MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD ON WEDNESDAY 27TH MAY 2015 AT THE MUNICIPAL OFFICES, 71 HIGH STREET, OATLANDS COMMENCING AT 10:05 A.M.

INDEX

ENCLOSED

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

Development Application

Attachment 1 – Williams Quarry Environmental Effects Report
Attachment 2 – Williams Quarry Supplement to Environmental Effects Report
Attachment 3 – Compiled Emails from Applicant

Representations

Attachment 4 – Representations

EPA Assessment

Attachment 5 – Environment Protection Authority - Environmental Assessment Report
Attachment 6 – Environment Protection Authority - Permit

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OPEN COUNCIL MINUTES

1. PRAYERS

Reverend Dennis Cousens conducted Prayers.

2. ATTENDANCE

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

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

3. APOLOGIES

Nil.

4. APPLICATION FOR LEAVE OF ABSENCE

Nil.

5. MINUTES

5.1 ORDINARY COUNCIL MINUTES

The Minutes of the previous meeting of Council held on the 21st April 2015, as circulated, are submitted for confirmation.

C/15/05/005/20036 DECISION

Moved by Clr B Campbell, seconded by Clr D Marshall

THAT the minutes of the previous meeting of Council held on the 21st April 2015, as circulated, be confirmed subject to the following amendment(s):

- Inclusion the following words under the 'Public Consultation Session' heading as a substitute:

"*Mr Williams attempted to raise issues relating to his quarry application and also attempted to raise a code of conduct issue relating to his quarry application. He was informed that the quarry could not be discussed at this time and that the code of conduct question should be raised directly with the GM outside the 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	
√	Clr D Marshall	

5.3 SPECIAL COMMITTEES OF COUNCIL MINUTES

5.3.1 Special Committees of Council - Receipt of Minutes

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

- **Lake Dulverton and Callington Park Management Committee – Meeting held 11th May 2015**

RECOMMENDATION

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

C/15/05/006/20037 DECISION

Moved by Clr D F Fish, seconded by Clr E Batt

THAT the minutes of the above Special Committee of Council 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	
√	Clr D Marshall	

5.3.2 Special Committees of Council - Endorsement of Recommendations

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

- **Lake Dulverton and Callington Park Management Committee – Meeting held 11th May 2015**

RECOMMENDATION

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

C/15/05/007/20038 DECISION

Moved by Clr D F Fish, seconded by Clr E Batt

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

CARRIED

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

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 –** Quarterly Report March 2015
- **Southern Waste Strategy Authority –** Nil

RECOMMENDATION

THAT the report from the Joint Authority be received.

C/15/05/010/20039 DECISION

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

THAT the report from the Joint Authority 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	
√	Clr D Marshall	

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 workshops has been held since the previous Council meeting.

1. A Workshop was held at the Council Chambers, Oatlands on 12th May 2015, commencing at 9.00 a.m.

Attendance: Mayor A E Bisdee OAM, Deputy Mayor A O Green, Clrs A R Bantick, E Batt and D Marshall.

Apologies: Clrs B Campbell and D Fish.

Also in Attendance: T F Kirkwood, A Benson and B Williams.

The purpose of this Workshop was to:

a) Confirm the Budget preparation Timetable;
b) Provide an overview and update of the Financial Management Plan – updated to include the 2013/14 actuals as the base year;
c) Callington Mill Finances – presentation of the financials for the period ending 30th April 2015;
d) Council Policy Review –
    a. 'Councillors Conferences and Training Policy' – an amended Policy to be prepared to reflect discussion at the Workshop; and
    b. 'Payment of Councillors Expenses and Provision of Facilities Policy' - an amended Policy to be prepared to reflect discussion at the Workshop.
e) Heritage Building Solutions Pty Ltd & Heritage Education and Skills Centre Limited – briefing provided which included:
    a. financials for the period ending March 2015; and
    b. Brad Williams provided an overview of the '5x5x5' Project being funded through the Tasmanian Community Fund.
f) Council Amalgamation / Resource Sharing – presentation by Andrew Benson – presented option to be given further consideration.

RECOMMENDATION

THAT the information be received and the outcomes of the workshops held 12th May 2015 noted.

C/15/05/012/20040 DECISION

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

THAT the information be received and the outcomes of the workshop held 12th May 2015 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	
√	Clr D Marshall	

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. Seniors Week (Clr B Campbell) – have any plans been developed for Seniors Week? Council officers to consult with Rural Primary Health with the aim of conducting a joint activity(s). Details of the event need to be finalised by end of June to be included in the COTA Program.

2. Midland Highway, Bagdad (Speed Limit) - Clr B Campbell has received representations from residents within the Bagdad area relating to the speed limit within the school region. It was advised that the Department of State Growth will be reviewing all speed limit arrangements during the design process.

3. Inglewood Road (Clr B Campbell) – second 'topcoat' seal not applied this financial year. Issue to be raised with the Manager – Works & Technical Services.

4. Local Government Association of Tasmania (Residents Survey) - Clr D F Fish informed the meeting that his household had declined to participate in the survey due to the direct linkage with Council.

5. Meeting with Central Highlands & Derwent Valley Councils – Deputy Mayor A O Green questioned whether there had been a meeting with the adjoining Councils or any follow-up discussions regarding the potential for any strategic alliance. The General Manager provided an update in respect to this issue.

6. St Anne's Church Property, Dysart - Deputy Mayor A O Green requested an update.

The Manager - Development & Environmental Services advised Council that the owners of St Anne's Church and cemetery at Dysart have completed the rectification works to restore the unauthorised cut behind the church. The works have been deemed to be generally satisfactory by Council officers and were carried out in accordance with geo-engineering advice obtained by the owners from consultants Pitt & Sherry. The only matter remaining outstanding is the revegetation of the surface with grass. The Owners have advised they are now waiting for winter to be over and will reseed the area as soon as the spring growing season arrives.

Council has received advice from the Tasmania Heritage Council that it also considers the rectification works to have been carried out satisfactorily – again with the exception of the revegetation of the surface. It is noted that one of the original conditions required by the Tasmania Heritage Council was that the levelled area and embankment created with fill material at the front of the church had to be removed. The Heritage Council

subsequently issued a works exemption allowing for some of the fill material (not used in the cut behind the church) to be spread out over the front yard area. This has occurred.

Council has received a request from the Ombudsman for an explanation of this issue following receipt of a complaint from a member of the public claiming that 'nothing significant has been done to rectify the unauthorised earthworks'. Council has responded to the request advising that, in Council's view, significant rectification works have been undertaken, and photographs were provided demonstrating this.

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:-

Nil.

10. PUBLIC QUESTION TIME (SCHEDULED FOR 12.30 PM)

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

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

(1) *Members of the public may give written notice to the General Manager 7 days before an ordinary meeting of Council of a question to be asked at the meeting.*

(2) *The chairperson may –*

(a) *address questions on notice submitted by members of the public; and*

(b) *invite any member of the public present at an ordinary meeting to ask questions relating to the activities of the Council.*

(3) *The chairperson at an ordinary meeting of a council must ensure that, if required, at least 15 minutes of that meeting is made available for questions by members of the public.*

(4) *A question by any member of the public under this regulation and an answer to that question are not to be debated.*

(5) *The chairperson may –*

(a) *refuse to accept a question; or*

(b) *require a question to be put on notice and in writing to be answered at a later meeting.*

(6) *If the chairperson refuses to accept a question, the chairperson is to give reasons for doing so.*

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

Mayor A E Bisdee OAM to invite questions from members of the public.

This session was held later in the meeting at the prescribed time.

10.1 PERMISSION TO ADDRESS COUNCIL

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

- 12:00 noon - Mark Isles from the Department of State Growth will provide an update / discussion on the planned Midland Highway improvements

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.

Mr A Benson (Manager Community and Corporate Development) left the meeting at 10.36 a.m. and returned at 10.39 a.m.

12.1 DEVELOPMENT APPLICATIONS

12.1.1 Development Application for a proposed 'Level 2 Gravel Quarry' defined as an Industry (Extractive) at 1356 Tea Tree Road, Tea Tree.

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

ENCLOSURES:

Development Application

Attachment 1 – Williams Quarry Environmental Effects Report
Attachment 2 – Williams Quarry Supplement to Environmental Effects Report
Attachment 3 – Compiled Emails from Applicant

Representations

Attachment 4 – Representations

EPA Assessment

Attachment 5 – Environment Protection Authority - Environmental Assessment Report
Attachment 6 – Environment Protection Authority - Permit

PROPOSAL

The Applicant(s) Craig and Sally Williams have submitted a Development Application to the Southern Midlands Council seeking a Permit to develop and use their land at 1356 Tea Tree Road, Rekuna for a Level 2 quarry. The Application is to produce and cart up to 10,000 cubic metres of gravel per annum of which up to 2,500 cubic metres will be crushed on site.

A Level 2 quarry is a 'Level 2 Activity' as defined by Schedule 2 of the *Environmental Management and Pollution Control Act 1994* ("EMPCA") as the extraction of any rock or gravel producing 5000 cubic metres or more of rock or gravel per year and the crushing of 1,000 cubic metres or more per year.

The environmental effects of a 'Level 2 Activity' are assessed by the Environmental Protection Authority ("EPA"). This required Council to receive the Development Application and refer the Application to the EPA for assessment and a decision by the EPA Board ("the Board"). This is a requirement of the EMPCA.

The Board determined that if a permit is issued by Council then the quarry must be operated subject to conditions. These conditions primarily relate to controlling the impacts of the quarry on the environment and on persons in the area. The conditions include ongoing compliance by the quarry operator. These conditions must be included in any permit issued by the Council.

The Applicant has forecast cartage operations to be a maximum 15 trucks per day (30 movements) over a 7 day campaign period (1000 tonnes). The Application also states that the existing access to Tea Tree Road, combined with the existing usage of the land, should not generate any more than 40 movements per day. This would accord with the Scheme's definition of a 'low traffic generator'.

The Application was advertised for a 28 day period and received three (3) representations raising concerns and opposition to the quarry. These matters are tabled as part of this report.

The Application is considered at the discretion of Council pursuant to Section 57 of the *Land Use Planning and Approvals Act 1993* ("the Act"). Council may approve the quarry with conditions or refuse to grant a permit.

A permit may only be granted if Council waives, relaxes or modifies a requirement of the Planning Scheme and in making such a decision the Council must:

- Seek to further the objectives of the Act (RMPS); and
- Take into consideration prescribed matters as are relevant to the use and development of the land; and
- Take into consideration matters set out in representations relating to the application

It is recommended that Council refuse to grant a permit for this proposal. The grounds of refusal are provided in the recommendations of this report. The reasons for such a refusal are detailed in the assessment contained in this report.

BACKGROUND

The proposed quarry is for the extraction, crushing and cartage of gravel from the property. The quarry is an existing gravel pit that has been used by the landowner for onsite farm usage.

The same quarry was the subject of a Development Application in 2014. This was a proposal to operate a 'Level 1' quarry (under 5,000 cubic metres of gravel per annum) without any crushing. The 'Level 1 activity' was assessed by the Council and was subsequently granted a permit to operate subject to conditions in July 2014. Some months after approving the Level 1 quarry planning permit, Council received the current application seeking approval to intensify the operation to a Level 2.

No cartage of gravel has commenced from the land since the permit was granted. The Applicant has conducted some earthworks in the vicinity of the quarry to create a soil bund wall on the northern side of the quarry. Council understand also that some landscaping has commenced along the western boundary of the site (boundary with 1384 Tea Tree Road).

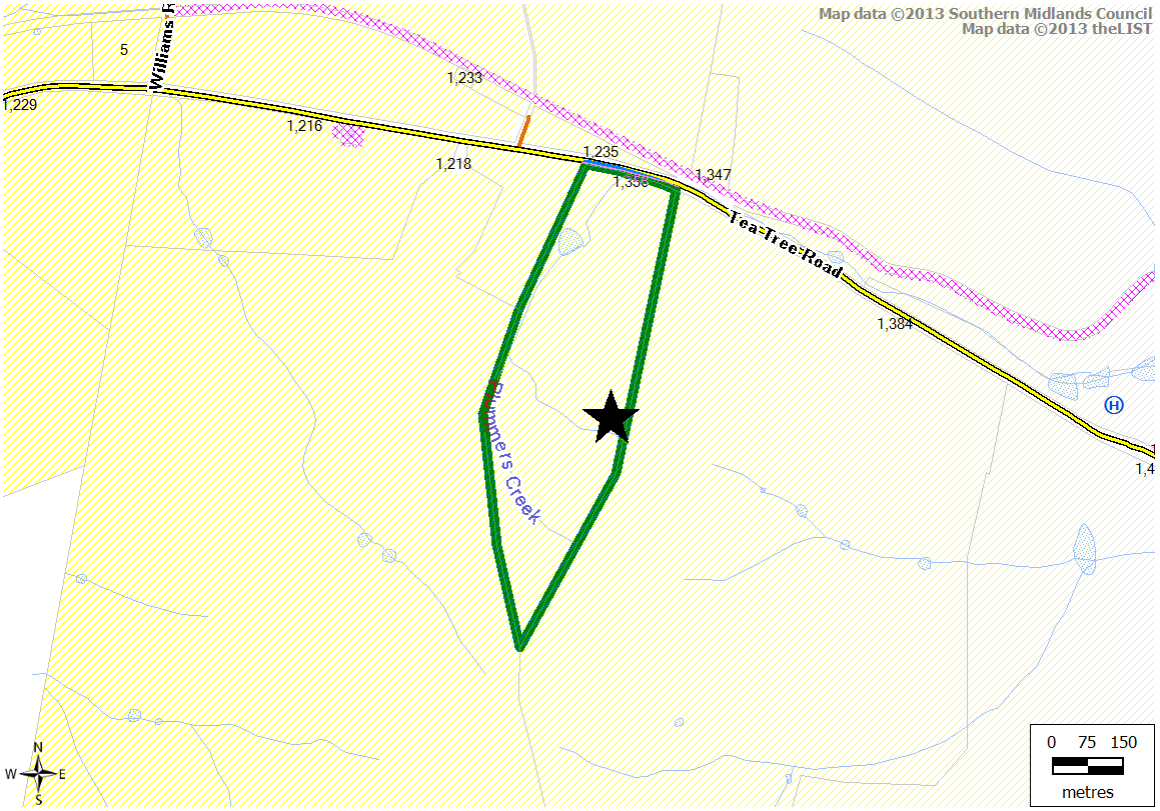
It is unconfirmed if the landowner has begun extracting and stockpiling material from the quarry in any volumes greater than was previously undertaken as a small farm borrow pit (pre any approvals).

THE SITE

The access to the land is from Tea Tree Road. This is a Category Two (2) road. The Road Authority is the Department of State Growth. The access to the land is currently used to serve a single dwelling, farm and a workshop/industry (limited impact) for fabrication and repairs to agricultural and transport equipment.

The quarry operations area is located approximately 495m from Tea Tree Road and is accessed via existing internal farm tracks and roads.

The land is in the Rural Agriculture Zone. The land is used for a dwelling, mixed farming and the light industrial workshop. The property is surrounded by other farms, former farms and titles used as rural lifestyle land. All adjoining land is in the Rural Agriculture Zone. Map 1 below demonstrates the zoning.



Map 1_The land, coloured light yellow, is the Rural Agriculture Zone. The quarry site is marked by a 'black star'. The northern boundary of the site is the Tea Tree Road.

The proposed quarry site is located on the southern side of a small hill (at an elevation of approximately 200m). The land undulates at various levels with many small gullies and small hills working towards the Coal River Tier.

There is remnant bushland that sweeps across the western side of the land, and towards the south eastern side of the land and into the eastern property (as shown in the attached Development Application). The bushland provides some screening between the adjoining properties to the west and south of the quarry site.

THE APPLICATION

The Application has been prepared on behalf of the Applicant by Van Diemen Consulting. Council has maintained regular contact with the consultant Dr Richard Barnes for the duration of the assessment.

The Application consists of an Environmental Effects and Planning Report (EER) (Dated December 2014), prepared in accordance with the EPA issued guidelines, and a Supplement to the EER (Dated March 2015), and various emails submitted by Dr Barnes on behalf of the Applicant. All of which are attached to this report.

The supplement to the EER was prepared after the statutory advertising period. This is standard Level 2 activity process. Essentially it is a requirement for the Applicant to address certain matters raised during the public notification period.

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

Officers have given the Applicant every opportunity to provide further information to justify the proposal before preparing this assessment report.

STANDARD RECOMMENDED ATTENUATION DISTANCE (SRAD)

An important matter for the Planning Authority to consider is the Standard Recommended Attenuation Distance ("SRAD") for the proposed quarry. The SRAD is a measurement or area designed to assist in the planning process with particular regard to potential land-use conflicts between specific activities (e.g. a quarry) and other land-uses sensitive to any reduction in environmental quality (e.g. a dwelling).

A regulatory authority (i.e. Council, EPA, MRT) and the Applicant (or quarry operator) will often refer to the SRADs as a tool to assess the appropriateness of the location of a new proposal. The SRADs are often legislated in Planning Schemes and used as guidelines in the *Quarry Code of Practice 1999* and the *Environmental Assessment Manual 1996* (Guidelines for Local Government in regard to the RMPS). The Council, the EPA and the Applicant's Consultant use the *Quarry Code of Practice* as a best practice tool in assessing, planning and operating a quarry.

Councils use SRADs to determine appropriate attenuation area overlays on planning scheme maps and will use the SRAD distance for a given activity as the starting point in determining an appropriate buffer distance around a specific activity. These apply to such things as quarries, sewerage treatment facilities, abattoirs, landfill and waste disposal sites etc.

Under the Scheme there are a number of mapped Attenuation Area Special Areas around existing activities in the Southern Midlands. These are activities that require protection and control over encroaching development. There is not currently such an area around the Williams Quarry.

The mapped Attenuation Area overlays also function as a trigger for any persons considering buying a property to be alerted to the existence of a potentially harmful nearby activity. Somebody buying land may not otherwise become aware of the existence of a quarry if a mapped Attenuation Area is not included on the Planning Scheme maps. Southern Midlands Council's practice has been to include mapped Attenuation Areas for the above reason and also because it provides certainty in terms of the exactly what land is covered.

Mapping an Attenuation Area into the planning scheme also allows the individual characteristics of a particular operation and the surrounding landform to be taken into account. This means that the extent of land nominally impacted by the raw SRAD can be reduced to suit the particular situation. The negative impact on the future use and development potential of surrounding land can therefore be reduced to that which is actually necessary in reality. Whilst external bodies such as the EPA would still be required consider the original SRAD distance in their assessment, they would also have to give weight to the mapped Attenuation Area and the local Council (the planning authority) would only have to consider the mapped Attenuation Area.

An SRAD therefore has several planning implications:

1. A mapped SRAD / Attenuation Area overlay on a Planning Scheme will provide landowners with surety and knowledge of activities in the area at time of purchase or in preparing a Development Application.

2. SRADs are designed to protect certain activities from encroaching sensitive land use activities; and

3. SRADs can be used as a buffer between different land-use activities and therefore can restrict future land use/development

4. SRADs are a tool used for assessing new land use and development i.e. a Planning Authority will assess the potential impacts of a new sensitive land use/development based on the distance between activities i.e. is the new use/development within the SRAD or outside the SRAD? If within the SRAD what are the ongoing implications?; and also

5. SRADs are used by planning consultants, quarry operators and other authorities in assessing and/or strategically locating resources and infrastructure.

The imposition of an SRAD on land in other ownership will negatively impact the future use and development potential of that land – at least by requiring proponents of future use and development to expend additional resources 'proving-up' a proposal or, at worst, by stopping such use and development from going ahead.

An ideal site for a use that requires an SRAD would be one in which all of the SRAD is within land under the same ownership.

A second-best site (which is more often the case in reality) is one in which the SRAD might extend onto land in other ownership, but only impacts small proportions of neighbouring titles leaving their owners with options for future use and development free of the SRAD. Ideally, no houses in other ownership would be within the SRAD.

Williams Quarry: 750m SRAD

The Tasmanian Quarry Code of Practice, which constitutes the State's best practice guidelines, suggests that '*planning authorities and operators seek to maintain the following separation distances, measured from the planned maximum extent of the quarry operations to any sensitive use: where material is crushed:750 m*'.

