 18,000	\$ 6,889	\$ 11,101	Carry Forward
- Swan Street - Kerb & Gutter (eastern side - 250 metres)	\$ 21,882	\$ -	\$ 21,882	
- Swan Street - Kerb & Gutter (western side - 400 metres)	\$ 39,388	\$ -	\$ 39,388	
- North of Le Comple Place Subdivision	\$ 10,000	\$ -	\$ 10,000	
Kempton				
- Louisa Street	\$ 21,740	\$ -	\$ 21,740	
Oatlands				
- High St/Wellington Street Junction	\$ 5,000	\$ -	\$ 5,000	
Works In Progress (30/6/12):				
Reeve St (Open Drain - north of Telephone Box)	\$ 28,000	\$ 3,750	\$ 24,250	
Stanley Street, Oatlands (Albert Terrace)	\$ 6,140	\$ 12,786	\$ (6,646)	
	\$ 150,160	\$ 23,435	\$ 126,715	
WASTE				
Wheelle Bins & Crates	\$ 5,000	\$ 5,061	\$ (61)	
Rubbish Receptacles (Heritage) - 15 @ \$700	\$ 10,500	\$ 8,815	\$ 1,685	
	\$ 15,500	\$ 13,876	\$ 1,624	

SOUTHERN MIDLANDS COUNCIL
 CAPITAL EXPENDITURE PROGRAM 2012-13
 AS AT 31 MARCH 2013

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
PUBLIC TOILETS				
	\$ 5,000	\$ -	\$ 5,000	Carry Forward
	<u>\$ 5,000</u>	<u>\$ -</u>	<u>\$ 5,000</u>	
SIGNAGE				
	\$ 25,000	\$ -	\$ 25,000	Carry Forward
	<u>\$ 25,000</u>	<u>\$ -</u>	<u>\$ 25,000</u>	
GROWTH				
	\$ -	\$ -	\$ -	
	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	
RESIDENTIAL				
	\$ -	\$ -	\$ -	
	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	
TOURISM				
	\$ 4,000	\$ -	\$ 4,000	Carry Forward
	<u>\$ 4,000</u>	<u>\$ -</u>	<u>\$ 4,000</u>	
HERITAGE				
	\$ 22,767	\$ 3,435	\$ 19,332	
	\$ 15,000	\$ 10,865	\$ 4,135	
	\$ 22,000	\$ 13,687	\$ 8,313	
	\$ 96,000	\$ 112,378	\$ (16,378)	Grant Funded
	\$ 8,000	\$ -	\$ 8,000	
	\$ 166,000	\$ 248	\$ 165,752	Loan Funded
	<u>\$ 329,767</u>	<u>\$ 140,612</u>	<u>\$ 189,155</u>	
NATURAL				
	\$ 4,000	\$ -	\$ 4,000	Carry Forward
	<u>\$ 4,000</u>	<u>\$ -</u>	<u>\$ 4,000</u>	
REGULATORY				
	\$ 20,000	\$ 8,777	\$ 11,223	
	\$ 3,500	\$ 1,467	\$ 2,033	
	<u>\$ 23,500</u>	<u>\$ 10,245</u>	<u>\$ 13,255</u>	

