

**MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS
COUNCIL HELD ON MONDAY 15TH DECEMBER 2014 AT THE MUNICIPAL
OFFICES, 71 HIGH STREET, OATLANDS COMMENCING AT 10:00 A.M.**

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ENCLOSED

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

Item 12.4.1 Minutes – Councillor Workshop 9 November 2014

Item 18.2.1 Draft Version 1_Unreasonable Complainant Conduct Policy and Managing Unreasonable Compliant Conduct Practice Manual 2nd Edition, NSW Ombudsman (on behalf of all Ombudsman’s Offices across Australia)

MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD ON MONDAY 15TH DECEMBER 2014 AT THE MUNICIPAL OFFICES, 71 HIGH STREET, OATLANDS COMMENCING AT 10:00 A.M.

OPEN COUNCIL MINUTES

1. PRAYERS

Mr Bo Pennicott conducted Prayers.

2. ATTENDANCE

Mayor A E Bisdee OAM, Clr A R Bantick, Clr E Batt, Clr B Campbell, Clr D F Fish and Clr A O Green.

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

3. APOLOGIES

Deputy Mayor M Jones OAM.

C/14/12/004/19905 DECISION

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

THAT the apology for Deputy Mayor M Jones OAM be received and leave of absence granted.

CARRIED

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

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 26th November 2014, as circulated, are submitted for confirmation.

C/14/12/005/19906 DECISION

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

THAT the minutes of the previous meeting of Council held on the 26th November 2014, as circulated, be confirmed.

CARRIED

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

5.2 ANNUAL GENERAL MEETING MINUTES

The Minutes of the Annual General Meeting of Council held on the 15th December 2015, as circulated, are submitted for confirmation.

C/14/12/005/19907 DECISION

Moved by Clr A O Green, seconded by Clr E Batt

THAT the minutes of the Annual General Meeting of Council held on the 15th December 2015, as circulated, be confirmed noting that additional detail (as discussed) is to be inserted in the Decision recorded for Item 7.1 ‘Combined Planning Authority – Waddamana to Risdon Vale Electricity Transmission Line.

CARRIED

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

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:

- Nil

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.

- Nil

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

5.4.1 Joint Authorities - Receipt of Minutes

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

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

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

RECOMMENDATION

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

DECISION

DECISION NOT REQUIRED

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

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

36A. Annual reports of authorities

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

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

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

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

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

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

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

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

36B. Quarterly reports of authorities

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

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

(a) a statement of its general performance; and

(b) a statement of its financial performance.

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

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

RECOMMENDATION

THAT the reports received from the Joint Authorities be received.

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.

One workshop has been held since the previous Council meeting.

1. A Workshop was held at the Council Chambers, Kempton on 9th December 2014, commencing at 1.00 p.m.

Attendance: Mayor A E Bisdee OAM, Clrs A R Bantick, E Batt, B Campbell, D F Fish and A O Green.

Apologies: Deputy Mayor M Jones OAM.

Also in Attendance: General Manager (T F Kirkwood) and Manager – Development & Environmental Services (D Mackey).

The purpose of this Workshop was to consider the ‘exposure draft’ of the Tasmanian Planning Commission’s report to the Minister for Planning detailing amendments to the Draft Southern Midlands Planning Scheme 2014 that the Commission recommends that the Minister requires Council to make before it is declared.

The outcomes of the Workshop are detailed in a separate report included with this Agenda.

The Workshop concluded at 3.10 p.m.

RECOMMENDATION

THAT the information be received, noting the outcomes of the Workshop are detailed in a separate report.

C/14/12/009/19908 DECISION

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

THAT the information be received, noting the outcomes of the Workshop are detailed in a separate report.

CARRIED

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

7. QUESTIONS WITHOUT NOTICE

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

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

- 1.** Parattah township – provision of reticulated water supply – investigated a number of years ago and determined not to be feasible.
- 2.** IPWEA Magazine – LED Lighting (information noted)
- 3.** Community Hall(s) & involvement of volunteers – discussion re: council requirements and processes.
- 4.** Lake Dulverton – Midlands Water Scheme – water delivery point

RESOLVED THAT the Arts Advisory Committee be requested to consider the design / development of an ‘art feature’ incorporating the water delivery point infrastructure. (Lake Dulverton and Callington Park Management Committee to be consulted accordingly).

- 5.** Joint Venture concept – development of model to deliver common services – any progress? Meeting scheduled for 16th December 2014 to progress discussions with interested Councils. Report on outcomes to be provided.
- 6.** Sub-regional Group of Councils (i.e. Brighton, Central Highlands, Derwent Valley and Southern Midlands) – questioned to need to consider re-convening such a group to discuss sub-regional issues (e.g. land use planning matters).
- 7.** Southern Midlands Council Code of Conduct Panel – Mr Val Smith has been provided with all necessary background information (and documentation) and has verbally accepted Council’s nomination as Chair of the Panel - awaiting written confirmation.
- 8.** Council Road Maps – being prepared for review. It is evident that multiple maps will be required to enable easy reference.

8. DECLARATIONS OF PECUNIARY INTEREST

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

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

Nil.

9. 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 where applicable:-

- Tasmanian Planning Commission (Department of Justice) – decision in relation to Application submitted under *Right to Information Act 2009* (Item 21.1)
- Local Government Association of Tasmania - Elected Members Professional Development Weekend (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 General Manager in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2005*.

C/14/12/012/19909 DECISION

Moved by Clr B Campbell, seconded by Clr A R Bantick

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	
√	Clr A R Bantick	
√	Clr E Batt	
√	Clr B Campbell	
√	Clr D F Fish	
√	Clr A O Green	

10. PUBLIC QUESTION TIME (SCHEDULED FOR 12.30 PM)

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

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

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

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

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

10.1 PERMISSION TO ADDRESS COUNCIL

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

- Approx. 12.00 noon General Manager Transport Infrastructure (Shane Gregory) Department of State Growth will attend the meeting to detail proposed works to be undertaken on the Midlands Highway.

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

Nil.

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

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

12.1 DEVELOPMENT APPLICATIONS

12.1.1 Development Application (DA 2014/123) for proposed Sport Ground Flood Lighting (4 new 23m light poles to replace former light poles) at the Campania Recreation Ground, Reeve Street Campania.

File Ref: T5892562 REEVE

AUTHOR PLANNING OFFICER (D CUNDALL)
DATE 8TH DECEMBER 2014

ATTACHMENTS Development Application Plans and Drawings

PROPOSAL

The Southern Midlands Council, as the Applicant and the Landowner, has submitted a Development Application for new flood lighting at the Campania Recreation Ground (Certificate of Titles 216031/1 and 212488/8).

The proposed development is four (4) 23m high flood lights to replace the flood lights surrounding the Recreation Ground oval.

The Development Application states that the flood lights will allow for night games and training on the Recreation Ground oval over the winter months.

The land is zoned Village Zone under the *Southern Midlands Planning Scheme 1998* ("the Scheme"). The development is defined as 'Miscellaneous' development of an existing land use (a Public Park).

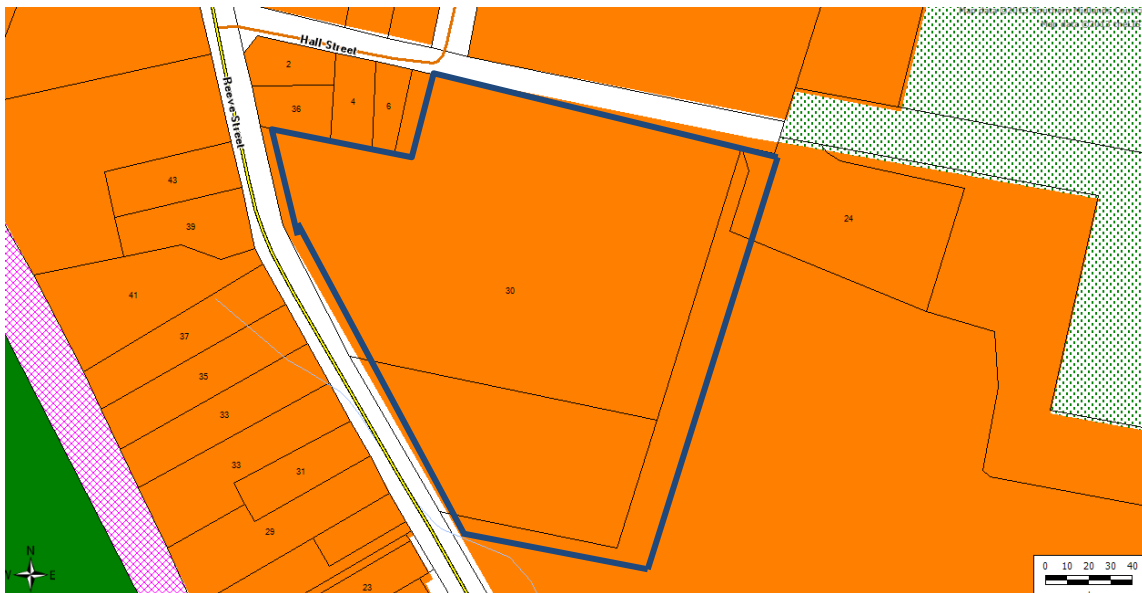
The Development Application was advertised for the statutory 14 day time period under the *Land Use Planning and Approvals Act 1993* ("the Act"). No Representations or comment were received.

This report will assess the proposal against the relevant provisions of the Act and the Planning Scheme. The Application is recommended for approval subject to conditions and advice.

THE SITE

Map 1 below shows the land zoning and location of the Recreation Ground. Map 2 below is an aerial photo that shows the property boundary and the adjoining properties and locations of adjoining land use and development.

The land fronts Reeve Street and is adjoined by smaller residential lots on the corner of Reeve Street and Hall Street and surrounded by a large undeveloped village lot. This undeveloped lot currently has an active permit for an 82 lot subdivision.



Map 1_The land, coloured orange, is the Village Zone. The land is highlighted by a blue border.



Map 2_Aerial view of the subject land.

THE APPLICATION

The Applicant submitted a site plan, a photograph of a 23m high flood light (substantially the same as that proposed), and a written assessment and explanation of the development.

There is sufficient information within these documents for Council Officers to make a recommendation to the Planning Authority for a Planning Permit.

Development and Environmental Services Officers have also conducted a site visit, discussed the proposal with an electrical engineer, discussed similar development with other Council's and held discussions with the Applicant.

FINAL LIGHTING DESIGN PLAN

Prior to construction of the light poles the contractor will need to prepare a final lighting design plan to map the light coverage of the oval. The plan must also minimise light spillage into the adjoining residential land.

If the contractor cannot minimise light spillage, to an acceptable level, then the height of the light poles may need to be extended. It is estimated that the height may then be between 23m and 28m.

An extension in the height would ensure the lights can be further tilted downwards (to a steeper angle) to project light directly onto the oval. Downwards facing lights are a better method of controlling and concentrating light into a specific point. Diagram 1 and Diagram 2 below demonstrate the benefits of a steeper angle.

Should the poles need to be extended to 28m then any Permit issued should acknowledge the possibility of an increase in height and confirm this is still substantially in accordance with the submitted Development Application. This type of advice would ordinarily be contained in the covering letter that accompanies a planning permit.

It is also acknowledged that the Campania Recreation Ground is used as an emergency meeting point for helicopter landings. It is the responsibility of the developer to contact the Civil Aviation Safety Authority to ascertain any necessary approvals for tall structures prior to their installation. Advice to this effect should be included on any permit issued.

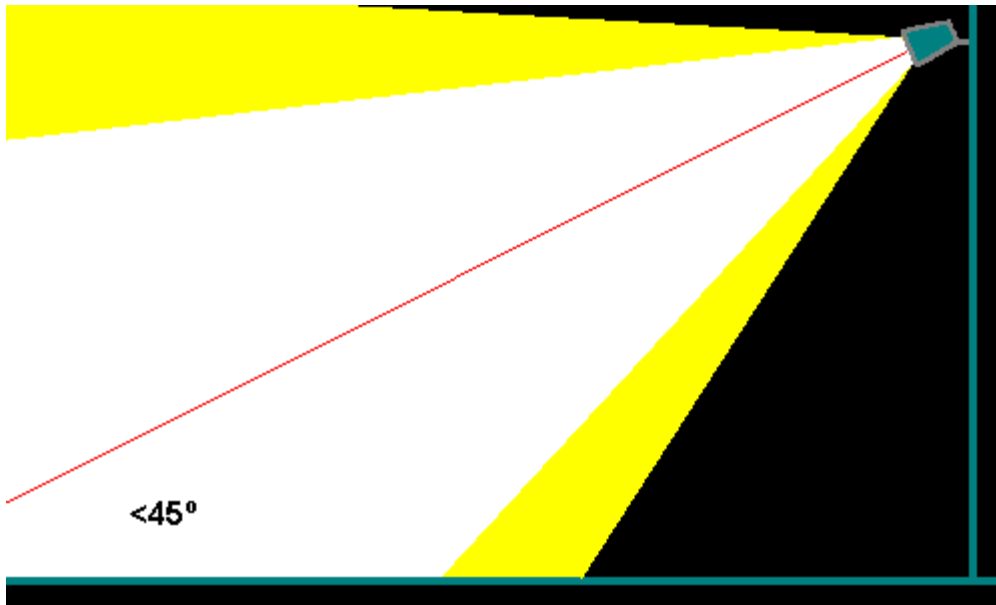


Diagram 1_ the diagram demonstrates a light pole projecting at an angle of less than 45 degrees. This projects lighting over a much greater distance.

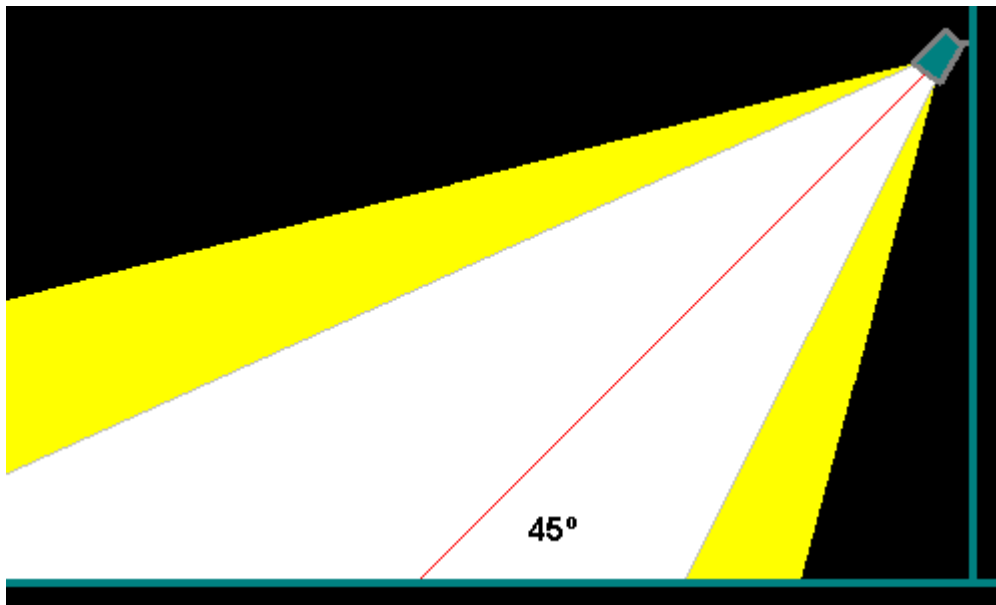


Diagram 2_ this diagram demonstrates a light angled at 45 degrees concentrating light into a particular area.

USE/DEVELOPMENT DEFINITION

Under Schedule 3 'Use or Development Category Definitions' of the Planning Scheme, the proposed development is defined as 'Miscellaneous' use/development:

Miscellaneous

means the use or development of any land which conforms neither specifically nor in substance with a category listed elsewhere in this Schedule.

Use Development/Status under the Planning Scheme

Under the Scheme, ‘Miscellaneous’ use/development is a discretionary use/development in the Village Zone and invokes Clause 11.5. Subsequently the use/development:

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

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

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised on the 14th November 2014 for fourteen (14) days and did not receive any comment or representation.

ASSESSMENT - THE SOUTHERN MIDLANDS PLANNING SCHEME 1998

Development Standards of the Village Zone

In accordance with Part 3.3 of the Scheme, buildings shall not exceed 8m in height and should maintain a setback of 1.5m from the side and rear boundaries and a 4.5m setback from the front boundary (road alignment). The proposed flood lights at 23m high will require further assessment and a variation to the height standard.

Where Council has considered the standards specified in Part 3.3.3 of the Village Zone then Council may allow for a variation of the height standard.

