

**MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS
COUNCIL HELD ON WEDNESDAY 28TH AUGUST 2013 AT THE MUNICIPAL
OFFICES, 85 MAIN STREET, KEMPTON COMMENCING AT 10:00 A.M.**

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ENCLOSED

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

Enclosures

Enclosure 1	Local Government Board Review
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Enclosure 3	Development Application Oatlands Tourism Directional Leaf Signs
Enclosure 4	Representation to DA
Enclosure 5	Proposed Amendments to the Southern Tasmanian Regional Land Use Strategy
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Enclosure 8	Draft Volunteer Policy
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Enclosure 10	Volunteer Induction Handbook
Enclosure 11	Volunteer WH&S and Risk Management Handbook
Enclosure 12	Minutes of the Mangalore Recreation Ground Management Committee 18 TH July 2013
Enclosure 13	Minutes of the Mangalore Recreation Ground Management Committee 15 TH August 2013
Enclosure 14	Complete set of Financial Statement 2012/2013 Financial Year

MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD ON WEDNESDAY 28TH AUGUST 2013 AT THE MUNICIPAL OFFICES, 85 MAIN STREET, KEMPTON COMMENCING AT 10:00 A.M.

OPEN COUNCIL MINUTES

1. PRAYERS

Mrs Christine Knight conducted Prayers.

At the commencement of the meeting, Council formally acknowledged the recent passing of former Councillor, Mr T G (Graeme) Raphael. Mr Raphael was a Councillor with the previous Municipality of Oatlands from March 1980 to 1993, then with the Southern Midlands Council from April 1993 to October 1996.

It was also acknowledged that Mr Cyril Laidlaw and Mr Neil Manning (both Councillors of the previous Richmond Council) had recently passed away.

2. ATTENDANCE

Mayor A E Bisdee OAM, Deputy 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 and Clr J L Jones OAM.

In Attendance: Mr T Kirkwood (General Manager), Mr A Benson (Manager – Community and Corporate Development), Mr D Cundall (Planning Officer), Mr S Mitchell (Building Compliance Officer / Plumbing Inspector) and Mrs C Pennicott (Finance Officer).

3. APOLOGIES

Nil.

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 17th July 2013, as circulated, are submitted for confirmation.

C/13/08/005/19417 DECISION

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

THAT the Minutes of the previous meeting of Council held on the 17th July 2013, as circulated, be confirmed.

CARRIED.

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

5.2 SPECIAL COUNCIL MINUTES

Nil.

5.3 SPECIAL COMMITTEES OF COUNCIL MINUTES

5.3.1 Special Committees of Council - Receipt of Minutes

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

- Audit and Risk Committee – Meeting held 18th July 2013
- Audit and Risk Committee – Meeting held 15th August 2013

RECOMMENDATION

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

C/13/08/006/19418 DECISION

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

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

CARRIED.

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

5.3.2 Special Committees of Council - Endorsement of Recommendations

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

- Audit and Risk Committee – Meeting held 18th July 2013
- Audit and Risk Committee – Meeting held 15th August 2013

RECOMMENDATION

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

C/13/08/007/19419 DECISION

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

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

CARRIED.

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

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

5.4.1 Joint Authorities - Receipt of Minutes

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

- **Southern Tasmanian Councils Authority** – Minutes of the Meeting held 22nd July 2013
- **Southern Waste Strategy Authority** - Nil

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

RECOMMENDATION

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

C/13/08/008/19420 DECISION

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

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

CARRIED.

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

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

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

36A. Annual reports of authorities

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

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

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

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

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

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

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

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

36B. Quarterly reports of authorities

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

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

(a) a statement of its general performance; and

(b) a statement of its financial performance.

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

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

RECOMMENDATION

THAT the reports received from the Joint Authorities be received.

DECISION

DECISION NOT REQUIRED

6. NOTIFICATION OF COUNCIL WORKSHOPS

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

It is reported that no Council workshops have been held since the last ordinary meeting of Council.

RECOMMENDATION

THAT the information be received.

C/13/08/011/19421 DECISION

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

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	

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

- Business Process Improvement – Service Requests (Item 20.1)
- “Lock The Gate Alliance” – Documentary DVD – Coal Seam Gas Mining - Availability (Item 20.2)
- Closed Session (Item 21.2)

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/13/08/012/19422 DECISION

Moved by Clr D F Fish, seconded by Deputy Mayor M Jones OAM

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

8. DECLARATIONS OF PECUNIARY INTEREST

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

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

The following declaration was recorded

Clr J L Jones OAM - Item 17.3.3 Rural Alive & Well – Request for Rate Remission

9. PUBLIC QUESTION TIME (SCHEDULED FOR 12.30 PM)

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

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

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

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

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

No questions were raised by members of the public.

9.1 PERMISSION TO ADDRESS COUNCIL

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

- 10.45 am – Mineral Resources Tasmania (DIER) – Mr Ben Waining will attend the meeting to explain the process relating to an application for a Mining Exploration Licence; what this enables the applicant to undertake as part of this initial approval; and what subsequent processes are involved to undertake further works etc.

Copy of presentation made available to Council.

- 11.00 am Australian Bureau of Statistics presentation on the last Census data relevant to Southern Midlands

Copy of presentation made available to Council.

- 12.00 noon Tasmania Police – Sergeant Robert King

General discussion of policing issues within the Southern Midlands Council area.

- 12.25 pm Liberal Party – Lyons Representative - Mr Eric Hutchinson

General discussion of election issues relating to the forthcoming election. Mr Hutchinson outlined some community based grant funding programs (i.e. Mobile Phone ‘dead spots’ and Solar Energy).

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

10.1 COLONEL NELL ESPIE – FORMAL RECOGNITION

Clr D F Fish has submitted the following Notice of Motion:

“THAT Council agree ‘in-principle’ to establishing an appropriate tribute (e.g. sculpture or similar) in recognition of Colonel Nell Espie AM, RRC, FRCNA”.

Background Comments (provided by Clr D F Fish)

Councillors would be fully aware of Colonel Nell Espie’s history and achievements. Appropriate steps should be taken to formally recognise her status and contributions made to the local community and well beyond.

This Motion is the first step to progressing the idea of constructing a sculpture (or similar). It is acknowledged that further discussion is required in relation to design; location; and funding sources. It is my belief that such a project would attract public donations, in addition to a cash contribution from Council.

General Managers’ Comments:

The following information has been extracted from the Department of Premier and Cabinet’s Website (Tasmanian Honour Roll of Women). Colonel Espie was entered on the Roll in 2006.

Colonel Nell Espie, AM, RRC, FRCNA, was born in Oatlands and trained as a nurse through the 1940s. After a number of years nursing, Nell was able to fulfil her ambition to be an Army nurse when the Korean War broke out.

She was commissioned as a Lieutenant with the Royal Australian Army Nursing Corps (RAANC) and posted to Ingleburn, NSW, in 1951. She went on to be a Ward Sister and Charge Sister in Japan, Korea, Duntroon, Malaya, Queensland and Victoria. In 1969 Nell became Matron of the Australian Field Hospital, Vung Tau in South Vietnam. She describes this position as the most rewarding experience of her career.

In the course of a distinguished career Nell was promoted through the ranks to Captain, Major, Lieutenant Colonel, Colonel Director of Nursing Services – Army, Queens Honorary Nursing Sister, and in 1980, Honorary Colonel and Representative Honorary Colonel, RAANC. By the time she was discharged from the Army in 1981, after 30 years’ service, she was Matron in Chief of the RAANC and Director of Army Nursing.

After her retirement, Nell continued to take a very active role in the RAANC Association. She established a state branch in Tasmania, serving as National President from 1990 to 1994 and became a Life Member in 1997.

Nell has been a driving force behind many committees such as the Florence Nightingale Trust, of which she is still an active member. She has worked tirelessly to assist many veterans, war widows and dependants in obtaining their entitlements through the Department of Veteran Affairs.

Nell has received many awards both during her military career and since her retirement in 1981. Her Australian honours include a National Medal (1977), Royal Red Cross (1978), Member of the Order of Australia (1992), and the Centenary Medal in 2001.

Her long-time involvement with the Returned and Services League of Australia (RSL), Oatlands Sub-Branch (over 50 years), has seen her serve as their Treasurer (1983-87) and President (1988-2004). She was made a Life Member of the RSL in 1995 and received a Meritorious Service Medal in 2004.

C/13/08/017/19423 DECISION

Moved by Clr D F Fish, seconded by Deputy Mayor M Jones OAM

THAT Council agree ‘in-principle’ to establishing an appropriate tribute (e.g. sculpture or similar) in recognition of Colonel Nell Espie AM, RRC, FRCNA

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	

10.2 SOUTHERN MIDLANDS COUNCIL – REVIEW INTO THE NUMBER OF ELECTED MEMBERS

Clr J L Jones OAM has submitted the following Notice of Motion:

“THAT Council advise the Local Government Board that following further consideration of this matter, the Southern Midlands Council does not wish to progress with a reduction in the number of elected members.”

Background Comments (provided by Clr J L Jones OAM)

In submitting this Motion, reference is made to the following documents:

- The preliminary report prepared by the Local Government Board (copy attached – Enclosure 1) which in the summary indicates a conclusion with a range of 8 to 9; and
- The recent Community Satisfaction Survey 2013 (Section 2.2 – copy attached – Enclosure 2) coordinated by the Local Government Association of Tasmania.

Comment will be provided at the meeting in respect to these documents.

General Managers’ Comments:

Council, at its meeting held 22nd August 2012, resolved as follows:

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

Consistent with this decision, Council’s view to reduce the numbers was conveyed to the Local Government Board at the time of requesting the review.

In considering this Motion, it is important to note the following provision within the Local Government (Meeting Procedures) Regulations 2005:

“18. Motion to overturn decision

(1) A council or council committee must not overturn a decision passed at a previous meeting held since the last ordinary election, except –

(a) by a resolution of an absolute majority, in the case of a council; or

(b) by a resolution of a simple majority, in the case of a council committee.

(2) Any advice given to a council in respect of a proposed motion to overturn a resolution is to include advice as to whether or not –

(a) the original resolution directed that certain action be taken; and

(b) that action has been wholly or substantially carried out.”

DECISION (ABSOLUTE MAJORITY REQUIRED)

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

THAT Council advise the Local Government Board that following further consideration of this matter, the Southern Midlands Council does not wish to progress with a reduction in the number of elected members.

THE MOTION WAS PUT AND LOST

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 M Connors left the meeting at 10.45 a.m.

Council Presentation:

Mineral Resources Tasmania (DIER) – The Director of Mines (Mr Kim Creak) and Geologist (Mr Ben Waining) attended the meeting to explain the process relating to an application for a Mining Exploration Licence; what this enables the applicant to undertake as part of this initial approval; and what subsequent processes are involved to undertake further works etc.

Copy of presentation made available to Council.

The meeting was suspended for morning tea at 11.30 a.m.

Presentations followed morning tea:

- 11.45 a.m. Tasmania Police – Sergeant Robert King

General discussion of policing issues within the Southern Midlands Council area.

- 12.25 p.m. Liberal Party – Lyons Representative - Mr Eric Hutchinson

General discussion of election issues relating to the forthcoming election. Mr Hutchinson outlined some community based grant funding programs (i.e. Mobile Phone ‘dead spots’ and Solar Energy).

Lunch was followed by the above presentation:

- 1.15 p.m. Australian Bureau of Statistics presentation on the last Census data relevant to Southern Midlands

Copy of presentation made available to Council.

2.00 p.m. Council then proceed to an on-site inspection at East Bagdad Road.

C/13/08/020/19424 DECISION

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

THAT the meeting be reconvened at 2.45 p.m. and proceed to Item 12.12 ‘Officer Reports – Works & Technical Services (Engineering)’

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 D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

12.12 OFFICER REPORTS – WORKS & TECHNICAL SERVICES (ENGINEERING)

12.12.1 Manager - Works & Technical Services Report

File Ref: 3/075

AUTHOR MANAGER – WORKS & SERVICES

DATE 23rd AUGUST 2013

ROADS PROGRAM

Maintenance grading is continuing in the Melton Mowbray and Inglewood Road areas, with other general maintenance as required.

BRIDGE PROGRAM

Nil

WASTE MANAGEMENT PROGRAM

All Waste Transfer Stations are operating with no issues.

TOWN FACILITIES PROGRAM

Footpath improvement works in Campbell Street, Oatlands.

Grange Road, Kempton (right hand side) – quote to be tabled to install kerb & gutter and construct adjoining footpath which would extend from the junction with Station Street through to last house on right.

WORKS SERVICES PROGRAM

2013/14 Capital Works Program

Included with this Agenda is a copy of the 2013/14 Capital Works Expenditure Report (Enclosure 6) which has been expanded to include an indicative timeframe for when the actual works will be undertaken. Colour codes have been used to indicate whether the project involves internal day labour resources, contract or a combination of tender.

Councillors will note that the aim is to call tenders for the road reconstruction / resealing program in late September.

In relation to the Road Reseal and Capital Resheeting programs, the attached draft schedule is proposed (Enclosure 7), noting the need to confirm exact distances (and cost estimates):

Councillors will also note that a joint on-site inspection (i.e. bus tour) has been recommended to discuss and confirm the preferred renewal option for the Swanston Road Bridge (Date to be agreed).

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

Roads Program – Maintenance Grading – Den Road and Lovely Banks Road.

Town Facilities – High Street, Oatlands (Streetlights) – follow-up outstanding replacements; Midland Highway, Bagdad (Walking Track _ weed spraying has been scheduled.

Footpath / Kerb - Grange Road, Kempton – proceed with full reconstruction at an estimated cost of \$12,000 – to be allocated from \$50,000 Capital Works Program Budget Allocation.

Bus Tour – Scheduled for Tuesday 10th September 2013 departing Oatlands at 10.00 a.m.

RECOMMENDATION

THAT the information be received.

C/13/08/022/19425 DECISION

Moved by Clr C J Beven, seconded by Clr B Campbell

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 D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

The meeting was suspended at 3.00 p.m. to conduct a Citizenship Ceremony and the meeting reconvened at 3.35 p.m.

12.13.2 Tenders – Supply of Backhoe (Replacement for Units 8 & 22)

File Ref:

AUTHOR WORKS COORDINATOR – OATLANDS (C WHATLEY)
DATE 23rd AUGUST 2013

ATTACHMENT: Nil.
ENCLOSURE: Nil.