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2012-13
AS AT 31 MARCH 2013

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
LIFESTYLE				
RECREATION				
Recreation Committee	\$ 30,000	\$ 17,274	\$ 12,726	
Bagdad Iden Park - Table / Chairs	\$ 2,500	\$ -	\$ 2,500	
Kempton Memorial Hall	\$ 10,000	\$ -	\$ 10,000	
Campania Recreation Ground - Cricket Nets	\$ 36,430	\$ 35,853	\$ 577	
Campania Recreation Ground - Storage Garage	\$ -	\$ 2,400	\$ (2,400)	Funded - Sale Proceeds
Campania Hall - Footpath (adjacent to Hall)	\$ 3,900	\$ -	\$ 3,900	
Campania Hall - Car Park Imp's (incl. part seal)	\$ 35,000	\$ 15,695	\$ 19,305	
Colebrook Recreation Ground (Amenities)	\$ 16,367	\$ 9,281	\$ 7,086	
Midlands Aquatic & Recreation Centre	\$ 75,000	\$ 52,269	\$ 22,731	
Paratiah Recreation Ground	\$ 2,600	\$ -	\$ 2,600	
Healthy Communities Projects	\$ -	\$ 15,912	\$ (15,912)	Grant Funded
	\$ 211,797	\$ 148,684	\$ 63,113	
COMMUNITY				
Road Accident Rescue Unit	\$ 3,000	\$ -	\$ 3,000	
	\$ 3,000	\$ -	\$ 3,000	
ORGANISATION				
SUSTAINABILITY				
ADMINISTRATION				
Council Chambers - Building Improvements (\$ for \$)	\$ 15,000	\$ 2,586	\$ 12,414	
Council Chambers - Damp Issues & Stonemasonry	\$ 15,000	\$ -	\$ 15,000	
Council Chambers (External Windows - Repaint)	\$ 5,000	\$ -	\$ 5,000	Carry Forward
Computer System (Hardware / Software)	\$ 22,000	\$ 26,969	\$ (4,969)	
Town Hall (Chairs)	\$ 5,000	\$ -	\$ 5,000	
Paintings (ref Mayor)	\$ 2,000	\$ -	\$ 2,000	
Town Hall (General)	\$ 8,286	\$ 10,162	\$ (1,876)	
Town Hall (Upstairs) - Rewiring	\$ 5,000	\$ -	\$ 5,000	
Asset Management - Computer Software	\$ 5,000	\$ -	\$ 5,000	
Web Site - Capital Development	\$ -	\$ 9,664	\$ (9,664)	
History of Southern Midlands Book	\$ -	\$ 28,350	\$ (28,350)	
70 High Street - Property Purchase	\$ -	\$ 166,908	\$ (166,908)	
Minor Plant Purchases	\$ 13,500	\$ 6,455	\$ 7,045	
Radio System	\$ 2,000	\$ -	\$ 2,000	
Security Key System	\$ 6,000	\$ -	\$ 6,000	
Depot - Gleneig Street (Security Fencing)	\$ 3,000	\$ 8,948	\$ (5,948)	
Plant Replacement Program	\$ 494,152	\$ 79,803	\$ 414,349	
Refer separate Schedule (Net Changeover)	\$ 144,000	\$ 149,992	\$ (5,992)	
Light Vehicles	\$ -	\$ -	\$ -	
(Trade Allowance - \$240K)	\$ -	\$ -	\$ -	
Excavator (Approx. 2.70 tonne)	\$ 60,000	\$ -	\$ 60,000	
	\$ 804,938	\$ 489,837	\$ 315,101	
GRAND TOTALS	\$ 4,716,494	\$ 2,400,667	\$ 2,315,827	

	INFLOWS (OUTFLOWS) (July 2012)	INFLOWS (OUTFLOWS) (August 2012)	INFLOWS (OUTFLOWS) (Sept 2012)	INFLOWS (OUTFLOWS) (Oct 2012)	INFLOWS (OUTFLOWS) (Nov 2012)	INFLOWS (OUTFLOWS) (Dec 2012)	INFLOWS (OUTFLOWS) (Jan 2013)	INFLOWS (OUTFLOWS) (Feb 2013)	INFLOWS (OUTFLOWS) (Mar 2013)
Cash flows from operating activities									
Payments	-	-	-	-	-	-	-	-	-
Employee costs	357,728.80	242,200.74	257,614.56	246,751.72	231,493.35	346,632.81	201,189.66	220,929.21	237,116.70
Materials and contracts	360,058.18	351,467.48	261,700.30	212,622.44	185,339.65	271,145.43	280,263.89	269,400.23	173,257.72
Interest	888.14	-	-	-	10,451.72	19,564.50	-	-	-
Other	25,513.82	16,720.50	64,977.79	21,855.49	17,415.26	68,821.15	22,360.25	11,504.64	66,271.57
	744,188.94	610,388.72	584,292.65	481,229.65	444,699.98	706,163.89	503,813.80	501,834.08	476,645.99
Receipts	-	-	-	-	-	-	-	-	-
Rates	57,360.96	246,084.53	1,433,837.32	181,502.52	409,682.30	162,681.78	413,250.17	189,782.14	362,574.46
User charges	91,304.92	96,850.99	60,105.73	53,106.70	126,823.66	49,438.68	65,247.01	37,511.59	60,168.85
Interest received	19,147.65	25,894.70	19,528.76	23,108.70	20,609.80	19,052.26	26,068.20	22,532.45	21,185.30
Subsidies	-	-	-	-	19,699.00	-	-	-	-
Other revenue grants	-	-	450,690.86	38,900.00	396,140.86	-	9.09	410,384.77	98,559.09
GST Refunds from ATO	99,110.53	59,116.17	59,946.42	144,137.47	59,849.44	8,332.20	93,974.01	16,647.69	27,907.45
Other	266,924.06	427,946.39	2,024,109.09	152,480.45	1,032,805.06	222,840.52	410,600.46	643,563.26	373,276.97
	477,264.88	182,442.33	1,439,816.44	328,749.20	588,105.08	483,323.37	93,213.34	141,729.18	103,369.02
Net cash from operating activities									
Cash flows from investing activities									
Payments for property, plant & equipment	49,423.63	142,126.33	247,901.17	137,389.88	121,959.38	217,708.36	25,397.60	107,420.84	92,860.47
Proceeds from sale of property, plant & equipment	12,357.27	-	-	10,630.00	29,078.18	41,070.75	10,539.09	2,356.91	17,130.00
Proceeds from Capital grants	-	-	-	-	-	-	-	-	468,559.09
Proceeds from Investments	-	-	-	-	-	-	-	-	-
Payment for Investments	-	-	-	-	-	-	-	-	-
Net cash used in investing activities	37,066.36	142,126.33	247,901.17	126,759.88	92,881.20	176,637.61	14,858.51	105,063.93	392,828.62
Cash flows from financing activities									
Repayment of borrowings	4,443.64	-	-	-	8,973.21	47,162.91	-	-	-
Proceeds from borrowings	-	-	-	-	-	-	-	-	-
Net cash from (used in) financing activities	4,443.64	-	-	-	8,973.21	47,162.91	-	-	-
Net increase/(decrease) in cash held	518,774.88	324,568.66	1,191,915.27	455,509.08	486,250.67	707,123.89	108,071.85	36,665.25	289,459.60
Cash at beginning of reporting year	7,993,200.13	7,474,425.25	7,149,856.59	8,341,771.86	7,886,262.78	8,372,513.45	7,665,389.56	7,557,317.71	7,593,982.96
Cash at end of reporting year	7,474,425.25	7,149,856.59	8,341,771.86	7,886,262.78	8,372,513.45	7,665,389.56	7,557,317.71	7,593,982.96	7,883,442.56