Council shall consider the following standards in Part 3.3.3:

- *the effect on the residential amenity of neighbouring lots;*
- *the existing setbacks on neighbouring lots;*
- *the shape, size, contours or slope of the subject land, or of adjoining land;*
- *the adjoining land uses and/or zoning;*
- *the existing natural features or qualities of the location; and*
- *if it is satisfied that such a relaxation*

The Intent of the Village Zone is to:

- *give priority to maintaining Kempton, Bagdad, Campania, Colebrook, Tunbridge, Parattah and Tunnack as local settlements;*
- *allow for a broad range of uses within the settlements provided they do not adversely affect the amenity of the settlement, nor place undue burden on the Council to provide infrastructure services; and*

- *encourage, where possible, the centralisation of future commercial and business development in positions close to existing facilities.*

The proposed lights, meet the intent of the Village Zone. The lights further improve the land for community purposes with a minor and manageable impact on adjoining land use/development.

Overshadowing

The two (2) lights on the eastern boundary may cast a minor shadow on the vacant village zoned land. This is, however, considered a minor impact on the adjoining land given the narrow width of the shadow and the existing use rights of the Recreation Ground.

Also, given the adjoining land is yet to be developed any future land use/development can consider the location of the lights and factor this into the location and design of new buildings.

The other lights will shadow the recreation ground and road reserve.

Lighting

The Applicant, states that the consultant electrical engineer will design the lighting to conform with the Australian Standard for lighting in sports grounds at a semi-professional level and the Performance Criteria for external lighting in the Draft Interim Planning Scheme (scheme not yet declared).

There is also an Australian Standard for outdoor public lighting ‘The Australian Standard for the Control of the obtrusive effects of outdoor lighting (AS/NZS 4282-1997). This Standard was prepared by the Standards Australia Committee to be used Australia wide to mitigate and control the impact of outdoor lighting.

The Standard recognises that with any outdoor lighting it will rarely be possible to contain all light within the boundaries of the property on which the lighting system is installed. Some light will inevitably be spilled outside the property boundaries, either directly or by reflection. The determination of when the spill light becomes obtrusive to others is difficult since both physiological and psychological effects are involved.

It is generally the role of Local government to control the obtrusive effects of outdoor lighting through the development approvals process, and in resolving neighbourhood disputes involving residents who experience discomfort or annoyance from nearby outdoor lighting installations.

Some local government authorities have applied restrictions on the frequency of use and hours of operation of outdoor lighting, and on the levels of light spilled beyond the boundaries of the subject site. The objective of this Standard is to provide a common basis for assessment of the likely effects of developments that involve the provision of outdoor lighting. However, it should be noted that the potentially obtrusive effects of the lighting will normally be only one of a number of environmental considerations that will need to be addressed. Compliance with this Standard, i.e. with the recommended limits for the various light technical parameters, will therefore not usually be the sole basis for the approval of particular development proposals.

The proposed lights, will invariably lead to some light spillage into adjoining property and the lights will be visible from other private property and public vantage points in the township.

Council must therefore be satisfied that the amount of spillage, and the visibility of the lighting, is not considered at the detriment of the local area. In consideration of this matter and the Australian Standards, Council Officers recommend approval of the lights for the following reasons:

- The lights will be used for training in the evening, on average one night per week, during the winter months only.
- The occasional night game during the winter months (currently only 4 games per year)
- The Applicant has stated the flood lights will not be operating after 9pm – but has since written to the Planning Authority requesting some discretion over the operating times to allow for the occasional extension of operating times with prior written approval from the General Manager.
- The lights can be isolated to light only parts of the ground, i.e. isolated to light only one half of the ground during training
- The lux levels of the lights can be altered
- The lights can be further baffled should they cause any nuisance
- The contractor will need to prepare a lighting plan prior to installation to ensure effective lighting of the oval and to minimise the impact on adjoining properties. This should be approved by the Council's Manager of Development and Environmental Services prior to the lights being installed.
- The Electrical Engineer may also need to increase the height of the lights to reduce direct light spill into the adjoining properties. This should only be a slight increase in the height.

Council should also consider the objectives of the Planning Scheme, specifically:

- make efficient and effective utilisation of infrastructure and services; and
- to ensure the safety and health of residents through the appropriate, adequate and equitable provision of facilities and services and
- to minimise the potential environmental and land use conflicts between different land use activities; and
- to provide sufficient land and facilities for the recreational and open space needs of residents and visitors

CONCLUSION

This report has assessed a proposal to build four (4) new flood lights at the Campania Recreation Ground.

The lights are considered Miscellaneous development of an existing land use in the Village Zone.

No representations or comment were received during the statutory advertising of the Development Application.

The Development Application has met the relevant standards of the Planning Scheme for development of an existing land use and in meeting the objectives of the Planning Scheme.

To ensure minimal light spillage (direct light and glare) on the adjoining properties the developer must submit a final light design plan to demonstrate measures to mitigate impact on nearby sensitive land use/development.

It is recommended the Application is approved and a Permit issued with conditions and advice.

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 Sport Ground Flood Lighting (4 new 23m light poles to replace former light poles) on land described as the Campania Recreation Ground, Reeve Street Oatlands and that a permit be issued with the following conditions:

CONDITIONS

General

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

Amenity

- 2) The external surface of the light pole must be a non-reflective coating (galvanised steel is acceptable).

Lighting Plan

- 3) The developer must submit a final lighting design plan, prepared by a suitably qualified and experienced person for approval by the Manager of Development of Environmental Services. The plan is to ensure the final light installation will not unreasonably impact the amenity of nearby land.

Hours of Operation

- 4) The flood lighting must not operate after 9.30pm unless the operator is given written approval by the General Manager at least one (1) month prior to the event.

Construction Amenity

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

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

- 6) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
 - a. Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - b. The transportation of materials, goods and commodities to and from the land.
 - c. Obstruction of any public footway or highway.
 - d. Unsightly appearance of any building, works or materials.
 - e. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager of Development and Environmental Services.
- 7) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manger of Works and Technical Services.

The following advice applies to this permit:

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

- B. It is the responsibility of the developer to contact the State Emergency Services and the Civil Aviation Safety Authority ascertain any further approvals regarding the height of the poles and the use of the land for emergency helicopter landings.

C/14/12/024/19910 DECISION

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

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 Sport Ground Flood Lighting (4 new 23m light poles to replace former light poles) on land described as the Campania Recreation Ground, Reeve Street Oatlands and that a permit be issued with the following conditions:

CONDITIONS

General

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

Amenity

- 2) The external surface of the light pole must be a non-reflective coating (galvanised steel is acceptable).

Lighting Plan

- 3) The developer must submit a final lighting design plan, prepared by a suitably qualified and experienced person for approval by the Manager of Development of Environmental Services. The plan is to ensure the final light installation will not unreasonably impact the amenity of nearby land.

Hours of Operation

- 4) The flood lighting must not operate after 9.30pm unless the operator is given written approval by the General Manager at least one (1) month prior to the event.

Construction Amenity

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

Monday to Friday

7:00 a.m. to 6:00 p.m.

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

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

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

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

The following advice applies to this permit:

- A. This Planning Permit is in addition to a Building Permit. Construction and site works must not commence until a Building Permit has been issued in accordance with the *Building Act 2000*.
- B. It is the responsibility of the developer to contact the State Emergency Services and the Civil Aviation Safety Authority ascertain any further approvals regarding the height of the poles and the use of the land for emergency helicopter landings.

CARRIED

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



Application No: 2014/123
Discretionary - D. Cunde
 5892562

Use this form to apply for planning approval in accordance with section 57 and 58 of the Land Use Planning and Approvals Act 1993 (the Act).

Application for Planning Approval – Use and Development for Commercial, Industrial, Agricultural and other Development

Tick if there has been a pre-application meeting with a Council officer:

Officer's name Damian Mackey

Yes: No:
 Date: 4th November 2014

Applicant, Owner & Contact Details:

Provide details of the Applicant and Owner of the land. (Please print)

Applicant: Southern Midlands Council
 Address: PO Box 21,
Oatlands, Tasmania 7120
 Email: abenson@southernmidlands.tas.gov.au

Phone No: 03 62593011
 Fax: No: 03 62545014
 Mobile: No: 0429 852 730

Owner: As above
 Address:

Phone No:
 Fax: No:

Present use of land/buildings:

Provide details of the land, including street address, title details and the existing use.

Address: Campania Recreation Ground
30 Reeve Street Campania 7026

Volume: 216031
 Folio: 1

Existing Use Recreation Ground

Description of Proposed Development:

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

Use Community Use, Village Zone

Please use definitions in planning scheme Schedule 3

Development: Replace the existing recreation/sports ground flood lighting.
The existing timber poles have been condemned. The existing poles will be replaced with a new flood lighting design to accommodate a semiprofessional competition lighting standard

Tick if proposed developed is to be staged:

Yes No

Provide an estimate of the completed value of the proposed development works, including the value of all site works and any labour contributions by the Applicant or the Owner.

Est. value: \$170,000

Write 'Nil' if no works are proposed, e.g. change of use

Southern Midlands Council
 Kempton
 10 NOV 2014
 Received:
 File No:

Business Details: (if applicable)		
Existing hours:		New Proposed Hours
Weekdays	am to pm	Weekdays am to pm
Saturday	am to pm	Saturday am to pm
Sunday	am to pm	Sunday am to pm
Employees:		
How many people are at present employed at the site?		NA
How many people will be employed implementation of development?		NA
Does the proposal provide for access for disable people?		NA yes <input type="checkbox"/> no <input type="checkbox"/> ✓ tick
If so, identify on plans		
Commercial Traffic:		
Approximate number of commercial vehicles servicing the site at present:		NA
Approximate number of commercial vehicles servicing the site in the future:		NA
Detail proposed machinery and or waste products applicable including any emissions to air and water: (if applicable): NA		
Type:	Quantity:	
_____	_____	
<small>Please attach further details separately.</small>		
Description of Existing Municipal Services and / or Proposed New Municipal Services required: (if applicable) Nil		
<small>Please tick ✓ or answer other</small>		
Is the access already constructed? ✓ yes or <input type="checkbox"/> no		
Provided details:		
How many existing car spaces currently provide ?	How many new car spaces are proposed?	
No change _____	Nil _____	
Is this site or building listed on the Tasmanian Heritage Register?		If so, please attach a Works Application or provide a copy of the Works Exemption, which ever is applicable.
please tick <input type="checkbox"/> Yes or <input type="checkbox"/> No		
Describe all new structures external building MATERIAL TYPES and colours:		
<i>Four new lighting poles approx.....23m in height and galvanised finish. The existing poles will be removed</i>		
i) Walls	Type	Colour
ii) Roof	Type	Colour
iii) Boundary fences, walls etc	Colour
iv) Surfacing of a) access road	
b) parking area (s)	

Southern Midlands Council
 Kempton
 10 NOV 2014
 Received.

Personal Information Protection Statement	
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The personal information that Council is collecting from you is deemed personal information for the purposes of the Personal Information Protection Act 2004. The intended recipients of personal information collected by Southern Midlands Council may be:

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

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

Council is collecting this personal information from you for the purposes of managing, assessing, advising upon and determining the relevant application, or other Council related matters. You may make application for access or amendment to your personal information held by Council.

Enquiries concerning this matter can be addressed to the Freedom of Information Officer, Southern Midlands Council, PO Box 21 Oatlands 7120 or Phone (03) 6254 5000.

Applicant's / Owners Declaration	APPLICANT
---	------------------

I/we hereby apply for a planning permit to carry out the use and/or development described in this application and the accompanying plans. I/we declare that the information contained in the form is correct. By providing Council with the plans and documents attached to this application ("Documents"),

I:

1. warrant to Council I own all copyright in the Documents or am a licensee of the copyright owner with the right to grant the following authority;
2. authorise Council to copy the Documents, attach copies to Agendas for any relevant Council meetings and release copies to the public upon request; and
3. acknowledge Council is relying on my warranty and authorisation and may seek recovery of any damages suffered by it if my warranty and/or authority is incorrect.

Signed (Applicant)

Andrew Benson, Deputy General Manager, Southern Midlands Council



Dated this 10th November 2014

Owner's Declaration	OWNER
----------------------------	--------------

I/we hereby give my/our permission for the lodgment of this application.

Signed (Owner/s)

Signed (Owner/s)

.....

.....

Name/s (Please Print)

Name/s (Please Print)

Dated: day of 2.....

Dated: day of 2.....

Southern Midlands Council
Kempston
10 NOV 2014



FOLIO PLAN
RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



ORIGINAL – NOT TO BE REMOVED FROM TITLES OFFICE

R.P. 146a
TASMANIA
REAL PROPERTY ACT, 1962, as amended



CERTIFICATE OF TITLE

Register Book
Vol. Fol.
2570 48

NOTE—REGISTERED FOR OFFICE
CONVENIENCE TO REPLACE

Cert. of Title. Vol. 643. Fol. 63.
I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple in the land within described together with such interests and subject to such encumbrances and interests as are shown in the Second Schedule. In witness whereof I have hereunto signed my name and affixed my seal.

M. Hutchinson

Recorder of Titles.



Let 1 of this plan consists of all the land comprised in the above-mentioned cancelled folio of the Register.

REGISTERED NUMBER
216031

DESCRIPTION OF LAND
TOWN OF CAMPANIA
FIVE ACRES TWO ROODS FIFTEEN PERCHES on the Plan hereon
FIRST SCHEDULE (continued overleaf)
THE WARDEN COUNCILLORS AND ELECTORS OF THE MUNICIPALITY
OF RICHMOND.

SECOND SCHEDULE (continued overleaf)
NIL.

CANCELLED
12 JAN 1995
Wendell Robinson
RECORDER OF TITLES
NEW TITLE ISSUED



Part of 6A-OR-132Ps. - Gtd. to The Warden &c. of the Municipality
FIRST Edition. Registered 9 JAN 1970 of Richmond. - Meas. in Links.
Derived from C.T. Vol. 643. Fol. 63.

10 NOV 2014

Received



10th November 2014

Damian Mackey
Manager Development & Environmental Services
Southern Midlands Council
85 main Street
KEMPTON TAS 7030

Dear Damian

DEVELOPMENT APPLICATION CAMPANIA RECREATION GROUND FLOOD LIGHTING

This letter is providing supporting information to the Development Application for the Proposed Flood Lighting of the Campania Recreation Ground.

This project consists of the erection of four 23m light poles at the Campania Recreation Ground. This has been brought about the condemning of some of the existing timber poles on the site. These existing timbers poles are approximately 13m in height, there are also some other steel poles that facilitate a lighting function for the ground. Council has resolved to remove the existing poles and replace them with four new light poles that will comply with the Australia Standard for lighting sports grounds, at a semiprofessional lighting level of 200 lux for games and 100 lux for training.

It is anticipated that the football club will train on the ground using the lights on average of one night per week during the lead up to the football season as well as during the season. It is also anticipated that the cricket club may wish to use the ground for a night game four times a year and the football club may wish to use the ground four times a year for night games.

As part of the tender pack for the design and construction of the new flood lighting, it is a requirement for the tenderers to detail the manner in which their design minimizes lighting spill to adjoining properties through modern light engineering design principles

Southern Midlands Council
Kempton

10 NOV 2014

Received:

File No:

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

I refer to the "Draft Interim Southern Midlands Planning Scheme" which is not currently in force; however it is my desire that these standards are the benchmark for our Flood Lighting Project. As such I have instructed our Consulting Electrical Engineering team to develop the tender package using the Performance Criteria detailed below

18.3.3 External Lighting

Objective

To ensure that external lighting does not have unreasonable impact on residential amenity on land within the Residential Zone

Performance Criteria 2

Flood lighting of sport and recreation facilities within 200m of a Residential Zone must satisfy all of the following;

- (a) Be necessary for sport and recreation use*
- (b) Not operate after 9.00pm unless spill light does not unreasonably impact residential amenity of nearby land.*

Whilst I did not complete the "business hours" section in the Planning Application, I confirm that in accordance with the abovementioned Scheme requirements, the flood lighting will not be operating after 9.00pm of an evening.

I have included an image of the light pole at the Pontville Recreation Ground which will provide an indication of the pole size. Indeed a visit to the Pontville Recreation Ground will provide you with a realistic understanding of what will be the end product that we envisage for the Campania Recreation Ground project.

Please contact me if you require any further information.