ISSUE

Council to consider tenders received for the supply of two Backhoes (including trade-ins) to replace Units 8 and 22.

BACKGROUND

Unit 8 (Ford New Holland Backhoe/Loader) and Unit 22 (JCB Backhoe/Loader) were purchased in August 2003 and August 1999 respectively. They have a current book value (residual value) of \$30,000 and \$40,000. The backhoes were due to be replaced in 2010 and 2007, based on Council's current replacement policy of 7 years for this class of machinery.

Note: Whilst tenders were invited to replace both backhoes, it is now recommended that only one machine be purchased at this point of time. This is primarily due to a recent staff retirement which provides an opportunity to review work practices; and the likelihood that a second machine would do an insufficient number of hours to warrant the capital outlay at this stage.

It is proposed to replace Unit 8 only which is based at the Kempton Depot.

DETAIL

Tenders were received from seven different suppliers (11 different Models), and with the exception of Hitachi, included trade-in offers. One tender was received for direct sale.

Supplier	Description	Price (excl GST)	Trade-In (excl GST)	Balance (excl GST)
D&L Morrison	B90B	\$131,823	\$25,000	\$106,823
D&L Morison	B110B	\$147,423	\$25,000	\$122,423
GCM Agencies (Sydney Based)	MST542	\$132,800	\$30,000	\$102,800
Farm Machinery TAS	Case 580ST Power Shift	\$151,300	\$20,910	\$130,390
Farm Machinery TAS	Case 580ST Power Shuttle	\$138,800	\$20,910	\$117,890
William Adams	CAT 432F	\$172,000	\$22,000	\$150,000
Komatsu	WB97R	\$148,950	\$24,000	\$124,950
JF Machinery	JCB 3CX Site Master	\$123,990	\$30,000	\$93,990
JF Machinery	JCB 3CX Classic	\$146,376	\$30,000	\$116,376
JF Machinery	JCBB 3CX Elite	\$155,056	\$30,000	\$125,056
Hitachi	315SK	\$153,000	No Trade	\$153,000
Rob Sawford			\$19,200 Purchase Only	

Based on an assessment of the tenders, particularly in relation to the prepared specifications and warranty considerations, the tender submitted by Komatsu is the preferred option with a total changeover of \$124,950.

Komatsu also offer free scheduled servicing up to 2,000 hours and ‘Komtrax’, which is a live satellite monitoring system.

Human Resources & Financial Implications – The combined budget for the replacement of this Unit was \$120,000.00 (i.e. net changeover). The balance of \$4,950 will be funded from the Plant Replacement Reserve.

Community Consultation & Public Relations Implications – N/A.

Policy Implications – N/A

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

THAT Council accept the Tender submitted by Komatsu for the supply of a new Backhoe Loader, including trade-in allowance, being a net changeover of \$124,950.00.

C/13/08/025/19426 DECISION

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

THAT Council accept the Tender submitted by Komatsu for the supply of a new Backhoe Loader, including trade-in allowance, being a net changeover of \$124,950.00.

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 D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

12.13.3 Tenders – Purchase of 3.50 Tonne Excavator*File Ref:*

AUTHOR WORKS COORDINATOR – OATLANDS (J LYALL)
 DATE 22nd AUGUST 2013

ATTACHMENT: Nil.
 ENCLOSURE: Nil.

ISSUE

Council to consider tenders received for the supply of a 3.5 tonne Excavator.

BACKGROUND

An allocation of \$60,000 was included in the 2013/14 Capital Budget to purchase a new 3.50 tonne Excavator (with rubber tracks). The main purpose of purchasing this type of machine is to enable Council to increase its focus on the roadside drainage program, however it is suitable for a range of other projects and activities. It is viewed as a more efficient machine when compared to a backhoe.

DETAIL

Five quotes were obtained from local Tasmanian businesses for the supply of a new 3.5 tonne Excavator.

The following is a summary:

Supplier	Description	Price (excl GST)	Trade-In (excl GST)	Balance (excl GST)
Komatsu	PC35MR-3	\$64,700	N/A	\$64,700
Caterpillar	303.5E	\$73,900	N/A	\$73,900
Kubota	U35-4	\$65,000	N/A	\$65,000
D&L Morrison	E35SRM	\$61,055	N/A	\$61,055
Onetrak	Hyundai 35Z-9	\$64,000	N/A	\$64,000

Based on an assessment of the quotes received, particularly in relation to the prepared specifications and warranty considerations, the tender submitted by Komatsu is the preferred option (total purchase price of \$64,700).

This machine is also fitted with the 'Komtrax' live satellite monitoring system.

Human Resources & Financial Implications – The allocated budget was \$60,000. Balance of \$4,700 to be funded from the Plant Replacement Reserve.

Community Consultation & Public Relations Implications – N/A.

Policy Implications – N/A

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

THAT Council accept the Quote submitted by Komatsu for the supply of a new Excavator (Model PC 35MR-3) at a cost of \$64,700.00.

C/13/08/027/19427 DECISION

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

THAT Council accept the Quote submitted by Komatsu for the supply of a new Excavator (Model PC 35MR-3) at a cost of \$64,700.00.

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 D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

12.13.4 Tenders – Supply of Wheel Loader (Replace Unit 21)*File Ref:*

AUTHOR WORKS COORDINATOR – OATLANDS (J LYALL)
 DATE 22 AUGUST 2013

ATTACHMENT: Nil.
 ENCLOSURE: Nil.

ISSUE

Council to consider tenders received for the supply of a replacement Wheel Loader for Unit 21 (including trade-ins).

BACKGROUND

Unit 21 (Dresser 510B Loader) was purchased in 1987 by the previous Brighton Council and ownership transferred to the Southern Midlands Council in April 1993, as part of the amalgamation process (i.e. apportionment of assets).

Whilst the original purchase price was unknown, it was valued at \$55,000 in 1993. Its current written down book value is \$22,848.

DETAIL

Tenders were received from seven different suppliers (9 different Models), and with the exception of Hitachi, included trade-in offers. Two tenders were received for direct sale.

Supplier	Description	Price (excl GST)	Trade-In (excl GST)	Balance (excl GST)
One Track	Hyundai 730-9	\$149,636.63	\$19,800.00	\$129,836.63
One Track	Hyundai 740-9	\$162,785.21	\$19,800.00	\$142,985.21
JF Machinery	Doosan	\$174,000.00	\$26,000.00	\$148,000.00
Hitachi		\$174,000.00	No Trade	\$174,000.00
Farm Machinery Tas	Case 621F	\$194,600.00	\$20,910.00	\$173,690.00
Farm Machinery Tas	Case 712F	\$224,200.00	\$20,910.00	\$203,290.00
D&L Morris	W110B New Holland	\$164,566.00	\$25,000.00	\$139,566.00
Komatsu	WA250 PZ	\$227,500.00	\$18,000.00	\$209,500.00
William Adams	924HQ	\$232,750.00	\$13,000.00	\$219,750.00

	Caterpillar			
MA & EA Downward	515B		\$12,000.00 Purchase	
Garry Hill	515B		\$17,500.00 Purchase	

Based on an assessment of the tenders, particularly in relation to the prepared specifications, and in this case the significant variance in price, the tender submitted by JF Machinery is the preferred option (total changeover of \$148,000).

This recommendation is subject to the outcome of an onsite demonstration and evaluation of the Loader.

Human Resources & Financial Implications – The budget for the trade of this Unit was \$22,848.00, with \$250,000 being allocated for the new item.

Community Consultation & Public Relations Implications – N/A.

Policy Implications – N/A

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

THAT Council accept the Tender submitted by JF Machinery for the supply of a new Loader, including trade-in allowances, being a net changeover of \$148,000.00.

C/13/08/029/19428 DECISION

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

THAT Council accept the Tender submitted by JF Machinery for the supply of a new Loader, including trade-in allowances, being a net changeover of \$148,000.00.

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 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 Signage (Tourist Directional Signs) in the Historic Precinct Special Area, in High St and Barrack St, Oatlands.

File Reference: T5843357

APPLICANT: Southern Midlands Council
LAND OWNER: Southern Midlands Council
REPORT AUTHOR: David Cundall (Planning Officer)
DATE: 22nd August 2013

ATTACHMENTS:

- 1. Development Application - Oatlands Tourism Directional ‘Leaf Signs’ (Enclosure 3)*
- 2. Representation (Enclosure 4)*

THE PROPOSAL:

The Applicant Southern Midlands Council are seeking approval to erect a series of seven (7) free-standing signs in the High St and Barrack St area (see attached map for location of signs). The signs are intended to provide directions for tourists and visitors ‘on-foot’ but also have some scope to guide motorists to car-parking, amenities and the ‘Visitor Information Centre’.

Two temporary examples of the signs were placed in their intended locations on the High St at the entrance to Mill Lane and adjacent to the Dulverton St Junction.

The signs are proposed to be 400mm wide and 1200mm high and constructed of ordinary signage steel on a hidden internal steel frame. At this stage the signs are proposed to be sited on a concrete or possibly sandstone plinth.

The graphics for the signs are in the attached Development Application.

THE SITE

The location of the signs are on the attached Development Application map.

THE APPLICATION

The applicant has provided a completed standard application form and provided a sign design, written description and a location map.

THE PLANNING SCHEME ASSESSMENT

Use/Development Definition

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

Zoning

The signs are located in the Commercial Activity Zone and the Residential Zone.

Commercial Zone

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

Residential Zone

This zone is also found in Oatlands and recognises land, used or has the potential to be used, primarily for housing development.

Current Use of the Land

The land is used for car-parking, public open spaces and public footpaths and walkways in the road reserve.

The proposal is considered an appropriate use/development of the land given that it is intended to give direction and information to visitors and tourists in the immediate area. It is not considered to conflict with the zoning of the land given the minimal impact and pragmatism of the signs on land that is already used and dedicated to the public.

Statutory Status

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

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

Extract SMPS 1998

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

Public Notification and Representation

The application was advertised, and all adjoining owners notified on the 22nd June 2013 for the statutory 14 day period. Two temporary examples of the proposed signs were also installed to attract comment from interested parties.

One (1) representation was received. The representation received expressed concern for the impacts on the Historic Precinct of Oatlands, streetscape amenity and the overall necessity of further signage in the township. The representor suggested improvements to the proposed signs and in forming a different approach to directing tourists and attracting tourists and visitors alike to spend more time in Oatlands. The representor has given a detailed and well thought submission to the Council on this Development Application and other related matters.

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**

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

**T F KIRKWOOD
GENERAL MANAGER**

Further Officer Response

The Planning Officer and the Manager of Strategic Projects Mr Damian Mackey (acting on behalf of the Council as landowner and applicant for the project) had a meeting with the representor to further discuss the Development and the matter of signage and tourism in Oatlands. By all accounts it was a successful meeting that raised numerous issues with attracting tourists and visitors to the town and finding ways to encourage visitors to spend more time in the township and appreciate the many sites, shops and attractions.

Historic Precinct Special Area: Development Standards

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

Standards Schedule 6.4 (b):

Signs within a Historic Precinct Special Area should be developed in accordance with the following 10 principles.

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

The signs ‘G’ (Mill Lane) and ‘D’ (Adjacent Dulverton St) are in close proximity to heritage listed places.

It would be suggested that any approvals for further signage at the Mill Lane entrance is somehow consolidated/incorporated into less signs as part of this approval. It is recognised that there is a necessity to have signs in this location given that it is a primary access to the Callington Mill historic site and the Visitor Information Centre (given also these sites do not have road frontage and somewhat rely on signage to direct passing traffic).

The signs are certainly not intended to interfere with the visual qualities of the streetscape as they are intended to attract more people to the town to appreciate the heritage streetscapes and qualities.

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

All signs are located in traditional locations for directional signs i.e. at intersections, accesses and street corners. The size of the sign is limited to what is appropriate for visitors ‘on-foot’.

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

The choice of colours on the signs offer some sympathy to the period of the historic area and site i.e. use of colours that blend and with the surroundings. They are arguably a better choice than bold bright regulatory traffic signs.

The graphics and font are modern type details that have been deliberately created for this type of campaign.

Although some may disagree with this font and design it is suited to the purpose of directing people and giving clear information to visitors. The use of the ‘I’ for information logo and the ‘P’ for Carpark logo are unavoidable as they are the internationally recognised logo for these facilities.

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

Not applicable. The sign does not have internal illumination.

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

Sign meets this criteria.

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

Not applicable.

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

The signs are free-standing and do not require affixing to a wall or building.

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

Though the font and mill graphics have been drafted by a professional graphic designer to provide consistency between the signs and related publications they are not considered ‘corporate logos’. The purpose of the signs is for the public good and tourist directions. They are not to sell a particular product or service for a corporation.

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

Not applicable.

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

Not applicable.

Schedule 6.4 (c):

Council shall not approve any sign that:

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

The proposal meets all of these essential criteria.

CONCLUSION

The applicant has applied to the Council as Planning Authority for approval to erect seven (7) signs in the historic precinct special area on Council land. The signs are for the

purpose of directing tourists and visitors to key sites and amenities in this part of the township.

The Development Application was advertised for the required statutory timeframe and included 2 examples of the signs in the High St for public comment. Only one person lodged a comment on the signs.

The applicant had taken the opportunity to seek public feedback on the type of signs from a public relations point of view and to try meet the standards of the Southern Midlands Planning Scheme. It would be fair and reasonable that any comments received could be assessed by both Council acting as Planning Authority and as the applicant acting in the public interest.

The signs have been assessed against the relevant standards of the scheme. The design and graphics on the proposed signs need to be considered in light of their location and use as pedestrian directional signs for better use of Oatlands streets and parking areas.

RECOMMENDATION

THAT, in accordance with the provisions of the Southern Midlands Planning Scheme 1998 and section 57 of the Land Use Planning & Approvals Act 1993, Council approve the application for Signage (Tourist Directional Signs) in the Historic Precinct Special Area, in High St and Barrack St, Oatlands with the following conditions:

CONDITIONS

General

- 1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
- 2) The signs are to include the distance in metres to the denoted attraction where appropriate.

The following advice applies to this permit:

- A. The applicant shall consider consolidating the signage at the entrance to Mill Lane where possible.
- B. This permit does not imply that any other approval required under any other legislation has been granted.