The proposed quarry falls a long way short of this.

As further background information, the SRAD for the previously approved Level 1 quarry was 300m from the operations area. The proposed Level 2 quarry with crushing has an SRAD of 750m from the operations area. The difference between the two proposals is the introduction of a crusher that significantly increases the SRAD area. The 300m SRAD area from the Williams Quarry is depicted in 'Diagram 1' of this report. The 750m SRAD area from the proposed Level 2 Quarry is depicted in 'Diagram 2' of this report.

The application of the SRAD between the approved quarry and the proposed quarry is significantly different:

- The 750m SRAD includes eight (8) dwellings in other ownership on neighbouring and nearby land.

- The 300m SRAD did not include any other dwellings (aside from the Williams dwelling).

- The 750m SRAD completely engulfs the total land area of 3 (three) adjoining or nearby properties:
    - 1220 Tea Tree Road (100% of land area)
    - 1347 Tea Tree Road (100% of land area)
    - 1233 Tea Tree Road (100% of land area)

- The 300m SRAD impacts only minor parts of adjoining land(s)

- The 750m SRAD impacts a large percentage of:
    - 1384 Tea Tree Road at approximately 70ha of land (73% of the total land area)
    - 1218 Tea Tree Road 45ha of land (57% of the total land area)
    - 1216 Tea Tree Road 5ha of land (30% of the total land area)

- The 300m SRAD impacted only a small portion of 1218 Tea Tree Road at approximately 1ha or 1% of the total land area and approximately 12ha or 12% of the land area of 1384 Tea Tree Road.

Implications of a 750m SRAD

The implications of a 750m SRAD is that all future land use and development within the SRAD will be assessed by Council Officers in the context of the Williams Quarry.

The onus of demonstrating that a new land use or development will not impact on the operation of the Williams Quarry will be placed on the Applicant or landowner at the time of Application to Council.

This is considered by Council Officers to be a potential regulatory burden. Future land users and developers may have to provide expensive environmental reporting or engage in legal proceedings to prove a new development would not limit or be impacted by the Williams Quarry.

The other option, for adjoining landowners, is to develop or use land outside of the SRAD to avoid potential land use conflicts. This ability is completely negated at three (3) of the adjoining properties as the SRAD completely encompasses the land.

Ideally the maximum extent of an SRAD is contained within the boundary of the activity
New land use or development within an SRAD has been the subject of many legal proceedings before the Resource Management and Appeals Tribunal (RMPAT) such as *GPA & VA Herbert v Brighton Council [2007]*, and *Stornoway Projects Pty Ltd v Northern Midlands Council and JF Welsford* and *MA Brink [2014]*, and *Clifton Brick (Tas) Pty Ltd v. Northern Midlands Council [2010]*. These are cases where a neighbouring landowner wanted to develop a sensitive use within the SRAD mapped in the Planning Scheme.

Possible reduction to the SRAD specific to the proposed quarry

Council Officers are of the opinion that the 750m SRAD around the Williams Quarry may be excessive given the size and nature of the quarry and given the topography of the land in the area. The size of the attenuation distance could potentially be reduced to something with less impost on adjoining landowners.

The larger the SRAD the greater the perceived impacts from the quarry. The onus of demonstrating otherwise is on the Applicant to the satisfaction of Council (and EPA).

Council Officers have sought information from the Applicants' consultant on the potential reduction of the attenuation distance specific to the proposed quarry, however no specific information has been provided.

Ideally, the information would include a mapped attenuation area particular to the proposed Quarry, or a written description of the maximum extent of impacts from the quarry.

In the absence of information to the contrary, Council Officers have to assume that this quarry needs the full 750m SRAD to be considered for all future land use planning decisions.

The consultant states in an email dated 23rd April 2015 that:

> "I reiterate here that my client did not ask for nor seek an attenuation overlay to be developed for nor included in the current Scheme nor the Interim Planning Scheme. If this is to be done for the quarry then it is the unilateral initiative of Council to do so. Numerous quarries which I have planned have not had Council express any desire to formalise an attenuation zone, indeed, one of the greenfield quarry developments I have planned have any such requirement by Council."

This is irrelevant as Council Officers and EPA (and indeed Dr Barnes) have used the *Quarry Code of Practice* as a best practice tool to assess the quarry taking into account the SRADs. Council Officers will always refer to the SRAD as part of the assessment (unless the scheme maps specify a different area via an overlay).

Draft Interim Planning Scheme – Attenuation Code

A matter that Council should be aware of is the implications of granting a permit for this quarry and the declaration of the Interim Planning Scheme.

The Draft Interim Planning Scheme, not yet declared, has an "Attenuation Code" that would by default apply the full 750m SRAD for the proposed quarry as a legislated matter for the Planning Authority to consider. The code would apply to all land within the 750m SRAD. Any development or use for a "sensitive use" on land within the SRAD will be considered at the discretion of Council.

In addition to the ordinary application requirements for new development the Planning Authority may require the Applicant to provide a site specific study to determine compliance with the Interim Planning Scheme.

The alternative is for the Council to enact a Planning Scheme amendment to reduce the size of the SRAD to something more acceptable in size and map this overlay on the Planning Scheme maps. This gives precedence over the default SRAD.

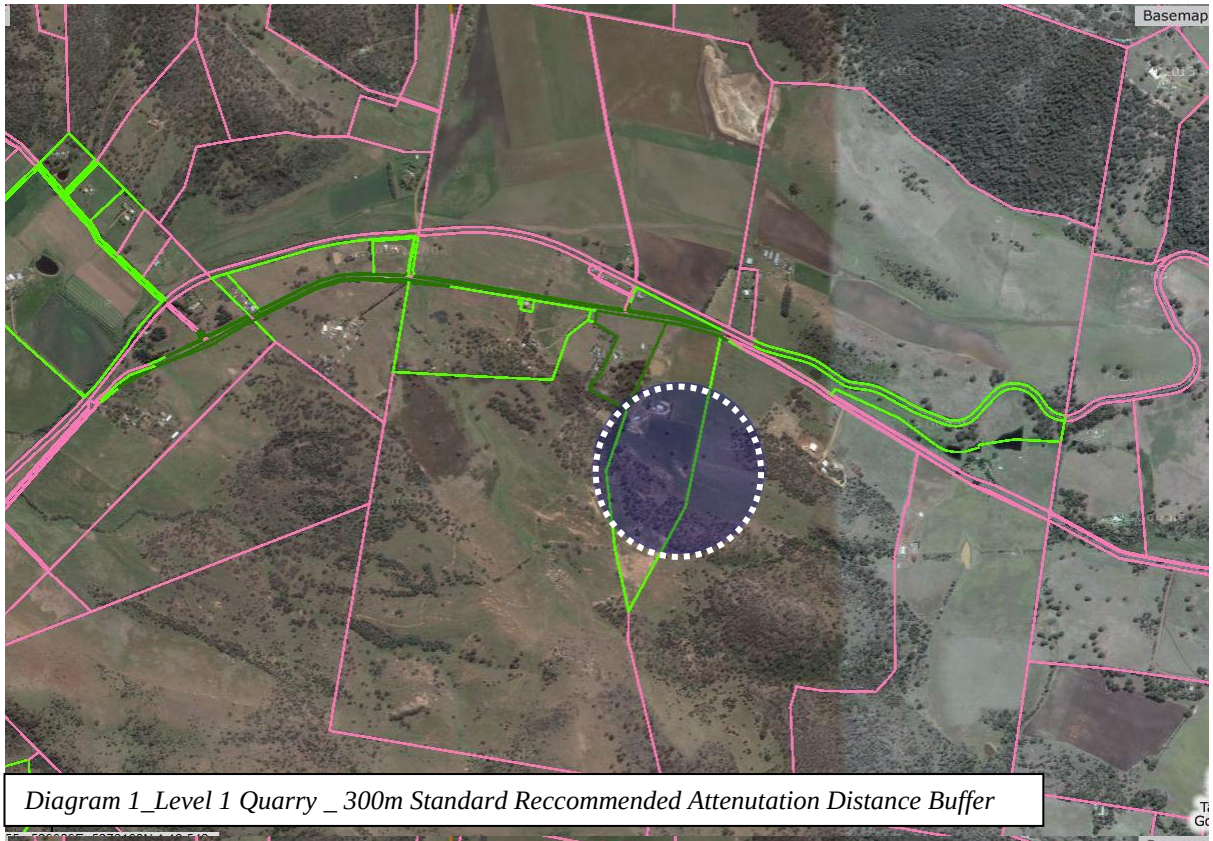


Diagram 1_Level 1 Quarry _ 300m Standard Reccommended Attenutation Distance Buffer

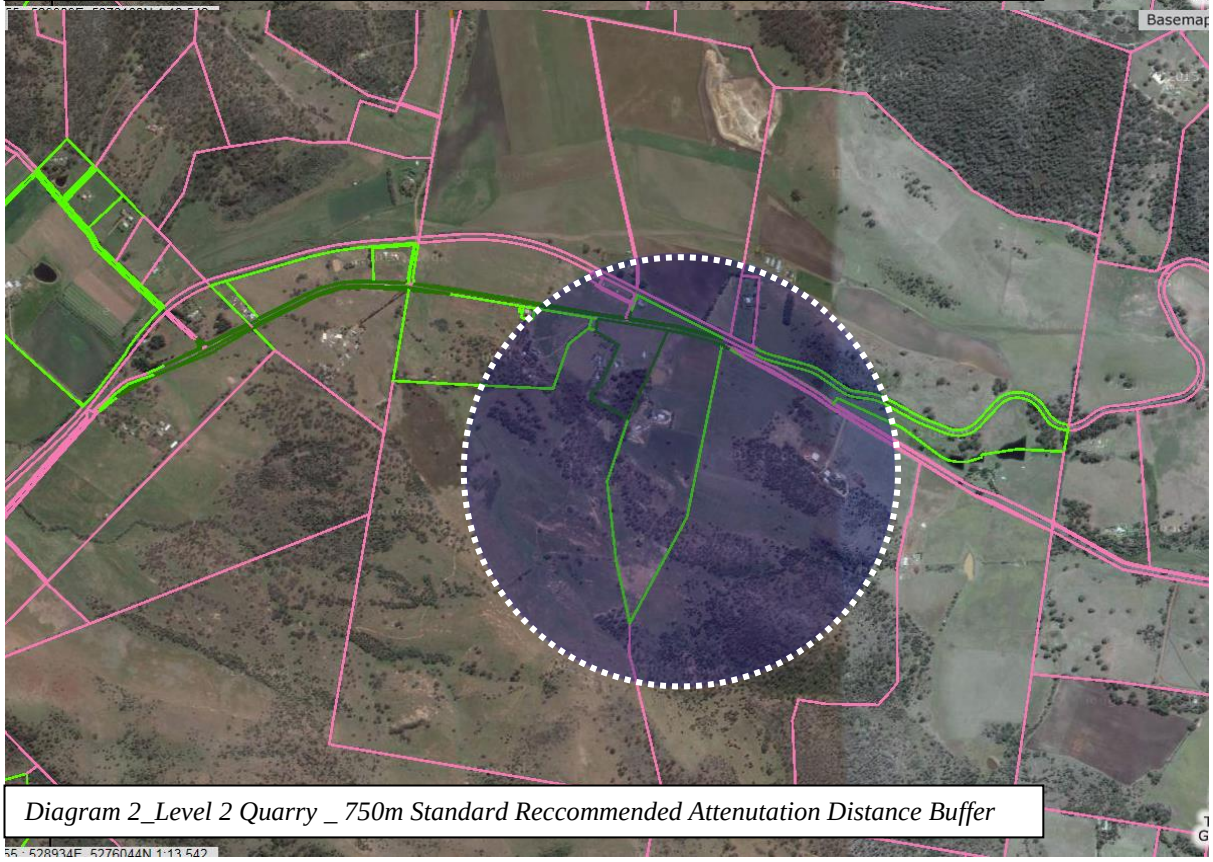


Diagram 2_Level 2 Quarry _ 750m Standard Reccommended Attenutation Distance Buffer

USE/DEVELOPMENT DEFINITION

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

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

The term includes:

a) The extraction of any overburden;

b) Primary treatment including crushing or screening of that substance on the same land;

c) The associated storage of goods or materials used in connection with or resulting from that extractive industry;

d) The wholesale sale of goods of vehicles and machinery used in connection with that extractive industry.

Use Development/Status under the Planning Scheme

Under the Scheme, 'Industry (Extractive)' is a discretionary use/development in the *Rural Activity Zone* and invokes Clause 11.5. Subsequently the use/development:

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

or

II. May be refused a Planning Permit by Council

The discretionary status means that the Planning Scheme envisages that the proposal may or may not be suitable on land in the zone.

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

Council should be aware that, although a permit was granted for a Level 1 quarry last year, under the same land use definition, the proposed Level 2 quarry does not constitute a 'minor amendment' to this permit and is not 'substantially in accordance' with such a permit.

The proposal is to double the extraction of gravel and include the crushing of the material and therefore requires a separate planning permit in order to operate.

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised on the 10th January 2015 for twenty eight (28) days and Council received three (3) representations raising concerns and opposition to the quarry. Council will note this period for representation is twice the length of the ordinary 14 day time period.

All representations have been attached in their entirety to this report for the Council's information only as 'Attachment 4 – Representations'. All names and personal details have otherwise been omitted from this report.

Council Officers have provided comments regarding the key issues raised in these representations in this section of the report. The concerns are further considered as part of the detailed assessment of the proposal against the relevant provisions of the Planning Scheme and EMPCA. The Officer comments appear in *Italics* in the table below:

Representation 1
We wish to lodge a representation in relation to the proposed Level 2 gravel quarry and hope that due consideration is given to our concerns. They are as follows: **1. As the Rekuna area where we live has become more of a residential agricultural area in recent years we believe the proposed Level 2 gravel quarry is an inappropriate development for this area.** **We have spoken to [another quarry operator] who operates a quarry between Richmond and Campania and inspected the site and noted that there is no residences within the 750m buffer zone.** **In relation to the buffer zone around the proposed Williams quarry site the 750m would include 10 other houses which would impact negatively on our and the other property owners health and general lifestyle.** **We strongly object to any buffer zone which would include any of our property and believe this is unacceptable to be applied to anyone else bar the Williams property.** **We refer to P6 16 of the *Environmental Effects Report and Planning Report – Williams Quarry Rekuna.* Which states it is strongly advised that the proponent discuss their intentions with their neighbours (in particular, land owners within the 750m of the Quarry). We feel that this won't occur but should be made to happen as we would like Craig and Sally's interpretation of the 750m buffer zone to neighbouring properties. We feel the Council should enforce this and look forward to hearing the Williams' interpretation.** **Also in reference to P6 10 of the *Environmental Effects Report and Planning Report – Williams Quarry Rekuna*. Rationale and Alternatives. I quote since establishing the quarry as a Level 1 Activity. We don't believe that the quarry was ever opened and established as a Level 1 Activity? Also I quote as a Level 2 Activity there is an opportunity through the statutory consultation process for consultation within the broader community and those landowners directly adjacent to the property. Is this going to happen?** **We don't believe this permit for the Level 1 quarry was ever fulfilled by the**

Williams as road work haven't been completed. There was signage up saying Williams Quarry opening soon then was changed to Williams Quarry open.

As all aspects of the original Level 1 quarry permit weren't met by the proponent how can we know that they will fulfil all aspects of a Level 2 permit if issued.

2. **Noise:**
   We are concerned about the noise as this would be possibly a 6 day operation.

   As a crusher is excessively noisy in operation 90DBA and possibly above. We would require in writing if this development does go ahead the time and days the crusher would be used depending on weather conditions. In reference to P6 27 of *Environmental Effects Report and Planning Report – Williams Quarry Rekuna* this says all noise Levels are "likely" to meet the requirements of the Tasmanian Quarry Code of Practice. This would be unacceptable in our eyes. We would prefer that all noise requirements "will" meet the noise requirements of the Quarry Code of Practice. This could be addressed by a dummy run of crusher and noise Level monitoring at the owner operators expense to prove that tall noise requirements will be met.

   This could take place only if a permit for a Level 2 gravel quarry is issued by the Council.

3. **Devaluation of our property:**
   We purchased our property in 1997 and in the last 18 years we have substantially upgraded our assets.

   For example we have renovated and added to our residence and purchased another 290 acres which has been added to our existing title for future ongoing development. We believe that the proposed Level 2 gravel quarry if approved would have a negative impact on our value of our property.

   This wasn't addressed in our original representation for the Level 1 Quarry.

4. **Endangered Species:**
   Of Concern to us is that we have 2 endangered species on and around or property and the proposed Level 2 gravel quarry site. These are the Wedge Tail Eagle which this a pair seen by us weekly (on a regular basis) on our property and surrounding properties.

   Also there have been siting of the Tasmanian Devil on our property.

   What impact would the proposed Level 2 quarry have on these endangered animals. I don't believe there is any reference to this in the documentation lodged by Mr and Mrs Williams.

   We think this should be addressed.

In conclusion we believe that a quarry at 1356 Tea Tree Rd is not a suitable site location and would have a major impact on the 10 residences in the area surrounding the proposed quarry site.

A more suitable location should be located by the proponents which should have minimal to no impact on neighbouring properties.

Council Officer Comments

In consideration of this representation, the primary concern for Council is the 750m SRAD buffer around the quarry.

As detailed in this report a 750m radius of the quarry would encapsulate a significant amount of adjoining land. The representation raises the issue that there are a number of existing dwellings ("Sensitive Uses") within the 750m buffer area.

A buffer that cannot be contained within the boundaries of the land can be defined as an "offsite buffer". It is the use of other peoples land to restrict land use and development that may impact on the ability to access a resource.

The other issue was the lack of public consultation prior to the lodgement of the Development Application. Council Officers and EPA Officers are both of the opinion that public consultation, undertaken by the Applicant, should have occurred prior to the lodgement of the Development Application. This concern was relayed to the Applicant. The Applicant's consultant then reported that he had subsequently contacted all residential properties within 1.4km of the quarry to seek feedback on the quarry application, and stated that there is majority support for the quarry. Council's request for details (to be treated in confidence) was rejected by the applicant. The consultant's results do not appear to tally with Council officers understanding of the view of nearby landowners.

Officers believe that consultation was necessary given the number of representations received for the previous Level 1 quarry and given the number of dwellings, and private land within the 750m buffer around the quarry.

The representation raises the issue of noise and asks if a "dummy run" of the crusher could occur. The EPA have required the quarry operator to conduct a noise survey for the first run of the crusher and requires the operator to run the quarry with a noise limit that does not exceed 47dB(A) at the nearby dwellings.

A concern of Council Officers is that the EPA's condition and the quarry operation as detailed in the Application cannot adequately confine noise generated by the activity to within the boundaries of the land, as required by Council's planning scheme.

Noise level restrictions will require ongoing compliance by the operator and in essence requires policing by neighbours to report incidents where they believe noise has become a nuisance. Noise will emanate from the boundary of the land and into adjoining land for

some distance before it will dissipate. Therefore a certain unknown radius around the quarry site will be a effected by noise levels in exceedance of the 47dB(A). The Applicant would not provide a definitive answer on this matter as to the extent of the noise impacts into adjoining land.

The ability for a quarry operator to adequately contain noise within a boundary is a matter that Council must consider under Part 11 of the Planning Scheme.

The noise generated by the activity is considered different to a Level 1 quarry as the Level of onsite activity at the quarry is much greater and on a more frequent basis.

It is clear from the representation that the landowner does not want their land impacted by the operation of this quarry or used as an offsite buffer.

Representation 2

Re: C & S Williams proposed Level 2 hard rock quarry at 1356 Tea Tree Road, Rekuna, extracting a maximum of 10,000 cubic metres per annum and crushing a maximum of 2,500 cubic metres per annum DA2014/136

Firstly, please allow us to sincerely thank the Southern Midlands Council and its Councillors for notifying us of our neighbour's proposed Level 2 hard rock quarry Development Application.

We are very pleased to see the advancement of our neighbour's thought process. This decision of our neighbour promotes the economic development of the region.

According to the teaching of Lord Buddha: human and human are a disconnected unity. Human and the Universe are a disconnected unity. Therefore, encouraging others' development is precisely encouraging our development. Hence, we support the Council's decisions in keeping with development of the local economy.