Regards



Andrew Benson
Deputy General Manager

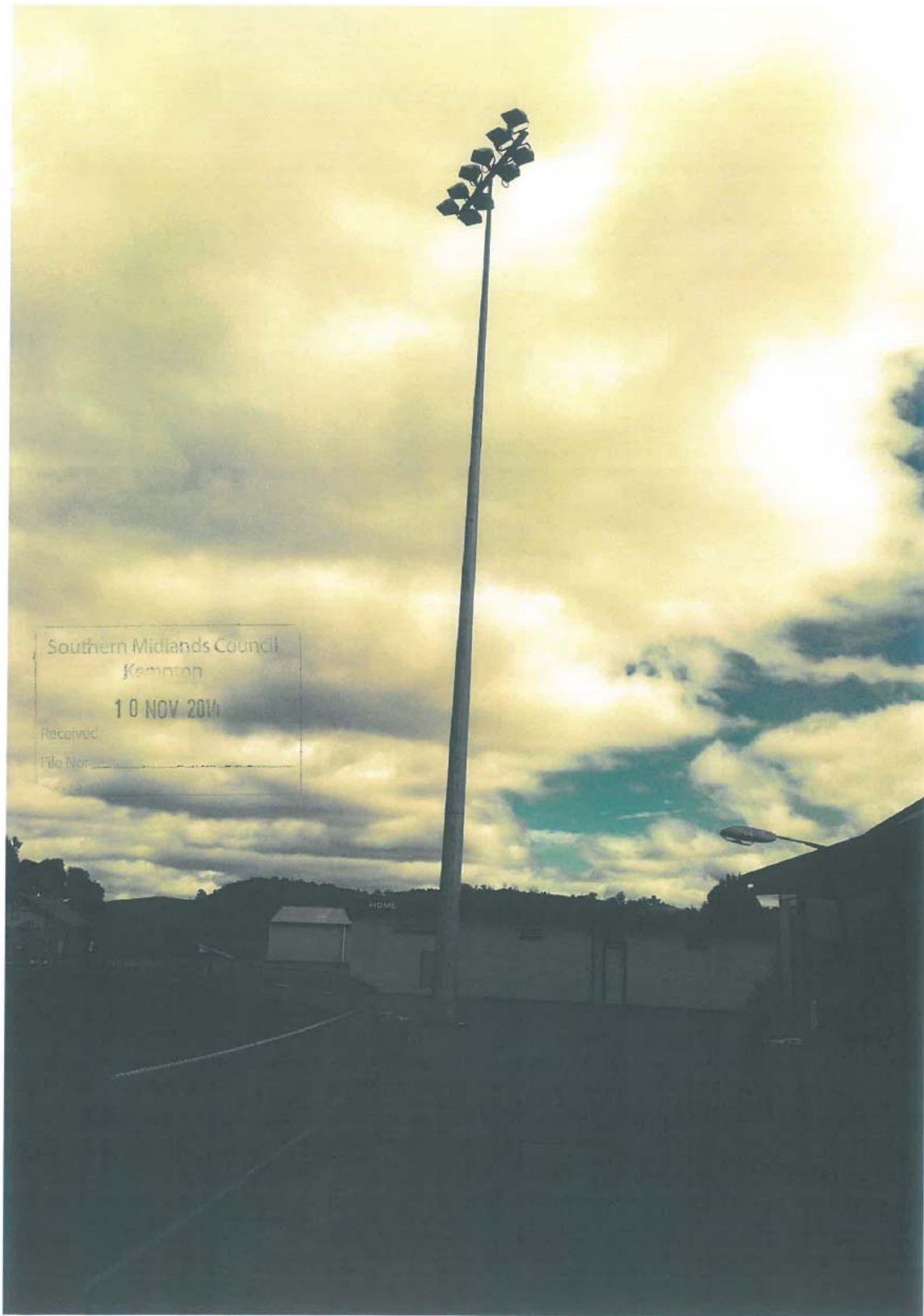
Encl Development Application
 Image of the height of the Flood Lighting at Pontville
 Site Plan
 Title

Southern Midlands Council
Kettering
10 NOV 2014

Campania Recreation Ground



South
NOV 2014
Received
File No:



12.1.2 Development Application (DA 2014/122) for proposed Sport Ground Flood Lighting (4 new 23m light poles to replace former light poles) at the Oatlands Recreation Ground, High Street Oatlands.

File Ref: T5842776 HIGH

AUTHOR PLANNING OFFICER (D CUNDALL)

DATE 8TH DECEMBER 2014

ATTACHMENTS Development Application Plans and Drawings

PROPOSAL

The Southern Midlands Council, as the Applicant and the landowner, has submitted a Development Application for new flood lighting at the Oatlands Recreation Ground (Certificate of Title 126116/1).

The proposed development is four (4) 23m high flood lights to replace the flood lights surrounding the Recreation Ground oval. Most of the existing flood lights have been recently removed due to safety reasons.

The Development Application states that the flood lights will allow for night games and training on the Recreation Ground oval over the winter months.

The land is zoned Community Use Zone under the *Southern Midlands Planning Scheme 1998* (“the Scheme”) and is within the Historic Precinct Special Area. The development is defined as ‘Miscellaneous’ development of an existing land use (a Public Park).

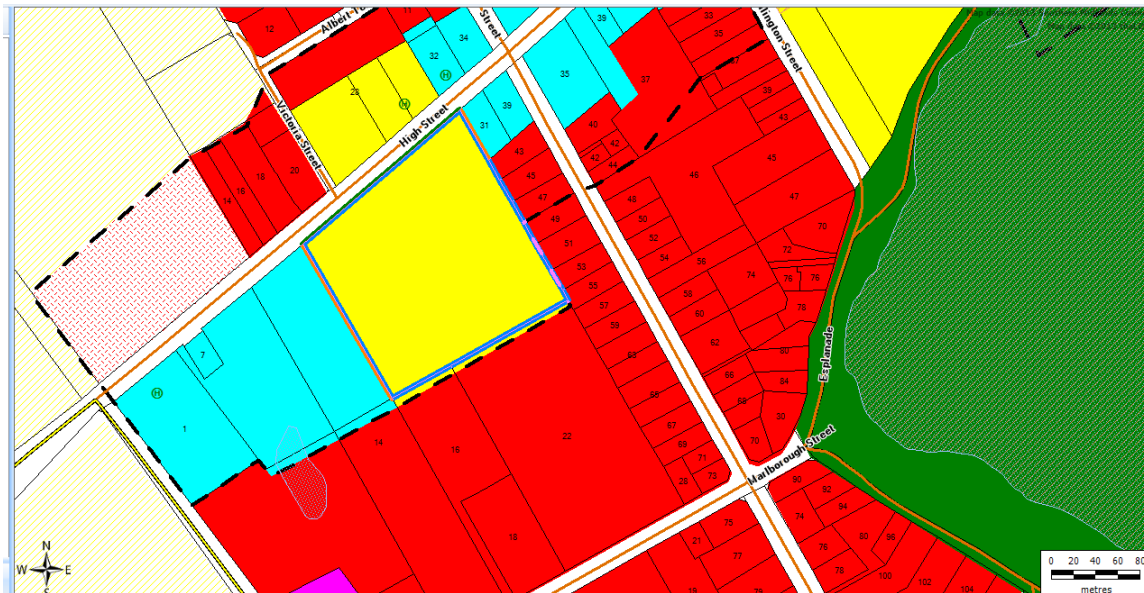
The Development Application was advertised for the statutory 14 day time period under the *Land Use Planning and Approvals Act 1993* (“the Act”). No Representations or comment were received. The Council conducted public consultation and door-knocking adjoining owners to the Recreation Ground leading up-to the lodgement of the Development Application.

This report will assess the proposal against the relevant provisions of the Act and the Planning Scheme. The Application is recommended for approval subject to conditions and advice.

THE SITE

Map 1 below shows the land zoning and location of the Recreation Ground. Map 2 below is an aerial photo that shows the property boundary and the adjoining properties and locations of existing dwellings, vegetation and development.

The land fronts High Street and is adjoined by smaller residential lots on Stanley Street, a small Commercial Zoned lot fronting High Street, a large undeveloped residential lot fronting Marlborough Street, and Commercial Zoned land on the southern boundary.



Map 1_The land, coloured yellow, is the Community Use Zone. The black dashed line is the boundary of the Historic Precinct Special Area. The Recreation Ground is highlighted with a blue border.



Map 2_Aerial view of the subject land. Property is highlighted with a blue border.

THE APPLICATION

The Applicant submitted a site plan, a photograph of a 23m high flood light (substantially the same as that proposed), and a written assessment and explanation of the development.

There is sufficient information within these documents for Council Officers to make a recommendation to the Planning Authority for a Planning Permit.

Development and Environmental Services Officers have also conducted a site visit, discussed the proposal with an electrical engineer, discussed similar development with other Council's and held discussions with the Applicant.

FINAL LIGHTING DESIGN PLAN

Prior to construction of the light poles the contractor will need to prepare a final lighting design plan to map the light coverage of the oval. The plan must also minimise light spillage into the adjoining residential land.

If the contractor cannot minimise light spillage, to an acceptable level, then the height of the light poles may need to be extended. It is estimated that the height may then be between 23m and 28m.

An extension in the height would ensure the lights can be further tilted downwards (to a steeper angle) to project light directly onto the oval. Downwards facing lights are a better method of controlling and concentrating light into a specific point. Diagram 1 and Diagram 2 below to demonstrate the benefits of a steeper angle.

Should the poles need to be extended to 28m then any Permit issued should acknowledge the possibility of an increase in height and confirm this is still substantially in accordance with the submitted Development Application. This type of advice would ordinarily be contained in the covering letter that accompanies a planning permit.

It is also acknowledged that the Oatlands Recreation Ground is also used as an emergency meeting point for helicopter landings. It is the responsibility of the developer to contact the Civil Aviation Safety Authority to ascertain any necessary approvals for tall structures prior to their installation. Advice to this effect should be included on any permit issued.

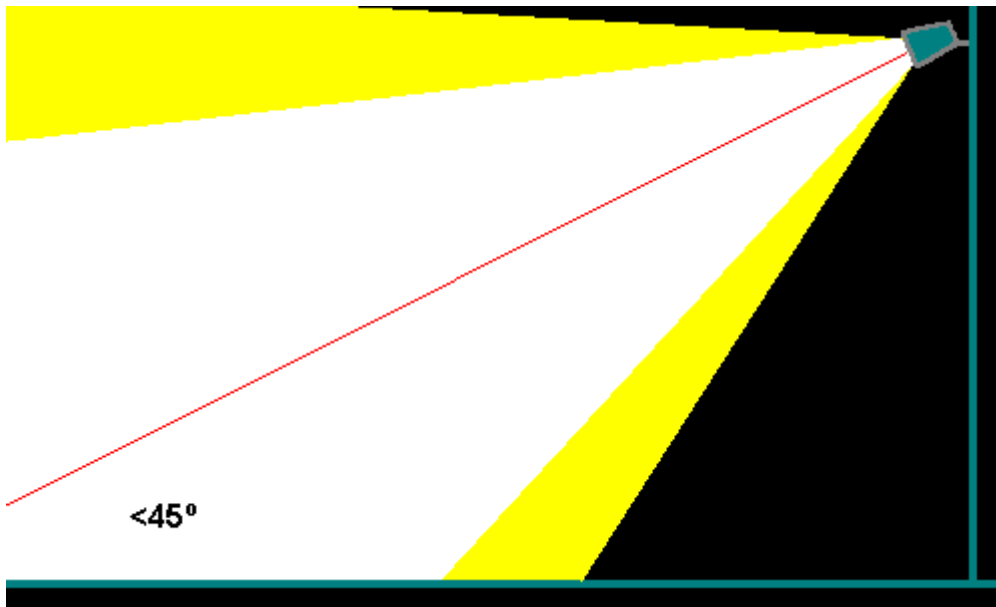


Diagram 1_ the diagram demonstrates a light pole projecting at an angle of less than 45 degrees. This projects lighting over a much greater distance.

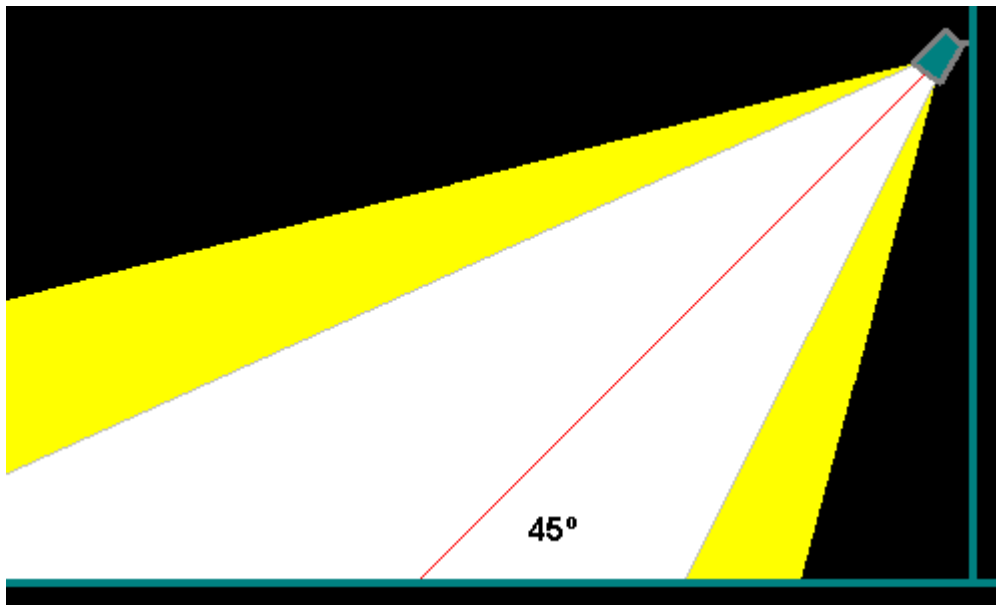


Diagram 2_ this diagram demonstrates a light angled at 45 degrees concentrating light into a particular area.

USE/DEVELOPMENT DEFINITION

Under Schedule 3 'Use or Development Category Definitions' of the Planning Scheme, the proposed development is defined as 'Miscellaneous' use/development:

Miscellaneous

means the use or development of any land which conforms neither specifically nor in substance with a category listed elsewhere in this Schedule.

Use Development/Status under the Planning Scheme

Under the Scheme, ‘Miscellaneous’ use/development is a discretionary use/development in the *Community Use Zone* and invokes Clause 11.5. Subsequently the use/development:

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

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

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised on the 14th November 2014 for fourteen (14) days and did not receive any comment or representation.

ASSESSMENT - THE SOUTHERN MIDLANDS PLANNING SCHEME 1998

Development Standards of the Community Use Zone

In accordance with Part 7.4 of the Scheme, buildings shall not exceed 8m in height and should maintain a setback of 1.5m from the side and rear boundaries and a 4m setback from the front boundary (road alignment). The proposed flood lights are 23m high and 2m from the boundary at the closest point. The 23m height of the lights will require further assessment and a variation to the height standard.

Where Council is satisfied that the variation would not conflict with the intent of the Zone and has considered the standards specified in Part 7.4.2 of the Community Use Zone then Council may allow for a variation of the height standard.

Council shall consider the following standards in Part 7.4.2:

- *the particular shape, contours or slope of the subject land, or of adjoining land;*
- *the need to protect existing natural features or qualities of the locality;*
- *the adjoining land uses and/or zoning;*
- *the existing setback in the vicinity;*
- *relevant professional advice on environmental hazards;*
- *all other provisions of this Scheme.*

The Intent of the Community Use Zone is to:

- give priority to land being used for community purposes such as schools, community centres, creches, churches, sports fields, playgrounds and the like;
- ensure that such areas are protected from inappropriate development that would impact on the use and development of the facilities;
- ensure that the facilities have minimal impact of the amenity and use of neighbouring properties; and
- identify areas that may be required for community use in the future.
- Council should consider the following in response to the above standards:

The proposed lights, meet the intent of the Community Use Zone. The lights further improve the land for community purposes with minor manageable impact on adjoining land use/development. Council should be satisfied that the proposed lights will have a minimal impact on the adjoining properties.

Overshadowing

The two (2) lights on the north eastern boundary may cast a minor shadow on the Stanley Street residential lots during sunset. This is considered a minor impact on the adjoining land given the narrow width of the shadow, the existing use rights of the Recreation Ground and the shadow would be cast across existing sheds, trees and other outbuildings on the adjoining land. It is not considered a detrimental impact on the backyard amenity of the residential land and would not obstruct sunlight from habitable rooms of the dwellings. It is noted that the proposed lights on south western side of the oval will impact the recreation ground only.

Lighting

The Applicant has door-knocked and discussed the lights with the adjoining property owners. The Application was also advertised and all adjoining owners contacted per Section 57 of the Act. No comment or representation was received.

The Applicant, states that the consultant electrical engineer will design the lighting to conform with the Australian Standard for lighting in sports grounds at a semi-professional level and the Performance Criteria for external lighting in the Draft Interim Planning Scheme (scheme not yet declared).

There is also an Australian Standard for outdoor lighting, ‘The Australian Standard for the Control of the obtrusive effects of outdoor lighting (AS/NZS 4282-1997)’. This Standard was prepared by the Standards Australia Committee to be used Australia wide to mitigate and control the impact of outdoor lighting.

The Standard recognises that with any outdoor lighting it will rarely be possible to contain all light within the boundaries of the property on which the lighting system is installed. Some light will inevitably be spilled outside the property boundaries, either directly or by reflection. The determination of when the spill light becomes obtrusive to others is difficult since both physiological and psychological effects are involved.

It is generally the role of Local government to control the obtrusive effects of outdoor lighting through the development approvals process, and in resolving neighbourhood disputes involving residents who experience discomfort or annoyance from nearby outdoor lighting installations.