C/13/08/040/19429 DECISION

Moved by Clr A O Green, 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 application for Signage (Tourist Directional Signs) in the Historic Precinct Special Area, in High St and Barrack St, Oatlands with the following conditions:

CONDITIONS*General*

- 3) 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.
- 4) The signs are to include the distance in metres to the denoted attraction where appropriate.

The following advice applies to this permit:

- C. The applicant shall consider consolidating the signage at the entrance to Mill Lane where possible.

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

CARRIED

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

11.2 SUBDIVISIONS

Nil.

11.3 MUNICIPAL SEAL (PLANNING AUTHORITY)**11.3.1 COUNCILLOR INFORMATION:- MUNICIPAL SEAL APPLIED UNDER DELEGATED AUTHORITY TO SUBDIVISION FINAL PLANS & RELATED DOCUMENTS***File Ref: (Refer PID numbers in table below)***AUTHOR** PLANNING OFFICER (D CUNDALL)
DATE 22ND AUGUST 2013**APPLICATION OF MUNICIPAL SEAL**

The following final plans and related documents, pertaining to subdivisions, boundary adjustments and adhesion orders, etc. within Southern Midlands have had the Municipal Seal applied by the Manager Development & Environmental Services in the period 20th June 2013 to the 22nd August 2013.

Owner	PID	Address	Description	Date
C J McElwee	2765074	147 Main Street, Kempton	4 Lots plus Balance and Part 5 Agreement for Design Guidelines	1 st August 2013
G S Scott	5839673	2928 Woodsdale Rd, Woodsdale	Seal Applied to Adhesion Order as requested by the LTO for previously submitted Survey Plan	26 th July 2013
A L & R J Berry , A L Levy	7563316	Pritchards Lane, Dysart	Part 5 Agreement – construction of an ancillary dwelling	1 st August 2013

RECOMMENDATION

THAT the information be received.

C/13/08/042/19430 DECISION

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

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 D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

11.4 PLANNING (OTHER)**11.4.1 Progression towards a new Southern Midlands Planning Scheme***File Ref:* 9/084**AUTHOR** MANAGER STRATEGIC PROJECTS (D MACKEY)
DATE 20TH AUGUST 2013**ENCLOSURE** 1. Proposed Amendments to the Southern Tasmania Regional Land Use Strategy 2010-2035, 9 August 2013. (Enclosure 5)**ATTACHMENTS** 2. Correspondence from the Minister for Planning, 5 June 2013.
3. Correspondence from Tasmanian Planning Commission, 5 June 2013.**1. BACKGROUND**

Southern Midlands Council, along with the other eleven Southern Tasmanian Councils, is participating in the Southern Tasmania Regional Planning Project - a joint project with the State Government. The overall aim is to overhaul the land use planning system in the region.

The Regional Planning Project concluded the first major phase of its work in October 2011, being the delivery of the Southern Tasmania Regional Land Use Strategy to the Minister for Planning. Following endorsement by all twelve Southern Councils in mid-October 2011, the Minister formally declared it to be a statutory *Regional Strategy* in October that year.

The key aspect of a declared Regional Strategy is that new planning schemes in the region must be consistent with it.

The second major output of the Regional Planning Project is the suite of contemporary and consistent planning schemes, one for each of the twelve Councils. The Regional Project has been working with all Councils to achieve this in a cooperative way.

All new planning schemes in the State will have to be based on the State's Planning Scheme Template for Tasmania. However, the Template only provides the 'bare bones' of planning schemes. This includes the 'mechanical provisions', a standard layout and structure, most of the definitions and standard zone names and their purpose statements.

The State Template 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. A large portion of the future consistency and commonality between planning schemes will come from the Regional Model Scheme.

There is also the ability for individual Councils to include specific local provisions to take account of unique aspects within each local area. 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 Government 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’ will be the heritage precinct provisions.

2. PLANNING SCHEME PUBLIC CONSULTATION & PROCESS FORWARD

The twelve Southern Councils put their proposed planning schemes out for informal public consultation together. The consultation period ran from 1 June and until 12 July 2013.

Submissions were received by both the Regional Planning Project and the Councils.

Some of the issues raised are relevant only to an individual Council - ‘local issues’ – whilst others are ‘regional issues’.

Southern Midlands will need to consider and determine its local issues, whilst all twelve Southern Councils will need to collectively consider and resolve the regional issues.

The key regional issues are being workshopped by the regional Technical Reference Group (planners from each of the twelve Councils) in the week beginning 19 August, with the aim of achieving an agreed draft resolution of the regional issues at officer level. A draft regional assessment report will then be provided to each Council for consideration and endorsement. It is envisaged this will occur as each Council resolves its local-level issues.

The intention is that all the issues arising from the public consultation will be resolved by

the end of September and the Regional Model Scheme Provisions amended accordingly. This will enable each Council to finish their proposed planning schemes and formally submit them to the Minister for Planning.

It is acknowledged that, in the event a Council does not agree with a proposed regional resolution, it ultimately may resolve to submit its draft interim planning scheme to the Minister with a variation to the regional model provisions. In such an event, the Council will be required by TPC assessment officers to justify the variation.

It is proposed that an elected member workshop be scheduled to consider the submissions, prior to the next Council meeting. This will include local issues particular to Southern Midlands as well as regional issues relevant to Southern Midlands.

3. THE INTERIM SCHEME PATHWAY

Since August last year, all Councils have been considering which statutory pathway they should pursue to bring their new planning schemes into effect.

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 as 'draft interim planning schemes'. The Minister has continued to emphasise this expectation in correspondence to Councils.

It is noted that the 'traditional' 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 planning 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 Regional Planning Project Steering Committee has now resolved to encourage all Councils to pursue the interim planning scheme pathway, whilst noting this is an individual decision for each Council to make. This resolution largely derived from consideration of the letters received from the Minister and the Tasmanian Planning Commission on 5 June 2013 (refer **Attachment 2** and **Attachment 3**).

The Committee also resolved to impress upon Councils the importance of all Councils pursuing the same pathway. The 'worst case scenario' in terms of achieving the overall planning system reform objectives of the project would be for various Councils within the region to take different pathways.

The Committee recommendations have been passed on to the twelve Southern Councils via the STCA Board at its meeting of 22 July.

The STCA Board resolution was as follows:

The Board note the recommendation of the Regional Planning Project Steering Committee that the draft planning schemes proceed on the interim planning scheme pathway, (acknowledging that this is an individual Council's decision), noting the additional information from the State in the above-mentioned letters, particularly the following:

- (i) *“The advice clarified that, whilst Councils have ‘administrative’ powers under LUPAA to prepare draft interim schemes, the Minister has a ‘legislative’ power assigned by Parliament to declare them.*

The Minister is therefore the responsible and accountable decision making authority and that any party seeking to challenge the legality of an interim scheme would, in effect, be testing this Ministerial power. The State Government would be responsible for defending any such action in the courts.”

and

- (ii) *“The Commission’s review of possible ‘active zoning’ examples provided by southern Councils confirmed the fundamental issue is the adequacy of document strategic planning information and evidence to justify zoning changes. The review showed that, in cases supported by well documented strategic information, the changes could be included in a proposed draft interim scheme. The review highlighted those changes where additional information was required.*

If there is no information provided, or there is clear inconsistency with the STRLUS or local strategy, it is unlikely the changes will be possible.”

The Board also noted the advice regarding the need for all Councils to adopt the same pathway, as follows:

Acknowledging that it is ultimately a decision for each Council to make, each Council should be aware that a fundamental aim of the Memorandum of Understanding of a high level of commonality between planning schemes in the region will be adversely impacted if some Councils proceed down the interim planning scheme pathway and others proceed down the traditional draft planning scheme pathway.

The key impact of pursuing the interim planning scheme pathway is that significant changes in proposed planning schemes cannot be inconsistent with the Regional Land Use Strategy, and must be well supported by local strategic planning where not clearly required by the Regional Strategy.

Council will need to determine which pathway to pursue at the time of formally endorsing its proposed scheme to be submitted to the Minister. It is recommended that

Council consider favouring the interim scheme pathway, given the Minister's expectations and the need to accord with the rest of the Councils in the region.

3. PROPOSED AMENDMENTS TO THE REGIONAL LAND USE STRATEGY

In early 2013 the Regional Planning Project Steering Committee recognised a need to proceed with a 'house-keeping review' of the Southern Tasmania Regional Land Use Strategy, (STRLUS).

The rationale for the review generally and for individual proposed amendments is provided in **Attachment 1: Proposed Amendments to the Southern Tasmania Regional Land Use Strategy 2010-2035, 9 August 2013.**

This document is now out for public consultation for a two week period.

The document has also been forwarded to Councils, as joint project sponsors, also for comment.

The more significant amendments are as follows:

- Amendment 1 (Acknowledging role of local strategy):
 - This provides a general statement making it clear that local strategic planning work has a role to play in informing the new planning schemes. In other words; it is not all up to the Regional Strategy, which only addresses matters of regional significance.
 - However, there is potential to go a step further and name the local strategies that Councils wish to rely upon for changes within the new interim schemes.
 - The TPC has made it clear that such strategies would need to have been subject to public consultation, not be inconsistent with the Regional Land Use Strategy and be formally endorsed by the relevant Council.
 - It is recommended that Council submit that the local and subregional strategic planning it has undertaken be specifically mentioned within the Regional land Use Strategy. These are:
 - The Joint Land Use Planning Initiative work, both Stage 1 and Stage 2 and including the Bagdad Mangalore Structure Plan.
 - The Oatlands Integrated Development Strategy.
- Amendment 2 (Biodiversity – recognition of local policy differences)

- This acknowledges that local policy should play a role in determining how and to what extent a Council chooses to recognise and protect biodiversity values within its planning scheme, on behalf of its citizens.
- This is particularly the case by virtue of the fact that the State has not provided a clear state-wide policy direction on this matter.
- Amendment 3 (Geodiversity – removal from the Regional Strategy)
 - This removes the need for Councils to recognise and protect geodiversity values within planning schemes.
 - Again, there is no clear policy direction from the State Government on this issue.
 - Furthermore, the owners of proposed listed sites on private land have not been afforded any process to contest their listing - (for example, as owners of proposed heritage listed properties are).
- Amendment 21 (Allocation of the Rural Living Zone):
 - The initial strategic intention of STRLUS was that the amount of Rural Living is not to substantively increase in these new planning schemes.
 - The remains the strategic intention.
 - The proposed wording needs to ensure this.
 - Is the wording tight enough?

An amendment that has not been proposed, but potentially could be put forward, is a statement recognising that ‘special communities’ are unable to be foreshadowed within the Regional Strategy, but that this should not necessarily preclude a planning scheme amendment. Examples might include a sustainable rural living community complex, a Highland Lakes trout fishing village, a residential aeropark.

The timeframe and key steps for the amendment process are as follows:

June / July:	Development of a draft amendment document setting out the proposed amendments and their rationale. This was done with input from the Project’s Technical Reference Group & the steering committee, and with high level advice from an independent planning consultant.
10 August	Commencement of a 2 week public consultation process.
23 August	Close of the public consultation process.
September	Receipt of comments from Councils.

- September Preliminary assessment of comments received.
- An independent planning consultant will review the preliminary assessment of comments.
- Issues may need to be workshopped with the Technical Reference Group prior to finalising proposed amendments and supporting documentation.
- This stage may also involve further consultation with individual Councils.
- Early Oct The draft amendments will be considered by the Project Steering Committee for endorsement before forwarding to the Minister for Planning for consideration. The document will be accompanied by a report prepared by an independent consultant detailing the proposed amendments, the reasons for them and the outcomes of the public consultation process.

At the 22 July STCA Board meeting, the STCA Board endorsed the above process for the amendment of the Regional Land Use Strategy, including the intention that the project steering committee sign-off on the final amendment document for submission to the Minister for Planning.

4. FUTURE OF THE REGIONAL PLANNING PROJECT

The continuation of the Regional Planning Project remains subject to ad-hoc short-term funding agreements between State and Local Government.

The current funding arrangement will see the Project through to September 2013. By this stage it is anticipated that the following will be completed:

- Resolution reached with the 12 Councils on the regional issues arising from the public consultation process on the draft planning schemes.
- Amendments to the Regional Land Use Strategy completed to final draft stage and forwarded to the Minister for Planning.

The Regional Planning Project will then cease to exist in its current active form and the Project Manager will return to Southern Midlands Council on a full time basis.

The TPC has recently advised the STCA that it has set aside \$30,000 for each of the three Regional Planning Projects for the remainder of the current financial year, on the basis that it is matched dollar-for-dollar by local government.

The STCA Board has referred the matter to its Governance & Audit Committee to consider the issue.

It is envisaged that after the formal lodgement of the draft schemes there will be a period of some months during which the TPC officers will be internally assessing the schemes and there will be no significant role for a regional planner / regional coordinator.

However, sometime in the first half of 2014 it is likely TPC officers will wish to liaise with the twelve southern councils collectively on the regional aspects of the Southern schemes. This would be greatly facilitated by a regional planner / regional coordinator.

It will likely not be until the 2014/2015 financial year that a full-time regional planner would be needed. This is considered essential for the public hearings. The resourcing of such a position would need to be the subject of further discussions between the State and Local Government.

5. PROPOSED BUDDHIST CULTURAL PARK

A significant proposed development that would not fit within any of the proposed amendments to the Regional Strategy is the proposed Buddhist Cultural Park at Tea Tree Road.

This was discussed as a potential amendment to the Regional Strategy, but was considered by the Project Steering Committee to be too substantive, and that it should proceed down a planning scheme amendment pathway.

Certainly, a planning scheme amendment process would ensure any interested parties have the opportunity to be involved in a specific statutory process, and have their views formally heard at the TPC public hearing. It would also resolve a significant concern Council has arising from the limitations of the interim planning scheme mechanism.

It is therefore proposed that Council pursue, as soon as possible, a planning scheme amendment to the current Southern Midlands Planning Scheme 1998 to create a special zone that would essentially make the proposed use and development of the Buddhist Cultural Park discretionary - rather than prohibited as it currently is.

However, before Council can formally resolve to pursue this initiative, a detailed report will need to be prepared and submitted to a future Council meeting.