17.3.2 Request for Donation - Campania District High School*File Ref:* 22/012

AUTHOR EXECUTIVE ASSISTANT (K BRAZENDALE)

DATE 19TH APRIL 2013ATTACHMENT: Refer letter dated 14th March 2013**ISSUE**

Council to consider making a donation to Campania District High School for the attendance of students at the Global Young Leaders Conference.

DETAIL

Refer attached letter.

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

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

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

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION**Submitted for Consideration****C/13/04/131/19319 DECISION**

Moved by Clr D F Fish, seconded by Clr B Campbell

THAT Council make a contribution of \$200.00 towards the two students attending the Global Young Leaders Conference.

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 A O Green	
√	Clr J L Jones OAM	



Campania District High School

2 Union Street, CAMPANIA TAS 7026

Ph (03) 6260 4133 Fax (03) 6260 4341

Email: campania.district.high@education.tas.gov.au



14th March, 2013
Mr. Tony Bisdee, Mayor Southern Midlands Council
71 High Street
OATLANDS
TAS 7120

SOUTHERN MIDLANDS COUNCIL

Rec'd 15 MAR 2013
File no. Comm Serv Gen
Doc. ID

Dear Mr. Tony Bisdee,

We were informed in January 2013 that we had been successful in our nominations to attend the Global Young Leaders Conference later in the year. The Global Young Leaders Conference is an outstanding opportunity for young scholars to delve into the diplomatic, social and economic lessons of the past, explore the policies of the present and prepare for a position of leadership in the future.

The GYLC is run by the Congressional Youth Leadership Council, an independent, educational organization and is not affiliated with any political party or the United States Federal Government. The GYLC takes place in one of three international areas, those areas being, the United States, China and Europe. Scholars select which country they would like to attend the GYLC in when enrolling for this brilliant opportunity.


The conference includes seminars on global relations, conflict resolution and diplomacy, as well as incorporating various aspects of the area's culture. For instance, if a scholar chose to attend the GYLC in the United States they would spend the first five days in Washington, attending seminars and visiting cultural icons, such as the Smithsonian Institution. The last five days would be spent in New York City, being taught about global economy and coalition building as well as absorbing the sights and sounds of a cosmopolitan metropolis.

The experiences available in Europe and China are equally stimulating and educational. Also, we have the option to extend our experience by participating in a post-program add-on of four days. This would be extremely beneficial to our cultural awareness and education.