Some local government authorities have applied restrictions on the frequency of use and hours of operation of outdoor lighting, and on the levels of light spilled beyond the boundaries of the subject site. The objective of this Standard is to provide a common basis for assessment of the likely effects of developments that involve the provision of outdoor lighting. However, it should be noted that the potentially obtrusive effects of the lighting will normally be only one of a number of environmental considerations that will need to be addressed. Compliance with this Standard, i.e. with the recommended limits for the various light technical parameters, will therefore not usually be the sole basis for the approval of particular development proposals.

The proposed lights, will invariably lead to some light spillage into adjoining property and the lights will be visible from other private property and public vantage points in the township.

Council must therefore be satisfied that the amount of spillage, and the visibility of the lighting, is not considered at the detriment of the local area. In consideration of this matter and the Australian Standards, Council Officers recommend approval of the lights for the following reasons:

- The lights will be used for training in the evening, on average two nights per week, during the winter months only.
- The occasional night game during the winter months
- The Applicant has stated the flood lights will not be operating after 9pm – but has since written to the Planning Authority requesting some discretion over the operating times to allow for the occasional extension of operating times with prior written approval from the General Manager.
- The lights can be isolated to light only parts of the ground, i.e. isolated to light only one half of the ground during training
- The lux levels of the lights can be altered
- The lights can be further baffled should they cause any nuisance
- The contractor will need to prepare a lighting plan prior to installation to ensure effective lighting of the oval and to minimise the impact on adjoining properties. This should be approved by the Council's Manager of Development and Environmental Services prior to the lights being installed.
- The Electrical Engineer may also need to increase the height of the lights to reduce direct light spill into the adjoining properties to allow for a steeper angle of light projection and concentration.



Photo 1_Photo taken looking north west. The photo demonstrate the location of the Stanley Street dwellings, the rear boundary of the recreation ground, and the approximate location of one of the light poles.

Historic Precinct Special Area

Development within the Historic Precinct Special Area must be in accordance with the following principles. Council will note the standards of the historic precinct special area are mainly concerned with new buildings:

- a. scale, roof pitch, building height, form, bulk, rhythm, materials and colour of new buildings should be appropriate to the site, adjacent buildings, and the heritage values of the local streetscape, taking into account the intent of the Special Area;*
- b. buildings should provide a strong edge to the street consistent with the prevailing building line;*
- c. the visual relationship between the existing and new buildings should be considered, with new buildings avoiding visually dominating neighbouring historic buildings;*
- d. where feasible, additions and new buildings should be confined to the rear of existing buildings;*

- e. *architectural details and openings for windows and doors to visually prominent facades shall respect the historic character in terms of style, size, proportion and position;*
- f. *outbuildings are generally to have a gabled, corrugated roof with an angle of pitch matching that of the primary building on the land, and with differentiated colouring of the exterior walls and roof so as to also match that of the primary building on the land;*
- g. *fences along street boundaries of properties, including both main and side streets should be:*
- a. *between 900mm and 1000mm high, with a maximum of 1200mm for posts;*
 - b. *vertically articulated, (such as with dowel-and-rail, picket or palisade fences), and should not be horizontally articulated, (such as with post and rail fences); and*
 - c. *“transparent” or “open” in appearance, that is, the distance between dowels or pickets, etc, should be such that the fence does not appear solid;*
 - d. *hedges along street boundaries, including both main and side streets, are acceptable provided they are kept to the height indicated for fences in (vii), above.*

The flood lighting is defined as Miscellaneous development of an existing land use (Public Park). The impact on the historic precinct is considered minimal given the purpose of a recreation ground and given the existing built infrastructure of the Recreation Ground. There is also sufficient separation distances between the lights and any prominent heritage listed properties.

The lights will be visible from public vantage points within the town, but consideration should be given to the narrow width of the light poles and the use of galvanised steel (galvanised steel will oxidise to a more appropriate/neutral grey colour).

Council should also consider the intent of the Community use zone, to encourage and develop use of community land and the objectives of the Planning Scheme to, specifically:

- make efficient and effective utilisation of infrastructure and services; and
- to ensure the safety and health of residents through the appropriate, adequate and equitable provision of facilities and services and
- to minimise the potential environmental and land use conflicts between different land use activities; and
- to provide sufficient land and facilities for the recreational and open space needs of residents and visitors

CONCLUSION

This report has assessed a proposal to build four (4) new flood lights at the Oatlands Recreation Ground.

The lights are considered Miscellaneous development of an existing land use in the Community Use zone and within the Historic Precinct Special Area.

No representations or comment were received during the statutory advertising of the Development Application.

The Development Application has met the relevant standards of the Planning Scheme for development of an existing land use and in meeting the objectives of the Planning Scheme.

To ensure minimal light spillage (direct light and glare) on the adjoining properties the developer must submit a final light design plan to demonstrate measures to mitigate impact on nearby sensitive land use/development.

It is recommended the Application is approved and a Permit issued with conditions and advice.

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 Sport Ground Flood Lighting (4 new 23m light poles to replace former light poles) on land described as the Oatlands Recreation Ground, High Street Oatlands and that a permit be issued with the following conditions:

CONDITIONS

General

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

Amenity

- 2) The external surface of the light pole must be a non-reflective coating (galvanised steel is acceptable).

Lighting Plan

- 3) The developer must submit a final lighting design plan, prepared by a suitably qualified and experienced person for approval by the Manager of Development of Environmental Services. The plan is to ensure the final light installation will not unreasonably impact the amenity of nearby land.

Hours of Operation

- 4) The flood lighting must not operate after 9.30pm unless the operator is given written approval by the General Manager at least one (1) month prior to the event.

Construction Amenity

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

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

- 6) All works associated with the development of the land shall be carried out in such a manner so as not to unreasonably cause injury to, or prejudice or affect the amenity, function and safety of any adjoining or adjacent land, and of any person therein or in the vicinity thereof, by reason of:
 - a. Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - b. The transportation of materials, goods and commodities to and from the land.
 - c. Obstruction of any public footway or highway.
 - d. Unsightly appearance of any building, works or materials.
 - e. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager of Development and Environmental Services.
- 7) The developer must make good and/or clean any footpath, road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manager of Works and Technical Services.

The following advice applies to this permit:

- A. This Planning Permit is in addition to a Building Permit. Construction and site works must not commence until a Building Permit has been issued in accordance with the *Building Act 2000*.
- B. It is the responsibility of the developer to contact the State Emergency Services and the Civil Aviation Safety Authority ascertain any further approvals regarding the height of the poles and the use of the land for emergency helicopter landings.

C/14/12/045/19911 DECISION

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

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 Sport Ground Flood Lighting (4 new 23m light poles to replace former light poles) on land described as the Oatlands Recreation Ground, High Street Oatlands and that a permit be issued with the following conditions:

CONDITIONS

General

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

Amenity

- 2) The external surface of the light pole must be a non-reflective coating (galvanised steel is acceptable).

Lighting Plan

- 3) The developer must submit a final lighting design plan, prepared by a suitably qualified and experienced person for approval by the Manager of Development of Environmental Services. The plan is to ensure the final light installation will not unreasonably impact the amenity of nearby land.

Hours of Operation

- 4) The flood lighting must not operate after 9.30pm unless the operator is given written approval by the General Manager at least one (1) month prior to the event.

Construction Amenity

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

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

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

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

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

The following advice applies to this permit:

- A. This Planning Permit is in addition to a Building Permit. Construction and site works must not commence until a Building Permit has been issued in accordance with the *Building Act 2000*.
- B. It is the responsibility of the developer to contact the State Emergency Services and the Civil Aviation Safety Authority ascertain any further approvals regarding the height of the poles and the use of the land for emergency helicopter landings.

CARRIED.

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



Application No: 2014/122

5842776
Discretionary
Per: D. Cundall

Use this form to apply for planning approval in accordance with section 57 and 58 of the Land Use Planning and Approvals Act 1993 (the Act).

Application for Planning Approval – Use and Development for Commercial, Industrial, Agricultural and other Development

Tick if there has been a pre-application meeting with a Council officer:

Officer's name Damian Mackey

Date: Yes: No:
4th November 2014

Applicant, Owner & Contact Details:

Provide details of the Applicant and Owner of the land. (Please print)

Applicant: Southern Midlands Council
Address: PO Box 21,
Oatlands, Tasmania 7120
Email: abenson@southernmidlands.tas.gov.au

Phone No: 03 62593011
Fax: No: 03 62545014
Mobile: No: 0429 852 730

Owner: As above
Address: _____

Phone No: _____
Fax: No: _____

Present use of land/buildings:

Provide details of the land, including street address, title details and the existing use.

Address: Oatlands Recreation Ground
High Street, Oatlands 7120

Volume: 126116
Folio: 1

Existing Use Recreation Ground

Description of Proposed Development:

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

Use Community Use

Please use definitions in planning scheme Schedule 3

Development: Replace the existing recreation/sports ground flood lighting.
The existing timber poles have been condemned. The existing poles will be replaced with a new flood lighting design to accommodate a semiprofessional competition lighting standard

Tick if proposed development is to be staged:

Yes No

Provide an estimate of the completed value of the proposed development works, including the value of all site works and any labour contributions by the Applicant or the Owner.

Est. value: \$170,000

Write 'Nil' if no works are proposed, e.g. change of use

Southern Midlands Council
Kempston
4 0 NOV 2014

Business Details: (if applicable)		
Existing hours:		New Proposed Hours
Weekdays	am to pm	Weekdays am to pm
Saturday	am to pm	Saturday am to pm
Sunday	am to pm	Sunday am to pm
Employees:		
How many people are at present employed at the site?		NA
How many people will be employed implementation of development?		NA
Does the proposal provide for access for disable people?		NA <input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> tick
If so, identify on plans		
Commercial Traffic:		
Approximate number of commercial vehicles servicing the site at present:		NA
Approximate number of commercial vehicles servicing the site in the future:		NA
Detail proposed machinery and or waste products applicable including any emissions to air and water: (if applicable):		NA
Type:	Quantity:	
_____	_____	
<small>Please attach further details separately.</small>		
Description of Existing Municipal Services and / or Proposed New Municipal Services required: (if applicable)		Nil
<small>Please tick ✓ or answer other</small>		
Is the access already constructed? <input checked="" type="checkbox"/> yes or <input type="checkbox"/> no		
Provided details:		
How many existing car spaces currently provide ?	How many new car spaces are proposed?	
No change _____	Nil _____	
Is this site or building listed on the Tasmanian Heritage Register?		If so, please attach a Works Application or provide a copy of the Works Exemption, which ever is applicable.
please tick <input type="checkbox"/> Yes or <input type="checkbox"/> No		
Describe all new structures external building MATERIAL TYPES and colours:		
<i>Four new lighting poles approx....23m in height and galvanised finish. The existing poles will be removed</i>		
i) Walls	Type	Colour
ii) Roof	Type	Colour
iii) Boundary fences, walls etc	Colour
iv) Surfacing of a) access road	
b) parking area (s)	
Southern Midlands Council		
Kamohau		
10 NOV 2014		

Personal Information Protection Statement	
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The personal information that Council is collecting from you is deemed personal information for the purposes of the Personal Information Protection Act 2004. The intended recipients of personal information collected by Southern Midlands Council may be:

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

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

Council is collecting this personal information from you for the purposes of managing, assessing, advising upon and determining the relevant application, or other Council related matters.
You may make application for access or amendment to your personal information held by Council.

Enquiries concerning this matter can be addressed to the Freedom of Information Officer, Southern Midlands Council, PO Box 21 Oatlands 7120 or Phone (03) 6254 5000.

Applicant's / Owners Declaration	APPLICANT
---	------------------

I/we hereby apply for a planning permit to carry out the use and/or development described in this application and the accompanying plans. I/we declare that the information contained in the form is correct. By providing Council with the plans and documents attached to this application ("Documents"),

I:

1. warrant to Council I own all copyright in the Documents or am a licensee of the copyright owner with the right to grant the following authority;
2. authorise Council to copy the Documents, attach copies to Agendas for any relevant Council meetings and release copies to the public upon request; and
3. acknowledge Council is relying on my warranty and authorisation and may seek recovery of any damages suffered by it if my warranty and/or authority is incorrect.

Signed (Applicant)

Andrew Benson, Deputy General Manager, Southern Midlands Council



Dated this 10th November 2014

Owner's Declaration	OWNER
----------------------------	--------------

I/we hereby give my/our permission for the lodgment of this application.

Signed (Owner/s)

Signed (Owner/s)

Name/s (Please Print)

Name/s (Please Print)

Dated: day of 2.....

Dated: day of 2.....

Southern Midlands Council

Permitting

10 NOV 2014

Received:



Damian Mackey
Manager Development & Environmental Services
Southern Midlands Council
85 main Street
KEMPTON TAS 7030



Dear Damian

DEVELOPMENT APPLICATION OATLANDS RECREATION GROUND FLOOD LIGHTING

This letter is providing supporting information to the Development Application for the Proposed Flood Lighting of the Oatlands Recreation Ground.

This project consists of the erection of four 23m light poles at the Oatlands Recreation Ground. This has been brought about the condemning of some of the existing timber poles on the site. These existing timbers poles are approximately 13m in height, that facilitate a lighting function for the ground. Council has resolved to remove the existing poles and replace them with four new light poles that will comply with the Australia Standard for lighting sports grounds, at a semiprofessional lighting level of 200 lux for games and 100 lux for training.

It is anticipated that the football clubs (ie Oatlands and Mt Pleasant) will train on the ground using the lights on average of two nights per week during the lead up to the football season as well as during the season. It is also anticipated that the football club may wish to use the ground four times a year for night games.

As part of the tender pack for the design and construction of the new flood lighting, it is a requirement for the tenderers to detail the manner in which their design minimizes lighting spill to adjoining properties through modern light engineering design principles

Southern Midlands Council
Kempton

10 NOV 2014

Received:

File No:

Page No:

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

I refer to the "Draft Interim Southern Midlands Planning Scheme" which is not currently in force; however it is my desire that these standards are the benchmark for our Flood Lighting Project. As such I have instructed our Consulting Electrical Engineering team to develop the tender package using the Performance Criteria detailed below

18.3.3 External Lighting

Objective

To ensure that external lighting does not have unreasonable impact on residential amenity on land within the Residential Zone

Performance Criteria 2

Flood lighting of sport and recreation facilities within 200m of a Residential Zone must satisfy all of the following;

- (a) Be necessary for sport and recreation use
- (b) Not operate after 9.00pm unless spill light does not unreasonably impact residential amenity of nearby land.

Whilst I did not complete the "business hours" section in the Planning Application, I confirm that in accordance with the abovementioned Scheme requirements, the flood lighting will not be operating after 9.00pm of an evening.

I have included an image of the light pole at the Pontville Recreation Ground which will provide an indication of the pole size. Indeed a visit to the Pontville Recreation Ground will provide you with a realistic understanding of what will be the end product that we envisage for the Oatlands Recreation Ground project.

Please contact me if you require any further information.