On Tuesday 27th January 2015, several Elder Gurus from our organisation had an opportunity to visit the Southern Midlands Council office in Kempton to view this development application.

We are grateful for the support the Southern Midlands Council and its Councillors have all along been providing us with the Tasmanian Buddhist Cultural Park (TCBCP) development at 1384 Tea Tree Road.

In actual fact, since the purchase of this land, quite a lot of the prime conditions to construct this exclusive TCBCP are slowly deteriorating. If this Level 2 Quarry continues to exist and expand, its effect on the natural environment will be comparatively big, and obviously the opportunity to construct the TCBCP on this land will be completely lost.

Initially when we proposed to build the Tasmanian Chinese Buddhist Cultural Park at 1384 Tea Tree Road, there was not such a quarry, let alone a proposal for a Level 2 hard rock quarry extracting 10,000 cubic metres per annum with on-site crushing activities.

Thus, if this quarry is approved and work started, after long-term mining, the affected area will be greater than the 750-metre buffer zone. This will have greater risk on the occurrence of the potential landslide danger, movement and loss of ground water, which not only affects our entire development, but more importantly also affect the entire ecological balance of the area.

Furthermore, the potential risks render us not complying with the traditional

principles on temple building detailed in Buddhist scriptures. The TCBCP is a large static construction complex, where traditional Chinese Buddhist temple structures are to be built in a peaceful, tranquil environment, at least 10km far from industrial activities, including mining and quarries.

The location for the proposed Level 2 hard rock quarry development will be situated at a10 metre setback from our south¬western boundary fence line. Within the proponent's Environmental Effects and Planning Report (EEPR) development application, it has been pointed out there are 9 locations deemed to be sites of sensitive use within the 750-buffer zone. Without mentioning the proposed 10 major temple structures and the various Buddha statues that the TCBCP will consist of, there are already 8 sites of sensitive use existing on our own property that will be affected by this quarry (please see attached map).

When compared with the negative impact of this quarry development on the natural environment, the impact on the TCBCP temple complex appears to be comparatively small.

As we all know, we have invested a great amount of human, material and financial resources towards the TCBCP project, but with the existence of a quarry 10 metres from the boundary fence line it is impossible to construct the TCBCP due to the geographical conflicts. Being a park consisting of massive building structures, if the mining of a Level 2 Quarry is within this 10 metres or so proximity, each building structure will constantly be subjected to the influence of vibrations, and undoubtedly, in the near future there exists the possibility and danger of collapse. From the perspective of Ancient Sutras regarding the construction of Buddhist temples, and from basic life experience, this is not allowable. Therefore, we express our opposition towards the further development of this quarry to the local Council and State government.

If the Council approves the further development of the quarry, we will be tolerant, we will retreat and politely give way to other developments, and we will reassess the selection of location for the development of the Tasmanian Chinese Buddhist Cultural Park project.

Council has already approved the erection for a pair of 5-metre tall stone lion statues and four 7-metre tall Heavenly Deva statues on our site. We have also received 5 expressions of interests for the Project Manager position in assisting with the further development of the TCBCP and application for an amendment to the Planning Scheme.

There are over 20 Buddha statues and Dharma implements currently stored on-site, and once the State government has approved these will be reverently installed in their respective temples, including a 7m tall Sakyamuni Buddha statue weighing over 30 tons, and a large temple bell over 2.5m tall and weighing over 5 tons. There is also a 1.5m tall statue of our First Holy Patriarch Master Holy Vimalakirti preserved from the Tang Dynasty era.

We have had dozens of meetings discussing this project with representatives from the local, state and federal governments and project planners and construction companies. Most recently we have also met with the General Manager from the Tasmanian Major Projects Approval Agency, and Minister Matthew Groom MP from the Department of State Growth.

Since President Xi Jingpin's visit to Tasmania on 18th November 2014, in the past three months alone, we have received numerous visits from foreign investors from China expressing interests in the TCBCP. The Chairman of the China Chamber of International Commerce, Finance and Investment Committee, Chairman Yu Yanqing personally visited Tasmania to inspect the proposed site

for the TCBCP. Chairman Yu expressed his intention to invest, but is waiting for the rezoning of the land to be finalized.
Whatever the circumstances may be, the Tasmanian Chinese Buddhist Cultural Park project will not come to a halt. If required, we will choose a more suitable location to continue and realise this dream.
However inappropriate our opinion might be, criticism and advice of our Councillors and neighbours are earnestly welcome. We are most willing to further explain any issues on this matter.

Council Officer Comments
The "Tasmanian Chinese Buddhist Cultural Park" has been well publicised. Council is yet to receive a Development Application or an Application to amend the Planning Scheme seeking to use or develop the land at 1384 for the "Buddhist Cultural Park".
Council understand the proposal to involve the construction of a university, temple, accommodation and many other facilities. This has been presented to the public on several occasions.

In order for any of the above development to occur then the Planning Scheme would need to be altered. None of the above developments are allowable in the Rural Zone.

There is potential for land use conflict between the different developments listed above and the Williams Quarry. Almost all of these land uses would be considered "sensitive uses" in the Rural Zone and in the context of development within the 750m SRAD.

The 750m SRAD would enshroud most of the adjoining land and would potentially restrict or impact any new land use or development on this land. The only land use or development that would be obviously compatible in close proximity to a level 2 quarry is forestry, extractive industry or grazing. From a planning / land use conflict point of view, the development of the Buddhist Cultural Park might possibly be able to be approved with this Level 2 quarry 10 metres from the boundary, but it is reasonable to conclude that this would be very uncertain. The thoughts expressed in the above representation would appear to make it almost certain that it would not go ahead.

This person opposes offsite buffers over their land and is concerned that the impact of the quarry will go beyond the SRAD.

Representation 3

Thank you for your letter 9 January 2015 advising of an application for a Level 2 quarry ("the Application") at 1356 Tea Tree Road Tea Tree ("the Road").
As an affected neighbouring property owner, I object to the proposed development.
The reasons for my objection are as follows:-
Lack of clear and concise information and consultation provided to all affected property owners
As per the Quarry Code of Practice (QCP): in particular the following 2 extracts
"New quarries should not be located close to existing residences or other sensitive uses."
"It is suggested that planning authorities and operators seek to maintain the following separation distances, measured from the planned maximum extent of

the quarry operations to any sensitive use:"
Where material is crushed this distance is, 750 m and as stated in the EER there are 8 existing residences within the 750 m SRAD. The letter received advising of this application states "for owners adjoining the development be advised" this implies that of those 8 residences only the 3 neighbouring property owners were advised by council of this application and not the other 5 that may be affected by the 750m SRAD.

There was strong recommendation both by Council and in the EER response that Mr Williams discuss his application with neighbours this has not been done.
Council did not previously provide any justification of why the 300m SRAD was removed from the Level I quarry permit.
It has not been made clear how the quarry with or without the exclusion zone would affect possible changes of land use now and for the projected life of the quarry for example:-
If any of the landowners in the 750 m SRAD wish to pursue a different rural use on their property such as Dairy, free range poultry or pigs, organic crop etc would they be restricted by industry requirements due to the closeness of a quarry and also could there be restrictions preventing any necessary new rural infrastructure being built required for that use.
On the basis of the above points raised I believe that council should suspend any decision on this application until such time as full clarity of the current and future restrictions and effects to properties in the 750m SRAD is provided to all those affected property owners and a public consultation conducted by council and Mr Williams.

Non Adherence to current permit requirement by proponent
Mr Williams advertised by signage at the front of his property that the quarry was open and this has also been stated within the EER however also stated on page 31 of the EER the required road works have not been done as per extracts below:-
"Existing permit conditions as defined in DA2014/64 that are relevance to the expanded operation and traffic movement are below. The works associated with the approval of Level 1 activity in relation to road strengthening have not yet been completed, but should be as part of the Level 2 Activity."
Note the words "should be" used both above and in Table 2 Summary of management commitments. This is an ambiguous statement and does not conform with Part D Management Commitment requirements as per extract below
"• Specific, unambiguous written commitments for avoiding, minimising and managing the potential environmental impacts of the proposal (as identified in Part C) should be documented in the appropriate sub-sections of Part C, and then summarised in Part D (see example below). "

Page 32 specifically shows the extract from Mr William's Level 1 quarry permit:-
"7. The access works and road works, required by a permit issued by the Department of State Growth, must be completed to the satisfaction of the Department prior to the cartage of any material from the quarry. It is the responsibility of the developer to notify the Council upon the satisfactory completion of work ".

The background information on page 6 of the EER under "*The quarrying activity currently includes the following:* ', of which includes the following 2 statements:-

- **Loading trucks with wheel loader from stockpile area in quarry; and the**
- **Transport of materials by truck with/without trailer**

An e-mail received from Southern Midlands Council's planning Officer David Cundall dated 19/1/2015 in response to questions asked states "*I have not been informed (or aware) if the road works have begun or if a permit, from State Growth has been applied for, by Mr Williams ie you need further permission (a permit) to conduct road works on/within a state road. I have no further information on the access works at this stage*."

Both the Level 1 and Level 2 quarry applications submitted by Mr Williams have stated that there will be no signage at the front of the property that is related to quarry activity see page 15 under heading "Signage" in current EER yet Mr William's erected signage advertising his quarry as "*soon to be opened*" and then later as "*open*". I also believe that Council were aware of this signage being in place.
These 2 actions by Mr Williams should be considered by Southern Midlands Council as to Mr Williams's credibility to operate either Level quarry within the permit requirements and written commitments in the current EER.

My further concerns are:-

Rationale
The rationale for the Level 2 quarry given in the EER "the market has broadened to include a demand for some finer, more consistent-sized material for some clients." has no substantiating evidence such as a business plan to support that statement.
As Council do not require a business plan for new or changed business application there is no evidence provided that there is:-
-Local or other market demand for either product or the size of that market currently or in the projected future of the quarry especially consider the existing quarries within the local vicinity.
- Financial viability for either Level quarry

The Level 2 application has doubled the amount of material to be quarried yet only a quarter of the material will be crushed there is no mention of increase demand for uncrushed material to support the total increased extraction amount in the application.

The irrigation project has completed, or if not nearly completed, and it would be anticipated that any further gravel requirement would be fulfilled by current contracted suppliers.
It would be expected that many farmers would have completed required road infrastructure to support their irrigation so that it was in place for the current summer irrigation.
At the time of Mr William's first quarry application both the Campania (2 developments at either end) and Brighton Tea Tree Road housing developments had been advertised and buildings have already started and many completed.
Mr Pearu Terts reports states that noise measurements were taken on 17/8/2014 less than 1 month after the council meeting voting to pass the Level 1 quarry application and around 3 months prior to the mining lease being approved. This tends to question whether it has not always been Mr William's intent for a Level 2

or whether there are other underlying reasons for this application in particular in relation to the recommended 750m SRAD by the Quarry Code of Practice 1999.
If this application is approved what next can we expect? Another application submitted for Level 3 quarry and 1000m SRAD to enable blasting wasting more council time, rate payer's money and further noise, pollution and restrictions, imposed on even more neighbouring properties.

Drainage
In Representation 2 submitted for Planning application T29141293 Development Application to construct Six (6) Stone Statues on Concrete Platforms at 1284 Tea Tree Road Tea Tree there were concerns raised by Mr Williams (identity clearly recognisable from the specific location & other details shown therein) as the impact of water into the roadside culvert for that development under the heading 'Sediment Pollution off-site' Mr Williams raised the following:-
'There have been two rainfall events over the past 6 weeks in excess of 20mm (within a 24 hr period) and a third in excess of 15mm (within a 24 hr period)'
'Tea Tree Road is a wet road on both sides in front of the said development, many times now roadwork machinery has become bogged, the water main in front of the said property has had many issues over many years.....'
Council's plumbing inspector's comment in relation to stormwater management was:-
'*If an alternative solution is used such as directing water runoff to a collection point and channelled or piped to a roadside drain on Tea Tree Road then a detailed plan from a hydraulics engineer will need to be provided to Council. A plumbing permit will be required for the above.*
This was a bit contradictory by Mr Williams with the runoff of water from his Dam into the roadside drain being quite substantial in heavy downpours contributing to the problems that he identified in that representation.

Has Mr Williams had a plan drawn up by a hydraulics engineer and a permit granted by council for his run off into the roadside Dam which now includes runoff from his quarry?
Concerns over the drainage from the dam into the storm water culvert was raised in representation 2 against Mr Williams Level 1 application which the Council Officer did not comment or provide information to the Councillors to assist with their assessment of the matter raised in that representation against Level 1 application.
There is no clear evidence in the EER that in heavy rainfall any increase in water from the quarry site will not result in flooding of adjoining properties or Tea Tree Road.
The Quarry code of Practice 1999 recommends that :-
- **'Settling Ponds should discharge into natural drainage lines that are stable and vegetated '**
- **'water quality into water ways should be monitored . '**

also states that :
- **'Certain minerals have the potential to cause acid drainage pollution when exposed to air and water. A site's potential for causing acid drainage is not likely to be identified until it is being worked'**

There is nothing in the EER advising that discharge will be through vegetated drains or that monitoring of water quality will be undertaken.
This is of concern as during high rainfall water from the quarry and settlement

ponds containing sediment or contamination would reach the dam and on into the roadside culvert from where water flows into Plummer's Creek and then the Coal River.

Adherence to Operating Hours

Commitment 1 - Operating hours are those recommended in the Quarry Code of Practice – 0700 to 1900 hrs Monday
to Friday, 0800 to 1600 hrs on Saturday; closed on Sunday and public holidays.
Mr Williams's property entrance gate is nearly always open 24 hours unless they are away from the property or sheep grazing in driveway and therefore this cannot and has not been adhered to unless gates at locked out of operating hours.

Noise

The scientific noise reports provided sound good on paper however the brain is known to filter noise allowing us to hear conversations among loud background noise etc. People who choose to live near transport infrastructure accept free flowing traffic noise as normal and often do not even register hearing it but sudden loud noises may seem incredibly louder than they actually are.

The amount of noise heard by vehicles travelling at 100 k/h along an open road is different to an occurrence at just before 7.00 am of truck and trailer suddenly braking and the combination of the noise of brakes and truck, trailer and linkage rattling is perceived quiet loudly. This incident occurred recently on Mr Williams access road at the junction of the road to the quarry and the road to the house. This does not indicate that the 40k/h will lessen any traffic noise as such occurrences will happen regularly if trucks need to brake going up or down the road incline and also as they exit the property.

I have never seen a large number of trucks or machinery traffic to the Level permitted at Mr Williams's property but this application indicates that some days it is anticipated that there will be 15 trucks entering and exiting the property (30 movements). This is a big increase from current actual usage that occurs therefore there will be an increase in the noise generated from these trucks that did not occur to the same extent in the past .

RE the comment in the EER No previous noise complaints received.
As Mr Williams neighbours are not of the same character as he is constantly running to Council, other authorities and media all the time complaining of other people's actions, they just tolerate many incidences without complaining as it usually gets them nowhere anyways.

Crushing noise

As the crusher is being hired:-
The testing and report by Mr Terts is not based on the actual crusher indicated as intending to be used but another crusher in an entirely different quarry environment
There is no guarantee that the same crusher or type as advise in the EER will be hired, will be availabe for hire when required or that the quarry operator will not use a different type of crusher at any time which may have different noise Levels than those stated in the report by Mr Pearu Terts.
It is stated in the EER that the crusher will sit in the floor of the quarry to reduce

noise impact and also stated that the current quarry depth is 3-5 metres but this depth will be greatly reduced during the proposed life of the quarry as per figure 6f . Mr Terts report does not take into account any affect the placement of crusher in the quarry base in relation to the reducing first and second bench Levels. There is no mention of any effect of reflective noise Levels ie echoing now or in the future due to the reduction of the hill face on the quarry side and the expansion of the quarry base over the period of Life expectancy of the quarry
There is nothing in the EER to confirm that screening will not take place
There is no commitment that crushing will not occur on a Saturday
There is no commitment in the EER that Mr Williams will be courteous to the nearby land owners by advising them in advance of proposed crushing days and considering any alternative days if the crushing should occur on a day which the noise would affect any of the nearby landowners planned activities ie children'ss birthday party, mothers with small children get together already organised , organised outdoor activity etc
Mr Terts report states "*the proposed quarry is likely to meet the noise requirement of the Tasmanian Quarry Code of Practice 1999."*
As Mr Terts cannot confirm that noise Level will meet the Levels of the standards what guarantee is it to the 8 residents within the 750m SRAD that they will not be greatly affected by noise pollution and application should not be approved by coucil without confirmed evidence that it will conform with recommendations of the Tasmanian Quarry Code Of Practice 1999.

Council Officer Comment
The person who lodged the representation is particularly concerned for the ongoing and regular impacts from the proposed quarry. The person is also concerned about the operator complying with the management requirements to operate a quarry within the SRAD.

This person's land is completely covered by the SRAD. Council Officers agree this person has a valid concern for impacts on their land.

This person raises the matter that quarry cartage has not yet commenced. The person is highlighting a spike in frequent intense truck movements to and from the property.

The potential impacts from truck movements are noise and dust disturbances. The Applicant proposes some management techniques. The EPA have further conditions management techniques to control dust and noise.

Council Officers are of the opinion that despite management practices the proximity of the gravel roadway to the boundary of this property may still cause offsite impacts and a reliance on this person to monitor quarry activities.

Council must be satisfied that dust and noise can be contained and treated within the boundary of the site per Section 11 of the Scheme.

This person opposes offsite buffers over their land.

ASSESSMENT - THE SOUTHERN MIDLANDS PLANNING SCHEME 1998

Part 11 – Matters to be considered
In the determination of an application for a Planning Permit the Council shall ensure the Application is in accordance with the scheme objectives, the specific intent of the relevant Zone and all relevant aims and provisions of the Scheme. In addition to these matters the Council must also take into consideration any representation received. This is also a requirement of Section 57 of the Act. Council may also take into account the advice of any person or organisation.

Part 11 of the Scheme also lists a series of matters that a Planning Authority must consider satisfactory before a Permit can be issued. This is a list of basic planning essentials such servicing a new land use or development, adequate parking, impacts on heritage or streetscapes and environmental impacts.

The two listed matters that are of concern to Council Officers are the following:

Part 11.10.1 (xii) – whether any proposed use or development within the Rural Activity Zones will significantly fetter the agricultural potential of that land or adjacent land

As detailed in the assessment provided (in this report) in "Part 6 of the Scheme – Intent of the Rural Agriculture Zone" there is potential for a level 2 quarry with crushing to fetter the agricultural potential of adjoining land. This is not the intent of the Rural Agriculture Zone.

Part 11.10.1(xvii) – whether containment and/or treatment of noise, liquid, effluent and air pollutants on the site.

Noise
The EER states "There are unlikely to be any off-site impacts from the small-scale extraction of gravel-rock at the quarry." Council and the EPA do not accept this view.

The provided noise modelling demonstrates that noise will emanate from the quarry and beyond the boundary of the land especially impacting land at 1384 Tea Tree Road. The noise of a crusher located in a quarry a short distance from a neighboring boundary cannot be adequately contained and/or treated on site. A level 2 quarry, as opposed to a level 1 quarry, will produce noise on a more regular basis that will restrict the day to day use of adjoining land.

Dust
Council Officers also note the management of dust on the land is reliant on the quarry operator to contain and treat dust on site. This is difficult in this location given the lack of vegetation around the quarry and given the very short 10m setback from the property

boundary at 1384 Tea Tree Road. Also the gravel quarry access road runs parallel with, and immediately adjacent to, a significant length of the boundary at 1220 Tea Tree Road.

EPA states, in the assessment report that given the short distance of 10m from the boundary at 1384 Tea Tree Road, the risk of dust being blown into the neighbouring property is high. The EPA have included a standard permit condition that 'requires dust to be controlled to prevent environmental nuisance beyond the boundary of the land' to compliment the other conditions in the EPA Permit and the commitments by the Applicant to keep "dust emission low".

Council Officers are concerned that despite the proposed (and EPA conditioned) management measures there is still capacity for dust to leave the site on a regular basis impacting 1384 Tea Tree Road. This potential would be reduced to a degree once the windbreak has reached a mature height.