We would be grateful for any support or assistance you would be able to provide toward the costing of our trip. Enclosed is a sample schedule provided by the Congressional Youth Leadership Council.

Yours faithfully,


Chloe Bailey and Julie Xiong


Anna Viney
Principal

18. INFORMATION BULLETINS

Refer enclosed Bulletin dated 19th April 2013.

Information Bulletin dated 4th April 2013 and 12th April 2013 circulated since previous meeting.

RECOMMENDATION

THAT the Information Bulletins dated 4th, 12th and 19th April 2013 be received and the contents noted.

C/13/04/133/19320 DECISION

Moved by Clr B Campbell, seconded by Clr M Connors

THAT the Information Bulletins dated 4th, 12th and 19th April 2013 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 B Campbell	
√	Clr M Connors	
√	Clr D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

18.1 QUESTION TIME (COUNCILLORS)

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

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

1. Masonic Lodge – Plumbing issue (noting this is not a Council Building) – Acting General Manager will ask the Plumbing Inspector to follow this up, as it is covered under the Drainage Act
2. PopUp Businesses – Private Enterprise
3. Seniors Day – October 2013 (Clr B Campbell to put a proposal together for Council to consider)
4. Asbestos from Community and Council Halls - Acting General Manager advised that Council currently has a register with this information and that register does comply with the current legislation
5. Horfield Court, Bagdad intersection with Midlands Highway entrance requires a tidy up – Acting General Manager advised that he would follow this up with DIER and the Mgr Works & Services
6. Official opening of the new Bridge Elderslie Road – wording for plaque to be prepared and ordered - Acting General Manager to provide details to the next Council meeting
7. Church Road intersection update – currently at the design stage - Acting General Manager to provide a report to the next meeting
8. Mangalore Pony Club and German Shepard Club correspondence update – the Acting General Manager advised the following;
 - That he had met with the German Shepherd Club representatives to determine their needs.
 - He then flagged two grounds for their consideration, Parattah Recreation Ground and Mangalore Recreation Ground.
 - The Club preferred Mangalore Recreation Ground.
 - The Acting General Manager met with the District Commissioner of the Pony Club, who use the Mangalore Recreation Ground to talk through the possibilities
 - From that came a joint meeting between the Pony Members and the German Shepherd Club Members

- The outcome of that meeting was agreement for the German Shepherd Club and the Pony Clubs to work together on the site
 - The Acting General Manager will follow-up with the establishment of a Recreation Ground Management Committee for Mangalore
 - Cllr Tony Bantick agreed to Chair the meetings
9. Midlands Highway, Mangalore block still being cleaned by current user – the Acting General Manager provided an update to the meeting and advised that it is work in progress
10. DIER Stormwater Grange Road – Manager Works and Technical Service to follow up and report back to the next meeting
11. High Street, Oatlands Stone wall and fence laying on footpath area – the Acting General Manager advised that Council Building Compliance Officer (Shane Mitchell) has discussed this with the owner of property and written to them to have it remedied

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 NATIONAL SEA HIGHWAY –SUBMISSION BY THE NATIONAL HIGHWAY COALITION

Clr J Jones raised the matter of the National Sea Highway and the submission prepared by the National Highway Coalition, titled “*Towards a True National Highway - Bridging the gap across Bass Strait – The Case for Economic Equity*” He spoke about the proposal and the equity issues surrounding the need to progress the matter. Clr Jones advised that the project is being driven by, amongst others, the Mayor of Devonport Steve Martin

C/13/04/136/19321 DECISION

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

THAT Council support Devonport City Council in its endeavours to progress the matter of equity across Bass Strait for the movement of goods, service and people.

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 A O Green	
√	Clr J L Jones OAM	

20.2 LGAT MAGAZINE ARTICLE BY ALLAN GARCIA

Clr D Fish referred Councillors to the article attached titled *Red Tape Conundrum* in the Chief Executive Officer's Report in the LGAT magazine

C/13/04/137/19322 DECISION

Moved by Clr D F Fish, seconded by Clr A O Green

THAT Council write in support of Mr Allan Garcia's article in LGAT Magazine March 2013 edition.

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 A O Green	
√	Clr J L Jones OAM	

chief executive officer report



Red Tape Conundrum

ALLAN GARCIA, CHIEF EXECUTIVE OFFICER
Local Government Association of Tasmania

It is wise and timely for governments to occasionally take a step back and look at the controls they have created and the resultant regulatory environment in which business and community members alike absolutely swoon.