Regards



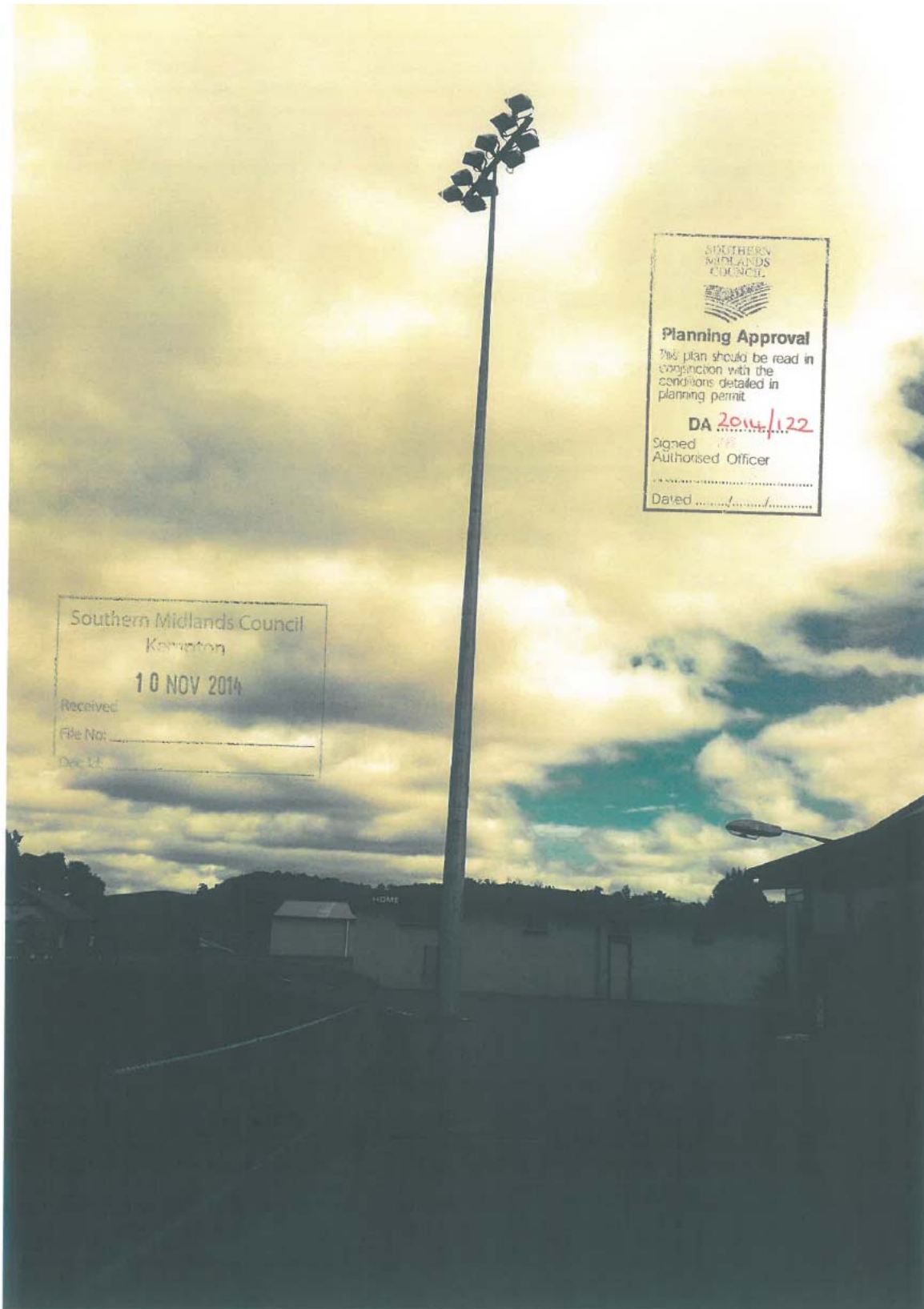
Andrew Benson
Deputy General Manager

- Encl Development Application
- Image of the height of the Flood Lighting at Pontville
- Site Plan
- Title



Oatlands Recreation Ground







RESULT OF SEARCH

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980



SEARCH OF TORRENS TITLE

VOLUME 126116	FOLIO 1
EDITION 3	DATE OF ISSUE 20-Feb-1998

SEARCH DATE : 10-Nov-2014
SEARCH TIME : 01.52 PM

DESCRIPTION OF LAND

Town of OATLANDS
Lot 1 on Plan 126116
Being the land described in Conveyance 8/3797
Derivation : Part of 21A-1R-1P. Granted to Henry Bilton
Derived from A16810

SCHEDULE 1

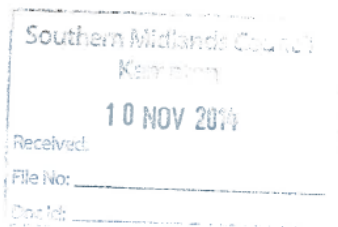
SOUTHERN MIDLANDS COUNCIL

SCHEDULE 2

Reservations and conditions in the Crown Grant if any
C70271 LEASE to OATLANDS FOOTBALL CLUB INC of a leasehold
estate for the term of 99 years from 15-April-1996 of
a building erected on the said land within described
as shown by a sketch diagram on the said lease
Registered 17-Feb-1998 at noon (MF:2517o/876)

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

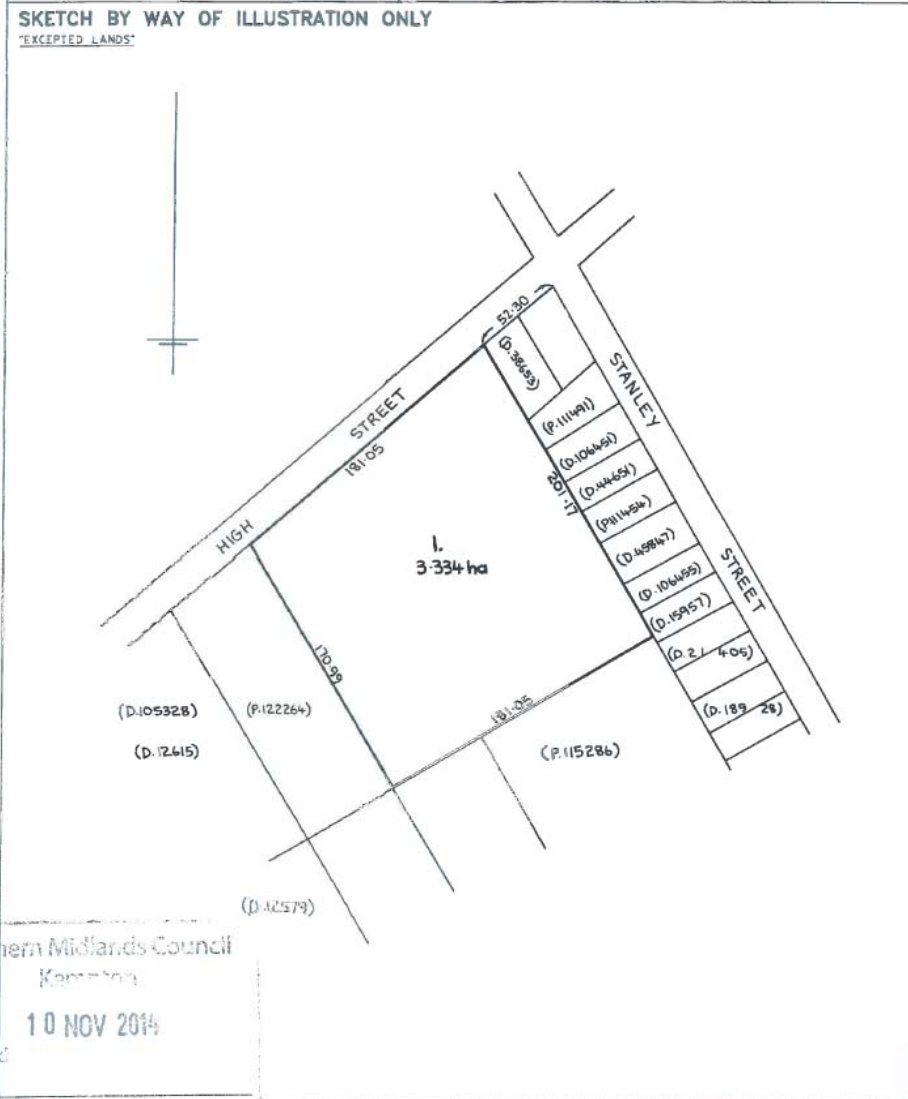




FOLIO PLAN
 RECORDER OF TITLES
 Issued Pursuant to the Land Titles Act 1980



FILE NUMBER A.16810 GRANTEE PART OF 2,0181 st , GRANTED TO HENRY BILTON		CONVERSION PLAN LOCATION TOWN OF DATLANDS (SECTION Q) CONVERTED FROM 8/3797 NOT TO SCALE LENGTHS IN METRES		REGISTERED NUMBER P 126116 APPROVED 1.1.OCT.1996 <i>Michael Chan</i> Recorder of Titles
MAPSHEET MUNICIPAL CODE No. 125	LAST UPI No. 2500517	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN		DRAWN D.B.



Southern Midlands Council
 Kempton
 10 NOV 2014
 Received
 File No:

12.1.3 Development Application for a proposed Bottle shop - defined as a change of use – Off License/Liquor Outlet and Signage at 59 High St, Oatlands

File Reference: T3124391 HIGH

REPORT AUTHOR: PLANNING OFFICER (D CUNDALL)

DATE: 8TH DECEMBER 2014

ATTACHMENTS: Development Application

THE PROPOSAL:

The Applicant S & B Adams has applied for a Planning Permit to change the use of a former shop on the corner of High Street and Church Street to a ‘Cellarbrations’ bottle shop with new signage. The development is in the Commercial Zone and the Historic Precinct Special Area.

The Applicants propose new signage and minor internal works as depicted in the attached ‘Development Application’.

The Development Application is considered at Council’s discretion for a liquor licensed establishment and for signage in the Historic Precinct Special Area.

The Applicant must also apply for (and obtain) an ‘Off License’ for the dedicated sale of liquor from a bottleshop as required under the *Liquor Licensing Act 1990*. This is separate to the Planning Assessment under the *Land Use Planning and Approvals Act 1993*.

The Application is recommended for approval subject to conditions and advice.

THE SITE

The building is located on the corner of Church Street and High Street in Oatlands. The building is an early to mid -20th century building that has been used as a shop and business premises over the years. There is also a residential flat at the rear of the shop.



Image 1 _Photo depicts the shop as taken November 2014. Photo was taken looking south along High Street.



Image 2 _Photo depicts the shop frontage as taken November 2014. Photo was taken looking east.

THE APPLICATION

The Applicant submitted a completed Application form, a shop floor plan, a written explanation and a signage plan.

There is sufficient information for the Planning Authority and any member of the public to form a view on the Development Application and for Council Officers to assess under the relevant legislation.

Signage Plan

Council should be aware that the Applicant originally submitted a version of the signage plan which was not publicly advertised. Council Officers reviewed this plan and gave the Applicant a chance to alter the plan to better conform with the signage standards of the Planning Scheme. Of particular concern was the large ‘Cellarbrations’ wrap around sign on the parapet wall. A copy of this earlier plan is included below as ‘Plate 1’.

Council will note the differences between the old version and the attached new version; in particular the large wrap around ‘Open Seven Days - Cellarbrations – at Oatlands’ which has now been altered and reduced in size.

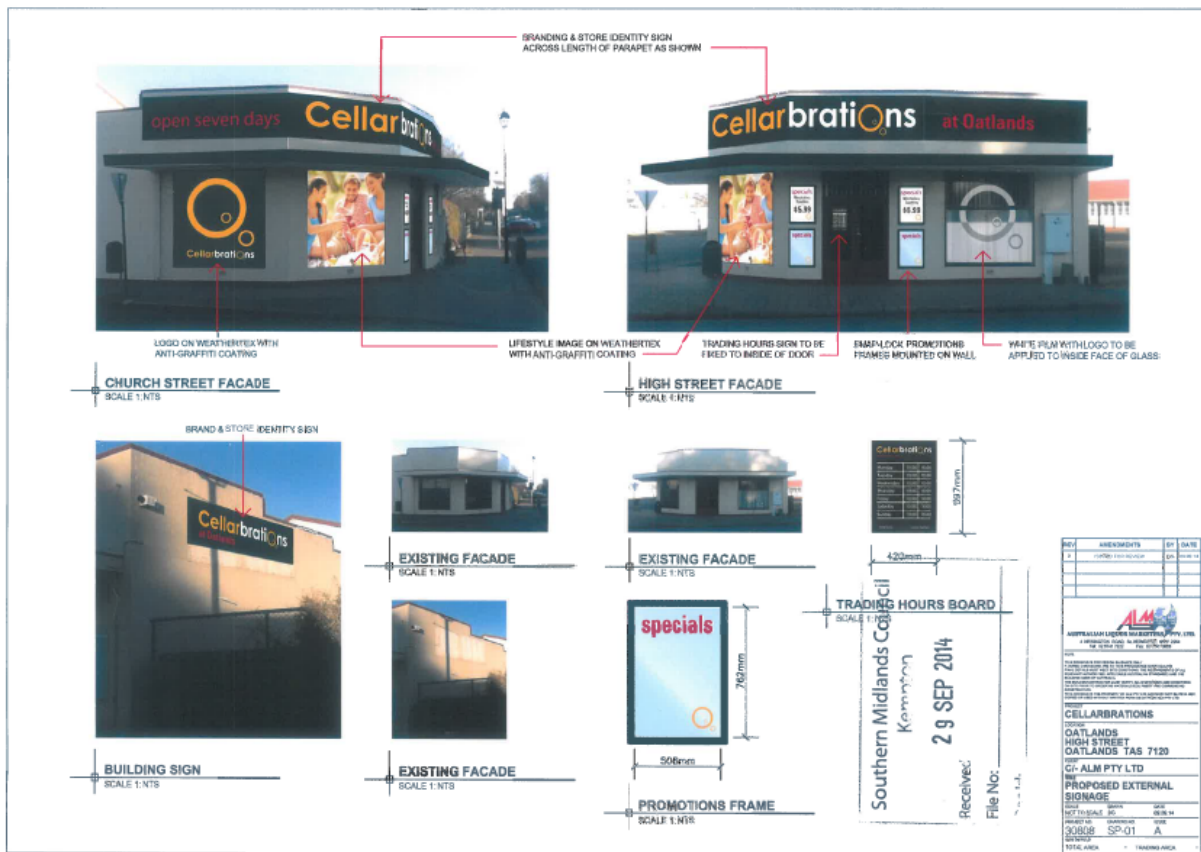


Plate 1_Earlier Signage Plan submitted to Council – not publicly advertised.

Statutory Status

A liquor licensed establishment and new signage, of this type, in the Historic Precinct Special Area is at Council's discretion.

A discretionary use or development must be advertised in accordance with Section 57 of the *Land Use Planning and Approvals Act 1993* for the statutory 14 day period.

Public Notification and Representation

The application was advertised, and all adjoining owners were notified on Saturday 14th November 2014 for the 14 day advertising period. No representations or comment were received.

Off License Application (*Liquor Licensing Act 1990*)

Council should note that the assessment process under the *Liquor Licensing Act 1990* for an 'off-license' is a separate process to a Planning permit and will consider public interest matters. Liquor licensing is not under the jurisdiction of Council and is not considered under the *Land Use Planning and Approvals Act 1993*.

In determining an Application for an Off License, the Commissioner for Licensing will consider Section 24 (a), "In considering an application for a liquor licence, the Commissioner or the Board must make a decision which, in the opinion of the Commissioner or the Board, is in the best interests of the community". This particular part of the legislation considers a whole range of issues concerned with the sale of alcohol in a community including reducing social harm.

Interested members of the public can lodge written submissions in regard to an off license application through the Liquor Licensing Tasmania (Department of Treasury and Finance).

PLANNING SCHEME ASSESSMENT

Zone: Commercial Zone

The Scheme gives priority to commercial use and development along High Street in Oatlands through the management of one zone. The Commercial Zone recognises land that is used, or has the potential to be used, for shops and businesses that primarily cater for the needs of the local population, tourists and other visitors.

The proposal largely meets the intent of the Commercial zone. That is to consolidate commercial activity in the High St of Oatlands and actively encourage further development and business in the township.

Intent of the Commercial Zone

The intent of the Commercial Zone is to:

- *give priority to having suitable areas for shops and businesses and primarily cater for the needs of the local population and visitors to the area;*

- *strengthen the settlement of Oatlands as the primary focus for commercial use within the Council area;*
- *provide sufficient land to accommodate expected growth in local business activities that do not adversely impact surrounding residential areas;*
- *encourage consolidation of commercial uses and minimise potential impacts on surrounding residential areas;*
- *encourage pedestrian access and improve the amenity and facilities of the public spaces to cater for resident and visitor use; and*
- *ensure the efficient utilisation of infrastructure services.*

The use and development of a new business in the High Street meets the intent of the Commercial Zone. The bottle-shop is located in an area accessible on foot and close to other businesses and amenities. This encourages people to park vehicles and walk between businesses rather than rely on vehicles for transport between businesses.

The land is adjoined by the Oatlands District High School and adjacent to the Post Office, and a Pub and Bakery. The proposed opening hours, between 12pm to 7pm Monday to Saturday and 12pm to 4pm on Sundays would not conflict with these nearby land uses.

Principles for Signage in the Historic Precinct Special Area

Signs within the Historic Precinct Special Area or on a site listed in Schedule 4, Buildings and Works of Historic Significance, should be developed in accordance with the following principles:

- *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 architectural characteristics of a building must remain visually dominant with the number of signs kept to a minimum and the size of signs limited to traditional locations;*
- *the design, materials, colours and layout of signs must be sympathetic to the period of the Historic Area or Site;*
- *signs should generally not have internal illumination;*
- *signs must directly relate to the owner, major tenant or principle function of the site;*

- *surviving early signs should be kept and protected;*
- *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;*
- *corporate image requirements such as specific colours and logos must be minimised and otherwise adapted to suit the individual location and building;*
- *new signs must not be painted onto previously unpainted surfaces; and*
- *buildings should not have projecting signs placed significantly above awning level.*

Council will note the use of corporate imagery and signage on the building. This is usually unacceptable in the more sensitive parts of the historic precinct special area. Council will recall some past development applications for corporate advertising and bold colours have been refused a planning permit and/or required considerable modification prior to installation.

The primary reason for these past decisions has been the location of the signage in the more sensitive parts of the historic precinct adjacent or alongside significant heritage buildings and townscape features. Proliferation and size of signage has also been a past concern.

This site, however, is a more modern 20th century building alongside a school with modern facilities. There are no heritage listed places adjoining the land.