It is unlikely that the agricultural land immediately adjoining the quarry at 1384 Tea Tree Road would be used for agriculture that may be impacted by dust emissions.

Mineral Resources Tasmania

Council Officers contacted an Officer at Mineral Resource Tasmania (MRT) with a few basic questions regarding the proposed Williams Quarry. Council Officers wanted to understand the strategic value and location of the quarry and the role of MRT in assessing and monitoring the quarry.

The questions and answers are below.

1. **What is the strategic importance of the resource?**

"The quarry has the potential to provide resource to a local niche market. The resource is not of strategic importance from a State or regional perspective. An example of a strategic resource in the local area would be Borals' Bridgewater quarry."

2. **Is a similar resource available elsewhere in the local area?**

"Yes, there are current operating quarries in the local area that can produce a similar resource."

3. **Does MRT have any view on the appropriateness of locating a quarry on land that is not large enough to contain the 750m SRAD and has 8 neighbouring houses within the 750m SRAD; and**

"SRAD's are a general guide used in the absence of site specific information/studies and assessment. Where there is site specific information and an independent assessment has been completed, MRT would defer to this position."

4. **Is a quarry resource better protected from potential conflicting land uses/development or zoning if separated by the SRAD separation distances and vice versa?**

"MRT is aware that this is this case, the EPA have conducted a site specific assessment and made recommendations for permit conditions based on the assessment. As such, MRT would defer to this position."

5. **Is there a minimum separation distances between a quarry and dwelling or other developments or features under the Mineral Resources and Development Act?**

"No there is not."

MRT also advise that:

> "With respect to the Level 2 change, there is no requirement for a new lease and the existing lease and doesn't need to change – and it cannot be changed legally either. As MRT has no jurisdiction over the volume of material that is removed and/or the crushing/screening, effectively there is no input from us. I have however flagged an inspection – 12 months from the granting of the lease – to review the security deposit held for the site"

The "security deposit" is in regard to the adequacy of the bond money held to rehabilitate the site at a later date.

Relevant Objectives of the Scheme (Part 2.2 of the Scheme)
In assessing a Development Application the Council shall ensure the Application is in accordance with the Part 2.2 Objectives of the Scheme. The objectives of the Scheme are as follows with a comment from Council Officers:

i. to acknowledge Oatlands and Kempton as the main centres providing administrative functions for the Southern Midlands and the smaller settlements of Campania, Tunbridge, Colebrook, Bagdad, Parattah and Tunnack as local service centres;

The Planning Scheme ensures quarries are located outside of these settlements.

ii. to encourage infilling and consolidation of development primarily in the settlements of Oatlands, Kempton, Bagdad and Campania and, secondarily, in the settlements of Tunbridge, Colebrook, Parattah and Tunnack;

The Planning Scheme ensures quarries are located outside of these settlements.

iii. to support the development of a broader economic base within the municipality;

The Planning Scheme plays a role in supporting a broad economic base within the municipality by permitting a range of land uses and activities that are appropriate to the zoning and the local area. Through the planning assessment process, the Council is responsible for ensuring new land use development will not fetter further development or economic activity of other land.

Two persons that lodged representations have highlighted concerns that the quarry may hinder future land use and development. These matters have been addressed in the "Officer Comments" that accompany the assessment of the representations. Furthermore the 750m SRAD has potential to limit the future development of land adjoining 1356 Tea Tree Road.

The Application states there is demand for crushed quarry material in the area. Council Officers agree that providing crushed quarry material to clients in the nearby area will reduce transport costs and further some economic development. MRT also advised that the quarry material and size of the quarry will suit a local niche market.

iv. to encourage suitable long term use of appropriate areas for agricultural, pastoral and forestry activities;

This has been assessed in "Part 6 of the Scheme – Intent of the Rural Agriculture Zone" section of this report. The proposed level 2 quarry has potential to limit agricultural activities at 1384 Tea Tree Road.

A quarry would provide gravel to local industry. The use of Class 5 land for a small quarry is considered appropriate.

v. to prevent inappropriate subdivision and development of rural land;

The use of Class 5 land for a small quarry is considered appropriate.

The proposed quarry with a 750m SRAD over adjoining land has the capacity to limit other activities in the area (rural or otherwise). This is a concern for Council Officers.

vi. to provide for the development of intensive agriculture and related activities and to maximise the potential economic benefits from the existing and future stages of the South East Irrigation Scheme;

The quarry has the capacity to supply the local market with gravel to assist in the development of different industry and support the rural sector.

vii. to make efficient and effective utilisation of infrastructure and services;

There are very few services required to operate a small gravel quarry. A quarry with access onto a State Road makes good use of transport infrastructure. The commitments by the Applicant to water the access road and quarry site during dry windy weather to mitigate dust gives some assurance that there is adequate water on the land.

viii. to maintain a safe and efficient road system;

The Department of State Growth have required the Applicant upgrade the road and access to the road from the property boundary to ensure the safety of road users and the protection of road infrastructure.

The Road Authority is satisfied that the Tea Tree Road can accommodate a low traffic generator with potentially frequent heavy vehicle movements.

ix. to ensure the safety and health of residents through the appropriate, adequate and equitable provision of facilities and services;

The objective is not particularly applicable to the assessment of a quarry.

x. to conserve and enhance the scenic and heritage qualities, including streetscapes and landscapes, of the Southern Midlands;

The proposed quarry should not impact on the scenic landscape qualities of the area.

xi. to minimise the potential environmental and land use conflicts between different land use activities;

The proposed quarry with a 750m SRAD has potential to cause land use conflicts between land use activities through either the regulatory assessment process and via on ground impacts from the quarry such as noise, vibrations and dust.

The proposed quarry relies on offsite buffers over land in other ownership without any express consent from these landowners. Other landowners may have to change the way they use their land to live with a level 2 quarry in the area. This effectively limits some land use activities and development.

Council Officers note the commitment by the Applicant to provide at least 48 hours written notice to all landowners within 750m of the quarry prior to its use. This should remediate some issues for persons planning certain outdoor activities on these days.

It is not the objective of the Planning Scheme to approve a development that may cause conflict between different land use activities. This applies to the existing

land usage are and the future intensification of such land usage or changes of land use.

The three representations have all raised this issue.

xii. to provide sufficient land and facilities for the recreational and open space needs of residents and visitors; and

This objective is not applicable to the quarry application.

xiii. to protect areas which may be required for future development from inappropriate or premature development.

Despite a number of proposed quarry management measures, the quarry cannot be operated without impacting the adjoining land. The quarry SRAD is an unfair imposition over adjoining land with the potential risk of unnecessary regulatory burden on other landowners. There is also the risk that other landowners in the area may be unwilling to progress with new development in the vicinity of a quarry. This includes other discretionary uses.

Part 6 of the Scheme – Intent of the Rural Agriculture Zone
The land is situated in the *Rural Agriculture Zone*. The intent of the Rural Agriculture Zone is to:

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

The previous Development Application for a Level 1 quarry was approved by Council in July 2014. It was demonstrated in the Application (reference DA 2014/64) that a Level 1 quarry without the use of a crusher could be operated on the land subject to ongoing management measures and compliance with the conditions of Council. It was demonstrated that a quarry could be worked intermittently as a side business of the operator on an irregular basis.

There are many Level 1 quarries in the municipality that have been in operation for a long time without any reports of nuisance or detrimental restrictions to land usage and development. Council Officers consider Level 1 quarries to be a typical supplement to a farming income and are generally located on much larger farming properties and/or with larger distances to land in other ownership.

It was considered by Council Officers, at the time, that although the Level 1 quarry is only 10m from a neighboring boundary there was still capacity for a small sustainable quarry to operate with a much smaller 300m SRAD. This 300m SRAD does not encompass any significant proportion of neighbouring or nearby land, which contrasts markedly to the proposed 750m SRAD. The 300m SRAD still provides for substantial

areas on the adjoining properties to be used or developed without invoking planning restrictions.

The proposed Level 2 quarry is in the same location as the Level 1, but the will be run more frequently to maximise the yearly resource extraction. An increase in the frequency and intensity of the activity is also expected as the Applicant would be seeking a much higher financial return on the costs and resources of obtaining approvals for a Level 2 activity. This has been outlined by the Applicant in the email dated 14th April 2015.

The frequency of activity, over a minimum 25 year period, is a cause for concern for the long term use of adjoining land. Council Officers are of the opinion that a range of agricultural, pastoral, and other rural activities have not been prioritised by the Applicant in considering the location for this Level 2 quarry.

There are of course some rural activities such as forestry, grazing or extractive industries that may well occur on land in close proximity to a Level 2 quarry, but there are many other 'Permitted' or 'as of right' activities that are now unlikely to occur. Effectively the quarry has the capacity to limit the ability for others to use their land – even for a range of agricultural uses, such as those impacted by dust. A condition requiring the operator to control dust will not convince a property owner that the risk of a dust event occurring is sufficiently low.

In other words, it is unlikely that the landowner at 1384 Tea Tree Road would invest in, for example, any horticultural activities alongside a Level 2 quarry for risk of dust spreading onto the crops. It is unlikely a person would build an animal stables or stockyard in the vicinity of the quarry as the noise from the quarry would disturb animals and persons working the land.

Furthermore any new use or development on the neighbouring lands, that require Council Approvals are potentially further restricted by the 750m SRAD that would surround the quarry. Council Officers would need to consider the impacts of any new use or development in the context of the existence of a level 2 quarry.

It would however be expected that the tree screening that has been planted will alleviate some of these issues – to a degree, once well-established in the next 5-10 years.

In terms of the long term use of the Williams property, there is similar capacity to continue with some farming activities around the quarry. The quarry site must be rehabilitated once operations have ceased. The land can then be returned to grazing land.

The location of the proposed quarry has therefore not prioritised the use of adjoining land for agricultural, pastoral and other rural activities. There are potential restrictions and land use conflicts on land close to the quarry for the next 25 years.

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

The quarry site is at an elevated position clear of the more potentially intensive farm land.

(c) encourage expansion and diversification of agricultural activities;

As stated in Part 6(a) above, there is still capacity for agricultural activities to commence or continue on the adjoining land but they would need to be compatible with the existence of a Level 2 quarry. Therefore some activities may not be viable alongside the quarry.

(d) protect rural land from development that may:

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

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

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

Some rural land will be jeopardised by this proposed activity – given the very short setback from neighbouring land. As indicated above, the risk of dust contamination will likely stop a future landowner from horticultural activities. The noise impacts will likely limit use of the land for agricultural uses involving animals.

The quarry is not suitably sited in accordance with the Quarry Code of Practice.

The proposal would not cause premature demands on the Council to provide infrastructure services to the land. The operation should be contained and managed on site with existing resources.

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

The rural character of the area should not be impacted by this proposal as presented in the Development Application. The location of the quarry is such that it will be screened from public vantage points. Note also the quarry is the development of an existing quarrying site.

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

This has been addressed per Part 6(a), (c) and (d) above.

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

The quarry site is mapped as Class 5 land by the Land Capability System. The land immediately adjoining the quarry is also Class 5 land. In accordance with the *Land Capability Handbook - Guidelines for the Classification of Agricultural Land in Tasmania, Second Edition, 1999*:

> "This land is unsuitable for cropping, although some areas on easier slopes may be cultivated for pasture establishment or renewal and occasional fodder crops may be possible. The land may have slight to moderate limitations for pastoral use. The effects of limitations on the grazing potential may be reduced by applying appropriate soil conservation measures and land management practices."

This matter has been suitably addressed by the Applicant.

Council should note that there is still potential for some horticultural and agricultural activities on the adjoining land.

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

The proposed quarry is not an 'agricultural use' of the land. A quarry is also a discretionary use/development in the Rural Zone. The development of a quarry does not take precedence over other land usage.

As indicated above, the risk of dust contamination will likely stop a future landowner from growing horticultural crops alongside the quarry on adjoining land. The noise impacts will likely limit use of the land for agricultural uses involving animals.

Part 8 of the Scheme – Road Activity Zone

The Applicant has submitted a 'Traffic Impact Assessment' ("TIA") with the Application. This was necessary in accordance with Part 8.5.1 of the Scheme. Any change in use or any intensification of an existing use shall be deemed to be a 'new access'. A new access onto a Category II Road (Tea Tree Road) requires a Traffic Impact Assessment to be submitted with the Development Application to the satisfaction of Council and the Road Authority. The Road Authority for Tea Tree Road is the Department of State Growth.

Part 8.6.3 of the Planning Scheme requires the TIA and the Development Application to be referred to the Road Authority for any comment. Any conditions recommended by the Road Authority will be included in the Planning Permit.

The Road Authority has recommended the following comments to Council and the EPA:

Comments to the EPA from State Growth:

"Summary of key issues

- Stresses on Tea Tree Secondary Road pavements caused by turning heavy vehicles

Specific comments

• The increase in heavy vehicle movements will impact on the integrity of the road pavement. The previous application for a Class One Quarry resulted in a requirement that the proponent place a 7mm locking, chip seal for a distance of 30m centered on the property access (Pgs 18-19 Transport Impacts). There is no requirement to adjust this for the proposed increase in production."

Comments to Council from State Growth:

Further Comments *(edited for this report)*

> "We decided (State Growth) wouldn't upgrade the overlay requirement as the level of activity could be sustained by the same overlay… Our issue with the access is that if the surface degrades significantly there is a strong possibility that water will be able to enter under the road pavement, which will then undermine the pavement integrity.
>
> In regard to safety etc, the access has acceptable sight lines, Tea Tree Rd is a Gazetted HPV route and as such is considered capable of containing the type of vehicle expected and with an upgrade of the road surface and the access itself the proposal is acceptable to State Growth. I have slightly altered below as the correct clause of the R & J's Act is section 16 (no AA)."

Accordingly a recommended condition is to complete the access works and road works to the satisfaction of the Department of State Growth in accordance with a permit issued by that Department to ensure the appropriate works are implemented. The inclusion of such conditions is requirement of the Planning Scheme, Part 8.6.3(c), and therefore can be included as a condition on a permit issued by the Council.

This was the same requirements as the Level 1 Activity.

Objectives of the Resource Management & Planning System

Section 5 of the *Land Use Planning and Approvals Act 1993* states that it is the obligation of any person on whom a function is imposed or a power is conferred under this Act to perform the function or exercise the power in such a manner as to further the objectives set out in Schedule 1 of the Act.

Schedule 1 of the Act sets out general objectives for the Resource Management & Planning System (the RMPS) and additional objectives for the planning process. The general objectives of the RMPS are:

(a) *to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and*

(b) *to provide for the fair, orderly and sustainable use and development of air, land and water; and*

(c) *to encourage public involvement in resource management and planning; and*

(d) *to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and*

(e) *to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.*

Subsection (b) calls for the use and development to be 'fair'.

It is therefore appropriate, indeed necessary, for Council to consider the 'fairness' of what is proposed.

Of concern in this regard is the imposition of the 750 metre Standard Recommended Attenuation Distance (SRAD) around the quarry, the vast majority of which is not located on land owned by the applicant.

This will have negative impacts on the future use and development potential of a very large area of land in various other ownerships – including three titles that are completely consumed by the SRAD and three others that are largely consumed. Moreover, the *kind* of land impacted is not the little-used and undeveloped back bush-runs of large rural titles, that is usually the kind of land impacted by other owners' SRADs. It is land on which a range of uses might potentially be conceived by the various owners. The owners of the properties completely within the SRAD will have no options available to them to propose such uses on land free of the encumbrance of the applicants' SRAD. The other properties will have their options severely truncated.

Impacted landowners are not accepting of this and the approval of the quarry by Council would constitute the adversarial imposition of use and development restrictions on these people's land.

The problem stems from the fact that the proposed site is far from an ideal strategic locational choice.

The Tasmanian Quarry Code of Practice, which constitutes the State's best practice guidelines, suggests that '*planning authorities and operators seek to maintain the following separation distances, measured from the planned maximum extent of the quarry operations to any sensitive use: where material is crushed:750 m*'.

Ideally, a Level 2 quarry would be located on land of sufficient size to encompass all of the SRAD.

A second-best choice (which, in practice, is more usually the case in Southern Midlands' experience) the SRAD might cover other people's land but only a relatively small proportion.

The location of this proposed quarry, a mere 10 metres from neighbouring land with three properties entirely consumed by the SRAD and another three largely consumed, is far from ideal.

Council considered it appropriate to approve the applicants' Level 1 quarry application on this same site last year. What is now proposed, however, is a very different proposition, as the subsequent expansion of the SRAD from 300 metres to 750 metres indicates.

Of relevance to the issue of fairness is the fact that some potential agricultural uses will be curtailed on the land immediately adjacent to the quarry – due to its very close proximity. Horticultural crops for which dust contamination is an issue, for example. This is an issue assessed elsewhere in this report in terms of compliance with planning scheme objectives and the intent of the Scheme. However, there is a degree of 'unfairness' arising out of this issue.

Of greater concern in weighing the fairness issue, is the impact on a range of potential uses allowable under the planning scheme as it currently stands. These include potential uses such as tourist accommodation, tourist facility or winery (tourist), all of which are not uncommonly proposed on rural zoned land. Applications for additions or sheds at one of the eight existing dwellings within the 750 m SRAD, which are otherwise 'permitted' in the zone, would also become discretionary and subject consideration under the applicant's SRAD. All applications for use and development within the SRAD will be subject to additional costs and time delays, with the onus on those applicants to show that what is proposed will not conflict with the quarry. All of this amounts to an impost on these landowners. As detailed above, three landowners will have no location options open to them free of this encumbrance and three others will have very few real options, if any.

In weighing all of the above, it is considered that the proposal is *unfair* and therefore not meeting Objective 1(b) of Schedule 1 of the *Land Use Planning & Approvals Act 1993*.

Suggested Conditions of Approval

The conclusion of this report is that the proposed quarry ought to be refused. This conclusion has been arrived at considering all the relevant issues and it is not a conclusion to which all such considerations point to. It is considered that, on balance, Council cannot be satisfied that the merits of the proposal outweigh its negative consequences.

If Council were to weigh competing issues and values differently than in this report and determine that the proposal ought to be approved, the following conditions of approval are suggested:

PART A – PLANNING AUTHORITY (COUNCIL) CONDITIONS OF APPROVAL

Concordance with the application and permit conditions:

1. The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and reports and with the conditions of this permit and must not be altered or extended without the further written approval of Council or, as necessary, the Environmental Protection Authority.
2. This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, whichever is later, and it is clear that an appeal has not been lodged, in accordance with section 53 of the *Land Use Planning and Approvals Act 1993*.

Access to Tea Tree Road:

3. The existing access (1356 Tea Tree Road) and the roadway each side of the centre of the existing access onto Tea Tree Road must be upgraded to cater for the additional heavy vehicle turning movements:
    a. A 7mm locking, chip seal for a distance of 30m centered on the property access is to be provided.
    b. The access is to be upgraded to current construction standards for maximum size general access vehicles, including the sealing of the access from the road edge to the property boundary.
    c. All works must be in accordance with the conditions of a works permit provided by the Department of State Growth.
4. No works in the State road reserve are to commence until the Minister's consent has been obtained and a permit issued in accordance with the *Roads and Jetties Act 1935*. The developer can apply for the permit at permits@stategrowth.tas.gov.au

5. The access works and road works, required by the Permit issued by the Department of State Growth, must be completed to the satisfaction of the Department prior to the cartage of any material from the quarry. It is the responsibility of the developer to notify the Council upon the completion of the works to the satisfactory of the Department.

Existing services:

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

Environmental Protection Authority – Conditions of Approval:

7. The person responsible for the activity must comply with the conditions contained in Schedule 2 of Permit Part B, which the Board of the Environmental Protection Authority (EPA) has required the planning authority to include in the permit, pursuant to section 25(5) of the *Environmental Management and Pollution Control Act 1994*.

CONCLUSION

This report has assessed a Development Application for a Level 2 quarry at 1356 Tea Tree Road, Tea Tree. A quarry is considered at the discretion of Council.

The Application received three (3) representations raising numerous concerns and objections to the quarry. Council Officers have considered these representations and addressed them as part of this report. The standout issue is that the subject land is not of sufficient size to accommodate this proposal. The offsite buffers around the quarry, needed to protect the quarry from potentially conflicting land use activities, rely on a significant amount of land in other ownership. The owners of land impacted by these buffers, that have lodged a representation, do not give their express consent for their land to buffer the proposed quarry.