6. BAGDAD MANGALORE STRUCTURE PLAN RECOMMENDATIONS

In addition to amending the current planning scheme to seek to create a Buddhist Cultural Park special zone, consideration needs to be given to initiating an amendment to implement the full range of recommendations within the Bagdad Mangalore Structure Plan, (BMSP)

Whist Council has received preliminary advice from Tasmanian Planning Commission officers that the BMSP might be considered necessary to implement the Regional Land Use Strategy, subject to additional information being supplied; this may not be the view of other TPC officers charged with assessing the Draft Interim Southern Midlands Planning Scheme.

As Councillors will recall, about eighteen months ago Council was advised by the TPC that the proposed amendment pertaining to one of the BMSP recommendations (at Black Brush Road) has been rejected. However this was primarily on the grounds that the BMSP constitutes an holistic vision, and should not be implemented piecemeal.

A planning scheme amendment for all of the BMSP recommendations would resolve this concern.

Furthermore, as with the Buddhist Cultural Park proposal, a planning scheme amendment process would ensure any interested parties have the opportunity to be involved in a specific statutory process and have their views formally heard.

It would also resolve a major proportion of the concerns Council has with pursuing the interim planning scheme pathway.

Again, before Council can formally resolve to pursue such an amendment, a detailed report would need to be prepared and submitted to a future Council meeting.

RECOMMENDATION

THAT:

- A. A Councillor workshop be held to consider the submissions received during the informal public consultation on the proposed Southern Midlands Planning Scheme. The workshop date to be(Councillors to determine)**
- B. Council make a submission to the Regional Planning Project regarding the proposed amendments to the Southern Tasmania Regional Land Use Strategy as follows:**
 - (i) Local and subregional strategic planning should be specifically mentioned within the Regional land Use Strategy. These are:**

- **The Joint Land Use Planning Initiative work, both Stage 1 and Stage 2 and including the Bagdad Mangalore Structure Plan.**
 - **The Oatlands Integrated Development Strategy.**
- (ii) **Council supports the proposed changes to the provisions pertaining to biodiversity, acknowledging that local policy must be allowed to play a role in determining how, and to what extent, an individual Council recognises and protects such values within its planning scheme on behalf of its citizens.**
- (iii) **Council supports the proposed deletion of the need to recognise and protect geodiversity values, which is considered to be premature in the absence of a clear State policy position and liaison with individual landowners potentially impacted.**
- (iv) **Council supports the proposed amendments to the provisions pertaining to the spatial allocation of the Rural Living Zone, noting that the changes should retain the Strategy’s intent of restricting the significant expansion of this use within the short term (i.e. within the proposed new planning schemes).**
- C. Council note that a report will be prepared and submitted to a future Council meeting seeking to initiate a planning scheme amendment to the current Southern Midlands Planning Scheme 1998 to create a special zone that would make the proposed use and development of the Buddhist Cultural Park at the site at Tea Tree Road discretionary.**
- D. Council note that a report will be prepared and submitted to a future Council meeting seeking to initiate a planning scheme amendment to the current Southern Midlands Planning Scheme 1998 to implement the recommendations of the Bagdad Mangalore Structure Plan.**

C/13/08/052/19431 DECISION

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

THAT:

- A. A Councillor workshop be held to consider the submissions received during the informal public consultation on the proposed Southern Midlands Planning Scheme. The workshop date to be Monday 16 September, 10:00 am to 4:00 pm, at the Council offices, Kempton.
- B. Council make a submission to the Regional Planning Project regarding the proposed amendments to the Southern Tasmania Regional Land Use Strategy as follows:

(i) If local and subregional strategic planning documents are to be specifically mentioned within the Regional Land Use Strategy, Council requests the following be listed with respect to the Southern Midlands:

- The Joint Land Use Planning Initiative work, both Stage 1 and Stage 2 and including the Bagdad Mangalore Structure Plan.
- The Oatlands Integrated Development Strategy.

(ii) Council supports the proposed changes to the provisions pertaining to biodiversity, acknowledging that local policy must be allowed to play a significant role in determining how, and to what extent, an individual Council recognises and protects such values within its planning scheme on behalf of its citizens. To this end, it is submitted that the word ‘significant’ should be added

(iii) Council supports the proposed deletion of the need to recognise and protect geodiversity values, which is considered to be premature in the absence of a clear State policy position and liaison with individual landowners potentially impacted.

(iv) Council supports the proposed amendments to the provisions pertaining to the spatial allocation of the Rural Living Zone, noting that the changes should retain the Strategy’s intent of restricting the significant expansion of this use within the short term (i.e. within the proposed new planning schemes).

C. Council note that a report will be prepared and submitted to a future Council meeting seeking to initiate a planning scheme amendment to the current Southern Midlands Planning Scheme 1998 to create a special zone that would make the proposed use and development of the Buddhist Cultural Park at the site at Tea Tree Road discretionary.

D. Council note that a report will be prepared and submitted to a future Council meeting seeking to initiate a planning scheme amendment to the current Southern Midlands Planning Scheme 1998 to implement the recommendations of the Bagdad Mangalore Structure Plan.

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 D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

Hon Bryan Green MP

DEPUTY PREMIER

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15 Murray Street, HOBART TAS 7000 Australia
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Alderman Damon Thomas
Chairman
Southern Regional Planning Steering Committee
GPO Box 503
HOBART TAS 7001

Dear Alderman 

I am pleased to acknowledge the significant progress being made by southern Councils and your Steering Committee with the release of draft interim planning schemes for informal public comment by all 12 southern Councils.

This is a substantial achievement and testimony to the leadership and commitment of the Steering Committee, the Regional Project Manager, the Technical Reference Group and the 12 Councils.

I understand that the Steering Committee has set the end of September 2013 as the target date for Councils to review comments received, finalise their draft interim schemes and formally submit them to me. This is a timely date as the Government has provided additional resources to the Tasmanian Planning Commission to provide advice to me and have interim schemes declared as soon as practical in 2014.

I also understand some Councils may be receiving advice to submit their draft schemes through Division I of the *Land Use Planning and Approvals Act 1993* (LUPAA) rather than Division IA and the interim scheme process.

In this regard, I confirm my firm view that draft schemes be submitted in accordance with the interim scheme process in Division IA.

While I appreciate possible concerns some Councils may have with this process, the Government committed to the Regional Planning Initiative and the Memorandum of Understanding with the Southern Tasmanian Councils Authority and southern Councils on the basis of interim planning schemes being declared and gazetted before being formally assessed by the Commission. The Parliament also passed amendments to the *Land Use Planning and Approvals Act 1993* in 2010 to facilitate this process, including conduct of the public exhibition, representation and hearing process after declaration of interim schemes.

I am committed to work with local government to have interim schemes declared for every Council in each of the three regions.

Declaration of consistent and contemporary interim schemes provides a more timely and certain outcome for Councils and the community than the normal scheme review process. Interim schemes also deliver the benefits of planning reform without undue delay.

I also want to acknowledge and clarify matters that have arisen as a result of legal advice provided to the Commission in relation to interim schemes.

Most importantly, the legal advice confirmed that the declaration of an interim scheme, in accordance with the requirements of LUPAA, is legally binding. Declaration of the Launceston Interim Planning Scheme in October 2012 and its subsequent successful operation clearly demonstrates this. If, in the unlikely event, a party seeks to challenge the validity of an interim scheme, the Government is in a strong position to vigorously respond to such an action.


Similarly, in relation to legal advice on zoning and other strategic changes in draft interim schemes, I can report that the experience in the northern region is that there are generally a limited number of matters identified as a consequence of the advice. The experience also shows that these matters are not insurmountable if there is strategic information documented to justify such changes.

In this regard, I understand that the Steering Committee intends to request a 'housekeeping' review of STRLUS to address some issues that have arisen in the course of preparing draft schemes. I look forward to receiving the request and progressing such a review as quickly as possible. It is important that such a review not delay completion of draft interim schemes beyond September 2013.

Accordingly, I look forward to the continuing commitment of your Steering Committee and Councils to planning reform and receiving draft interim planning schemes in September 2013.

Finally, I understand that the Steering Committee is currently in dialogue with the Commission on a proposed work program for 2013/14. I look forward to receiving the final document for consideration as soon as possible.

Yours sincerely



Bryan Green MP
Minister for Planning

TASMANIAN PLANNING COMMISSION

Our ref:
Officer:
Phone:
Email: enquiry@planning.tas.gov.au

5 June 2013

Mr David Hunn
Joint Chief Executive Officer
Southern Tasmanian Councils Authority
GPO Box 503E
HOBART TAS 7001



Dear Mr Hunn

Following your recent request, I am pleased to provide further confirmation of the Commission's position in relation to its legal advice on the interim planning scheme process, including so-called 'active zonings' and other strategic changes in draft interim schemes.

The centrepiece of the advice confirmed an interim scheme, declared by the Minister in accordance with the requirements of the *Land Use Planning and Approvals Act 1993* (LUPAA), is legal and enables the interim scheme to be operational from the date of gazettal.

The advice clarified that, while Councils have 'administrative' powers under LUPAA to prepare draft interim schemes, the Minister has a 'legislative' power assigned by Parliament to declare them.

The Minister is therefore the responsible and accountable decision making authority and that any party seeking to challenge the legality of an interim scheme would, in effect, be testing this Ministerial power. The State Government would be responsible for defending any such action in the courts.

The next important point is that the Minister can only declare an interim scheme that complies with LUPAA, acting on 'reasonable' advice from Councils and the Commission.

The Commission's letter dated 26 August 2012 outlined that the scope of this 'reasonable' advice is based on the purpose of the interim planning scheme process outlined at s.30A of LUPAA and reads as follows:

The purposes of this Division are –

- (a) to ensure greater consistency between planning schemes within regional areas; and
- (b) to ensure greater consistency between planning schemes across the State as a whole –

Including by ensuring that there are regional land use strategies for all regional areas of the State.

The implementation of statewide and regionally consistent interim schemes is at the core of the Regional Planning Initiative and the Memorandum of Understanding signed by the Government, the STCA and southern Councils.

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This involves a variable degree of change from the current planning schemes. Some planning schemes will require a higher degree of change than others through the implementation of the State Policies, Planning Directives, the Southern Tasmania Regional Land Use Strategy (STRLUS) and the Southern Regional Model Planning Scheme Template. These changes are appropriate and consistent with the process envisaged under Division 1A of LUPAA.

Where there are changes to zonings beyond that considered as a translation to the suite of zones under the statewide Template, the change will need to be 'reasonably necessary' to be consistent with and further the objectives and outcomes of the STRLUS. This is reflected in s.30E(6) of LUPAA.

There are many instances where the policies in the STRLUS would call upon local or sub-regional strategies to deliver the desired outcomes. Local or sub-regional strategies are therefore appropriate for the delivery of the finer-grained outcomes as envisaged by the STRLUS.

We understand that there will be some local and sub-regional strategies that pre-date the STRLUS. For those still relevant, we would expect them to have been picked up by the STRLUS to bring them forward into this new regime. If this is not the case, the proposed review of the STRLUS could be a means to address this.

This scope is not different to that referred to in the Memorandum of Understanding which noted the development of 'local and sub-regional planning strategies' that must be 'consistent with the regional land use strategy'.

The Commission's review of possible 'active zoning' examples provided by southern Councils confirmed the fundamental issue is the adequacy of documented strategic planning information and evidence to justify zoning changes. The review showed that, in cases supported by well documented strategic planning information, the changes could be included in a proposed draft interim scheme. The review also highlighted those changes where additional documented information was required.

If there is no information provided, or there is a clear inconsistency with the STRLUS or local strategy, it is unlikely that changes will be possible.

The Commission's advice in relation to proposed draft interim schemes submitted by northern Councils provides a practical example of how the legal advice has been implemented. The Commission's advice can be accessed on its website and may be of assistance in further demonstrating how the legal advice has been applied.

The key message is that documented strategic justification is required to support 'active zoning' changes.

I hope this clarifies the situation. I would be pleased to brief the STCA Board and/or the Technical Reference Group if this would assist the region in understanding the implications of the Commission's legal advice.

Yours sincerely



Greg Alomes
EXECUTIVE COMMISSIONER

12. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)

12.1 ROADS

Strategic Plan Reference – Page 13

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

Nil.

12.2 BRIDGES

Strategic Plan Reference – Page 14

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

Nil.

12.3 WALKWAYS, 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.

12.6.1 Tas Water - Tunbridge Water Supply Upgrade (Information Only)

File Ref:

AUTHOR GENERAL MANAGER

DATE 21st AUGUST 2013

ATTACHMENT: Nil

ENCLOSURE: Nil

ISSUE

To inform Council that Tas Water will be upgrading Tunbridge’s water to a fully treated drinking supply.

BACKGROUND

Nil.

DETAIL

Tas Water has confirmed that the Tunbridge township supply will be upgraded to a fully treated drinking supply. This decision follows its community engagement program conducted since November 2012.

Human Resources & Financial Implications – The capital cost of the project, approximately \$1.70 million, will be funded by Tas Waters’ capital works budget.

After completion of the project, Tunbridge customers will pay the standard rate of \$0.9474 (2014/15) per kilolitre which is applied for all fully treated potable water supplies. This compares to the current rate of \$0.7579 cents per kilolitre for the current standard of supply.

Community Consultation & Public Relations Implications – Tas Water has received strong community and state government support for this option as it provides the township with a long-term, sustainable drinking water supply which meets Tasmanian public health standards. 92% of responses received favoured a fully treated supply; 5% supported the option of irrigation water only; and 3% was neither.

Council Web Site Implications: N/A

Policy Implications – N/A

Priority - Implementation Time Frame – It is anticipated that project construction will commence in the first half of 2014.

RECOMMENDATION

THAT the information be received.

C/13/08/060/19432 DECISION

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

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 D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

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 Project Officer's Report

File Ref: 3/097

AUTHOR MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)
DATE 23rd AUGUST 2013

ISSUE

Southern Midlands Heritage Projects – report from Manager Heritage Projects

DETAIL

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

- SMC's application to the Regional Forestry Agreement funding program for funding to allow HESC to develop a package of re-training programs for former forestry workers was unsuccessful.
- Preparation for Development Application for works to the Commissariat and 79 High Street.
- Jen is progressing write-ups of the summer archaeology programs 2011-13.
- Continued liaison with student projects.
- Review of the Southern Midlands Council Historic Heritage Strategy 2009-13 is continuing. The SMC Heritage Program annual report for 2012-13 will be presented to next meeting for information.
- Oatlands Court House amenities block is nearing completion.
- The program of HESC courses for July-December has been released and a promotional program has commenced. Curriculum development is continuing

with external partners. A Heritage Skills Taster Day program (3 days) will be run in late October in partnership with the National Trust.