The signage on the parapet wall of the building is considered acceptable given its location in a traditional location and similar to previous signage in this location. Council should note the proposed 'Cellarbrations Sign' is located over existing signage boards. The black background is also considered a more acceptable and a more neutral colour in the historic precinct.

The 'white film with logo' sign on the High Street window is considered acceptable in a location below the awning and given its minimalist colours.

The four (4) 'specials' signs flanking the entrance to the shop are acceptable with minimal impact on the streetscape and in a traditional location.

The building sign on the southern side of the building is acceptable given its location over an existing sign board and facing the side street i.e. does not dominate views of the High Street.

The ‘Lifestyle Image’ on the corner of the building is however not considered acceptable for the following reasons:

- The image depicted is bold and bright and detracts from the streetscape and would dominate any views of the street when looking south.
- The image is excessive, in addition to other 8 signs which all indicate the building is a bottle-shop.
- The image is not sympathetic to any heritage period in the town.
- The sign does not specifically relate to the major function of the site; and
- Large bold corporate type advertising in this location risks enabling a pathway for similar replacement advertising in the future i.e. should the sign be approved it could be replaced with a much brighter or even more inappropriate corporate sign or imagery.
- It is recommended that this corner of the building is left blank and any further signage on this window is subject to further Council Approvals.

The Planning Officer has discussed this matter with the Applicant.

CONCLUSION

This report has assessed the proposed change of use of a former shop to a bottle-shop at 59 High Street Oatlands.

The proposal is considered acceptable under the provisions of the *Southern Midlands Planning Scheme 1998*.

Any permit issued should include a condition that excludes the ‘lifestyle’ image on the corner of the building and advice informing the owner that any further signage will be subject to further Council Approval (prior to installation).

Council Officers have considered that the subject building has been previously used as a shop and the proposed operating hours are unlikely to impact on the amenity or use of nearby land.

The Development Application should be approved subject to conditions and advice.

RECOMMENDATION

THAT, in accordance with the provisions of the *Southern Midlands Planning Scheme 1998* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council approve the application for an Off Licence/Liquor Outlet and Signage in the Historic Precinct Special Area at 59 High Street Oatlands with the following 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.

Signage

- 2) The sign described as the ‘Lifestyle Image on weathertex with anti-graffiti coating’ on the *Proposed External Signage* [plan] dated 6th November 2014 is not approved by this permit and must not be installed.

Hours of Operation

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

Monday to Friday	12:00 p.m. to 7:00 p.m.
Saturday	12:00 p.m. to 7:00 p.m.
Sunday	12:00 p.m. to 4:00 p.m.

Explanation of Condition

The ‘hours of operation’ condition is the hours of operation submitted in the Development Application. Any alteration to these hours will require the owner to apply in writing to the Manager of Development and Environmental Services in writing. Alteration to the hours may require further planning approval.

The following advice applies to this permit:

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

Further Signage or Alteration to Signage

- B. Any further signage or alteration to signage will require the developer to submit a proposed plan of signage prior to their installation. Signage shall comply with Schedule 6 Signs of the *Southern Midlands Planning Scheme 1998* and in accordance with the Tasmanian Heritage Council ‘Practice Note 6 – Signs and Hoardings on Sites Listed in the Tasmanian Heritage Register’. The submitted plan shall be to the satisfaction of Council’s Planning Officer.

C/14/12/064/19912 DECISION

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

THAT, in accordance with the provisions of the *Southern Midlands Planning Scheme 1998* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council approve the application for an Off Licence/Liquor Outlet and Signage in the Historic Precinct Special Area at 59 High Street Oatlands with the following 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.

Signage

- 2) The sign described as the ‘Lifestyle Image on weathertext with anti-graffiti coating’ on the *Proposed External Signage* [plan] dated 6th November 2014 is not approved by this permit and must not be installed.

Hours of Operation

- 3) The use or development must only operate between the following hours unless otherwise approved by Council's Manager of Development and Environmental Services:

Monday to Friday	12:00 p.m. to 7:00 p.m.
Saturday	12:00 p.m. to 7:00 p.m.
Sunday	12:00 p.m. to 4:00 p.m.

Explanation of Condition

The 'hours of operation' condition is the hours of operation submitted in the Development Application. Any alteration to these hours will require the owner to apply in writing to the Manager of Development and Environmental Services in writing. Alteration to the hours may require further planning approval.

The following advice applies to this permit:

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

Further Signage or Alteration to Signage

- B. Any further signage or alteration to signage will require the developer to submit a proposed plan of signage prior to their installation. Signage shall comply with Schedule 6 Signs of the *Southern Midlands Planning Scheme 1998* and in accordance with the Tasmanian Heritage Council 'Practice Note 6 – Signs and Hoardings on Sites Listed in the Tasmanian Heritage Register'. The submitted plan shall be to the satisfaction of Council's Planning Officer.

CARRIED

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

SOUTHERN MIDLANDS COUNCIL

Rec'd 29 SEP 2014

NOTES TO ACCOMPANY
DEVELOPMENT APPLICATION FOR 59
HIGH ST OATLANDS

We anticipate that we will not need to make any structural changes to the building for this intended change of use. We will need to build a walk in cold room in the future but this would not impact on the building structure.

Car parking spaces would be as per when the shop was trading as an IGA store. When trading as an IGA I believe that there was minimal problems with parking in the vicinity of the store.

Any signage attached to the store will be professionally installed and would look as per the attached mock photo.

Commercial vehicles visiting the site would amount we believe to be around 2 per week (less than when trading as an IGA).

The layout of the store would change little from when trading as an IGA.

Any other information required please don't hesitate to contact me.

Regards

Shane Adams



PROPOSED LAYOUT OF "CELLAR BRATIONS"

SOUTHERN MIDLANDS COUNCIL

Planning Approval

This plan should be read in conjunction with the conditions detailed in planning permit

DA 2014/107

Signed
Authorised Officer

Dated



Southern Midlands Council
 Kempton
 29 SEP 2014
 Received:
 File No:

NO.	DESCRIPTION	REV.	DATE
1	CONCEPT DESIGN	01	20/11/14
2	FINAL DESIGN	02	20/11/14

ALM
AUSTRALIAN LUMINOUS SIGNAGE PTY LTD
11 HUNTER ROAD
MELBOURNE VIC 3000

CELLARBORATIONS
1000
GATLANDS
1000
GATLANDS TAS 7120
GATLANDS
GATLANDS PTY LTD
PROPOSED EXTERNAL SIGNAGE
DRAWN BY: [Name]
CHECKED BY: [Name]
DATE: 30/08/14
PROJECT NO: SP-01 B
TOTAL AREA: [Area] - TYPICAL AREA

12.2 SUBDIVISIONS

Nil.

12.3 MUNICIPAL SEAL (PLANNING AUTHORITY)

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

Nil Report

12.4 PLANNING (OTHER)**12.4.1 Council Workshop Outcomes – Southern Midlands Draft Interim Planning Scheme 2014****AUTHOR** MANAGER DEVELOPMENT & ENVIRONMENTAL SERVICES AND MANAGER STRATEGIC PROJECTS**DATE** 9TH NOVEMBER 2014**ENCLOSURE** MINUTES – COUNCILLOR WORKSHOP 9 NOVEMBER 2014**PURPOSE**

Confirmation of the outcomes of a Councillor workshop held on 9 November 2014 regarding the progressions of the draft Southern Midlands Draft Interim Planning Scheme 2014.

DISCUSSION

The purpose of the workshop was to consider the ‘exposure draft’ of the Tasmanian Planning Commission’s report to the Minister for Planning detailing amendments to the Draft Southern Midlands Interim Planning Scheme 2014 that the Commission intends to recommend the Minister require Council to make before it is declared.

The (confidential) draft report was received on 3 December 2014 and the Commission has requested comments by 10 December.

Enclosed is a copy of the workshop minutes.

RECOMMENDATION

THAT the minutes of the Councillor workshop held on 9 December 2014 regarding the draft compliance report of the Tasmanian Planning Commission for the draft Southern Midlands Interim Planning Scheme 2014 be endorsed.

C/14/12/070/19913 DECISION

Moved by Clr E Batt, seconded by Clr B Campbell

THAT the minutes of the Councillor workshop held on 9 December 2014 regarding the draft compliance report of the Tasmanian Planning Commission for the draft Southern Midlands Interim Planning Scheme 2014 be endorsed.

CARRIED

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

13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)

13.1 ROADS

Strategic Plan Reference – Page 13

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

Nil.

13.2 BRIDGES

Strategic Plan Reference – Page 14

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

Nil.

13.3 WALKWAYS, CYCLE WAYS AND TRAILS

Strategic Plan Reference – Page 14

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

Nil.

13.4 LIGHTING

Strategic Plan Reference – Page 14

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

Nil.

13.5 BUILDINGS

Strategic Plan Reference – Page 15

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

Nil.

13.6 SEWERS

Strategic Plan Reference – Page 15

1.6.1 Increase the capacity of access to reticulated sewerage services.

Nil.

13.7 WATER

Strategic Plan Reference – Page 15

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

Nil.

13.8 IRRIGATION

Strategic Plan Reference – Page 15

1.8.1 Increase access to irrigation water within the municipality.

Nil.

13.9 DRAINAGE

Strategic Plan Reference – Page 16

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

Nil.

13.10 WASTE

Strategic Plan Reference – Page 17

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

Nil.

13.11 INFORMATION, COMMUNICATION TECHNOLOGY

Strategic Plan Reference – Page 17

1.11.1 Improve access to modern communications infrastructure.

Nil.

The meeting was suspended at 11.04 for a short break and resumed at 11.21 a.m.

13.12 OFFICER REPORTS – WORKS & TECHNICAL SERVICES (ENGINEERING)

Item 13.12.1 Manager – Works and Technical Services Report was deferred until later in the meeting.

14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

14.1 RESIDENTIAL

Strategic Plan Reference – Page 18

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

Nil.

14.2 TOURISM

Strategic Plan Reference – Page 19

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

Nil.

14.3 BUSINESS

Strategic Plan Reference – Page 20

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

2.3.1b Increase employment within the municipality.

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

Nil.

14.4 INDUSTRY

Strategic Plan Reference – Page 21

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

Nil.

14.5 INTEGRATION

Strategic Plan Reference – Page 21

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

2.5.2 The Bagdad Bypass and the integration of development.

Nil.

15 OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)

15.1 HERITAGE**Strategic Plan Reference – Page 22**

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

15.1.1 Heritage Project Officer's Report*File Ref:* 3/097

AUTHOR MANAGER HERITAGE PROJECTS (B WILLIAMS)

DATE 9th DECEMBER 2014**ISSUE**

Southern Midlands Heritage Projects – report from Manager Heritage Projects

DETAIL

During last three weeks, Southern Midlands Council heritage projects have included:

- Detailed project planning is being undertaken ahead of the commencement of the 5x5x5 project (late January).
- An application was submitted to the National Stronger Regions Fund for \$309,500.00 for restoration works to the Oatlands Commissariat and 79 High Street. Notification is expected in May 2015.
- Acquittal of the Southern Midlands Convict Sites project has been completed.

RECOMMENDATION**THAT the information be received.****C/14/12/074/19914 DECISION**

Moved by Clr B Campbell, seconded by Clr A R Bantick

THAT the information be received.

CARRIED

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

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

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

15.2.1 Landcare Unit & Climate Change – General Report*File Ref: 03/082*

AUTHOR NRM PROGRAMS MANAGER – M WEEDING

DATE 9TH DECEMBER 2014**ISSUE**

Southern Midlands Landcare Unit and GIS Monthly Report

DETAIL

- The Bushlinks 500 project has concluded. Both Helen and Graham have been working full time to finalise the planting and the last site works necessary to complete the project. The project has exceeded the original target of 500Ha of site works by 15%. A final report is now being prepared and the project finances audited in preparation to report back to the Australian Government. A more detailed report on the project will be provided to the January meeting.
- Graham continues to do mapping work for Council's Development and Environmental Services staff, mainly in relation to minor Planning Scheme amendments.
- Minor maintenance works on trees and weeds continue on the Dulverton Walking Track. Signs reminding people (and their pets) to remain on the track and out of long grass areas have been placed at some locations due to the possibility of snakes. The Works Dept plans to mow of any long grass areas beside the track prior to the Xmas break.
- A preliminary meeting was held regarding irrigation of the oval at Mt Pleasant Recreation Ground utilising the Midlands Water Scheme water now at the site.
- At this stage there is no news on the funding application to remove a gorse patch recently found at the edge of Lake Dulverton. The outcome of the application under the '20 Million Trees' Grant round should be known prior to Xmas.
- There has been some late interest in the removal of the old Callington Mill cap located in Callington Park, but it is too early to report any more than that at this stage.

RECOMMENDATION

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

C/14/12/076/19915 DECISION

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

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

CARRIED

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

15.3 CULTURAL

Strategic Plan Reference – Page 24

3.3.1 Ensure that the Cultural diversity of the Southern Midlands is maximised.

Nil.

15.4 REGULATORY (OTHER THAN PLANNING AUTHORITY AGENDA ITEMS)

Strategic Plan Reference – Page 25

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

Nil.

15.5 CLIMATE CHANGE

Strategic Plan Reference – Page 25

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

Nil.

16 OPERATIONAL MATTERS ARISING LIFESTYLE

16.1 COMMUNITY HEALTH AND WELLBEING

Strategic Plan Reference – Page 26

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

Nil.

16.2 YOUTH

Strategic Plan Reference – Page 26

4.2.1 Increase the retention of young people in the municipality.

Nil.

16.3 SENIORS

Strategic Plan Reference – Page 27

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

Nil.

16.4 CHILDREN AND FAMILIES

Strategic Plan Reference – Page 27

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

Nil.

16.5 VOLUNTEERS

Strategic Plan Reference – Page 27

4.5.1 Encourage community members to volunteer.

Nil.

16.6 ACCESS

Strategic Plan Reference – Page 28

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

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

Nil.

16.7 PUBLIC HEALTH

Strategic Plan Reference – Page 28

4.7.1 Monitor and maintain a safe and healthy public environment.

Nil.

16.8 RECREATION

Strategic Plan Reference – Page 29

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

Nil.

16.9 ANIMALS

Strategic Plan Reference – Page 29

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

16.9.1 Animal Control Report

AUTHOR ANIMAL CONTROL OFFICER (G DENNE)

DATE 16TH OCTOBER 2014

ISSUE

Consideration of Animal Control Officer’s monthly report.

DETAIL

Refer Monthly Statement on Animal Control for period ending 31st November 2014.

RECOMMENDATION

THAT the information be received.

C/14/12/079/19916 DECISION

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

THAT the information be received.

CARRIED

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

**SOUTHERN MIDLANDS COUNCIL
MONTHLY STATEMENT ON ANIMAL CONTROL
FOR PERIOD ENDING 31/11/2014**

Total of Dogs Impounded: 2
Dogs still in the Pound:

Breakdown Being:

ADOPTED	RECLAIMED	LETHALISED	ESCAPED
2			

MONEY RECEIVED

Being For:

Pound	\$18.18
Reclaims	
Dog Registrations	\$230.03
Kennel Licence Fee	
Infringement Notices	
Complaint Lodgement Fee	
TOTAL	\$248.21

COMPLAINTS RECEIVED FOR PERIOD ENDING 31/11/2014

Dog at Large: 2
Dog Attacks:
Request Pick-ups: 1
After Hours Calls: 7
TOTAL 10

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

Animal Control Officer: **Garth Denne**

16.10 EDUCATION

Strategic Plan Reference – Page 29

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

Nil.

17 OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

17.1 RETENTION

Strategic Plan Reference – Page 30

5.1.1 Maintain and strengthen communities in the Southern Midlands.

Nil.

17.2 CAPACITY AND SUSTAINABILITY

Strategic Plan Reference – Page 30

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

Nil.

17.3 SAFETY

Strategic Plan Reference – Page 31

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

Nil.

17.4 CONSULTATION AND COMMUNICATION

Strategic Plan Reference – Page 31

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

Nil.

18. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

18.1 IMPROVEMENT

Strategic Plan Reference – Page 32

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

Nil.

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

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

Mr D Cundall (Planning Officer) left the meeting at 11.31 a.m.