The Application was referred to the EPA for assessment of matters prescribed in the EMPCA and relevant objectives of the RMPS. The EPA Board approved the quarry subject to conditions and endorsement of the Applicant's commitments.

The Application was referred to the Department of State Growth as the Road Authority to assess the safety and impact of additional and more frequent heavy vehicle movements onto the road. The Road Authority has recommended conditions for roadway and access improvements to be included in any permit issued by the Council. The works must be in accordance with a separate permit issued by the Department.

Council Officers, in assessing the land use impacts of the quarry are not satisfied a Level 2 quarry with crushing in this location can be approved or operated to comply with the relevant provisions of the Planning Scheme and the *Land Use Planning and Approvals Act 1993.*

Council have paid particular attenuation to the 750m SRAD and the number of dwellings within the SRAD and the significant amount of land needed to attenuate the quarry and protect access to the resource for the life of the quarry.

Council Officers have repeatedly raised this matter with the Applicant since the Application was lodged. Council Officers gave the Applicant every opportunity to further consider the offsite buffers and overall impacts of the quarry on nearby land use and development. The Applicant would not provide any information for Council Officers to consider a reduction to the SRAD. There is however some potential for the SRAD to be reduced.

A quarry is a discretionary use in the Rural Agriculture Zone. This means that the scheme envisages that not all locations within the zone are suitable, and that the simple fact that a piece of land is zoned Rural Agriculture does not mean that a quarry on that land is acceptable. The particular location must be considered.

In summary, the proposed location is considered not suitable for a Level 2 quarry, notwithstanding the fact that it is considered suitable for a Level 1.

It is recommended Council refuse to grant a permit for the proposed Level 2 quarry and the Applicant be notified of the decision with the grounds of refusal detailed in the recommendation of this report.

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 refuse to grant a Permit for a Level 2 Gravel Quarry defined as an Industry (Extractive) at 1356 Tea Tree Road, Rekuna and that a Notification of Refusal to Grant a Planning Permit be issued with the following grounds:

A. The ongoing sustainable operation of the proposed Level 2 quarry will rely on an unacceptably large offsite buffer on land in other ownership to prevent the encroachment of any incompatible future land use or development.

B. The proposed quarry's offsite buffer will impose use and development potential restrictions entirely covering other owners' lands and significantly

covering some other owners' lands, and is therefore not 'fair' and therefore not meeting Objective 1(b) of Schedule 1 of the *Land Use Planning & Approvals Act 1993.*

a. **The occupants or landowners adjoining the proposed quarry at 1384 Tea Tree Road (CT155148/1) will be unfairly limited to enjoy the use of their land in the vicinity of the proposed Level 2 quarry as the proposed quarry is an unacceptably short distance (10m) from the property boundary.**

b. **The occupants or landowners adjoining the land at 1220 Tea Tree Road (164335/1) will be unfairly limited to enjoy the use of their land in the vicinity of the access road during quarry cartage operations due to the short distance from the property boundary.**

C. The Council cannot grant a permit for the proposed quarry as it would unfairly aggravate land use conflicts between different land use activities, both existing land use and future land use. This is contrary to objective 2.2(a)(xi) of the planning scheme.

D. The Council must protect areas, namely the adjoining land, which may be required for future development from inappropriate development (the proposed Level 2 quarry). The proposed Level 2 quarry would reduce the capacity for land use and development on adjoining land due to its existence. This is contrary to objective 2.2(a)(xiii) of the planning scheme and the intent of the Rural Agriculture Zone.

E. The proposed quarry's separation distances to existing sensitive uses is unacceptably at variance from that recommended in the Tasmanian Quarry Code of Practice, which constitutes the State's best practice guidelines. This document recommends that planning authorities and operators seek to maintain a 750 metre separation distance for this type of quarry, whereas there are 8 dwellings within this distance, with the nearest being 443 metres.

F. The proposed Level 2 quarry unreasonably relies on the Council and adjoining landowners to regulate and restrict land use and development within the offsite buffer area (750m SRAD) in order to protect the quarry from any adverse land use or development.

G. Noise from the proposed quarry operation area cannot be adequately contained or treated within the boundary of the subject land during quarry operations. Council must consider this matter in accordance with Part 11.10.1(xvii) of the Planning Scheme. Noise from the quarry will emanate beyond the boundary of the land at an unsatisfactory level and regularity to the detriment of the landowners and occupants at 1384 Tea Tree Road (CT 155148/1).

H. There is an unacceptable risk that dust from the proposed quarry operation area and access road cannot be adequately contained or treated within the boundary of the subject land during quarry operations. Council must consider this matter in accordance with Part 11.10.1(xvii) of the Planning Scheme. The risk is at the detriment of the landowners and occupants at 1384 Tea Tree Road (CT 155148/1) and 1220 Tea Tree Road (CT 164335/1).

The recommendation was moved by Deputy Mayor A O Green, and seconded by Clr E Batt.

Prior to the Motion being put, Clr D Marshall foreshadowed an alternative Motion which would effectively approve the application subject to modified conditions of approval.

The following Motion was put and Carried which then eliminated the foreshadowed motion.

C/15/05/055/20041 DECISION

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

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 refuse to grant a Permit for a Level 2 Gravel Quarry defined as an Industry (Extractive) at 1356 Tea Tree Road, Rekuna and that a Notification of Refusal to Grant a Planning Permit be issued with the following grounds:

A. The ongoing sustainable operation of the proposed Level 2 quarry will rely on an unacceptably large offsite buffer on land in other ownership to prevent the encroachment of any incompatible future land use or development.

B. The proposed quarry's offsite buffer will impose use and development potential restrictions entirely covering other owners' lands and significantly covering some other owners' lands, and is therefore not 'fair' and therefore not meeting Objective 1(b) of Schedule 1 of the *Land Use Planning & Approvals Act 1993.*

a. The occupants or landowners adjoining the proposed quarry at 1384 Tea Tree Road (CT155148/1) will be unfairly limited to enjoy the use of their land in the vicinity of the proposed Level 2 quarry as the proposed quarry is an unacceptably short distance (10m) from the property boundary.

b. The occupants or landowners adjoining the land at 1220 Tea Tree Road (164335/1) will be unfairly limited to enjoy the use of their land in the vicinity of the access road during quarry cartage operations due to the short distance from the property boundary.

C. The Council cannot grant a permit for the proposed quarry as it would unfairly aggravate land use conflicts between different land use activities, both existing land use and future land use. This is contrary to objective 2.2(a)(xi) of the planning scheme.

D. The Council must protect areas, namely the adjoining land, which may be required for future development from inappropriate development (the proposed Level 2 quarry). The proposed Level 2 quarry would reduce the capacity for land use and development on adjoining land due to its existence. This is contrary to objective 2.2(a)(xiii) of the planning scheme and the intent of the Rural Agriculture Zone.

E. The proposed quarry's separation distances to existing sensitive uses is unacceptably at variance from that recommended in the Tasmanian Quarry Code of Practice, which constitutes the State's best practice guidelines. This document recommends that planning authorities and operators seek to maintain a 750 metre separation distance for this type of quarry, whereas there are 8 dwellings within this distance, with the nearest being 443 metres.

F. The proposed Level 2 quarry unreasonably relies on the Council and adjoining landowners to regulate and restrict land use and development within the offsite buffer area (750m SRAD) in order to protect the quarry from any adverse land use or development.

G. Noise from the proposed quarry operation area cannot be adequately contained or treated within the boundary of the subject land during quarry operations. Council must consider this matter in accordance with Part 11.10.1(xvii) of the Planning Scheme. Noise from the quarry will emanate beyond the boundary of the land at an unsatisfactory level and regularity to the detriment of the landowners and occupants at 1384 Tea Tree Road (CT 155148/1).

H. There is an unacceptable risk that dust from the proposed quarry operation area and access road cannot be adequately contained or treated within the boundary of the subject land during quarry operations. Council must consider this matter in accordance with Part 11.10.1(xvii) of the Planning Scheme. The risk is at the detriment of the landowners and occupants at 1384 Tea Tree Road (CT 155148/1) and 1220 Tea Tree Road (CT 164335/1).

CARRIED.

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

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.

12.4 PLANNING (OTHER)

Nil.

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.

The meeting was suspended for a short break at 11.17 a.m. and resumed at 11.46 p.m.

Mr J Lyall (Manager Works and Technical Services) was present when the meeting resumed.

13.2 BRIDGES

Strategic Plan Reference – Page 14	
1.2.1	Maintenance and improvement of the standard and safety of bridges in the municipality.

13.2.1 Swanston Bridge Replacement

AUTHORS DEPUTY GENERAL MANAGER (A BENSON), AND MANAGER WORKS AND TECHNICAL SERVICE (J LYALL)

DATE 21ST MAY 2015

ATTACHMENTS

1. Swanston Bridge Replacement Options Assessment – Sugden & Gee
2. Location Map
3. Detail Survey
4. Catchment Characteristics and Run-off Details
5. Bridge replacement Options

(NB that A1 size documents will be provided at the meeting for Attachments 4 & 5)

ISSUE

The replacement of the Swanston Bridge at Swanston in a cost effective and practical manner that provides access to the Eastern side of the Little Swanport River for the residents within agreed service levels.

BACKGROUND

The following Research Brief was issued to Council's Consulting Engineer, Phil Gee from Sugden & Gee.

Research Brief
For the Replacement of the Swanston Bridge Over the Little Swanport River

Background

The Swanston bridge is located over the Little Swanport River at Swanston (refer to the attached location plan). There are three to four families that permanently reside on the eastern side of the river. There is a four wheel drive track to the east coast which is in quite poor condition; otherwise the families live on virtually a "no through road'. The existing timber bridge is in very poor condition and has a 5t load limit. In recent years

Council constructed a ford using 1200mm x 1200mm RC box culverts. The ford is sometimes impassable and on some occasions the box culverts and associated roadway have been washed aside by the flood waters. According to local knowledge, the flood waters have been known to lap at the underside of the existing timber bridge. Refer to the attached images of the existing bridge. Council have had a detailed survey undertaken by Surveyor Tony Woolford (attached). The bridge is a single lane width and any new structure should be a single lane width.

The dilemma is, does Council spend $500,000 on a new bridge that can withstand the flood waters and provide 365 days a year access for three to four families, or does it provide a modified approach to the situation. If a modified approach is considered what would the parameters be?

Council would like to test the assumptions and an estimate for a full bridge replacement should be considered as well as a structure that will allow a service level to the residents that provides less than full 365 day a year service, but a service that will be for no greater isolation period than 2.5 to 3 days.

This research project is broken down into three components, Stage 1, Stage 2 and Stage 3.

Stage 1 – Catchment Analysis

A detailed catchment analysis is required to determine the flow volumes. Whilst upstream of the bridge is key to the calculations, a short distance downstream from the bridge the Eastern Marshes Rivulet provides a confluence with the Little Swanport River.

At maximum flow this downstream confluence does frustrate the effective waterway condition for a speedy dispersement of the outfall.

Calculations should be at least on a one in one hundred year frequency.

Stage 2 – Design Options

The determination of structures based on the analysis required, namely;

A. *Full bridge construction to provide for 365 day pa access for the families on the eastern side of the river;*
B. *A structure to accommodate a maximum of 2.5 to 3 day isolation once a year;*
C. *A structure to accommodate a maximum of 2.5 to 3 day isolation twice a year.*

The new structure should be located on the alignment as surveyed by Tony Woolford, (star pins showing centreline) which is parallel to the existing structure.

The consideration of riverbed/riverbank treatment as a transition from the catchment to the structure to increase the desired flow characteristics should be undertaken.

During the site visit I suggested that an alternative design comprising three 3m x 3m side by side be investigated as an alternative to a new structure of pier and beam construction.

For consideration at the detailed design stage, Jack Lyall suggested

- *that at the upstream side of the structure that a "tree rack" be constructed in an attempt to arrest, plus allow for easy removal of any trees or logs that could restrict the water flow through the structure;*
- *that a dry weather flow pipeline be installed under the any culvert floor to facilitate Platypus migration.*

Stage 3 - Report

A report is to be provided covering a range of construction concepts/options including an estimate of those options.

Timeline

The report shall be provided by 18th May 2015 to ensure that the financial considerations are included in the Council budget workshop for the 2015/2016 financial year.

CURRENT

The Research Brief was addressed by Council's Consulting Engineer, with his report and associated documents being attached to this Agenda Item. The documents provide an analysis of the catchment characteristics and the effective options available for Council to consider in the replacement of the current structure.

These construction works will be required to be undertaken during the 2015/2016 financial year

RECOMMENDATION

For discussion and a decision on the way forward.

C/15/05/061/20042 DECISION

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

THAT Council

1. note the Report;
2. write to all property owners that would be required to use the bridge
    a. advising of the progress on the replacement of the bridge,
    b. sharing Council's desire to implement a 5 year Annual Recurrent Interval (5 year flood frequency) design parameter on the new structure,
    c. seeking property owner's input on the 5 year Annual Recurrent Interval (5 year flood frequency)
    d. seeking property owner's input on any other relevant issues that may be impacted on by the replacement structure
3. receive a report from Council Officers in respect of the feedback from the Community consultation.

CARRIED.

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

Swanston Bridge

Bridge replacement options assessment

for: Southern Midlands Council

Date: 20 May 2015

PO Box 8, Lauderdale, TAS. 7021
Ph. 0417 305 878
Email: info@suggee.com.au

ABN 57 159 898 11

Contents

Attachment A *Location Map*
Attachment B *Detail Survey*
Attachment C *Drawings*

Prepared by: **Phil Gee** **Date:** **20 May 2015**

Revision History					
Rev No.	***Description***	***Prepared by***	***Reviewed by***	***Authorised by***	***Date***

Introduction

This report assesses the options for replacing the bridge on Swanston Road where it crosses the Little Swanport River as shown on map in Appendix A.

Existing bridge

The existing bridge is in poor condition and council officers advise that the bridge now has a five (5) tonne load limit on it.

Swanston Road Bridge over the Little Swanport River from south-west abutment

To cater for vehicles weighing more than five tonnes a bypass over a culvert has been constructed upstream.

A detail survey of the site indicates that the deck of the existing bridge is at RL159.88 at the abutments which is only 200mm above the estimated surface level of the river during a 100yr ARI rainfall event. This means that the bridge beams and structure will affect the flood. For comparison the existing bridge deck is estimated to be 600mm above the surface of a 20yr ARI rainfall event and 1080mm above a 5yr ARI rainfall event.

Our analysis of the catchment indicates that a single 2.4m x 4.2m culvert will pass the river flow of a 6 month ARI rainfall event. The existing bypass culvert is smaller than this.

Anecdotal evidence of flooding events from council staff corroborates these theoretical estimates of the flood levels.

Heavy vehicle bypass culvert from the west abutment of the Swanston Bridge.

Traffic

Whilst Swanston Road connects the midlands area to the east coast, council officers advise that it services only four (4) permanent households/resident however up to about 12 vacant properties are accessed on an adhoc basis. No traffic counts have been undertaken at the site, however, it is reasonably assumed that the traffic volumes are less than 150 vehicles per day. For traffic volumes of less than 150 vpd, Section 9.4(i) of the Bridge Design Code AS5100.1 2004 allows a bridge width of between 4.2m and 4.5m.

Catchment

The Little Swanport River extends some 23km upstream from the Swanston Road Bridge with a catchment area of 20,482ha. The catchment area and location of the bridge are shown on drawing SG1424-H101 (Appendix C).

Using the Bransby Williams formula the time of concentration for the catchment is 459.7 minutes (7.66hrs).

Based on the detailed survey plan a site plan has been prepared that is shown on drawing SG1427-H101 (Appendix C) which shows the location of the existing bridge and the proposed bridge alignment.

Flood analysis

Using the hydraulic engineering program, HEC-RAS, and using the detailed survey to build a model in the 12D terrain modelling program, the various rainfall event flows have been modelled through the proposed bridge site. The results of the modelling are shown in Section A of the drawing, which is a cross section of the river at the site of the proposed bridge with river levels under different ARI rainfall events.

Drawing SG1424-H101 includes a table showing the catchment characteristics of discharge flow of the catchment under different ARI rainfall events. The following table provides a summary of the results:

Recurrence interval (ARI)	***Rainfall intensity over 7.66 hrs (mm/hr)***	***Catchment Discharge (m3/s)***	***Flood surface RL (m)***
1 mth	*0.22*	*3.755*	-
3 mths	*0.77*	*13.143*	-
6 mths	*1.42*	*24.237*	-
1 yr	*3.10*	*52.912*	*158.00*
2 yr	*4.29*	*73.223*	*158.38*
5 yr	*5.63*	*96.095*	*158.80*
10 yr	*6.52*	*111.286*	*159.03*
20 yr	*7.70*	*131.426*	*159.28*
50 yr	*9.37*	*159.930*	*159.52*
100 yr	*10.70*	*182.631*	*159.68*
Existing bridge surface level			*159.88*

Eastern Marshes Rivulet joins the Little Swanport River some 110m below the bridge. Council officers advise that, in high floods, the water level in the Little Swanport River is affected by the Eastern Marshes Rivulet flows. This has the effect of creating back eddy that raises the level of the water but slows the velocity of the flow under the bridge.

Geology

The area in the vicinity of the bridge is covered in vegetation and the river bed has a variety of river gravels. It is recommended that a geotechnical investigation be undertaken to support detailed design of any bridge.

Options

WATERWAY REQUIREMENTS

Section 7 of the bridge code AS5100.1-2004 states that the waterway requirements shall be determined by the local authority in consultation with other relevant authorities. In this case it is assumed that the local authority is the Southern Midlands Council.

It is common for a bridge to be designed for a 100yr ARI rainfall event. However, where there are low traffic volumes and few properties it is reasonable to construct a bridge or culvert for a lower rainfall event at a cost that is commensurate with the properties and vehicles serviced. It is therefore also common for authorities to adopt a solution that may avoid flooding with say a 5yr or 10yr ARI rainfall event and accept that the structure will be flooded in higher rainfall intensities. In these cases the structure must be designed to cope with the overtopping.

BRIDGE AND CULVERT OPTIONS

The following options have been assessed for the level of service they provide (in terms of ARI rainfall events before they become flooded) and costs. All options assume a single lane with 4.5m between guardrails.

Schematic drawings of a number of the options are shown on drawing SG1424-H102 (Appendix C), however, the options on this drawing do not correlate to the options described below.

Option 1 – 60m pre-stressed concrete bridge

This option is a pre-stressed concrete deck at RL160.48 which is 800mm above the 100yr ARI rainfall flood surface. This height allows for clearance to the bridge soffit during this flow. The bridge deck extends to the surrounding road level. This option only has a minor effect on the river flow around the piers.

A schematic diagram of this option is shown as Proposed Bridge Option-2 on Drawing SG1424-H102.

Option 2 – 45m pre-stressed concrete bridge

This option is a pre-stressed concrete deck at RL160.48 which is 800mm above the 100yr ARI rainfall flood surface. This height allows for clearance to the bridge soffit during this flow. The bridge deck approximately matches the existing bridge span of some 45m and the road is built up with fill to match the bridge deck height. This options will impede the river flow slightly more than the 60m option.

Options 3 to 7 – culverts

These options are for different numbers of culverts (ranging from 1 to 10 culverts) to be installed with a deck level at RL158.43. This level between the 2yr and 5yr ARI rainfall flood level and will certainly be overtopped during higher rainfall events. The 10 culvert option spans the 45m width of the river bed. The design concept is for a box culvert sitting on a concrete base with a 2m concrete upstream apron and a 1m apron at downstream apron. Vehicles will travel on the concrete surface of the culvert.

Order of cost

Order of cost estimates are provided to give a general indication of the magnitude of cost and to provide a basis of comparing options. They are based on industry advice on the cost of the key components of the options including pre-stressed concrete bridge, earthworks, road pavement and guardrail. A 20% range is presented in the following table.