- Heritage Building Solutions is leading the conservation program at Willow Court, New Norfolk, as a consultancy for Derwent Valley Council in partnership with XSquared Architects.

RECOMMENDATION

THAT the information be received.

C/13/08/064/19433 DECISION

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

THAT the information be received.

CARRIED

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr B Campbell	
√	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 20TH AUGUST 2013

ISSUE

Southern Midlands Landcare Unit and GIS Monthly Report

DETAIL

- Bushlinks 500 project. The end of the financial year project progress report and financial audited statement has been sent to the Australian Government.
- The CEEP (Community Energy Efficiency Program) Project to retrofit the Town Hall for energy efficiency is progressing with the end of financial year progress report and audited financial statement having been submitted, and confirmed as accepted, by the Australian Govt.
- Maria Weeding has been continuing working with the Parks and Wildlife Service to compile an Operational Plan for the management of the Midlands Water Scheme water for Lake Dulverton.
- Maria and Helen Geard have been undertaking annual maintenance and replacement tree planting on the Lake Dulverton foreshore and Dulverton Walking Track. Some community members have also been assisting with the task. To date around 600 plants (combination of sags and tussocks) have been placed on a fragile bank adjacent to the Mannings block together with about 10 Euc pauciflora plants. Around 40 new plants have been placed at two new sites and about 25 replants have been placed. There is only the section on the ‘Parattah’ straight that is outstanding in respect of any replants being needed. This area will be checked in the next fortnight.
- The gas energy and biochar grant that was submitted to the *Tasmanian Forests Intergovernment Agreement – Economic Diversification Fund* was unsuccessful in

securing funds. The plan is to take the details of the project to the Southern Waste Strategy Authority to see if the project can be progressed through further support from this source.

- Two funding applications have been prepared for submission at the end of August. One is for further weed control works on the Dulverton Walking Track and one application is for Mahers Point Cottage works.
- Public comment submissions in respect of the Lake Dulverton and Dulverton Walkway Action Plan (Draft) Edition 3 and the Callington Park Action Plan (Draft) Edition 1 are due by Monday 26th August. Comments will initially be considered by the Lake Dulverton and Callington Park Management Committee with a recommendation being made to Council regarding any changes thought to be necessary to the plans. These will need to be considered prior to requesting Council endorse a final version of the plans.
- Graham Green has taken leave for the month of August.

RECOMMENDATION

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

C/13/08/066/19434 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 D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

Clr J L Jones OAM left the meeting at 4.35 p.m. and returned at 4.40 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. |

Nil.

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

14.4.1 SHIPPING CONTAINERS BEING USED AS SHEDS WITHOUT APPROVALS

AUTHOR PLUMBING INSPECTOR AND COMPLIANCE OFFICER (S MITCHELL)

DATE 22ND AUGUST 2013

ISSUE

This report is provided for general information and to enable Councillors to have a greater understanding of Council's legal obligations in respect of shipping containers used as sheds. It is envisaged that ratepayers may take the opportunity to contact their elected representatives in relation to this matter following a visit from a Council Officer and therefore this information pre-arms Elected Members with the facts.

Shipping containers are required to have Council approval for their use as a shed under the *Building Act 2000* and the *Land Use Planning and Approvals Act 1993*.

Shipping Containers are classified as buildings under the *Building Act 2000*. Council Officers are required to act in accordance with this legislation and must respond appropriately when presented with a proposal to place a shipping container on land or when a shipping container has been placed on land without obtaining the appropriate approvals first.

Un-approved shipping containers require Council's attention for many reasons:

- Council is required to enforce the relevant building and planning legislation.
- Land-owners and users are potentially at risk of action by Council or other land-owners for un-approved building works.

- Land-owners are faced with difficulty and complications during the sale of land if there is un-approved building on site.
- Un-approved containers present a high risk to land-users (especially children) as they are not designed or intended to be used as a permanent shed. They have not been certified or approved as safe buildings in accordance with the Building Code of Australia.
- Land use and development must be in accordance with the Planning Scheme and the standards of the relevant zone. This relates to the siting of the building and quite possibly its aesthetic appearance in the townships. Buildings must not be constructed over service easements or pose a risk or threat to other land users.

BACKGROUND

It has become apparent that property owners are using shipping containers as sheds on their land without obtaining Council approvals first.

Council Officers have been enforcing this matter when it is brought to their attention.

The reaction from the people who are the recipients of this action have all said ‘well why are you picking on me and what about everybody else who have these containers?’ and my response is always ‘I will get to everybody else eventually’.

The fact that these questions are being asked by members of the public confirms to Council Officers that many people are either unaware that they require Council Approval or they are assuming that Council is not enforcing the matter.

PROPOSAL or SOLUTION

The issue is finding a way to deal with these un-approved buildings in a fair and equitable manner acknowledging the fact that some land-owners may be unaware or have been misinformed about the requirements for the use of a shipping container on their land.

The proposal is that Council officers actively engage in a program of search and seek out these containers and process them accordingly. This is opposed to the ad hoc approach of waiting for them to come to us.

It is proposed that the program start with the towns first and then move into the country areas. This is considered to be the most logistically practical approach. It is envisioned that once Council begin this program that the community will become better informed of their obligations to seek approval from Council first.

It is intended that the deliberate actions of Council Officers to better enforce the relevant legislation will not only give land owners a legal position on the rights and use of these containers but tidy them up aesthetically especially in the towns where they may need painting or works or even relocation.

Councillors should also be aware there are some exemptions for the use of shipping containers where they are associated with an approved use of the land (i.e transport depot, storage yard or where they are used in association with the shipping goods) or where written approval from Council has been sought for the use of the container during building of an approved dwelling.

CONCLUSION

This report is provided to Councillors of Council's legal obligations to act on shipping containers placed on land without Council approval. Officers must act in accordance with the *Building Act 2000* and the *Land Use Planning and Approvals Act 1993*.

The issues and potential risks to Council and landowners have been detailed in this report to explain and justify the necessity for Council Officers to carry-out a deliberate approach to enforcing building compliance and explain some of the rationale behind the relevant laws.

It is recognised that some members of the community may be unaware of their obligations under the Building and Planning Acts and therefore this item is placed on the Council Agenda to best inform the Councillors and to inform the community.

RECCOMENDATION

THAT

- 1. The information be received and noted; and**
- 2. An article be prepared for the Southern Midlands News as well as the next Council newsletter to provide an understanding in the Community of the requirements in respect of shipping containers used as sheds.**

C/13/08/070/19435 DECISION

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

THAT:

- a) The information be received and noted;
- b) A further report be prepared for the next meeting which considers ‘fee-related’ options (if any) to encourage appropriate and timely actions; and
- c) Following consideration of the above report, an article be prepared for both the Southern Midlands News and Council Newsletter to provide an understanding in the community of the requirements in respect of shipping containers used as sheds.

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 D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

Clr C J Beven left the meeting at 4.50 p.m. and returned at 4.53 p.m.

Clr A R Bantick left the meeting at 5.00 p.m.

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.

Nil.

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.

15.5.1 PROPOSED SOUTHERN MIDLANDS COUNCIL POLICY - VOLUNTEERS

AUTHOR MANAGER, COMMUNITY & CORPORATE DEVELOPMENT (A BENSON)

DATE 21ST AUGUST 2013

- ENCLOSURES**
- A. Draft Volunteer Policy (Enclosure 8)
 - B. SMC Volunteer Supervisor’s Handbook (Enclosure 9)
 - C. Volunteer Induction Handbook (Enclosure 10)
 - D. Volunteer WH&S and Risk Management Handbook (Enclosure11)

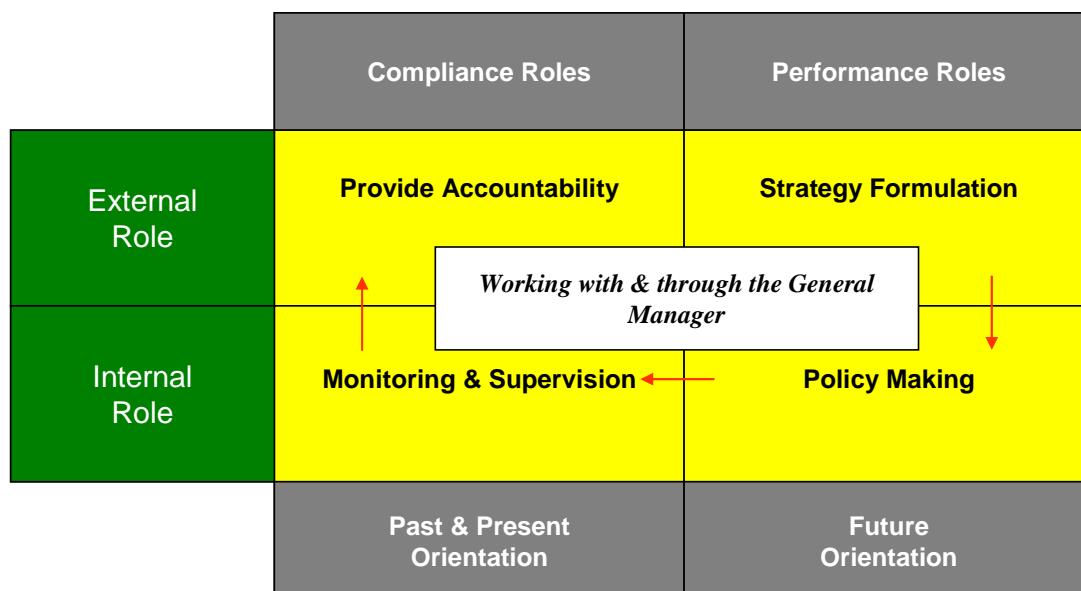
ISSUE

Consideration of a Volunteer Policy and associated documents

BACKGROUND

FRAMEWORK FOR ANALYSING COUNCIL’S GOVERNANCE FUNCTION

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



This framework has been drawn from Professor Robert Tricker's work on International Governance, where he developed the model in the figure above which clarifies the twin responsibilities of conformance and performance Tricker, R., International Corporate Governance: Text Readings and Cases, New York: Prentice Hall, 1994, p.149.

DETAIL

Having a volunteer policy provides a foundation for Council's volunteering programs. It sets out how Council will involve volunteers in a range of roles and functions across the local government spectrum, whilst ensuring Council and its officers understand their duty of care to the Volunteers.

This policy and its associated documents assist in:

- Clarifying volunteer roles and responsibilities
- Establishing values, beliefs and direction for volunteer involvement
- Ensuring continuity over time and from staff to staff
- Formalises current practice.

This document underpins volunteer management in Council by articulating

- How Council and its officers involve volunteers in the organisation's operations
- How Council protects Volunteer rights
- Who is responsible for managing volunteers
- The benefits of involving volunteers.

RECOMMENDATION

That Council

- 1 Receive and note the report;**
- 2 Receive the draft Volunteer Policy for consideration at the September 2013 Council meeting;**
- 3. Receive and note the SMC Volunteer Supervisor's Handbook**
- 4. Receive and note the Volunteer Induction Handbook**
- 5. Receive and note the Volunteer WH&S and Risk Management Handbook**

C/13/08/074/19436 DECISION

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

THAT Council

1. Receive and note the report;
2. Receive the draft Volunteer Policy for consideration at the September 2013 Council meeting;
3. Receive and note the SMC Volunteer Supervisor’s Handbook
4. Receive and note the Volunteer Induction Handbook
5. Receive and note the Volunteer WH&S and Risk Management Handbook

CARRIED

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

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.

15.8.1 MANGALORE RECREATION GROUND APPOINTMENT OF MANAGEMENT COMMITTEE AND THE CONSIDERATION OF A DECLARED TRAINING AREA FOR DOGS

AUTHOR MANAGER, COOMUNITY & CORPORATE DEVELOPMENT
(A BENSON)

DATE 21ST AUGUST 2013

ENCLOSURES A. Minutes dated 18th July 2013 (Enclosure 12)
B. Minutes date 15th August 2013 (Enclosure 13)

ISSUE

1. Council to formally appoint a Management Committee under s24 Local Government Act 1993 for the good governance and management of the Mangalore Recreation Ground
2. Council support the Mangalore Recreation Ground being declared as a “Training Area” under s21 Dog Control Act 2000

BACKGROUND

The site that fronts Blackbrush Road and known as the Mangalore Recreation Ground is a 4.04ha parcel of land (Certificate of Title 103352/1) that was vested in the Community. The Brighton & Southern Midlands Pony Club has used the Mangalore Recreation Ground as their home ground for Pony Club activities for approximately 25 years. Over the past five years the Brighton Equestrian Club has also used the grounds for their activities. Whilst there is a small building that the Pony Club use as their Club House (a Pony Club building), they do use the Mangalore Community Hall on the site as a meeting room. There are a set of toilets on the site and in recent years Council have channelled Commonwealth funds through the “Rudd Stimulus Package” and State Government funds, through Sport & Recreation Tasmania into the ground. The Pony Club has also been successful in two applications under the Southern Midlands Community Small Grants Program, for a site shed as well as a rounding yard.

An organisation called the High Performance Horse Club also use the site on occasions. Further, Council were recently approached by a dog training and obedience club called Tasshep Inc to see if there was an area in the Southern Midlands that they could use for their obedience training. The Manager Community & Corporate Development approached the Mangalore Recreation ground users and after some discussions there was agreement that the dog obedience sessions could be run at the ground and that they could use the ground as their home base. The Brighton division of Rural Youth also then “flagged” their interest in using the Mangalore Community Hall as a base for their future meetings. The B&SM Pony Club did have a lease over the ground, but that lease has since lapsed.

CURRENT

To ensure that all of the groups are catered for in their usage of the Mangalore Recreation Grounds it was felt that a Management Committee should be formed under the Special Committee provisions of the Local Government Act 1993 and that the Committee be called the Mangalore Recreation Ground Management Committee.