18.2.1 Unreasonable Complainant Conduct Policy

AUTHOR MANAGER, COMMUNITY & CORPORATE DEVELOPMENT (A BENSON)

DATE 9TH DECEMBER 2014

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

ISSUE

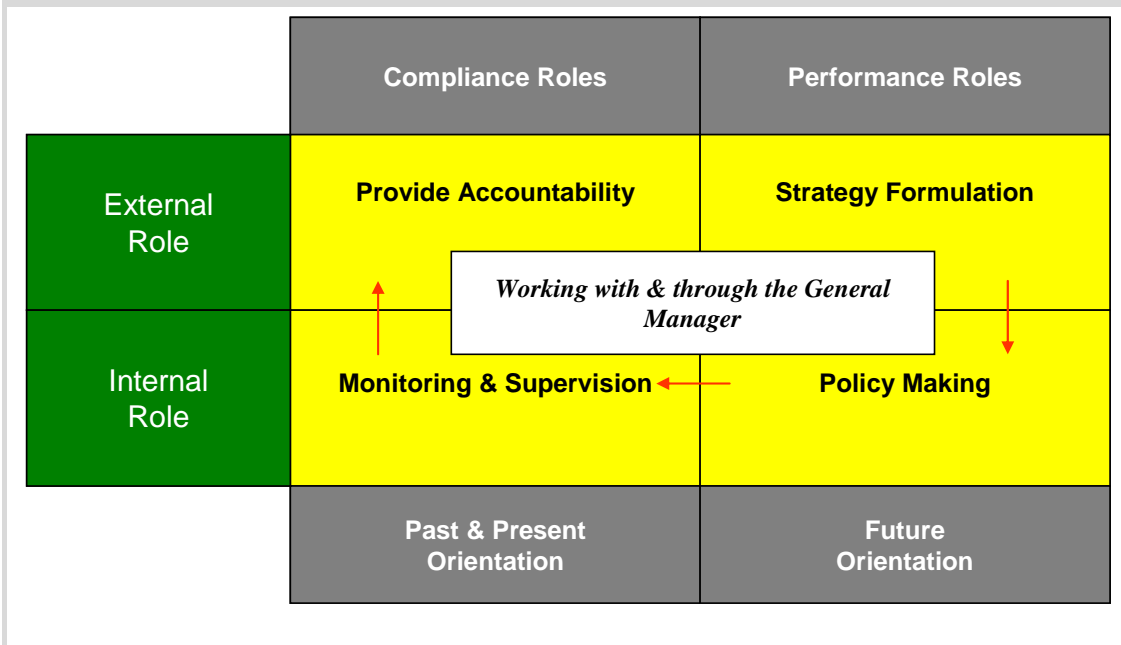
Unreasonable complainant conduct (UCC) has been an on-going problem for public sector organisations for many years. Local Government have been dealing with this issue (in some form) since it was first established, over 150 years ago. The issue was highlighted more than 25 years ago in a speech by the former High Court Justice Kirby, who observed that: One of the universal problems for the Ombudsman is the chronic complainer; people who feel passionately about their own cause and are uncompromising in their reaction to a negative conclusion on the part of the Ombudsman. Such people can sometimes cause a great deal of disproportionate disruption to the work of the Ombudsman and his staff. He continued: Of course, the Ombudsman already can decline to investigate matters. But vexatious complainants can cause a great deal of time loss. The obvious point here is that Local Government is the first “port of call” in the complaints process and indeed it is only when all reasonable responses have been exhausted by Council Officers, that the Complainant takes the issue to the Ombudsman. All of the matters referred to in Justice Kirby’s statement will have first been experienced by Local Government prior to their elevation to the Ombudsman’s attention.

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

BACKGROUND

FRAMEWORK FOR ANALYSING COUNCIL’S GOVERNANCE FUNCTION

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



DETAIL

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

Research was undertaken and it was found that the combined Ombudsman’s Offices around Australia had in recent times produced a draft policy and gone to the 2nd Edition of their Practice Manual on the subject. The draft policy has been adapted to the Southern Midlands requirements, whilst not losing the rigour and intent of the original draft. The attached draft policy is the product of that modification. It is important that the Practice Manual be adopted as a companion resource for the proposed policy as it

provides valuable support information for Managers and Officers alike to manage unreasonable complainant conduct in a professional and sensitive manner.

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

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

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

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

RECOMMENDATION

THAT Council

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

C/14/12/086/19917 DECISION

Moved by Clr B Campbell, seconded by Clr E Batt

THAT Council

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

CARRIED

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

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

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

18.3.1 Monthly Financial Statement (November 2014)*File Ref: 3/024*

AUTHOR FINANCE OFFICER (C Pennicott)
 DATE 5th December 2014

Refer enclosed Report incorporating the following: -

- a) Statement of Comprehensive Income – 1st November 2014 to 30th November 2014 (including Notes)
- b) Current Expenditure Estimates
- c) Capital Expenditure Estimates

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

- d) Rates & Charges Summary – as at 4th December 2014
- e) Cash Flow Statement – November 2014

Note: Expenditure figures provided are for the period 1st November to 30th November 2014 – approximately 42% of the period.

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

- **Sub-Program – Lighting** - expenditure to date (\$43,114 – 47.94%). Expenditure relates to Aurora expenses payable quarterly. Two instalments have been paid.

Strategic Theme – Growth

- **Sub-Program – Business** - expenditure to date (\$110,377– 166.61%). Works undertaken on a recharge basis (e.g. Stornoway Contract – not included in original budget). Expenditure will be offset by income received.

Strategic Theme – Lifestyle

- **Sub-Program – Aged** – expenditure to date (\$1331 – 88.78%). Expenditure consists of payments associated with the Healthy Communities Initiative which are recovered via operational grants.
- **Sub-Program – Childcare** – expenditure to date (\$5,071 – 67.61%). Expenditure includes the annual payment of \$5,000 Grant to the Brighton Family Day Care.
- **Sub-Program – Volunteers** – expenditure to date (\$14,786 – 42.86%). Expenditure includes amounts payable to the SMC Small Community Grants Program 2014.
- **Sub-Program – Animals** – expenditure to date (\$37,572 – 53.60%). Expenditure includes \$3,885 professional fees for legal representation relating to dangerous dogs.

Strategic Theme – Community

- **Sub-Program – Capacity** - expenditure to date (\$18,484 –52.77%). Expenditure relates to annual donations and sponsorship. Including \$4,545 support for MILE and disbursement of the remaining \$5,000 to the Tunbridge Town Hall for the sale of the Tunbridge Fire Station land.
- **Sub-Program – Consultation** - expenditure to date (\$3,473 – 68.51%). Expenditure of \$2,488 relates to Aurora expenses associated with the operation of the Radio Station (Transmitter Tower). Apportionment of expenses to be addressed through joint negotiation with Radio Station.

Strategic Theme – Organisation

- **Strategic Theme – Improvement** – expenditure to date (\$13,844 – 135.73%). All costs relate to the joint OH&S / Risk Management project being undertaken by six participating Councils under a resource sharing agreement. The cost of the project is to be shared between the six (6) Councils with revenue coming back to Southern Midlands.
- **Sub-Program – Sustainability** - expenditure to date (\$956,933 – 47.98%). Includes annual insurance renewals payable at the commencement of the financial year.

B. Capital Expenditure Estimates (Capital Budget)

Nil.

RECOMMENDATION

THAT the information be received

C/14/12/089/19918 DECISION

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

THAT the information be received.

CARRIED

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

STATEMENT OF COMPREHENSIVE INCOME FOR THE PERIOD 1st JULY 2014 to 30th NOVEMBER 2014			
	Annual Budget	Year to Date as at 30TH NOVEMBER	%
Income			
General rates	\$ 4,384,707	\$ 4,351,968	99.3%
User Fees (refer Note 1)	\$ 614,813	\$ 276,861	45.0%
Interest	\$ 245,000	\$ 83,276	34.0%
Government Subsidies	\$ 27,750	\$ -	0.0%
Contract Income	\$ -	\$ -	0.0%
Other (refer Note 2)	\$ 308,188	\$ 137,710	44.7%
Sub-Total	\$ 5,580,458	\$ 4,849,815	86.9%
Grants - Operating	\$ 3,250,402	\$ 1,616,887	49.7%
			FAGS Grant \$3,245K
Total Income	\$ 8,830,860	\$ 6,466,701	73.2%
Expenses			
Employee benefits	\$ 3,851,335	\$ 1,437,028	37.3%
Materials and contracts	\$ 2,729,768	\$ 1,544,920	56.6%
Depreciation and amortisation	\$ 2,654,000	\$ 1,114,680	42.0%
Finance costs	\$ 53,023	\$ 9,075	17.1%
Contributions	\$ 178,450	\$ 44,613	25.0%
Other	\$ 228,242	\$ 122,769	53.8%
Total expenses	\$ 9,694,818	\$ 4,273,085	44.1%
Surplus (deficit) from operations	-\$ 863,958	\$ 2,193,616	-253.9%
Grants - Capital (refer Note 3)	\$ 445,234	\$ 9,067	2.0%
Donations	\$ 2,500	\$ 300	12.0%
Sale Proceeds (Plant & Machinery)	\$ -	\$ 60,721	0.0%
Net gain / (loss on disposal of non-current assets)	\$ -	\$ -	0.0%
			Budget Amount - Sale of Lots - Kandara Court
Surplus / (Deficit)	-\$ 416,224	\$ 2,263,204	-543.7%

NOTES

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

- All other Programs	\$ 296,813	\$ 168,934	56.9%
- Callington Mill	\$ 318,000	\$ 107,927	33.9%
	\$ 614,813	\$ 276,861	Actual Income Received (i.e. excluding Debtors)

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

- Income (Private Works)	\$ 76,188	\$ 109,062	143.1%
- Tas Water Distributions	\$ 228,000	\$ 18,769	8.2%
- Public Open Space Contributions	\$ 4,000	\$ -	0.0%
- Other	\$ -	\$ 9,879	0.0%
	\$ 308,188	\$ 137,710	

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

- Roads To Recovery Grant	\$ 445,213	\$ -	0.0%
- School Holiday Program	\$ -	\$ 2,400	To be claimed in March 2015
- Communities For Children	\$ -	\$ 1,091	
- Australia Day Awards	\$ -	\$ 1,973	
- Healthy Communities Initiative	\$ -	\$ 3,604	
	\$ 445,213	\$ 9,067	2.0%

SOUTHERN MIDLANDS COUNCIL : CURRENT EXPENDITURE 2014/15

SUMMARY SHEET

PROGRAM	TOTAL	REVISED BUDGET (GRANTS & OTHER REIMBURSEMENTS)	ACTUAL AS AT 30 NOVEMBER 2014 42%	VARIANCE (+/-)	% BASED ON REVISED BUDGET 100%
INFRASTRUCTURE					
Roads	3044345	3044345	1389305	1655040	45.84%
Bridges	415869	415869	165247	250622	39.74%
Walkways	178627	178627	65894	112733	36.89%
Lighting	89995	89995	43144	46851	47.94%
Irrigation	0	0	0	0	0.00%
Drainage	77923	77923	24187	53736	31.04%
Waste	575204	575204	194514	380690	33.82%
Public Toilets	56304	56304	14962	41342	26.57%
Communications	0	0	0	0	0.00%
Signage	12300	12300	1317	10983	10.71%
INFRASTRUCTURE TOTAL:	4450567	4450567	1898570	2551997	42.66%
GROWTH					
Residential	0	0	0	0	0.00%
Mill Operations	550291	550291	177920	372371	32.33%
Tourism	201345	201345	81664	119681	40.58%
Business	66250	66250	110377	-44127	166.61%
Agriculture	5493	5493	0	5493	0.00%
Integration	25350	25350	0	25350	0.00%
GROWTH TOTAL:	848729	848729	369961	478768	43.59%
LANDSCAPES					
Heritage	304709	304709	109164	195545	35.83%
Natural	147816	147816	37252	110564	25.20%
Cultural	0	0	0	0	0.00%
Regulatory	832085	832085	365681	466404	43.85%
Climate Change	37739	37739	4210	33529	11.16%
LANDSCAPES TOTAL:	1322349	1322349	516306	806043	39.04%
LIFESTYLE					
Youth	205731	205731	52088	153643	25.32%
Aged	1500	1500	1332	168	88.78%
Childcare	7500	7500	5071	2429	67.61%
Volunteers	34500	34500	14786	19714	42.86%
Access	6520	6520	0	6520	0.00%
Public Health	7826	7826	903	6923	11.54%
Recreation	380880	380880	142158	238722	37.32%
Animals	70090	70090	37572	32518	53.60%
Education	0	0	0	0	0.00%
LIFESTYLE TOTAL:	714547	714547	253909	460638	35.53%
COMMUNITY					
Retention	0	0	0	0	0.00%
Capacity	35025	35025	18484	16541	52.77%
Safety	56650	56650	20859	35791	36.82%
Consultation	5070	5070	3473	1597	68.51%
Communication	12125	12125	1682	10443	13.87%
COMMUNITY TOTAL:	108870	108870	44497	64373	40.87%
ORGANISATION					
Improvement	10200	10200	13844	-3644	135.73%
Sustainability	1994595	1994595	956933	1037662	47.98%
Finances	244963	244963	81071	163892	33.10%
ORGANISATION TOTAL:	2249758	2249758	1051848	1197910	46.76%
TOTALS	9694820	9694820	4136092	5558728	42.65%

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2014-15
AS AT 30 NOVEMBER 2014

INFRASTRUCTURE	ROAD ASSETS		BUDGET	EXPENDITURE	VARIANCE	COMMENTS
	Roadwheeling Program	Roads Roadwheeling (40,00 Hms x 5.5 x 150mm x \$20 m3)	\$ 600,000	\$ 201,444	\$ 388,556	
	Reseal Program	Roads Resealing (as per agreed program)	\$ 300,000	\$ -	\$ 300,000	
	Reconstruct & Seal	Colebrook Eldon Road - Vicinity Of Norm Hougas (200m)	\$ 26,400	\$ -	\$ 26,400	
		Outlands Stonor Road (Vicinity Of Hills) - 250metres	\$ 33,000	\$ -	\$ 33,000	
		Woodsdale Road / Turnack Main Rd Junction (30 mm Overlay)	\$ 6,400	\$ -	\$ 6,400	
		Woodsdale Road (Section - Rumymede Cricket Club) - 400 metres	\$ 48,400	\$ -	\$ 48,400	
		York Plains (Vicinity of Greggs Road) - 300 metres	\$ 39,800	\$ -	\$ 39,800	
	Construct & Seal (Unsealed Roads)	C:1020029 Williams Road - Option 1 (Junction to Bridge - 250 metres) Ballyhooley Road (end of Bridge) - 100 metres	\$ 39,375 \$ 13,750	\$ 520 \$ -	\$ 38,855 \$ 13,750	
	Minor Seals (New)	C:1020030 Nunns Road - Junction with Eideralie Main Road	\$ 7,000	\$ -	\$ 7,000	
		C:1020031 Church Road	\$ 10,000	\$ -	\$ 10,000	
		C:1020032 Hasing Street Junction	\$ 15,000	\$ -	\$ 15,000	
	Unsealed - Road Widening	C:1020034 Church Road (Corner widening) Yarlington Road - Realignment Estate Road (Survey Investigation Only - \$5,000)	\$ 20,000 \$ 20,000 \$ 30,000	\$ 500 \$ 11,023 \$ -	\$ 19,500 \$ 8,977 \$ 30,000	Budget Incls. \$11,023 expended 13/14
		C:1020037 Hill Lane, Bagdad - widening	\$ 15,000	\$ -	\$ 15,000	
		C:1020038 Chaunoy Vale Road, Bagdad	\$ 20,000	\$ -	\$ 20,000	
	Junction Road Realignment/ Other	Other: Church Road - Realign (Intersection with Eideralie Road) - Survey & Acquisition Interlaken Road - Corner Realignment (Rockton) Green Valley Road - Widening Campania - Reuse St / Clime Street Colebrook Main Road - Verge (Station St to Shop) Turnbridge Main Road Verge Woodsdale Road - Landslip Area (Vicinity Scotts Quarry) Guard Railing Quarry Town Road Woodsdale Road - Landslip Area(s) - Engineering Assessment York Plains Road (Camber adjustment)	\$ 211,000 \$ 20,000 \$ 82,000 \$ 25,000 \$ 5,000 \$ 20,500 \$ 3,000 \$ 15,000 \$ - \$ 9,700 \$ 5,000	\$ 17,826 \$ 6,992 \$ - \$ 4,995 \$ - \$ - \$ - \$ 6,225 \$ - \$ - \$ -	\$ 193,174 \$ 13,308 \$ 83,000 \$ 21,005 \$ 5,000 \$ 20,250 \$ 3,000 \$ 15,000 \$ 9,700 \$ 9,700 \$ 5,000	Budget Incls. \$16,044 expended 13/14
			\$ 1,641,475	\$ 248,626	\$ 1,392,850	

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2014-15
AS AT 30 NOVEMBER 2014