COMPARISON OF OPTIONS

The following table presents the flow capacity and order of cost estimate for each option:

Option	Flow Capacity (m3/s)	Approx. ARI (yr) protection	Order of cost ($1,000)
Option 1 – 60m	159.93	100	560-670
Option 2 – 45m	159.93	100	430-520
Option 3 – 1 culvert	26.75	0.5	325-390
Option 4 – 2 culverts	53.01	1	310-370
Option 5 – 3 culverts	74.75	2	300-360
Option 6 – 4 culverts	97.81	5	295-355
Option 7 – 10 culverts	267.5	5*	420-505

*Then capacity of 10 culverts is greater than 5 year, however, the flood level in the river will exceed this.

The cost of installing additional culverts increases with the number of culverts being installed, however, with more culverts the volume of fill and road pavement increases.

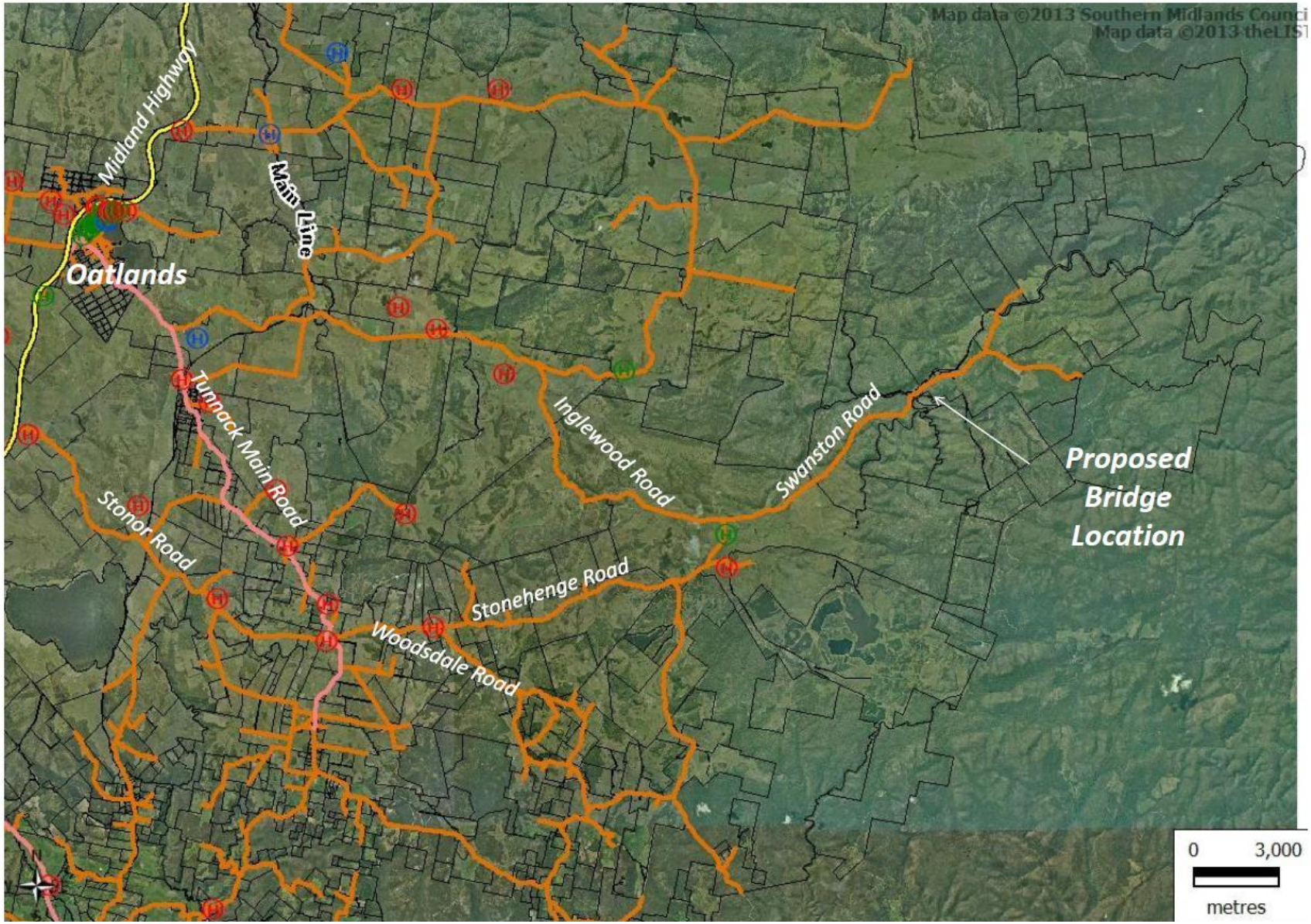
From the comparison of options, the optimum solution appears to be to have a 5yr ARI rainfall flood capacity provided by approximately 4 culverts at an order of cost range of $295,000 to $355,000.

Recommendation/Conclusion

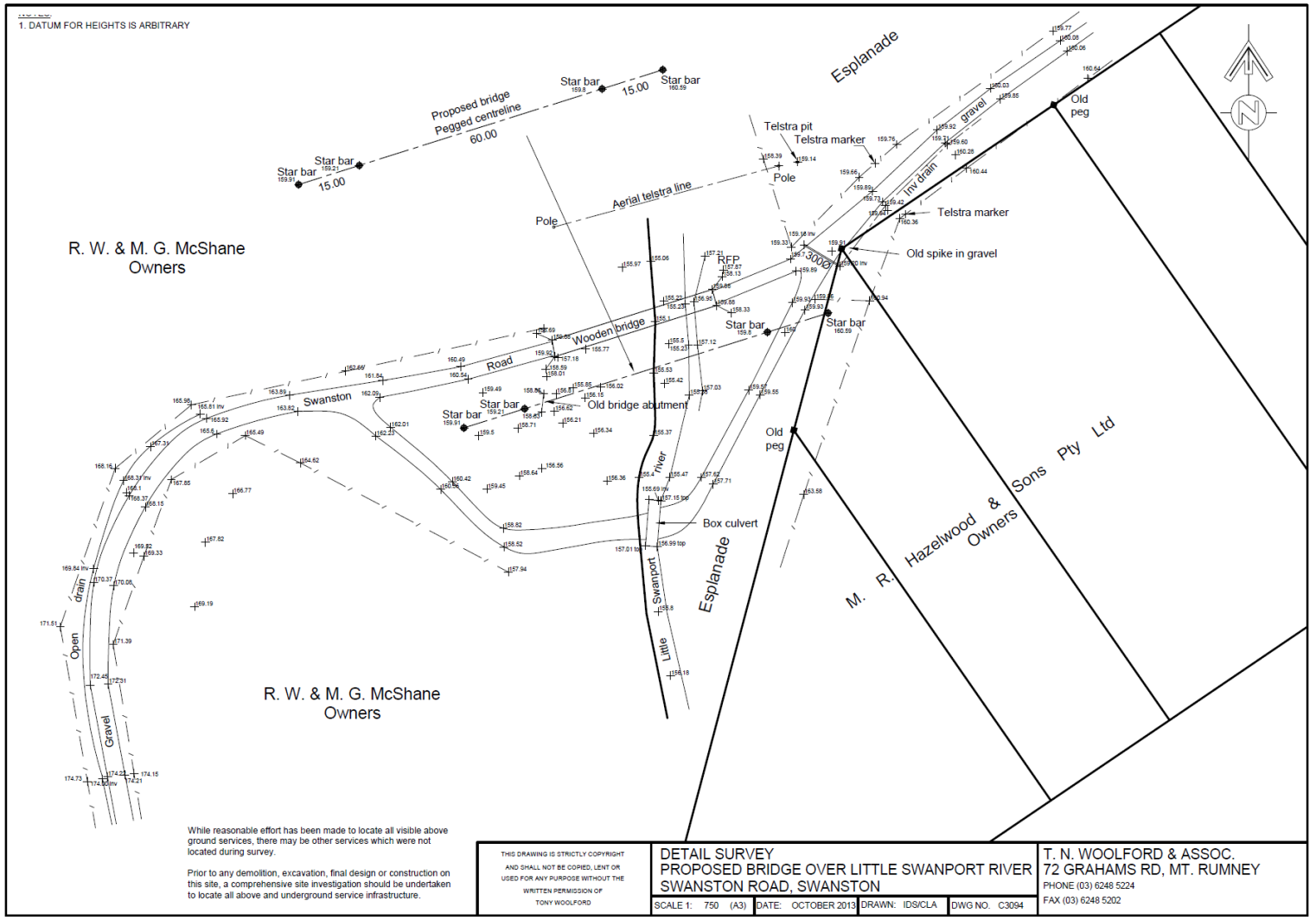
Based on the analysis in this report it is recommended that for the Swanston Road Bridge over the Little Swanport River:

1. *The Council adopts a design that can cross the river during the flow of a 5yr ARI rainfall event.*
2. *That the Council pursues cost effective design for the crossing based on using box culverts.*

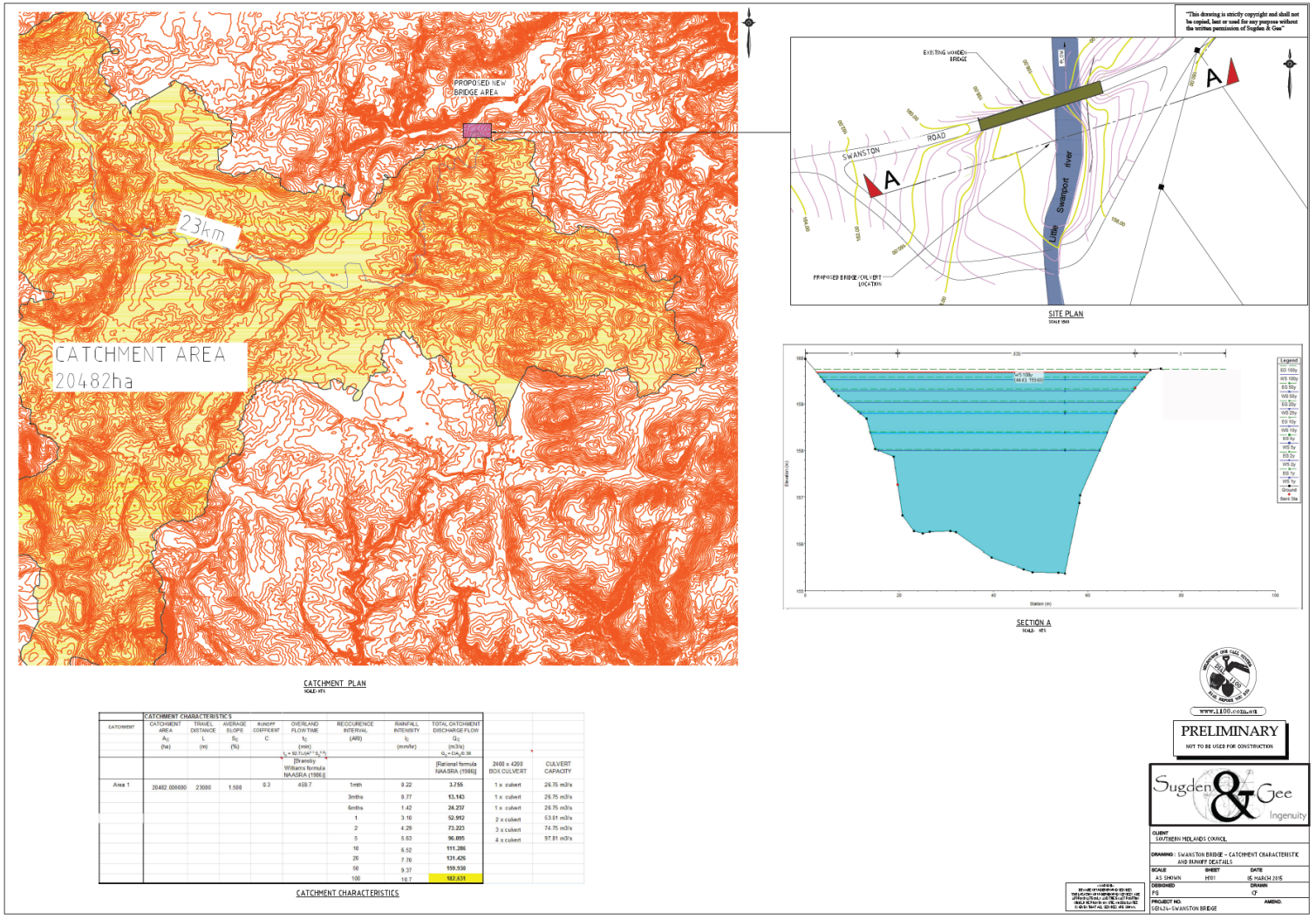
Location Plan – Swanston Bridge



Appendix B Detail Survey of Proposed Bridge

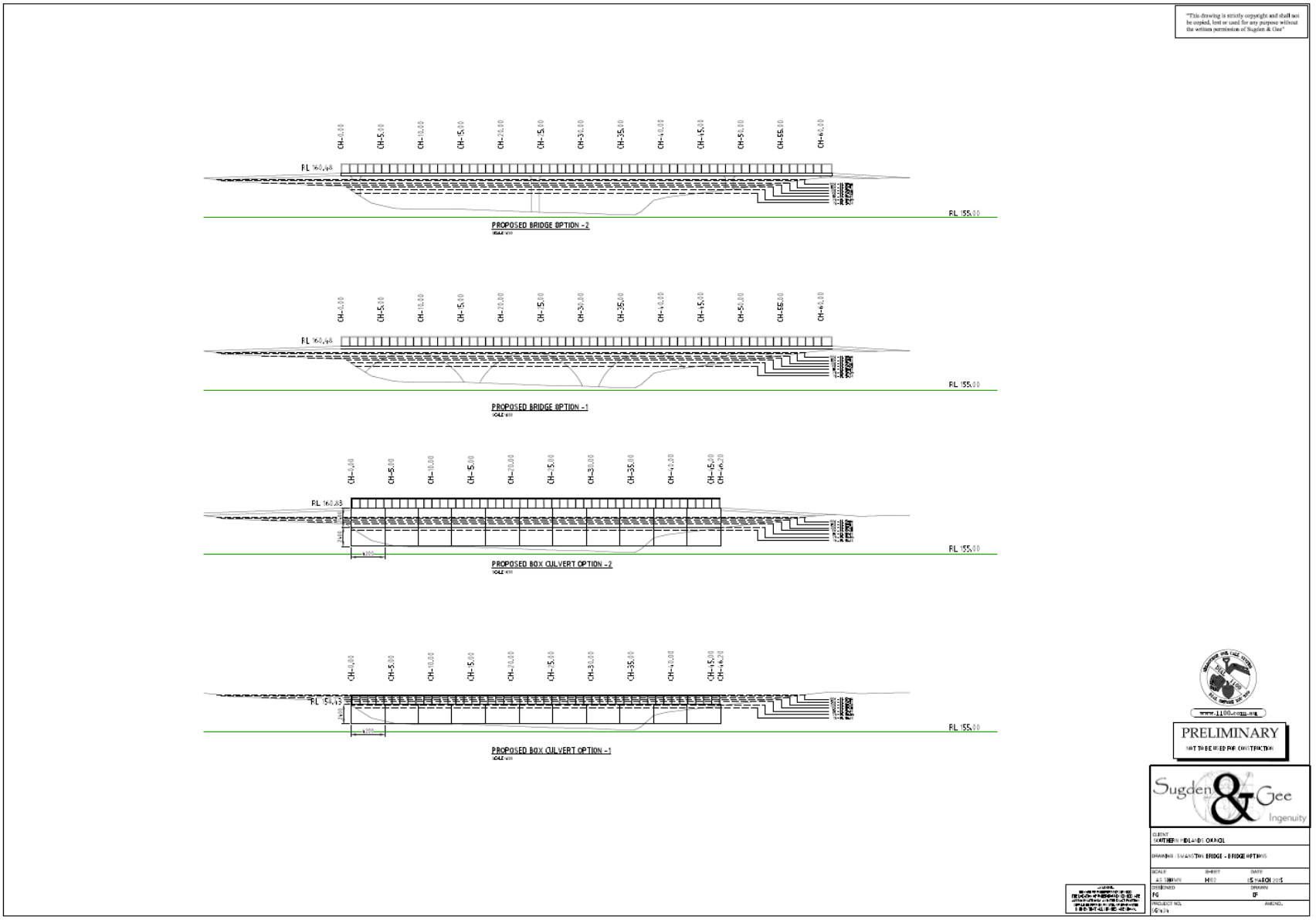


Appendix C Drawings



CATCHMENT CHARACTERISTICS

CATCHMENT	CATCHMENT AREA A_C (ha)	TRAVEL DISTANCE L (m)	AVERAGE SLOPE S_C (%)	RUNOFF COEFFICIENT C	OVERLAND FLOW TIME t_C (min) [Bransby Williams formula NAASRA (1986)]	RECCURENCE INTERVAL (ARI)	RAINFALL INTENSITY I_C (mm/hr)	TOTAL CATCHMENT DISCHARGE FLOW Q_C (m3/s) [Rational formula NAASRA (1986)]	2400 x 4200 BOX CULVERT	CULVERT CAPACITY
Area 1	20482.000000	23000	1.500	0.3	459.7	1mth	9.22	3.755	1 x culvert	26.75 m3/s
						3mths	9.77	53.143	1 x culvert	26.75 m3/s
						6mths	1.42	24.237	1 x culvert	26.75 m3/s
						1	3.16	52.992	2 x culvert	53.51 m3/s
						2	4.29	73.223	3 x culvert	74.75 m3/s
						5	5.63	96.095	4 x culvert	97.81 m3/s
						10	6.52	111.286		
						20	7.76	131.426		
						50	9.37	159.530		
						100	10.7	182.631		


"This drawing is strictly copyright and shall not be copied, lent or used for any purpose without the written permission of Sugden & Gee"
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CH-35.00
CH-40.00
CH-45.00
CH-50.00
CH-55.00
CH-60.00
FL 160.48
FL 155.00
PROPOSED BRIDGE OPTION - 2
PROPOSED BRIDGE OPTION - 1
FL 160.63
PROPOSED BOX CULVERT OPTION - 2
FL 158.15
PROPOSED BOX CULVERT OPTION - 1
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15-0414
AMEND.

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 12.13 p.m. for a presentation from representatives from the Department of State Growth (Roads) and Pitt & Sherry Engineering Consultants.

Plans were presented, which extended from the municipal boundary at Pontville through to Tunbridge, which indicated current design proposals. These would be subject to consultation with property owners and the broader community. In some locations, detailed plans (or preferred treatment options) were yet to be finalised.

The presentation concluded at 1.37 p.m. and the meeting was suspended for lunch. The meeting resumed at 2.30 p.m.

13.12 OFFICER REPORTS – WORKS & TECHNICAL SERVICES (ENGINEERING)

13.12.1 Manager - Works & Technical Services Report

File Ref: *3/075*

AUTHOR MANAGER – WORKS & SERVICES
DATE 21ST MAY 2015

ROADS PROGRAM

Maintenance Grading is being undertaken in the Huntington Tier / Bagdad and Colebrook area. It is envisaged that the maintenance grading will now continue whist there is sufficient moisture.

BRIDGE PROGRAM

Rotherwood Road works has commenced and will be completed by Monday 25th May 2015, weather permitting.

WASTE MANAGEMENT PROGRAM

No operational issues.

TOWN FACILITIES PROGRAM

Oatlands High Street Lights - being attended to by TasNetworks with replacement of globes etc.

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

- Maintenance grading being undertaken, although water cart(s) is required
- Swanston Bridge – subject of a separate report within the Agenda
- Inglewood Road – final 'topcoat' seal – Roadways unable to schedule work and will need to wait until next sealing season (Stanley St, Oatlands included)
- Inglewood Road – Viaduct – trial of 'polycom' product – may be an acceptable treatment for trialling
- Rotherwood Road Bridge – Armco railing to be installed
- Spring Hill Bottom and Fields Road – appreciation for works completed
- Budget Item – kerb and gutter renewal outside Huntington Tavern, Kempton
- Broadmarsh – provision of Bus Shelter at Church Road – to be discussed with the Progress Association – shelter available ex: Brighton Rotary Club.

RECOMMENDATION

THAT the information be received.

C/15/05/076/20043 DECISION

Moved by Clr B Campbell, seconded by Clr E Batt

THAT the information be received.
CARRIED.