As Councillors can see from the attached Minutes of the Management Committee, dated 18th July 2013 and 15th August 2013 a good governance regime is in the process of being established. There are two issues that Council are required to address;

1. The formal appointment of a Management Committee; under s24 Local Government Act 1993 and
2. The declaration of Mangalore Recreation Ground as a dog training area under s21 Dog Control Act 2000

In respect to Item 1, the Committee;

[EXTRACT]

Local Government Act 1993

24. Special committees

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

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

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

As can be seen from the minutes a proposed Management Committee along with the proposed inaugural Office Bearers have been put forward and these details are submitted to Council for their consideration/adoption

- A. *That the Mangalore Recreation Ground Management Committee membership be made up of the following Committee Members, who were nominated to represent their respective organisations on the Management Committee*

<i>Maureen Reece</i>	<i>Brighton & Southern Midlands Pony Club Inc</i>
<i>Emma Anderson</i>	<i>Brighton & Southern Midlands Pony Club Inc</i>
<i>Kerrie Goudsouzian</i>	<i>Brighton Equestrian Club</i>
<i>Jessica Voss</i>	<i>Brighton Equestrian Club</i>
<i>Kerry Crlik</i>	<i>High Performance Club</i>
<i>Mike England</i>	<i>Tasshep Inc</i>
<i>Peter Batchelor</i>	<i>Tasshep Inc</i>
<i>Nathan Luca</i>	<i>Brighton Rural Youth</i>
<i>Tegan Lovell</i>	<i>Brighton Rural Youth</i>
<i>Clr Tony Bantick</i>	<i>Southern Midlands Council / Community Representative</i>
<i>Andrew Benson</i>	<i>Southern Midlands Council</i>
<i>Greg Hunt (proxy for AB)</i>	

- B. *That the inaugural Office bearers are*

<i>Chairman</i>	<i>Clr Tony Bantick</i>
<i>Vice Chairman</i>	<i>Kerrie Goudsouzian</i>
<i>Secretary</i>	<i>Andrew Benson</i>

In respect to Item 2, dogs in a Declared Area

[EXTRACT]

Dog Control Act 2000

Division 2 - Declared areas

20. Exercise areas

A council may declare an area to be an area where dogs may be exercised subject to any specified conditions.

21. Training areas

A council may declare an area to be an area where dogs may be trained subject to any specified conditions.

22. Prohibited areas

(1) A council may declare an area containing sensitive habitat for native wildlife to be an area where dogs are prohibited from entering.

(2) A person must not take a dog that is not a guide dog or a hearing dog into a prohibited area.

Penalty: Fine not exceeding 10 penalty units.

23. Restricted areas

(1) A council may declare an area to be an area where dogs, other than guide dogs or hearing dogs, are restricted from entering –

(a) during specified hours, days or seasons; or

(b) during specified hours, days or seasons unless they are on a lead.

(2) A person must not take a dog that is not a guide dog or a hearing dog into a restricted area otherwise than in accordance with the declaration.

Penalty: Fine not exceeding 5 penalty units.

24. Public notice of intention to declare areas

Before a council resolves to make a declaration under this Division in relation to an area, it is to –

(a) notify, by public notice, the details of –

(i) the area; and

(ii) any condition relating to the use of that area; and

(iii) in the case of a restricted area or prohibited area, the reasons for the declaration; and

(b) invite submissions to be lodged within 15 working days after the notice is published; and

(c) consider any submissions lodged.

25. Date and period of declaration

A council, by public notice, is to notify –

(a) the date on which a declaration under this Division takes effect, being a date at least 20 working days after a notice under section 24 is published; and

(b) the period during which the declaration remains in force.

26. Review of declaration

(1) A declaration under this Division is to be reviewed at least once every 5 years.

(2) In reviewing a declaration, a council is to take the actions referred to in section 24.

27. Signs

A council is to erect and maintain signs sufficient to identify any exercise area, training area, prohibited area or restricted area.

28. Prohibited public areas

(1) A person must not take a dog into –

(a) any grounds of a school, preschool, kindergarten, creche or other place for the reception of children without the permission of a person in charge of the place; or

(b) any shopping centre or any shop; or

(c) the grounds of a public swimming pool; or

(d) any playing area of a sportsground on which sport is being played; or

(e) any area within 10 metres of a children's playground.

Penalty: Fine not exceeding 5 penalty units.

(2) This section does not apply to –

(a) a guide dog that is accompanying a wholly or partially blind person or is in training for that purpose; or

(b) a hearing dog that is accompanying a wholly or partially deaf person or is in training for that purpose; or

(c) a pet shop; or

(d) the premises of a veterinary surgeon; or

(e) a pet-grooming shop; or

(f) any other premises related to the care and management of dogs.

Councillors will have noted that there is a formal declaration process and public notification under s24 Dog Control Act 2000. Given that Council have been briefed previously in respect of the dog club's interest in participating in the use of the Mangalore Recreation Ground and there was no decent in respect of this matter, the Manager Community & Corporate Development has arranged for the public notification to proceed in accordance with the Act and for Council to consider any public representations at the following Council meeting.

It is proposed that the following conditions apply to the Declared Training Area.

1. A supervising officer shall be appointed to oversee and take responsibilities for the activities on the day of each event;
2. A formal risk assessment must be undertaken prior to activities commencing, with a copy of that document being signed off and then tabled at the next Mangalore Recreation Ground Management Committee meeting;

3. All dogs to be on a leash and under control of a competent person whilst within the grounds, unless partaking in an activity that requires off leash work;
4. Check chains only are acceptable, no harnesses or fixed collars or halters. No check chain no train;
5. Dogs not participating in training sessions to be confined to trailers or placed into the care of a competent handler not participating in an active training session;
6. Dogs participating in training may, with permission, be allowed off leash whilst undertaking training in any activity that requires off leash work but must exhibit control at all times. Owners/trainers who exhibit any degree of loss of control will be requested to leash their dog;
7. No one to attempt to control more than two leashed dogs at any one time;
8. No one to attempt to control more than one unleashed dog at any one time;
9. All owners are responsible for cleaning up after their dog, droppings, grooming leftovers etc.;
10. Dogs in trailers and vehicles must have adequate access to water, shade and ventilation;
11. Dogs that exhibit ongoing aggression towards other dogs and/or persons must be muzzled until such times as their aggression is curbed;
12. No dogs within the buildings;
13. Respect shown at all times for other organisations equipment and needs;
14. No dogs on the ground whilst Equestrian club horses are present unless by invitation from the equestrian club(s). May be in trailers and/or vehicles whilst waiting to utilise the grounds only; and
15. Grounds, buildings and equipment must be left as found or better [clean up].

It is noted that the Southern Midlands Dog Management Policy 2011 will require amendment if/when Council formally declares the training area at the Mangalore Recreation Ground.

To assist in the public interpretation of the impacts of any such a declared training, given there is not such a facility in the Southern Midlands, a once off trial will be undertaken by the Tasshep dog club on the 1st September 2013 at the Mangalore Recreation Ground and the consequences of this trial day will be assessed in the next report to Council.

RECOMMENDATION

THAT COUNCIL

- 1. Council formally appoint the following people under s24 of the Local Government Act as a Special Committee of the Southern Midlands Council and that the Committee will be known as the Mangalore Recreation Ground Management Committee**

Maureen Reece	Brighton & Southern Midlands Pony Club Inc
Emma Anderson	Brighton & Southern Midlands Pony Club Inc
Kerrie Goudsouzian	Brighton Equestrian Club
Jessica Voss	Brighton Equestrian Club
Kerry Crlik	High Performance Club
Mike England	Tasshep Inc
Peter Batchelor	Tasshep Inc
Nathan Luca	Brighton Rural Youth
Tegan Lovell	Brighton Rural Youth
Clr Tony Bantick	Community Representative
Clr Tony Bantick	Southern Midlands Council
Andrew Benson	Southern Midlands Council (Greg Hunt proxy)

- 2. Endorse the actions of the Manager Community & Corporate Development in commencing the public notification process under s24 Dog Control Act 2000 for the establishment of the Mangalore Recreation Ground as a Declared Training Area.**
- 3. Endorse the proposed operating conditions of the training area, with them being enacted for the trial day event.**

C/13/08/083/19437 DECISION

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

THAT Council

1. formally appoint the following people under s24 of the Local Government Act as a Special Committee of the Southern Midlands Council and that the Committee will be known as the Mangalore Recreation Ground Management Committee

Maureen Reece	Brighton & Southern Midlands Pony Club Inc
Emma Anderson	Brighton & Southern Midlands Pony Club Inc
Kerrie Goudsouzian	Brighton Equestrian Club
Jessica Voss	Brighton Equestrian Club
Kerry Crlik	High Performance Club
Mike England	Tasshep Inc
Peter Batchelor	Tasshep Inc
Nathan Luca	Brighton Rural Youth
Tegan Lovell	Brighton Rural Youth
Clr Tony Bantick	Community Representative
Clr Tony Bantick	Southern Midlands Council
Andrew Benson	Southern Midlands Council (Greg Hunt proxy)

2. Endorse the actions of the Manager Community & Corporate Development in commencing the public notification process under s24 Dog Control Act 2000 for the establishment of the Mangalore Recreation Ground as a Declared Training Area.
3. Endorse the proposed operating conditions of the training area, with them being enacted for the trial day event.

CARRIED.

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

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

AUTHOR ANIMAL CONTROL OFFICER (G DENNE)

DATE 23rd AUGUST 2013

ISSUE

Consideration of Animal Control Officer’s monthly report.

DETAIL

Green Valley - A Husky was caught in the act of killing a sheep . The dog was destroyed on site, and its owner was issued an Infringement Notice. Also he agreed to compensate the owner of the sheep.

Yarlington - A sheep was found mauled to death most likely from a dog attack, I checked nearby properties, however nobody saw anything.

Kempton - Two sheep were reported as being killed by a dog[s] Tasmania Police and I attended and the police spoke to a resident. It was explained to him that his dogs may have been involved, but he would not cooperate with us.

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

RECOMMENDATION

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

C/13/08/084/19438 DECISION

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

**SOUTHERN MIDLANDS COUNCIL
MONTHLY STATEMENT ON ANIMAL CONTROL
FOR PERIOD ENDING 31/07/2013**

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

Breakdown Being:

ADOPTED	RECLAIMED	LETHALISED	ESCAPED
2	2		

MONEY RECEIVED

Being For:

Pound	_____
Reclaims	_____
Dog Registrations	<u>\$21941.81</u>
Kennel Licence Fee	<u>\$454.50</u>
Infringement Notices	_____
Complaint Lodgement Fee	_____
TOTAL	<u>\$22396.31</u>

COMPLAINTS RECEIVED FOR PERIOD ENDING 31/07/2013

Dog at Large: 7
Dog Attacks: 3
Request Pick-ups: 2
After Hours Calls: 6
TOTAL 18

Number of Formal Complaints Received: -
Number of Infringement Notices Issued: 1

Animal Control Officer: **Garth Denne**

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.

17.2.1 Southern Midlands Council – Uniforms and Protective Clothing Policy

AUTHOR EXECUTIVE ASSISTANT (K BRAZENDALE)
DATE 20TH AUGUST 2013

ISSUE

Council to formally adopt the Uniform and Protective clothing Policy

<i>First Council Meeting Date:</i>	<i>17th July 2013</i>	<i>Decision No.</i>	
<i>Final Council Meeting Date:</i>	<i>28th August 2013</i>	<i>Decision No.</i>	
<i>Repealed Council Meeting Date:</i>		<i>Decision No.</i>	
<i>Updated Council Meeting Date:</i>		<i>Decision No.</i>	

ADMINISTRATIVE POSITIONS OATLANDS AND KEMPTON / HERITAGE DEPARTMENT / ADMINISTRATIVE AND TOUR GUIDES AT CALLINGTON MILL BUSINESS PRECINCT

The uniform style is to be purchased from the Local Government Corporate Collection. The uniform is a mix and match format comprising of shirts, skirts, cardigans, jackets, pants, trousers, tops and ties. Purchases outside this company will not be reimbursed through Council. (Tour Guides will need to acquire some parts of their uniform from Roberts).

All clothing purchases must have a logo

The Start-up allocation table is for an employee's first allocation of uniform purchase. The uniform is to be purchased on completion of probation (6 weeks).

Uniform Subsidy – Start-up Allocation			
<i>FTE Hours of Position</i>	57 – 75	100%	\$450.00
	38 – 56	75%	\$337.50
	20 – 37.50	50%	\$225.00
	0 – 19	25%	\$112.50

The Annual allocation table is for employee’s continuous uniform purchases.

Uniform Subsidy - Annual			
<i>FTE Hours of Position</i>	57 – 75	100%	\$300.00
	38 – 56	75%	\$225.00
	20 – 37.50	50%	\$150.00
	0 – 19	25%	\$ 75.00

OUTDOOR STAFF

The uniform style is to be purchased from the Yakka work-wear range. The uniform is a mixture of items listed below. Purchases outside this company will not be reimbursed through Council.

- 2 Shirts or 2 Polo Tops
- 2 Pair Trousers or Jeans
- 2 items - half Zip Polo fleece jumpers / Windcheaters Rugby Tops / Polar Fleece Vest
- 1 Pair Boots (see note below)

All clothing purchases must have a logo

Hi-Vis 3 in 1 Jackets, Sunhats and Beenies will only be issued to new employees who have not previously been issued with one. Any Jackets, Sunhats, Beenies, Sunglasses and Safety Glasses previously issued will be replaced upon production of the unserviceable item. Replacement Sunscreen and Lip Balm will be available on presentation of the empty container.

NOTE: Following the 2013/2014 issue boots only will be replaced upon production of unserviceable item(s).

CALLINGTON MILL BUSINESS PRECINCT - MILLERS

The uniform style is to be purchased from the **Yakka work-wear range**. The uniform is a mixture of items listed below. Purchases outside this company will not be reimbursed through Council.

- 1 pair overalls and 1 pair work boots (**Replaced when worn out**)
- 1 pair trousers
- 2 shirts
- 1 jumper
- 1 jacket

All clothing purchases must have a logo

IDENTIFICATION BADGES

Name badges or identification badges are to be worn by employees at all times whilst on duty.

NOTE:

- a) Employees must expend their allocated allowance within one financial year, as the balance will not carry forward.
- b) All of the above clothing to be issued or purchased on the basis that it be worn only during work duty.

RECOMMENDATION

THAT the Uniform and Protective Clothing Policy be formally adopted.

C/13/08/090/19439 DECISION

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

THAT the Uniform and Protective Clothing Policy be formally adopted.