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
BRIDGE ASSETS				
C1030003	\$ 456,272	\$ 179,061	\$ 257,191	
C1030023	\$ 356,335	\$ 3,225	\$ 333,110	
C1030028	\$ 156,340	\$ 22,012	\$ 134,328	
C1030030	\$ -	\$ 905	\$ (905)	
C1030041	\$ 142,600	\$ -	\$ 142,600	
C1030044	\$ 81,672	\$ 1,304	\$ 60,368	
C1030045	\$ 26,440	\$ -	\$ 26,440	
C1030006	\$ 80,129	\$ 1,469	\$ 60,129	
	\$ 212,650	\$ -	\$ (1,469)	
	\$ 107,290	\$ -	\$ 212,650	
	\$ 107,290	\$ -	\$ 107,290	
	\$ 56,950	\$ -	\$ 107,290	
	\$ 1,723,968	\$ 207,966	\$ 1,515,972	
				Roads to Recovery 464,180
WALKWAYS				
	\$ 40,000	\$ -	\$ 40,000	
	\$ 10,000	\$ -	\$ 10,000	
	\$ 80,000	\$ 8,396	\$ 71,614	
	\$ 5,000	\$ -	\$ 5,000	
	\$ 9,100	\$ 8,622	\$ (522)	
	\$ 15,000	\$ -	\$ 15,000	
	\$ 6,000	\$ -	\$ 6,000	
	\$ 15,000	\$ -	\$ 15,000	
	\$ 7,800	\$ -	\$ 7,800	
	\$ -	\$ 39	\$ (39)	
	\$ -	\$ 372	\$ (372)	
	\$ 8,000	\$ -	\$ 8,000	
	\$ 185,800	\$ 19,419	\$ 177,481	
	\$ 8,262	\$ 1,528	\$ 6,734	
	\$ 8,262	\$ 1,528	\$ 6,734	
IRRIGATION				
	\$ -	\$ -	\$ 8,000	
	\$ -	\$ -	\$ 177,481	
	\$ 8,262	\$ 1,528	\$ 6,734	
	\$ 8,262	\$ 1,528	\$ 6,734	

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2014-15
AS AT 30 NOVEMBER 2014

DRAINAGE	BEGINS AT	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
		\$ 22,500	\$ -	\$ 22,500	
		\$ 241,892	\$ 129,639	\$ 112,244	Budget - allocated in 2013/14
		\$ -	\$ 14,351	\$ (14,351)	
		\$ 45,000	\$ 3,750	\$ 41,250	
		\$ -	\$ 100	\$ (100)	
		\$ -	\$ 9,715	\$ (9,715)	
		\$ 10,000	\$ -	\$ 10,000	
		\$ 5,000	\$ -	\$ 5,000	
		\$ 13,000	\$ 1,007	\$ 11,994	
		\$ 12,000	\$ 21,984	\$ (9,984)	
		\$ 10,000	\$ -	\$ 10,000	
		\$ 359,382	\$ 189,545	\$ 178,837	
		\$ 7,500	\$ 9,117	\$ (1,617)	
		\$ 7,500	\$ 9,117	\$ (1,617)	
		\$ 5,000	\$ -	\$ 5,000	
		\$ 4,000	\$ -	\$ 4,000	
		\$ 9,000	\$ -	\$ 9,000	
		\$ 2,500	\$ 2,657	\$ (157)	
		\$ 2,600	\$ 2,657	\$ (157)	
		\$ -	\$ 800	\$ (800)	
		\$ -	\$ 800	\$ (800)	
		\$ -	\$ 426	\$ (426)	
		\$ -	\$ 426	\$ (426)	
		\$ 20,000	\$ 1,260	\$ 18,740	
		\$ -	\$ 6,170	\$ (6,170)	Grant Funded
		\$ 89,500	\$ 3,423	\$ 86,077	
		\$ 7,000	\$ -	\$ 7,000	
		\$ 7,500	\$ -	\$ 7,500	
		\$ 124,000	\$ 10,853	\$ 113,147	
		\$ -	\$ 6,232	\$ (6,232)	
		\$ 5,000	\$ -	\$ 5,000	
		\$ 5,000	\$ 8,232	\$ (1,232)	

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2014-15
AS AT 30 NOVEMBER 2014

REGULATORY		BUDGET	EXPENDITURE	VARIANCE	COMMENTS
	Kempston Council Chambers - Building & Office Improvements	\$ 8,954	\$ -	\$ 8,954	
C3040001	Kempston Council Chambers - Office Equipment	\$ 3,000	\$ -	\$ 3,000	
C3040001	Kempston Council Chambers - Carpet & Flooring	\$ 5,000	\$ 2,700	\$ 2,300	
C3040001	Kempston Council Chambers - External Repainting	\$ 7,500	\$ -	\$ 7,500	
		\$ 24,454	\$ 2,700	\$ 21,754	
	RECREATION				
C4070001	Parish Recreation Ground - Grassland	\$ 10,000	\$ -	\$ 10,000	
C4070001	Parish Recreation Ground - Demolish External Toilets	\$ 5,000	\$ -	\$ 5,000	
C4070003	Carnegie Recreation Ground	\$ -	\$ 478	\$ (478)	
C4070005	Recreation Committee	\$ 15,000	\$ 13,533	\$ 1,467	
C4070005	Carnegie Hall - Internal Painting (Committee Contribution)	\$ (4,486)	\$ -	\$ (4,486)	
C4070005	Mangrove Hall- Kitchen Amenities	\$ 3,300	\$ 2,695	\$ 605	
C4070005	Mangrove - Bore Water	\$ 7,500	\$ -	\$ 7,500	
C4070008	Carnegie Hall - Internal Painting	\$ 8,985	\$ -	\$ 8,985	
C4070016	Collbrook Recreation Ground (Amenities)	\$ 25,000	\$ -	\$ 25,000	
C4070017	Kempston Memorial Hill	\$ 10,000	\$ -	\$ 10,000	
C4070022	Turnack - Recreation Ground (Upgrade Toilets)	\$ 10,000	\$ -	\$ 10,000	
C4070024	Playspace Strategy - Alexander Circle & Lyndon Road	\$ 10,000	\$ -	\$ 10,000	
C4070025	Lyndon Road - BBQ Shelter	\$ 10,000	\$ 4,830	\$ 5,170	
C4070026	Alexander Circle Park - BBQ Shelter	\$ 10,000	\$ 5,038	\$ 4,962	
C4070027	Turnbridge Park - BBQ Shelter	\$ -	\$ 7,005	\$ (7,005)	
C4070028	Ostlands Recreation Ground Flood Lights	\$ 10,000	\$ 1,186	\$ 8,814	
C4070029	Carnegie Recreation Ground Flood Lights	\$ -	\$ 2,487	\$ (2,487)	
C4070029	Lono Pine Park Oldlands	\$ -	\$ 2,847	\$ (2,847)	
C4070029	Mt Pleasant Floor Coverings	\$ 5,200	\$ 1,044	\$ (1,044)	
C4070005	Mt Pleasant - Upgrade Toilets	\$ 5,000	\$ -	\$ 5,000	
		\$ 130,487	\$ 55,374	\$ 75,113	
	SAFETY				
	Road Accident Rescue Unit	\$ 3,000	\$ -	\$ 3,000	
		\$ 3,000	\$ -	\$ 3,000	
	ADMINISTRATION				
C6020007	Computer System (Hardware / Software)	\$ 35,000	\$ 58,793	\$ (24,793)	
C6020007	Council Chambers - Damp Issues & Stone Masonry	\$ 15,000	\$ -	\$ 15,000	
C6020007	Council Chambers - Concrete Paths (Footcourt)	\$ 7,400	\$ -	\$ 7,400	
C6020007	Council Chambers - Building Improvements	\$ 7,500	\$ -	\$ 7,500	
C6020007	Town Hall (General) - Incls. Office Equip/Furniture	\$ 8,000	\$ 4,786	\$ 3,214	
C6020007	Council (Notebooks/Tables)	\$ 6,000	\$ -	\$ 6,000	
C6020007	Photo Reframing	\$ 1,500	\$ -	\$ 1,500	
	WORKS				
C6900002	Kempston Depot - Furnishings	\$ 5,000	\$ -	\$ 5,000	
C6900002	Kempston Depot - Rewiring	\$ 10,000	\$ -	\$ 10,000	
C6900002	Depot Relocation	\$ 5,000	\$ -	\$ 5,000	
C6900002	Minor Plant Purchases	\$ 9,500	\$ 5,308	\$ 4,192	
C6900002	Radio System	\$ 2,000	\$ -	\$ 2,000	
	Plant Replacement Program				
	Refer separate Schedule (Net Changeover)	\$ 217,520	\$ 170,417	\$ 47,103	
	Light Vehicles	\$ 188,000	\$ 31,340	\$ 156,660	
	(Trade Allowance - \$240K)	\$ -	\$ -	\$ -	
	Water Tanks Replacement (Truck)	\$ 36,000	\$ -	\$ 36,000	
		\$ 533,820	\$ 271,767	\$ 262,053	
	GRAND TOTALS	\$ 4,788,768	\$ 1,077,178	\$ 3,711,590	

SOUTHERN MIDLANDS COUNCIL SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED				
	This Financial Year 5th December 2014		Last Financial Year 5th December 2013	
Arrears brought forward as at July 1		\$ 431,103.63		\$ 352,040.89
ADD current rates and charges levied		\$ 4,326,873.65		\$ 4,138,844.33
ADD current interest and penalty		\$ 21,416.81		\$ 27,055.46
TOTAL rates and charges demanded	100.00%	\$ 4,779,394.09	100.00%	\$ 4,517,940.68
LESS rates and charges collected	54.87%	\$ 2,622,361.17	53.68%	\$ 2,425,422.67
LESS pensioner remissions	4.52%	\$ 216,029.76	4.55%	\$ 205,654.58
LESS other remissions and refunds	-0.13%	-\$ 6,191.21	-0.11%	-\$ 4,760.72
LESS discounts	0.45%	\$ 21,628.61	0.39%	\$ 17,747.50
TOTAL rates and charges collected and remitted	59.71%	\$ 2,853,828.33	58.52%	\$ 2,644,064.03
UNPAID RATES AND CHARGES	40.29%	\$ 1,925,565.76	41.48%	\$ 1,873,876.65

	INFLOWS (OUTFLOWS) (July 2014)	INFLOWS (OUTFLOWS) (August 2014)	INFLOWS (OUTFLOWS) (September 2014)	INFLOWS (OUTFLOWS) (October 2014)	INFLOWS (OUTFLOWS) (November 2014)	INFLOWS (OUTFLOWS) (Year to Date)
Cash flows from operating activities						
Payments						
Employee costs	286,297.46	268,596.25	270,131.91	239,132.31	400,241.97	1,464,396.90
Materials and contracts	521,480.45	306,375.10	373,753.54	428,830.09	164,442.42	1,794,881.60
Interest	373.55	-	-	-	8,701.09	9,074.64
Other	16,354.26	20,038.62	35,060.86	83,428.98	23,015.57	177,898.29
	824,305.72	595,009.97	678,946.31	751,391.38	596,401.05	3,446,254.43
Receipts						
Rates	96,394.89	127,273.28	1,693,179.94	425,042.42	373,835.18	2,715,725.71
User charges	66,467.29	57,926.84	74,787.66	45,762.56	82,928.30	327,872.65
Interest received	17,918.73	10,122.94	20,688.05	18,022.03	16,523.83	83,275.58
Subsidies	-	-	-	-	-	-
Other revenue grants	-	812,046.89	3,490.91	-	-	815,537.80
GST Refunds from ATO	-	-	-	-	-	-
Other	68,007.19	30,214.61	49,892.91	76,718.11	145,646.65	81,028.87
	112,773.72	1,937,584.56	1,838,548.56	415,599.81	618,933.96	4,023,440.61
Net cash from operating activities	711,732.00	442,574.59	1,159,602.25	335,791.57	22,532.91	577,186.18
Cash flows from investing activities						
Payments for property, plant & equipment	58,787.91	80,497.25	124,934.81	222,026.69	60,040.85	546,287.51
Proceeds from sale of property, plant & equipment	-	-	-	-	-	-
Proceeds from Capital grants	-	14,720.91	13,636.36	31,863.63	810,415.98	60,220.90
Proceeds from Investments	-	-	-	-	-	-
Payment for Investments	-	-	-	-	-	-
Net cash used in investing activities	58,787.91	65,776.34	111,298.45	190,163.06	750,375.13	486,066.61
Cash flows from financing activities						
Repayment of borrowings	4,262.22	-	-	-	10,723.83	14,986.05
Proceeds from borrowings	-	-	-	-	-	-
Net cash from (used in) financing activities	4,262.22	-	-	-	10,723.83	14,986.05
Net increase/(decrease) in cash held	774,782.13	376,798.25	1,048,303.80	525,954.63	762,184.21	886,549.50
Cash at beginning of reporting year	7,992,781.80	7,217,999.67	7,594,797.92	8,643,101.72	8,117,147.09	7,992,781.80
Cash at end of reporting year	7,217,999.67	7,594,797.92	8,643,101.72	8,117,147.09	8,879,331.30	8,879,331.30

19. INFORMATION BULLETINS

Refer enclosed Bulletin dated 9th December 2014.

Information Bulletin dated 3rd December 2014 circulated since previous meeting.

RECOMMENDATION

THAT the Information Bulletins dated 3rd December 2014 and 9th December 2014 be received and the contents noted.

C/14/12/099/19919 DECISION

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

THAT the Information Bulletins dated 3rd December 2014 and 9th December 2014 be received and the contents noted.

CARRIED

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

20. MUNICIPAL SEAL

Nil.

21. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

21.1 TASMANIAN PLANNING COMMISSION (DEPARTMENT OF JUSTICE) – RESPONSE TO APPLICATION SUBMITTED UNDER *RIGHT TO INFORMATION ACT 2009*

Councillors were provided with copies of:

- a) the original application submitted under the *Right to Information Act 2009*;
- b) the decision made by the Department of Justice (Tasmanian Planning Commission); and
- c) other related correspondence and advice.

C/14/12/100/19920 DECISION

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

THAT:

- a) Council apply to the Secretary of the Department of Justice for a review of the decision made by the delegated officer of the Department of Justice (Tasmanian Planning Commission); and
- b) The General Manager investigate the process, and estimated cost, of initiating a judicial review of the decision made by the Tasmanian Planning Commission in relation to the amendments to the Southern Midlands Planning Scheme.

CARRIED

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

21.2 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA – ELECTED MEMBERS PROFESSIONAL DEVELOPMENT WEEKEND.

Details of an upcoming ‘Elected Members Professional Development Weekend’ program, being undertaken by the Local Government Association of Tasmania, were circulated at the meeting. The program will be conducted on 28th February 2015 – 1st March 2015.

Cost of the full 2 day program (including Dinner) is \$420 per person.

RESOLVED THAT the information be received and Councillors to notify if wishing to attend.

C/14/12/101/19921 DECISION

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

THAT the meeting be adjourned at 12.21 p.m. (awaiting arrival of the Manager – Works & Technical Services – John Lyall and/or the General Manager Transport Infrastructure – Shane Gregory).

CARRIED

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

C/14/12/101/19922 DECISION

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

THAT the meeting reconvene at 12.30 p.m.

CARRIED

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

13.12 OFFICER REPORTS – WORKS & TECHNICAL SERVICES (ENGINEERING)

13.12.1 Manager - Works & Technical Services Report

File Ref: 3/075

AUTHOR MANAGER – WORKS & SERVICES (J LYALL)
DATE 9TH DECEMBER 2014

ROADS PROGRAM

Maintenance Grading is being undertaken on Buckland Road and New Country Marsh Road.

An advertisement calling tenders for Council's road reseal and road reconstruction program was placed in the Mercury Newspaper on 6th and 10th December 2014. Tenders close late December and a report will be submitted to the January meeting following assessment.

BRIDGE PROGRAM

Brown Mountain Road Bridge – the new bridge will be open to traffic on 9th December 2014. The bypass will then be dismantled and property fencing undertaken.

WASTE MANAGEMENT PROGRAM

No operational issues.

TOWN FACILITIES PROGRAM

Street sweeping has been undertaken in all Township areas where there is kerb and gutter, including intersections.

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

- Fire abatement activities – general notices sent to some property owners
- Mangalore Recreation Ground – requires slashing
- Campania Bush Reserve – unsafe trees have been fallen and are to be removed from the reserve
- De Camera Road, Bagdad – appreciation from property owner for roadside slashing - additional grass cutting (minimal) required
- Campania Recreation Ground – poplar tree stumps – to be removed when contractor commences on site for subdivision works
- Gravel roads resurfacing – climatic conditions impact on performance of gravel materials

- Dowds Road – tree trimming required (low hanging branches) – stock trucks
- Damaged Sign – junction of Cliftonvale Road / Midland Highway (Council sign) – to be assessed

RECOMMENDATION

THAT the information be received.

C/14/12/103/19923 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	
√	Clr A R Bantick	
√	Clr E Batt	
√	Clr B Campbell	
√	Clr D F Fish	
√	Clr A O Green	

Council Address

Mr Shane Gregory (General Manager Transport Infrastructure Department of State Growth) attended the meeting at 1.05 p.m.

In general terms, Mr Gregory discussed the proposed works currently being undertaken (and scheduled) on the Midland Highway within the Southern Midlands area. He indicated that a total of \$500 million would be expended over the next ten-year period, with the main focus being the installation of a centre wire barrier, and the construction of additional passing lanes (as required).

The address concluded at 1.35 p.m.

23. CLOSURE 1.40 P.M.