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

Mr J Lyall (Manager Works & Technical Services) left the meeting at 2.48 p.m.

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

AUTHOR MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)
DATE 20TH MAY 2015

ISSUE

Southern Midlands Heritage Projects – report from Manager Heritage Projects

DETAIL

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

- Staging of the *Sex, Death and Interior Decoration* exhibition at the Oatlands Gaoler's Residence, as part of the National Trust Heritage Festival.

- Staging of a Centenary of Anzac digital installation at the Oatlands Town Hall on May 15th as part of the National Trust Heritage Festival.

- Providing support to an independent photography project throughout the Southern Midlands undertaken by photographer George Keri.

- Notification that the application for funding for the Oatlands Commissariat Project through the *National Stronger Regions Fund* received, with the application unsuccessful. Feedback has been requested from the Department.

- Provision of support to community member for a *Back to Pawtella Day.*

Heritage Projects program staff have been involved in the following Heritage Building Solutions activities.

- Archaeological management as part of the Royal Tasmanian Botanical Gardens walls project.

- Implementation of the Premaydena Officers Quarters project.

- Input into several heritage projects as part of HBS QA processes.

- Preliminary scoping of a substantial restoration project in the Derwent Valley.

Heritage Projects program staff have been involved in the following Heritage Education and Skills Centre activities.

- Supervision on the Brighton component of the 5x5x5 project.

- Project planning as part of the Tasman and Derwent Valley components of the 5x5x5 project.

- Brad Williams and Thom Taylor presented the 5x5x5 project at the Department of Employment Work for the Dole forum at Wrest Point. This included a 'commercial offer' package to other councils.

RECOMMENDATION

THAT the information be received.

C/15/05/079/20044 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	
√	Deputy Mayor A O Green	
√	Clr A R Bantick	
√	Clr E Batt	
√	Clr B Campbell	
√	Clr D F Fish	
√	Clr D Marshall	

Mr D Mackey (Manager Community and Development Services) and Mr D Cundall (Planning Officer) left the meeting at 2.50 p.m.

15.2 NATURAL

Strategic Plan Reference – Page 23/24	
3.2.1	Identify and protect areas that are of high conservation value.
3.2.2	Encourage the adoption of best practice land care techniques.

15.2.1 Landcare Unit & Climate Change – General Report

AUTHOR NRM PROGRAMS MANAGER – (M WEEDING)
DATE 19TH MAY 2015

ISSUE

Southern Midlands Landcare Unit and GIS Monthly Report

DETAIL

- Minor works on the Dulverton Walking track continue. An audit of what is required in terms of winter planting alongside the track has been undertaken. It is likely that some of the plants required will be provided through the Midlands Tree Committee.
- Helen Geard continues to be involved with work for the Heritage 5 x 5 x 5 Project.
- Graham Green is very busy with mapping work relating to the Southern Midlands planning scheme.
- M Weeding has been busy with matters relating to the Lake Dulverton & Callington Park Committee – mainly relating to proposed 15/16 year budget items - research and quotes etc. H Geard has assisted with maps, photo mock ups and signage matters. Helen also updated the Dulverton Walkway brochure based on some recent feedback from walkers using the track.
- M Weeding has a meeting with the Inland Fisheries Service (IFS) scheduled. IFS are looking at a proposal to better utilise Lake Dulverton for fishing in the future.
- As part of developments relating back to the Midlands Water Scheme, M Weeding arranged a meeting with a potential grain storage business and Council officers. The business is looking at options for setting up in the Southern Midlands as part of their site investigations. They would like to meet growers from the area in the near future to help determine their preferred location.

RECOMMENDATION

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

C/15/05/081/20045 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	
√	Deputy Mayor A O Green	
√	Clr A R Bantick	
√	Clr E Batt	
√	Clr B Campbell	
√	Clr D F Fish	
√	Clr D Marshall	

15.2.2 Landcare Unit – Lake Dulverton & Callington Park Committee – Roles and Functions (Updated)

AUTHORS NRM PROGRAMS MANAGER – (M WEEDING)
DATE 19TH MAY 2015

ATTACHMENTS: *Lake Dulverton & Callington Park Management Committee – Roles and Functions*

ISSUE

The Lake Dulverton and Callington Park Management Committee current Roles & Functions were last confirmed by Council in 2011. It was recognised that the roles and functions needed to be updated to reflect the roles of the committee in light of changes / developments such as the Midlands Water Scheme water into the lake. The updated roles and functions schedule is attached for consideration and confirmation.

DETAIL

It was recognised some time ago that the current Lake Dulverton and Callington Park Management Committee Roles and Functions schedule is inadequate in reflecting the functions of the committee. It is important to have the roles and functions clearly defined so that the committee continues to operate within its defined role. It is worth noting that insurance cover for the committee members in their volunteer capacity also relates back to the detail of what has been adopted a the function of the committee. In 2013 the committee developed the *Callington Park Action Plan* and the revised the Lake Dulverton Action Plan to include the walking track. This plan is now known as the *Lake Dulverton & Dulverton Walkway Action Plan*. In 2014 the committee developed the *Operational Plan – Water Allocation Lake Dulverton Oatlands*. The revised Roles and Functions attachment reflects and recognises these plans, (which have all been previously endorsed by Council). Council is requested to consider endorsing the revised and updated roles and function document to ensure that the committee works reflect what the committee has been working on in recent times.

RECOMMENDATION

THAT Council endorse the Lake Dulverton & Callington Park Management Committee – Roles and Functions (May 2015) document.

C/15/05/083/20046 DECISION

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

THAT Council endorse the Lake Dulverton & Callington Park Management Committee – Roles and Functions (May 2015) document.

CARRIED.

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

Roles and Functions - effective from May 2015

Committee Name	**Lake Dulverton/Callington Park Management Committee**
Decision No.	**C/15/05/083/20046**
File Reference	**6/059**
Type	THAT in accordance with the provisions of Section 24 of the *Local Government Act 1993* a special committee be established to be known as the Lake Dulverton/Callington Park Management Committee.
Roles, Functions & Responsibilities	1. The role of the committee is to act as a management and co-ordinating body to: (a) develop the area as a visitor attraction (b) oversee the maintenance and encourage community involvement in the maintenance and /or development and upgrading of the site buildings and facilities (c) manage the Lake in accordance with the Lake Dulverton Management Strategy 2002. (This plan also recognises the statutory Lake Dulverton Management Plan -1980). (d) be responsible for the management and implementation of the Lake Dulverton and Dulverton Walkway Action Plan. (e) Be responsible for the management and implementation of the Action Plan for Callington Park (f) Be responsible for the management and implementation of the Operational Plan – Water Allocation Lake Dulverton, Oatlands in regard to the Midlands Water Scheme (g) continue to manage the wildlife sanctuary, recognising the balance between nature conservation and tourism/recreation interests need to be sympathetically integrated (h) encourage the continued interest of the public to maximise the access and the use of the environs without compromising the integrity of the flora, fauna geoheritage and heritage values of the area. (i) provide advice to Council in regard to priority works and annual budgetary allocation requirements. (j) To promote and facilitate use of the Lake and Park for scientific studies based on the natural resources of the reserve.

	2. Consider and report on any matters which may be referred to it by Council. 3. To manage the facilities (within the resources of the committee) so that each years operating budget is not exceeded. Nothing in this requirement prevents the Committee from purchasing items of a capital nature from surplus funds held. 4. To liaise with Council to ensure appropriate management practices are followed in relation to the appointment of any service providers. Ensure all service providers utilised by the Committee of Management have in place public liability insurance for an amount of not less than twenty million dollars ($20,000,000). 5. To maintain the facilities (within the resources of the committee) in good repair to the satisfaction of the Council and apply any excess funds that are accumulated by the Committee of Management as a result of rentals or grants on maintenance of the facilities or purchase of equipment to be used within the facilities. 6. To not make any alterations or additions to the buildings and not install fittings or fixtures within the buildings without prior written approval from Council, which shall include all other relevant approvals. 7. To provide Council, in April of each year, with an up to date inventory of the Council owned contents of the facilities.
Membership Structure	1. The membership of the Committee shall consist of at least eight (8) members made up as follows:- - one (1) Council representative (or proxy); - one (1) Parks & Wildlife representative(or proxy); - six (6) community representatives (or more if appointed by Council). 2. Nominations from the above groups (excluding the Councillor representative) shall be sought at the end of the term. 3. Nominations received shall be forwarded to Council for formal consideration and appointment. 4. In the absence of sufficient nominations, the Council shall appoint suitable persons to fill any vacancies.

	5. The Committee shall have the power to appoint a Secretary from within its members. 6. At the conclusion of their term of office, members are eligible to be re-elected to the Committee. 7. Members of the Committee will be deemed to vacate their position if they are absent without leave from three consecutive ordinary meetings. 8. Ensure each Committee of Management Member has completed a volunteer information sheet.
Chairperson	The appointed Southern Midlands Councillor will be Chairperson.
Term of Appointment	Appointments shall be for a two (2) year term.
Quorum	A quorum at any meeting of the Committee shall be a majority of it's Members. (half plus one members)
Proxies	1. The Mayor and Deputy Mayor shall be proxies for all Council Committee meetings and in both their absence the Mayor has the power to appoint a proxy. 2. Council may appoint proxies for the members.
Meetings Frequenty & Minutes	1. The Committee shall meet at least 4 times per year unless otherwise determined for the purpose of:- • Confirming the minutes of the previous meeting; • The payment of accounts; • Correspondence and; • General Business. 2. A copy of the meeting minutes shall be provided to Council in accordance with Council Policy No. 5.3.1.4. 3. The Committee shall have power to adjourn and otherwise regulate its meetings as it deems fit. Any three members shall have the power to call a meeting of the Committee. The Chairperson of the Committee shall take the chair at all such meetings. Should the Chairperson not be present then the Vice Chairperson shall take the chair. In the absence of the Vice Chairperson the Committee shall elect one of its number to take the chair. 4. All notices of Committee meetings shall unless extreme urgency arises, be in writing to members at least seven days prior to the date of such meeting. 5. The Committee shall have the power to delegate any of its

	powers to a Subcommittee or delegates to deal with any particular matter or matters upon such terms as the Committee may think fit except the power to expend the funds of the Management Committee.
Pecuniary Interest Members & Recording	**Committee Members** (ref: Part 5 Local Government Act 1993) Committee members with a direct or indirect pecuniary interest in a matter before the Committee must declare that interest before any discussion on that matter commences. On declaring an interest the member is to leave the meeting room. **Recording** Any declaration of pecuniary interest shall be recorded in the minutes of the Committee meetings.
Spokesperson Protocol	1. Under the Local Government Act 1993 the Mayor is "spokesperson" for Council and its activities. This protocol is strictly adhered to. As such media releases, public statements or advertisements**,** which contain or impute the view or policy position of Council must be vetted by the Mayor and issued under the Mayor's name unless otherwise agreed. 2. Committee members shall also adhere to the Southern Midlands Council Policy (No. 5.3.4.9) relating to this issue. Provide articles on services available at the facilities on a regular basis to Council so they can be included in Council press releases and newsletters.
Working Groups (under Committee)	The Committee may appoint specific purpose sub-working groups in relation to its functions comprising of members of the Committee and/or other persons subject to prior Council approval. Working bees that are organised by the Committee may involve volunteers beyond the current Committee members. All non Committee member volunteers must sign a volunteer registration form for the specific event, before participating.
Admin/Sec Support	Council will allocate sufficient staff resources in order to provide ongoing and regular liaison and interaction between Council and the Committee.
Annual Budget	1. In each year the Committee is to prepare and submit to Council a draft operational plan, including estimates for the forthcoming financial year. 2. Recommend to Council in April of each year a list of capital works to be considered for funding.

15.3 CULTURAL

Strategic Plan Reference – Page 24	
3.3.1	Ensure that the Cultural diversity of the Southern Midlands is maximised.

Nil.

15.4 REGULATORY (OTHER THAN PLANNING AUTHORITY AGENDA ITEMS)

Strategic Plan Reference – Page 25	
3.4.1	A regulatory environment that is supportive of and enables appropriate development.

Nil.

15.5 CLIMATE CHANGE

Strategic Plan Reference – Page 25	
3.5.1	Implement strategies to address issues of climate change in relation to its impact on Councils corporate functions and on the Community.

Nil.

16 OPERATIONAL MATTERS ARISING LIFESTYLE

16.1 COMMUNITY HEALTH AND WELLBEING

Strategic Plan Reference – Page 26	
4.1.1	Support and improve the independence, health and wellbeing of the Community.

Nil.

16.2 YOUTH

Strategic Plan Reference – Page 26	
4.2.1	Increase the retention of young people in the municipality.

Nil.

16.3 SENIORS

Strategic Plan Reference – Page 27	
4.3.1	Improve the ability of the seniors to stay in their communities.

Nil.

16.4 CHILDREN AND FAMILIES

Strategic Plan Reference – Page 27	
4.4.1	Ensure that appropriate childcare services as well as other family related services are facilitated within the Community.

Nil.

16.5 VOLUNTEERS

Strategic Plan Reference – Page 27	
4.5.1	Encourage community members to volunteer.

Nil.

16.6 ACCESS

Strategic Plan Reference – Page 28	
4.6.1a	Continue to explore transport options for the Southern Midlands Community.
4.6.1b	Continue to meet the requirements of the Disability Discrimination Act (DDA).

Nil.

16.7 PUBLIC HEALTH

Strategic Plan Reference – Page 28	
4.7.1	Monitor and maintain a safe and healthy public environment.

Nil.

16.8 RECREATION

Strategic Plan Reference – Page 29	
4.8.1	Provide a range of recreational activities and services that meet the reasonable needs of the Community.

Nil.

16.9 ANIMALS

Strategic Plan Reference – Page 29	
4.9.1	Create an environment where animals are treated with respect and do not create a nuisance for the Community.

Nil.

16.10 EDUCATION

Strategic Plan Reference – Page 29	
4.10.1	Increase the educational and employment opportunities available within the Southern Midlands.

Nil.

17 OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

17.1 RETENTION

Strategic Plan Reference – Page 30	
5.1.1	Maintain and strengthen communities in the Southern Midlands.

Nil.

17.2 CAPACITY AND SUSTAINABILITY

Strategic Plan Reference – Page 30	
5.2.1	Build the capacity of the Community to help itself and embrace the framework and strategies articulated through social inclusion to achieve sustainability.

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.

18.2.1 Local Government Association of Tasmania – 2015 Local Government Conference

AUTHOR EXECUTIVE ASSISTANT (K BRAZENDALE)
DATE 19th MAY 2015

ISSUE

To confirm attendance at the Local Government Association of Tasmania 2015 Local Government Conference to be held at The Tramsheds Launceston from 22nd – 24th July 2015.

DETAIL

The Conference Program and Registration Form has previously been provided to Councillors.

The full registration fee for the Conference is $775.00. This fee does not include accommodation or travel.

Human Resources & Financial Implications – Registration fees will be funded from the 2014/15 Budget and other conference costs will be incurred in 2015/16 (e.g. accommodation).

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

Policy Implications – N/A

Priority - Implementation Time Frame – Delegates registration must be lodged prior to the 1st July 2015.

RECOMMENDATION

THAT Council confirm those attending the 2015 Local Government Conference.

C/15/05/093/20047 DECISION

Moved by Clr B Campbell, seconded by Clr E Batt

THAT the following Councillors attend the 2015 Local Government Conference.

- Mayor A E Bisdee
- Deputy Mayor A O Green
- Clr B Campbell
- Clr D Marshall – Thursday only (no dinner)
- General Manager

CARRIED.

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

18.2.2 Local Government Association of Tasmania – General Management Committee Elections 2012

AUTHOR EXECUTIVE ASSISTANT (K BRAZENDALE)
DATE 20TH MAY 2015

ISSUE

To inform Council of the nominations received for the position of General Management Committee of the Association.

BACKGROUND

The Tasmanian Electoral Commission has advised that the following Candidates have been nominated as Committee Members on the General Management Committee.

Note: The General Management Committee includes a representative from each of the following Electoral Districts. The Southern Midlands Council falls within the Southern Electoral District, with a population under 20,000.

Committee Members

North West & West, population < 20,000		**Ballot Required**
Anita DOW	Burnie City Council	
Daryl QUILLIAM	Circular Head Council	
North West & West, population > 20,000		**Ballot Required**
Jan BONDE	Central Coast Council	
Steve MARTIN	Devonport City Council	
Northern population < 20,000		**No election**
Northern population > 20,000		**Elected Unopposed**
Christina HOLMDAHL	West Tamar Council	
South, population < 20,000		**Ballot Required**
Anthony BISDEE	Southern Midlands Council	
Deirdre FLINT	Central Highlands Council	
James GRAHAM	Derwent Valley Council	

South, population > 20,000 **Elected Unopposed**
Doug CHIPMAN Clarence City Council

DETAIL

Ballot Papers have now been issued by the Tasmanian Electoral Commission. The Southern Midlands Council needs to confirm its preferred candidate for the position of the South population < 20,000.

Human Resources & Financial Implications – Nil.

Community Consultation & Public Relations Implications – N/A.

Southern Midlands Council Web Site – N/A.

Policy Implications – N/A.

Priority - Implementation Time Frame – Ballot Papers will be issued on 22nd May 2015 Ballot Papers must be returned to the Tasmanian Electoral Commission by 10.00 am on 8th July 2015.

RECOMMENDATION

THAT:

a) the information be received; and
b) Council determine its preferred candidate for the position on the General Management Committee representing the South population < 20,000.

C/15/05/095/20048 DECISION

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

THAT

a) the information be received; and
b) Council preferred candidates for the position on the General Management Committee representing the South population < 20,000 be in order of 1. Anthony Bisdee. 2. Deirdre Flint and 3. James Graham.

CARRIED.

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

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 (April 2015)

AUTHOR FINANCE OFFICER (C PENNICOTT)
DATE 21ST MAY 2015

Refer enclosed Report incorporating the following: -

a) Statement of Comprehensive Income – 1st July 2014 to 30th April 2015 (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 at14th May 2015
e) Cash Flow Statement –April 2015

Note: Expenditure figures provided are for the period 1st April to 30th April 2015 – approximately 83% of the period.

Comments

A. Current Expenditure Estimates (Operating Budget)

Strategic Theme – Infrastructure

- **Sub-Program – Lighting –** expenditure to date expenditure to date ($85,555– 95.07%). All four instalments have been paid.

Strategic Theme – Growth

- **Sub-Program – Business** - expenditure to date ($216,353– 87.19%). Works undertaken on a recharge basis. Expenditure will be offset by income received.

Strategic Theme – Lifestyle

- **Sub-Program – Aged –** expenditure to date ($1332 – 88.78%). Expenditure consists of payments associated with the Healthy Communities Initiative which are recovered via operational grants.

- **Sub-Program – Recreation –** expenditure to date ($334,256 – 87.76%). Expenditure includes costs relating to removal of trees at Campania Recreation Ground and removal of power poles Kempton Recreation Ground.

Strategic Theme – Community

- **Sub-Program – Capacity** - expenditure to date ($32,194 –91.92%). 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 ($5,079 – 100.18%). 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 ($23,319 – 228.62%). 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.

B. Capital Expenditure Estimates (Capital Budget)

Nil.

RECOMMENDATION

THAT the information be received.

C/15/05/098/20049 DECISION

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

THAT the information be received.
CARRIED.