CARRIED

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

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 (July 2013)

File Ref: 3/024

AUTHOR FINANCE OFFICER (C PENNICOTT)
DATE 23rd AUGUST 2013

Refer enclosed Report incorporating the following: -

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

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

- d) Rates & Charges Summary – as at 16th June 2013
- e) Cash Flow Statement - July 2013.

Note: Expenditure figures provided are for the period 1st July to 31st July 2013 – approximately 8% of the period.

Comments

A. Current Expenditure Estimates (Operating Budget)

Nil.

B. Capital Expenditure Estimates (Capital Budget)

Nil.

RECOMMENDATION

THAT the information be received.

C/13/08/092/19440 DECISION

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

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

	Annual Budget	Year to Date as at 31st JULY	% To Date	Comments
Income				
General rates	\$ 4,192,243	\$ 3,260	0.1%	Budget includes Interest & Penalties to be imposed to end of June 2013
User Fees (refer Note 1)	\$ 699,354	\$ 75,123	10.7%	
Interest	\$ 260,000	\$ 11,764	4.5%	
Government Subsidies	\$ 31,700	\$ -	0.0%	Heavy Vehicle Licence Fees & Road Rescue MAIB reimbursements
Contract Income	\$ -	\$ -	0.0%	
Other (refer Note 2)	\$ 235,188	\$ 13,667	5.8%	
Sub-Total	\$ 5,418,485	\$ 103,814	1.9%	
Grants - Operating	\$ 3,570,800	\$ 2,368	0.1%	FAGS Grant Only
Total Income	\$ 8,989,285	\$ 106,183	1.2%	
Expenses				
Employee benefits	\$ 3,703,066	\$ 239,459	6.5%	Less Roads - Roadwork Overtaxed
Materials and contracts	\$ 3,046,484	\$ 196,897	6.5%	Less Roads - Roadwork Capitalised, Includes Land Tax
Depreciation and amortisation	\$ 2,496,000	\$ -	0.0%	Percentage Calculation (based on year-to-date)
Finance costs	\$ 58,741	\$ 627	1.1%	
Contributions	\$ 169,068	\$ -	0.0%	Fire Service Levies
Other	\$ 204,004	\$ 9,793	4.8%	
Total expenses	\$ 9,677,363	\$ 446,776	4.6%	
Surplus (deficit) from operations	-\$ 688,078	\$ 340,593	49.5%	
Grants - Capital (refer Note 3)	\$ 605,153	\$ -	0.0%	
Donations	\$ 3,500	\$ -	0.0%	
Sale Proceeds (Plant & Machinery)	\$ -	\$ -	0.0%	
Net gain / (loss on disposal of non-current assets)	\$ 160,000	\$ -	0.0%	Budget Amount - Sale of Lots - Kandara Court
Surplus / (Deficit)	\$ 81,555	\$ 340,593	-417.6%	

NOTES

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

- All other Programs
- Callington Mill

\$	259,854	\$	56,691
\$	435,500	\$	28,432
\$	695,354	\$	75,123

21.8%

4.2% Actual Income Received (i.e. excluding Debtors)

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

- Income (Private Works)
- Tax Water Distributions
- Public Open Space Contributions
- Other

\$	76,188	\$	1,944
\$	155,000	\$	-
\$	4,000	\$	-
\$	-	\$	-
\$	235,188	\$	1,944

2.6%

0.0%

0.0%

0.0%

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

- Roads To Recovery Grant
- Grant RDA Round 5
- Community Centre (Interest Grant)

\$	445,213	\$	-
\$	151,629	\$	-
\$	9,111	\$	-
\$	606,153	\$	-

0.0% To be claimed in March 2013

0.0%

0.0% To be claimed in June 2013

SOUTHERN MIDLANDS COUNCIL : CURRENT EXPENDITURE 2013/14

SUMMARY SHEET

PROGRAM	TOTAL	REVISED BUDGET (GRANTS & OTHER REIMBURSEMENTS)	ACTUAL AS AT 31 JULY 2013 8%	VARIANCE (+/-)	% BASED ON REVISED BUDGET 100%
INFRASTRUCTURE					
Roads	3484103	3484103	122140	3361963	3.51%
Bridges	428807	428807	1741	427066	0.41%
Walkways	175603	175603	6068	169535	3.46%
Lighting	89544	89544	0	89544	0.00%
Irrigation	2450	2450	0	2450	0.00%
Drainage	81322	81322	4140	77182	5.09%
Waste	548480	548480	8223	542257	1.13%
Public Toilets	55726	55726	3600	52126	6.46%
Communications	0	0	0	0	0.00%
Signage	12300	12300	1654	10646	13.44%
INFRASTRUCTURE TOTAL:	4878335	4878335	145565	4732770	2.98%
GROWTH					
Residential	2900	2900	0	2900	0.00%
Mill Operations	610120	610120	45597	564523	7.47%
Tourism	188853	188853	0	188853	0.00%
Business	66250	66250	4183	62067	6.31%
Agriculture	5370	5370	0	5370	0.00%
Integration	27600	27600	0	27600	0.00%
GROWTH TOTAL:	901093	901093	49780	851313	5.52%
LANDSCAPES					
Heritage	291385	291385	21828	269557	7.49%
Natural	477908	477908	7708	470200	1.61%
Cultural	0	0	0	0	0.00%
Regulatory	789303	789303	39919	749384	5.06%
Climate Change	40376	40376	559	39817	1.38%
LANDSCAPES TOTAL:	1598972	1598972	70014	1528958	4.38%
LIFESTYLE					
Youth	160905	160905	8867	152038	5.51%
Ageed	1500	1500	593	907	39.53%
Childcare	10000	10000	0	10000	0.00%
Volunteers	32000	32000	0	32000	0.00%
Access	6405	6405	0	6405	0.00%
Public Health	7706	7706	0	7706	0.00%
Recreation	402126	402126	19797	382329	4.92%
Animals	70029	70029	5317	64712	7.59%
Education	0	0	0	0	0.00%
LIFESTYLE TOTAL:	690671	690671	34573	656098	5.01%
COMMUNITY					
Retention	0	0	0	0	0.00%
Capacity	35025	35025	3647	31378	10.41%
Safety	56650	56650	3512	53138	6.20%
Consultation	5070	5070	0	5070	0.00%
Communication	15125	15125	0	15125	0.00%
COMMUNITY TOTAL:	111870	111870	7159	104711	6.40%
ORGANISATION					
Improvement	7300	7300	0	7300	0.00%
Sustainability	1925878	1925878	128644	1797234	6.68%
Finances	223263	223263	941	222322	0.42%
ORGANISATION TOTAL:	2156441	2156441	129585	2026856	6.01%
TOTALS	10337382	10337382	436676	9900706	4.22%

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2013-14
AS AT 31 JULY 2013

INFRASTRUCTURE	ROAD ASSETS	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
	Roads Resurfacing (40.00 kms x 5.5 x 150mm x \$20 m2)	\$ 600,000	\$ -	\$ 600,000	
	Roads Resurfacing (as per agreed program)	\$ 350,000	\$ -	\$ 350,000	
	Bagdad				
	NI				
	Colebrook				
C1010033	Elton / Rhydaston Road (500 metres)	\$ 68,750	\$ -	\$ 68,750	
	Dysart				
	NI				
	Mangalore				
	NI				
	Oatlands				
C1010023	Inglwood Road (1 km - Nais Rd to Viaduct)	\$ 137,500	\$ -	\$ 137,500	
C1010027	Stonor Road (1 Mile- From Midlands Highway)	\$ 137,500	\$ -	\$ 137,500	
	Whitford / Wooddale				
C1010022	Junction with Storage Road (250 metres)	\$ 37,500	\$ 300	\$ 37,200	
C1010028	Wooddale Road (Islen Straight - 200 metres)	\$ 36,000	\$ -	\$ 36,000	
	Green Valley Road - from Kermers to Bridge				TBC
C1010032	Chironvale Road				TBC
C1010034	Balfour Road - Road Improvements				TBC
C1010031	Stanley Street (William St L.e Thundersstone to Nelson)				TBC
C1010035	Stonor Road				TBC
C1010027					TBC
C1020029	Williams Road - Option 1 (Jurisdiction to Bridge -250 metres)	\$ 39,375	\$ -	\$ 39,375	
	Nurses Road - Junction with Elderslie Main Road				
C1020030	Church Road	\$ 7,000	\$ -	\$ 7,000	
C1020031	Hasting Street Junction	\$ 10,000	\$ -	\$ 10,000	
C1020032	Perham Road (end of Elderslie Rd)	\$ 15,000	\$ -	\$ 15,000	
		\$ 10,000	\$ -	\$ 10,000	
	Rhyolite Road (Vicinity of Bowers)- Stage 2				
C1020027	Yarrington Road - Realignment	\$ 28,349	\$ -	\$ 28,349	
C1020033	Church Road (Corner widening)	\$ 20,000	\$ -	\$ 20,000	
C1020034	Estiate Road (Survey Investigation Only - \$5,000)	\$ 20,000	\$ -	\$ 20,000	
C1020035	Green Valley Road - Vicinity of Eracoon Gully (Survey Investigation)	\$ 15,000	\$ -	\$ 15,000	
C1010036	Hill Luns, Bagdad - widening	\$ 5,000	\$ -	\$ 5,000	
C1020037	Chaunoy Vale Road, Bagdad	\$ 15,000	\$ -	\$ 15,000	
C1020038		\$ 20,000	\$ -	\$ 20,000	
	Other:				
C1010036	Green Valley Road - Widening	\$ 83,000	\$ -	\$ 83,000	
C1020026	Barrowvale Road (900 dia pipes - vicinity of Pookley Property) - was \$27K	\$ 27,000	\$ -	\$ 27,000	
C1020026	Church Road (Interaction with Elderslie Road) - Survey & Acquisition	\$ 21,000	\$ 8,919	\$ 14,081	
C1010037	Interlaken Road- Corner Realignment (Roadion)	\$ 32,000	\$ -	\$ 32,000	
C1010037	Campans - Reserve St / China Street	\$ 25,000	\$ -	\$ 25,000	
C1010038	Campans - Reserve St / Hill Street	\$ 5,000	\$ -	\$ 5,000	
C1010023	Huntington Tiler (Road to Tip - Guard Rail)	\$ 8,000	\$ -	\$ 8,000	
C1010023	Inglwood Road - Sight Improvements	\$ 8,000	\$ -	\$ 8,000	
C1010039	Wooddale Road - Landslip Area(s) - Engineering Assessment	\$ 8,700	\$ -	\$ 8,700	
C1010039	Wooddale Road - Landslip Area (Vicinity Scots Quarry)	\$ 15,000	\$ -	\$ 15,000	
		\$ 1,801,274	\$ 7,219	\$ 1,794,055	

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2013-14
AS AT 31 JULY 2013

BRIDGE ASSETS	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
C1030003	\$ 557,000	\$ -	\$ 557,000	
C1030043	\$ 156,000	\$ -	\$ 156,000	
C1030028	\$ 57,000	\$ 2,030	\$ 54,964	
C1030023	\$ 878,000	\$ -	\$ 878,000	
C1030044	\$ 81,700	\$ 1,251	\$ 80,409	
C1030045	\$ 26,440	\$ -	\$ 26,440	
C1030041	\$ 142,500	\$ 13,130	\$ 129,470	
C1030013	\$ -	\$ 51,685	\$ 51,685	
	\$ 1,768,740	\$ 76,080	\$ 1,692,660	
WALKWAYS				
C1040014	\$ 50,000	\$ -	\$ 50,000	
	\$ 50,000	\$ 550	\$ 49,450	
C1040008	\$ 10,000	\$ -	\$ 10,000	
C1040005	\$ 80,000	\$ 6,280	\$ 73,720	
	\$ 5,000	\$ -	\$ 5,000	
C1040015	\$ 15,000	\$ -	\$ 15,000	
C1040016	\$ 8,000	\$ -	\$ 8,000	
	\$ 7,000	\$ -	\$ 7,000	
	\$ 225,000	\$ 6,830	\$ 218,170	
	\$ -	\$ -	\$ -	
	\$ -	\$ -	\$ -	
LIGHTING				
	\$ 21,882	\$ -	\$ 21,882	
	\$ 75,000	\$ 1,840	\$ 73,160	
	\$ 145,000	\$ -	\$ 145,000	
	\$ 10,000	\$ -	\$ 10,000	
	\$ 12,000	\$ -	\$ 12,000	
	\$ -	\$ -	\$ -	
	\$ 5,000	\$ -	\$ 5,000	
	\$ 13,000	\$ -	\$ 13,000	
	\$ 12,000	\$ -	\$ 12,000	
	\$ 20,000	\$ -	\$ 20,000	
	\$ 6,000	\$ -	\$ 6,000	
	\$ 319,882	\$ 1,840	\$ 318,042	
DRAINAGE				
C1090014	\$ -	\$ -	\$ -	
C1090015	\$ -	\$ -	\$ -	
C1090016	\$ -	\$ -	\$ -	
C1090018	\$ -	\$ -	\$ -	
C1090019	\$ -	\$ -	\$ -	
C1090020	\$ -	\$ -	\$ -	
C1090021	\$ -	\$ -	\$ -	