Both the State Government and the Opposition have come out strongly advocating a platform of reducing red tape to stimulate business activity and kick start the economy. This is a great initiative but what must be remembered is how we got here. Case law, public liability, disasters, accidents, coronial enquires and a litany of other quasi judicial processes have effectively required governments to respond to events at a particular point in time to ensure whatever dreadful event occurred is not repeated.

Often this requires legislation or a suite of regulations and can create imposts such as proof of identity or qualification, the necessity to obtain professional or expert advice or inputs, masses of forms to allow for rigorous assessment of claims or intentions, and a seeming constant repetition of the need to fill out name, address and date of birth.

When the financial crisis of the naughties took place, there were swift moves around the world by governments to sure up the financial institutions and protect the future integrity of financial markets and instil confidence in the general public. In isolation, there are generally very good reasons for each and every one of these 'initiatives' or 'safeguards' but, when lumped together, they frustrate business and confuse members of the public.

That there is a desire to review and seek to reduce this frustration and confusion is applauded but much of this so called red tape and the more fashionable green tape (a reference to conservation related regulation) has been driven by specific or cumulative events and it will take some effort to unwind some of the requirements and be able to maintain adequate safeguards and integrity.

It would seem that the business sector itself has a major role to play in identifying alternatives to some of the requirements currently in place. Global influences through insurance arrangements and national agendas make some areas almost untouchable but there are significant opportunities to streamline processes and activities as long as the matter of risk is well considered and there is a preparedness to share some of this risk.

Self-regulation and third party accreditation have a place but there must be adequate controls and integrity in the system. We don't have to look too far back to see how things can quickly get out of hand when we consider the major failure of the Tasmanian Compliance Corporation in regulating the building and construction industry.

These review processes create a major opportunity and a challenge for governments and businesses alike, and while welcomed, surely it would be more pragmatic to have a regular review process to assess the impacts of the cumulative process rather than the individual initiative. I am sure that there will be much activity and debate in this space in the coming months and Local Government will be a target – even though it administers, not controls, a series of regulatory areas. To the extent that there is a desire to wind back some of the assessment and control process, Local Government welcomes the debate and is more than ready to participate.

Despite some views to the contrary, Local Government supports economic development and spends much effort facilitating such activity while balancing its regulatory responsibilities to ensure that the interests of all members of the community are considered and respected. No-one likes red tape and if we can assist in its reduction or removal, then we are for that.

20.3 CORRESPONDENCE RECEIVED FROM MR DICK ADAMS MP – TV CHANGEOVER

It was resolved that Clr A O Green as Chairman of the Southern Waste Strategy Authority would write back to Mr D Adams MP, informing him of the campaign for the digital changeover waste points for old televisions.

20.4 CORRESPONDENCE SENT TO DEPUTY MAYOR M JONES OAM REQUESTING A BIKE TRACK AT OATLANDS.

Deputy Mayor M Jones OAM has received numerous letters from junior members of the Oatlands Township in support of a bike jump facility in Oatlands. The Acting General Manager advised that he would prepare a response letter for the Deputy Mayor to send.

C/13/04/139/19323 DECISION

Moved by Deputy Mayor M Jones OAM, seconded by Clr B Campbell

THAT these letters be referred to the Southern Midlands Facilities and Recreation Committee.

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 A O Green	
√	Clr J L Jones OAM	

20.5 LGAT - SALE OF MEETING ROOM TABLE

Mayor A E Bisdee OAM has been informed that the board room table currently at the LGAT office is being sold. He suggested that Council purchase this for the meeting room at Oatlands with the old table being relocated upstairs to the Town Hall for use/storage. Mayor A E Bisdee OAM believes that the 14 chairs will be included with the table.

C/13/04/140/19324 DECISION

Moved by Deputy Mayor M Jones OAM, seconded by Clr B Campbell

THAT Council make the offer of \$1,500.00 to purchase the table and fourteen chairs.
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 A O Green	
√	Clr J L Jones OAM	

RECOMMENDATION

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

C/13/04/140/19325 DECISION

Moved by Clr B Campbell, 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 B Campbell	
√	Clr M Connors	
√	Clr D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

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.

**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**

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/13/04/145/19328 DECISION

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

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 B Campbell	
√	Clr M Connors	
√	Clr D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

RECOMMENDATION

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

C/13/04/145/19329 DECISION

Moved by Clr J L Jones OAM, seconded by Clr B Campbell

THAT Council endorse the decision 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 B Campbell	
√	Clr M Connors	
√	Clr D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

22. CLOSURE 4.18 P.M.