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2013-14
AS AT 31 JULY 2013

			BUDGET	EXPENDITURE	VARIANCE	COMMENTS
WASTE			\$ 5,000	\$ -	\$ 5,000	
	C110001	Wheels Bins & Crates	\$ 10,000	\$ -	\$ 10,000	
	C110002	Outlands WTS - Seal Pavement	\$ -	\$ -	\$ -	
			\$ 15,000	\$ -	\$ 15,000	
PUBLIC TOILETS			\$ 5,000	\$ -	\$ 5,000	
	C1110001	Coatrock - Power Connector & Lighting	\$ 5,000	\$ -	\$ 5,000	
SIGNAGE			\$ 10,000	\$ 382	\$ 9,618	
	C113001	Outlands Signage	\$ 10,000	\$ 382	\$ 9,618	
RESIDENTIAL			\$ -	\$ -	\$ -	
		Nil Projects	\$ -	\$ -	\$ -	
TOURISM			\$ -	\$ -	\$ -	
		Avenues of Honour	\$ -	\$ -	\$ -	
HERITAGE			\$ 28,787	\$ 17,263	\$ 11,524	
	C3010004	Court House (Restoration - Toilet & Kitchens Fac%)	\$ -	\$ 16,736	\$ (16,736)	
		Outlands Gate Arch Renovation	\$ 86,000	\$ 86,534	\$ 534	
		Outlands Gate Wall Project	\$ 7,500	\$ -	\$ 7,500	
	C3010009	Kempston Wind House (Floor)	\$ 20,000	\$ -	\$ 20,000	
	C3010003	Callington Mill (Master Pracht Plan)	\$ 7,500	\$ -	\$ 7,500	
	C3010002	Gate (Community Heritage Program)	\$ 7,500	\$ -	\$ 7,500	Grant Funded
		Collection Management - Equip / Supplies / Labour Component	\$ -	\$ -	\$ -	
	C3010006	Purchase - 79 High Street Outlands (Purchase & \$40K)	\$ 67,500	\$ 3,423	\$ 64,077	Loan Funded
		Rochia Hall - Forecourt	\$ -	\$ -	\$ -	
			\$ 215,367	\$ 125,656	\$ 89,711	
NATURAL			\$ 5,240	\$ -	\$ 5,240	
	C3020004	Lake Dulverton - Wood Cutler	\$ 2,100	\$ -	\$ 2,100	
	C3020004	Lake Dulverton - Floor	\$ 3,140	\$ -	\$ 3,140	
REGULATORY			\$ 20,000	\$ -	\$ 20,000	
	C3040001	Kempston Council Chambers - Building & Office Improvements	\$ 3,500	\$ -	\$ 3,500	
	C3040001	Kempston Council Chambers - Office Equipment	\$ 5,000	\$ -	\$ 5,000	
	C3040001	Kempston Council Chambers - Carpet & Flooring	\$ 2,500	\$ -	\$ 2,500	
	C3040001	Kempston Council Chambers - Records Scanner	\$ 9,000	\$ -	\$ 9,000	
			\$ 31,000	\$ -	\$ 31,000	

SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED

	20/08/2013	20/08/2012
Arrears Brought Forward	\$352,040.89	\$251,900.24
ADD Current Rates and Charges Levied	\$4,124,506.03	\$3,933,610.20
ADD Current Interest	\$3,532.76	\$2,774.83
TOTAL Rates and Charges Demanded	\$4,480,079.68	\$4,188,285.27
LESS Rates and Charges Collected	\$305,179.68	\$103,661.64
LESS Pensioner Remissions	\$192,397.48	\$179,602.09
LESS Other Remissions	-\$2,494.74	-\$320.08
LESS Discounts	\$3,623.57	\$492.24
TOTAL Rates and Charges Collected and Remitted	\$498,705.99	\$283,435.89
UNPAID RATES AND CHARGES	\$3,981,373.69	\$3,904,849.38
	88.87%	93.23%

	INFLWS (OUTFLOWS) (July 2013)	INFLOWS (OUTFLOWS) (Year to Date)
Cash flows from operating activities		
Payments		
Employee costs	- 219,458.53	- 239,458.53
Materials and contracts	- 291,308.55	- 291,308.55
Interest	- 627.25	- 627.25
Other	- 9,793.10	- 9,793.10
	<u>- 541,187.43</u>	<u>- 541,187.43</u>
Receipts		
Rates	57,079.91	57,079.91
User charges	111,609.87	111,609.87
Interest received	11,763.92	11,763.92
Subsidies	-	-
Other revenue grants	2,368.18	2,368.18
GST Refunds from ATO	-	-
Other	17,385.26	17,385.26
	<u>200,207.14</u>	<u>200,207.14</u>
Net cash from operating activities	<u>- 340,980.29</u>	<u>- 340,980.29</u>
Cash flows from investing activities		
Payments for property, plant & equipment	- 48,657.75	- 48,657.75
Proceeds from sale of property, plant & equipment	-	-
Proceeds from Capital grants	-	-
Proceeds from investments	-	-
Payment for Investments	-	-
Net cash used in investing activities	<u>- 48,657.75</u>	<u>- 48,657.75</u>
Cash flows from financing activities		
Repayment of borrowings	- 4,704.53	- 4,704.53
Proceeds from borrowings	-	-
Net cash from (used in) financing activities	<u>- 4,704.53</u>	<u>- 4,704.53</u>
Net increase/(decrease) in cash held	<u>- 394,342.57</u>	<u>- 394,342.57</u>
Cash at beginning of reporting year	8,754,794.63	7,993,200.13
Cash at end of reporting year	<u>8,360,452.06</u>	<u>7,598,857.56</u>

17.3.2 Dulverton Masonic Lodge – Request for Rate Remission

File Ref: 5842258 GAY

AUTHOR EXECUTIVE ASSISTANT (K BRAZENDEALE)
DATE 20TH AUGUST 2013

ISSUE

Consideration of a request for a rate remission for the Trustees Dulverton Masonic Lodge situated at 3 Gay Street, Oatlands.

BACKGROUND

Trustees Dulverton Masonic Lodge is a not for profit organisation, who frequently make donations to various community groups throughout the Municipality.

DETAIL

The details of the property is as follows:-

Property Id 5842258 – 3 Gay Street, Oatlands

General Rate	275.00
Waste Management	114.00
Fire Levy	36.00
TOTAL	425.00

In reference to the Policy, Council is to consider granting a remission of Rates and Charges levied on properties, where there is a recognised benefit to the broader community.

The following procedure is provided for the assessment process:

Where it is determined that the applicant is eligible for a remission (i.e. there is a recognised benefit to the broader community), then:

- a) Council is to determine a percentage of the General Rate that it is prepared to remit (based on the assessed level of broader community benefit); and
- b) consider a remission of any Service Charges based on the following principles:
 - i. Household Garbage & Recycling Charge – Charge to apply if service provided.

- ii. Waste Management Levy – Charge to apply in all cases.
- iii. Fire Service Levy – Charge to apply in all cases.

Based on the above, Council is to determine the level of remission on the general rate only.

Human Resources & Financial Implications - Dependant on the level of remission (if any) granted by Council.

Community Consultation & Public Relations Implications - N/A.

Policy Implications - Reference Policy No. 5.6.2.2 – ‘Remissions – Charitable, Community and Sporting Bodies’.

Trustees Dulverton Masonic Lodge, is not recognised in the existing Policy.

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

THAT Council grant a fifty percent (50%) remission of the General Rate only this being an amount of \$137.50.

C/13/08/102/19441 DECISION

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

THAT Council grant a fifty percent (50%) remission of the General Rate only this being an amount of \$137.50

CARRIED.

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

Clr J L Jones OAM declared an interest and left the meeting at 5.15 p.m.

17.3.3 Rural Alive & Well – Request for Rate Remission

File Ref: 5465798 BWELL

AUTHOR EXECUTIVE ASSISTANT (K BRAZENDALE)

DATE 20TH AUGUST 2013

ISSUE

Consideration of a request for a Rate Remission from Rural Alive and Well Incorporated.

BACKGROUND

Rural Alive and Well Inc is a not for profit incorporated body which runs a suicide prevention program within the Southern Midlands, Central Highlands Municipal and the Glamorgan Spring Bay Council areas.

DETAIL

The details of the two properties occupied by Rural Alive and Well Inc are as follows:-

Property Id 5465800 – 11 Blackwell Road, Melton Mowbray (Church Hall)

General Rate	275.00
Waste Management	38.00
Fire Levy	36.00
TOTAL	349.00

Property Id 5465798 – 9 Blackwell Road, Melton Mowbray (Church Building)

General Rate	275.00
Garbage Service	120.00
Waste Management	114.00
Fire Levy	36.00
TOTAL	454.00

Human Resources & Financial Implications - Dependant on the level of remission (if any) granted by Council.

Community Consultation & Public Relations Implications - N/A.

Policy Implications - Reference Policy No. 5.6.2.2 – ‘Remissions – Charitable, Community and Sporting Bodies’.

Rural Alive & Well Inc., as an Incorporated body, it is not recognised in the existing Policy.

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

THAT Council grant a fifty percent (50%) remission of the General Rate only this being a total amount of \$275.00.

C/13/08/104/19442 DECISION

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

THAT Council grant a fifty percent (50%) remission of the General Rate only this being a total amount of \$275.00.

CARRIED

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

Clr J L Jones OAM returned to the meeting at 5.17 p.m.

17.3.4 General Purpose Financial Report – 2012/2013 Financial Year

File Ref: 7/019

AUTHOR GENERAL MANAGER (T KIRKWOOD)

DATE 23RD AUGUST 2013

ENCLOSURE: 2012/13 General Purpose Financial Report

ISSUE

Refer enclosed copy of the General Purpose Financial Report for the 2012/2013 Financial Year to be tabled in accordance with Section 84 of the *Local Government Act 1993*. (Enclosure 14)

BACKGROUND

Section 84 (Part 8 – Financial Management) of the Local Government Act 1993 states:

“84. Financial statements

(1) The general manager is to prepare and forward to the Auditor-General a copy of the council's financial statements for each financial year in accordance with the Audit Act 2008.

(2) Any financial statement for a financial year is to–

(a)

(b) specify any interests as notified to the general manager of any councillor in respect of any body or organisation with which the council has major financial dealings; and

(c) contain a comparison between the council's actual and estimated revenue and expenditure for that financial year; and

(d) contain a statement of any revenue and expenditure of a council committee, a special committee or a controlling authority; and

(da) contain a statement of the operating, capital and competitive neutrality costs in respect of each significant business activity undertaken by the council during that financial year together with a statement of the revenue associated with that activity; and

(e) contain any other information the Minister determines.

(3) The general manager is to certify that, in accordance with this Act and any other relevant Act, the financial statements fairly represent –

(a) the financial position of the council; and

(b) the results of the council's operations; and

(c) the cash flow of the council.

(4) The general manager is to ensure that the certified financial statements are tabled at a meeting of the council as soon as practicable.

(5) In this section –

competitive neutrality costs means the costs required to be taken into account under the competitive neutrality principles.

DETAIL

Refer enclosed copy of the 2012/13 General Purpose Financial Report.

The Report was forwarded to the Auditor General on 15th August 2013, and the Tasmanian Audit Office is in the process of undertaking the audit process.

The General Manager will provide any further explanation required and respond to any questions.

Human Resources & Financial Implications – Comment to be provided.

Community Consultation & Public Relations Implications – Not applicable.

Council Web Site Implications: *A copy of the audited Statement will be included on the Website as part of the 2012/13 Annual Report when completed.*

Policy Implications – N/A.

Priority - Implementation Time Frame – Report completed and submitted to the Auditor General within the statutory timeframe.

RECOMMENDATION

THAT Council receive a copy of the General Purpose Financial Report for the 2012/2013 Financial Year.

C/13/08/106/19443 DECISION

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

THAT Council receive a copy of the General Purpose Financial Report for the 2012/2013 Financial Year.

CARRIED

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

18. INFORMATION BULLETINS

Refer enclosed Bulletin dated 23rd August 2013.

RECOMMENDATION

THAT the Information Bulletin dated 23rd August 2013 be received and the contents noted.

C/13/08/107/19444 DECISION

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

THAT the Information Bulletin dated 23rd August 2013 be received and the contents noted.

CARRIED

Vote For	Councillor	Vote Against
√	Mayor A E Bisdee OAM	
√	Dep. Mayor M Jones OAM	
√	Clr C J Beven	
√	Clr B Campbell	
√	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. Role of Local Government – Self Assessment Survey

In reference to the **enclosed** Survey prepared by the Department of Premier and Cabinet, Council is to complete this as a group exercise. It is circulated in advance to enable individual Councillors to consider a response.

Survey to be completed during the planned bus tour scheduled for 10th September 2013.

2. Acknowledgement – Mr Paul Wilson (Volunteer Ambulance Officer)

Resolved to delegate authority to the General Manager to organise an appropriate presentation event.

3. M Polley MHA (Retirement) & Dick Adams MP

Resolved to agree ‘in-principle’ to organise an event / function to recognise Mr Polleys’ and Mr Adams’ services to the Southern Midlands. To be progressed at a later date.

4. Elected Members Training - Australian Institute of Company Directors – Governance Essentials for Local Government

Clr A O Green requested the General manager to obtain cost estimated for elected members to participate in this training opportunity.

5. Tas Rail – Campania Yard – Noise Complaints

Contact Tas Rail in relation to noise complaints resulting from early Sunday morning activities. Obtain details of likely timeframes etc. to inform community members.

6. Resource Sharing – Progress

General Manager to provide progress report.

7. Property – Reeve Street, Campania (Kearney)

Noted on-going issues to be addressed.

8. Parattah Jubilee Hall

Clr B Campbell informed the meeting that the Management Committee of the Parattah Jubilee Hall is now an incorporated body.

Clr J L Jones OAM left the meeting at 5.30 p.m.

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 BUSINESS PROCESS IMPROVEMENT – SERVICE REQUESTS

Attached document, providing a Standard Operating Procedure for Service Requests, was circulated at the meeting.

C/13/08/114/19445 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 C J Beven	
√	Clr B Campbell	
√	Clr D F Fish	
√	Clr A O Green	

20.2 “LOCK THE GATE ALLIANCE” – DOCUMENTARY DVD – COAL SEAM GAS MINING

Following an enquiry in regard to Council making copies available of a DVD prepared by the “Lock the Gate Alliance” relating to coal seam gas mining, it was determined that this is not an activity which Council has had any involvement, and it was resolved that copies not be made available from Council offices.

RECOMMENDATION

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

C/13/08/111/19446 DECISION

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

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 C J Beven	
√	Clr B Campbell	
√	Clr D F Fish	
√	Clr A O Green	

CLOSED COUNCIL MINUTES

21. BUSINESS IN “CLOSED SESSION “

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

**T F KIRKWOOD
GENERAL MANAGER**

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

**T F KIRKWOOD
GENERAL MANAGER**

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

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GENERAL MANAGER**

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**T F KIRKWOOD
GENERAL MANAGER**

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

**T F KIRKWOOD
GENERAL MANAGER**

RECOMMENDATION

THAT Council move out of “Closed Session”.

C/13/08/117/19449 DECISION

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

THAT Council move out of “Closed Session”.

CARRIED

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

RECOMMENDATION

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

C/13/08/117/19450 DECISION

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

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 C J Beven	
√	Clr B Campbell	
√	Clr D F Fish	
√	Clr A O Green	

22. CLOSURE 6.10 P.M.