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

STATEMENT OF COMPREHENSIVE INCOME
FOR THE PERIOD
1st JULY 2014 to 30TH APRIL 2015

		Annual Budget		Year to Date as at 30TH APRIL	%	Comments
Income						
General rates	$	4,384,707	$	4,401,005	100.4%	Budget includes Interest & Penalties to be imposed to end of June 2015
User Fees (refer Note 1)	$	614,813	$	559,570	91.0%	
Interest	$	245,000	$	172,463	70.4%	
Government Subsidies	$	27,750	$	7,570	27.3%	Heavy Vehicle Licence Fees & Road Rescue MAIB reimbursements
Contract Income	$	-	$	-	0.0%	
Other (refer Note 2)	$	522,184	$	390,484	74.8%	
Sub-Total	**$**	**5,794,454**	**$**	**5,531,093**	**95.5%**	
Grants - Operating	$	3,250,402	$	2,447,719	75.3%	FAGS Grant $3.245K
Total Income	**$**	**9,044,856**	**$**	**7,978,812**	**88.2%**	
Expenses						
Employee benefits	$	4,332,291	$	2,541,837	58.7%	Less Roads - Resheeting Capitalised
Materials and contracts	$	3,565,708	$	2,660,712	74.6%	Less Roads - Resheeting Capitalised, Includes Land Tax
Depreciation and amortisation	$	2,654,000	$	2,202,820	83.0%	Percentage Calculation (based on year-to-date)
Finance costs	$	53,023	$	27,402	51.7%	
Contributions	$	178,450	$	133,838	75.0%	Fire Service Levies
Other	$	228,242	$	236,491	103.6%	Higher than budget due to Private Works expenditure
Total expenses	**$**	**11,011,714**	**$**	**7,803,098**	**70.9%**	
Surplus (deficit) from operations	**-$**	**1,966,858**	**$**	**175,714**	**-8.9%**	
Grants - Capital (refer Note 3)	$	445,234	$	21,000	4.7%	
Donations	$	2,500	$	300	12.0%	
Sale Proceeds (Plant & Machinery)	$	-	$	240,614	0.0%	
Net gain / (loss on disposal of non-current assets)	$	-	$	-	0.0%	Budget Amount - Sale of Lots - Kandara Court
Surplus / (Deficit)	**-$**	**1,519,124**	**$**	**437,627.8**	**-28.8%**	

NOTES

1. Income - User Fees (Budget $614,813) includes:						
- All other Programs	$	296,813	$	295,986	99.7%	
- Callington Mill	$	318,000	$	263,584	82.9%	Actual Income Received (i.e. excluding Debtors)
	$	614,813	$	559,570		

2. Income - Other (Budget $308,188) includes:				
- Income (Private Works)	$ 290,184	$	251,117	86.5%
- Tas Water Distributions	$ 228,000	$	129,138	56.6%
- Public Open Space Contributions	$ 4,000	$	-	0.0%
- Other	$ -	$	10,229	0.0% Insurance Recoveries; Headworks Contributions
	$ 522,184	$	390,484	
3. Grant - Capital (Budget $445,234) includes:				
- Roads To Recovery Grant	$ 445,234	$	16,000	3.6% To be claimed in March 2015
- DEDTA Economic Development Plan	$ -	$	5,000	
	$ 445,234	$	21,000	4.7%
Note:				
Operating Grants				
- School Holiday Program	$ -	$	7,200	
- Communities For Children	$ -	$	1,159	
- Station Park Kempton	$ -	$	1,454	
- ANZAC Memorial Grant	$ -	$	7,000	
- Australia Day Awards	$ -	$	1,973	
- Healthy Communities Initiative	$ -	$	3,604	
		$	22,390	

SOUTHERN MIDLANDS COUNCIL : CURRENT EXPENDITURE 2014/15

SUMMARY SHEET

PROGRAM	TOTAL	REVISED BUDGET (GRANTS & OTHER REIMBURSEMENTS)	ACTUAL AS AT 30th APRIL 2015 83%	VARIANCE (+/-)	% BASED ON REVISED BUDGET 100%
INFRASTRUCTURE					
Roads	3044345	3044345	2598346	445999	85.35%
Bridges	415869	415869	328534	87335	79.00%
Walkways	178627	178627	124600	54027	69.75%
Lighting	89995	89995	85555	4440	95.07%
Irrigation	0	0	0	0	0.00%
Drainage	77923	77923	59659	18264	76.56%
Waste	575204	575204	410540	164664	71.37%
Public Toilets	56304	56304	33931	22373	60.26%
Communications	0	0	0	0	0.00%
Signage	12300	12300	3110	9190	25.29%
INFRASTRUCTURE TOTAL:	**4450567**	**4450567**	**3644275**	**806292**	**81.88%**
GROWTH					
Residential	0	0	0	0	0.00%
Mill Operations	550291	550291	344704	205587	62.64%
Tourism	201345	201345	144789	56556	71.91%
Business	998146	248146	216353	31793	87.19%
Agriculture	5493	5493	0	5493	0.00%
Integration	25350	25350	1885	23465	7.44%
GROWTH TOTAL:	**1780625**	**1030625**	**707731**	**322894**	**68.67%**
LANDSCAPES					
Heritage	304709	304709	184684	120025	60.61%
Natural	532816	532816	470663	62153	88.33%
Cultural	0	0	0	0	0.00%
Regulatory	832085	832085	671151	160934	80.66%
Climate Change	37739	37739	4398	33341	11.65%
LANDSCAPES TOTAL:	**1707349**	**1707349**	**1330896**	**376453**	**77.95%**
LIFESTYLE					
Youth	205731	205731	96919	108812	47.11%
Aged	1500	1500	1332	168	88.78%
Childcare	7500	7500	5071	2429	67.61%
Volunteers	34500	34500	21672	12829	62.82%
Access	6520	6520	0	6520	0.00%
Public Health	7826	7826	1584	6242	20.25%
Recreation	380880	380880	334256	46624	87.76%
Animals	70090	70090	49225	20865	70.23%
Education	0	0	0	0	0.00%
LIFESTYLE TOTAL:	**714547**	**714547**	**510059**	**204488**	**71.38%**
COMMUNITY					
Retention	0	0	0	0	0.00%
Capacity	35025	35025	32194	2831	91.92%
Safety	56650	56650	33108	23542	58.44%
Consultation	5070	5070	5079	-9	100.18%
Communication	12125	12125	8102	4023	66.82%
COMMUNITY TOTAL:	**108870**	**108870**	**78483**	**30387**	**72.09%**
ORGANISATION					
Improvement	10200	10200	23319	-13119	228.62%
Sustainability	1994595	1994595	1702652	291943	85.36%
Finances	244963	244963	192463	52500	78.57%
ORGANISATION TOTAL:	**2249758**	**2249758**	**1918435**	**331323**	**85.27%**
TOTALS	**11011716**	**10261716**	**8189878**	**2071838**	**79.81%**

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2014-15
AS AT 30 APRIL 2015

			BUDGET	EXPENDITURE	VARIANCE	COMMENTS
INFRASTRUCTURE						
ROAD ASSETS						
Resheeting Program		Roads Resheeting (40.00 klms x 5.5 x 150mm x $20 m3)	$ 600,000	$ 368,619	$ 229,601	Ex Operating
	C1020044	Dares Road - Woodsdsale Resheeting		$ 1,780		
Reseal Program		Roads Resealing (as per agreed program)	$ 300,000	$ -	$ 292,599	
	C1010035	Stanley Street	$ -	$ 875		
	C1010045	William to Dulverton Street Reseal	$ -	$ 6,526		
Reconstruct & Seal		**Colebrook**				
	C1010033	Eldon Road - Vicinity Of Norm Housgos (200m)	$ 26,400	$ 246	$ 26,154	
		Oatlands				
	C1010027	Stonor Road (Vicinity Of Halls) - 250metres	$ 33,000	$ 1,739	$ 31,261	
Remove / Cut Bank Bank (DIER)		Woodsdale Road / Tunnack Main Rd Junction (30 mm Overlay)	$ 6,400	$ -	$ 6,400	
	C1010028	Woodsdale Road (Section - Runnymede Cricket Cub) - 400 metres	$ 48,400	$ 2,550	$ 45,850	
	C1010043	York Plains (vicnity of Greggs Road) - 300 metres	$ 39,600	$ 5,185	$ 34,415	
Construct & Seal (Unsealed Roads)	C1020029	Williams Road - Option 1 (Junction to Bridge -250 metres)	$ 39,375	$ 15,496	$ 23,879	
		Ballyhooly Road (end of Bridge) - 100 metres	$ 13,750	$ -	$ 13,750	
Minor Seals (New)	C1020030	Nunns Road - Junction with Elderslie Main Road	$ 7,000	$ -	$ 7,000	
	C1020031	Church Road	$ 10,000	$ -	$ 10,000	
	C1020032	Hasting Street Junction	$ 15,000	$ -	$ 15,000	
Unsealed - Road Widening	C1020034	Church Road (Corner widening)	$ 20,000	$ -	$ 20,000	
		Yarlington Road - Realignment	$ 20,000	$ 11,023	$ 8,977	Budget Incls. $11,023 expended 13/14
	C1020035	Estate Road (Survey Investigation Only - $5,000)	$ 30,000	$ -	$ 30,000	
	C1020037	Hall Lane, Bagdad - widening	$ 15,000	$ -	$ 15,000	
	C1020038	Chauncy Vale Road, Bagdad	$ 20,000	$ -	$ 20,000	
	C1020027	Rhyndaston Road Widening		$ 1,840	$ (1,840)	
		Other:				
Junction Road Realignment/ Other	C1020026	Church Road -Realign (Intersection with Elderslie Road) - Survey &	$ 211,000	$ 52,070	$ 158,930	Budget Incls. $16,044 expended 13/14
	C1020040	Interlaken Road- Corner Realignment (Rockton)	$ 20,000	$ 6,692	$ 13,308	
	C1010036	Green Valley Road - Widening	$ 83,000	$ -	$ 83,000	
	C1010037	Campania - Reeve St / Clime Street	$ 25,600	$ 5,467	$ 20,133	Engineering & Traffic Management Advice
	C1010038	Campania - Reeve St / Hall Street	$ 5,000	$ -	$ 5,000	
	C1010044	Colebrook Main Road - Verge (Station St to Shop)	$ 20,250	$ 18,299	$ 1,951	
	C1020028	Eldon Road - Guard Rail		$ 458	$ (458)	
		Tunbridge Main Road Verge	$ 3,000	$ -	$ 3,000	
	C1010039	Woodsdale Road - Landslip Area (vicinity Scotts Quarry)	$ 15,000	$ -	$ 15,000	
	C1010042	Guard Railing Quarry Town Road	$ -	$ 6,225	$ (6,225)	Replacement - Truck Accident
		Woodsdale Road - Landslip Area(s) - Engineering Assessment	$ 9,700	$ -	$ 9,700	
		York Plains Road (Camber adjustment)	$ 5,000	$ -	$ 5,000	
			$ 1,641,475	**$ 505,090**	**$ 1,136,385**	

1

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2014-15
AS AT 30 APRIL 2015

			BUDGET	EXPENDITURE	VARIANCE	COMMENTS	
BRIDGE ASSETS	C1030003	Brown Mountain Road (Coal River B637)	$ 436,272	$ 442,762	$ (6,490)	Incls $117,002 WIP 30/6/14	
	C1030023	Swanston Road - Little Swanport Rv (B 1716)	$ 336,335	$ 3,589	$ 332,746		
	C1030028	Rotherwood Road Bridge (No. 1137)	$ 156,340	$ 32,117	$ 124,223		
	C1030029	Elderslie Rd - Jordan River B486	$ -	$ 200	$ (200)	Capitalised 30/6/14	
	C1030030	Jones Rd (B5083)	$ -	$ 1,189	$ (1,189)		
	C1030041	Kheme Road (Birralee Creek B5175)	$ 142,600	$ -	$ 142,600		
	C1030044	Grahams Creek Road (Grahams Creek B2510) Elderslie Road	$ 81,672	$ 1,304	$ 80,368	WIP 30/6/14	
	C1030045	Daniels Road - Marshalls Crk	$ 26,440	$ -	$ 26,440		
		Noyes Road (Limekiln Creek)	$ 60,129	$ -	$ 60,129		
	C1030006	Fields Road Bridge (B1851)	$ -	$ 1,469	$ (1,469)	WIP 30/6/14	
	C1030049	Inglewood Road (Tin Dish Rivulet B4289)	$ 212,650	$ 459	$ 212,191		
	C1030048	Muddy Plains Road (Summerfield Creek B417)	$ 107,290	$ 459	$ 106,831		
	C1030050	Nala Road (Kittys Rivulet B4264)	$ 107,290	$ 459	$ 106,831		
	C1030012	Sandy Lane (Red Rocks Race B4198)	$ 56,950	$ 459	$ 56,491	$ 484,180	Roads to Recovery
			$ 1,723,968	**$ 484,463**	**$ 1,239,505**		
WALKWAYS		Footpaths - General (Program to be confirmed)	$ 40,000		$ 40,000		
		Campania Township					
	C1040005	- Reeve Street (Vicinity of Store)	$ 10,000	$ -	$ 10,000		
	C1040005	- Reeve Street (500 metres)	$ 80,000	$ 8,386	$ 71,614	WIP 30/6/14 Design etc	
		- Review Management Plan (Site Plan) / Walking Tracks (Bush F	$ 5,000	$ -	$ 5,000		
		Oatlands Township					
	C1040019	- Esplanade (Roadside Stopover to Infant School)	$ 9,100	$ 10,481	$ (1,381)		
		- High Street (Vicinity of School)	$ 15,000	$ -	$ 15,000		
		- High Street (Vicinity of Pancake Parlour)	$ 6,000	$ -	$ 6,000		
		- Church Street (K&G renewal)	$ 15,000	$ -	$ 15,000		
		Tunbridge Township					
		- Various (to be confirmed)	$ 7,800	$ -	$ 7,800		
		Parattah Township					
	C1040020	- Tunnack Main Road (Link footpath existing to Bailey's Rd)	$ 8,000	$ 4,397	$ 3,603		
			$ 195,900	**$ 23,264**	**$ 172,636**		
IRRIGATION		Mt Pleasant Rec Ground (10ML) - Balance	$ 8,262	$ 9,790	$ (1,528)	$1,528 Deposit Paid WIP 30/6/14	
			$ 8,262	**$ 9,790**	**$ (1,528)**		

2

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2014-15
AS AT 30 APRIL 2015

			BUDGET	EXPENDITURE	VARIANCE	COMMENTS
DRAINAGE		Bagdad				
		- Midland Hwy/ Swan St Drainage (McShane Property)	$ 22,500	$ -	$ 22,500	
	C1090013	- Swan Street - Kerb & Gutter (eastern & western side)	$ 241,882	$ 129,639	$ 112,244	Budget - allocated in 2013/14
	C1090022	- Hyland Crescent	$ -	$ 14,351	$ (14,351)	
		Campania				
	C1090008	- Reeve Street Open Drain (North Of Telephone Box)	$ 45,000	$ 4,331	$ 40,669	
		- Reeve Street Subdivision Pipeline	$ 35,000	$ 40,461	$ (5,461)	Budget amendment - March 2015
		Oatlands				
		- Barrack Street (towards Mason St)	$ 10,000	$ -	$ 10,000	
		- High St/Wellington Street Junction	$ 5,000	$ -	$ 5,000	Included in costings for Wellington St
	C1090023	- Stanley Street / Lake Dulverton - Extension	$ 13,000	$ 13,907	$ (907)	Project Completed
	C1090019	- Wellington Street (150 metres - kerb replacement)	$ 12,000	$ 25,000	$ (13,000)	Refer above (additional $5K) - project comp
		- William Street (Church St to Gay St)	$ 10,000	$ -	$ 10,000	
		Tunbridge				
	C1090020	- Main Road & Lowes Street	$ -	$ 149	$ (149)	
			$ 394,382	**$ 227,839**	**$ 166,543**	
WASTE	C110001	Waste Receptives	$ 7,500	$ 9,117	$ (1,617)	
			$ 7,500	**$ 9,117**	**$ (1,617)**	
PUBLIC TOILETS	C1110001	Colebrook - Power Connection & Lighting	$ 5,000	$ -	$ 5,000	
		Campania - Urinal / Plumbing / External Shower Head	$ 4,000	$ -	$ 4,000	
			$ 9,000	**$ -**	**$ 9,000**	
SIGNAGE	C113001	Municipal Boundary (Brighton Bypass)	$ 2,500	$ 2,657	$ (157)	Project Completed
			$ 2,500	**$ 2,657**	**$ (157)**	
RESIDENTIAL	C201001	Kandara Court Subdivision (Stages 1 and 2)	$ -	$ 39,895	$ (39,895)	Long-term WIP (pending Property Sales)
			$ -	**$ 39,895**	**$ (39,895)**	
MILL OPERATIONS		Visitor Centre - Appliances	$ -	$ 1,814	$ (1,814)	
			$ -	**$ 1,814**	**$ (1,814)**	
HERITAGE	C3010002	Callington Mill (Master Precinct Plan)	$ 20,000	$ 1,260	$ 18,740	
	G3010007	Southern Midlands Probation Station	$ -	$ 7,506	$ (7,506)	Grant Funded
	C3010008	Commissariat (79 High Street)	$ 89,500	$ 3,423	$ 86,077	
		Oatlands Gaol - Minor Capital Works	$ 7,000	$ 4,508	$ 2,492	Paling Fence Constructed
	C3010009	Kempton Watch House (Fitout)	$ 7,500	$ -	$ 7,500	
			$ 124,000	**$ 16,697**	**$ 107,303**	
LANDSCAPI NATURAL	C3020004	Lake Dulverton - Improvements	$ -	$ 8,381	$ (8,381)	Bund Wall - Valve
		Chauncy Vale - Day Dawn Cottage (Toilet Upgrade)	$ 5,000	$ -	$ 5,000	
			$ 5,000	**$ 8,381**	**$ (3,381)**	

3

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2014-15
AS AT 30 APRIL 2015

			BUDGET	EXPENDITURE	VARIANCE	COMMENTS
REGULATORY	C3040001	Kempton Council Chambers - Building & Office Improvements	$ 8,954	$ -	$ 8,954	
	C3040001	Kempton Council Chambers - Office Equipment	$ 3,000	$ 1,438	$ 1,562	
	C3040001	Kempton Council Chambers - Carpet & Flooring	$ 5,000	$ 2,700	$ 2,300	
	C3040001	Kempton Council Chambers - External Repainting	$ 7,500	$ -	$ 7,500	
			$ 24,454	**$ 4,138**	**$ 20,316**	
LIFESTYLE RECREATION	C4070001	Parattah Recreation Ground - Grandstand	$ 10,000	$ -	$ 10,000	
	C4070001	Parattah Recreation Ground - Demolish External Toilets	$ 5,000	$ -	$ 5,000	
	C4070003	Campania Recreation Ground	$ -	$ 1,293	$ (1,293)	
	C4070005	Recreation Committee	$ 15,000	$ 5,277	$ 9,723	$5,277 Sign Boards
	C4070008	Campania Hall - Internal Painting	$ 8,995	$ 8,995	$ -	
	C4070005	Campania Hall - Internal Painting (Committee Contribution)	$ (4,498)	$ -	$ (4,498)	
	C4070005	Mangalore Hall- Kitchen Amenities	$ 3,300	$ 2,636	$ 664	
	C4070005	Mangalore - Bore Water	$ 7,500	$ -	$ 7,500	
	C4070016	Colebrook Recreation Ground (Amenities)	$ 25,000	$ -	$ 25,000	
	C4070017	Kempton Memorial Hall	$ 10,000	$ 16,665	$ (6,665)	Balance to be funded from Comm Allocatior
	C4070019	Kempton Recreation Ground	$ -	$ 10,709	$ (10,709)	To be funded from Committee Allocation
		Tunnack - Recreation Ground (Upgrade Toilets)	$ 10,000	$ -	$ 10,000	
	C4070022	Playspace Strategy - Alexander Circle & Lyndon Road	$ 10,000	$ 4,830	$ 5,170	
	C4070024	Lyndon Road - BBQ Shelter	$ 10,000	$ 5,451	$ 4,549	
	C4070025	Alexander Circle Park - BBQ Shelter	$ -	$ 25,537	$ (25,537)	
	C4070026	Tunbridge Park - BBQ Shelter	$ 10,000	$ 24,818	$ (14,818)	
	C4070027	Oatlands Recreation Ground Flood Lights	$ 317,500	$ 57,036	$ 260,464	Ground Lighting - Budget Amendment
	C4070028	Campania Recreation Ground Flood Lights	$ 317,500	$ 98,413	$ 219,087	Ground Lighting - Budget Amendment
	C4070029	Lone Pine Park Oatlands	$ -	$ 5,719	$ (5,719)	$4K Grant Funded
	C4070005	Mt Pleasant Floor Coverings	$ 5,200	$ 5,200	$ -	
		Mt Pleasant - Upgrade Toilets	$ 5,000	$ -	$ 5,000	
			$ 765,497	**$ 272,579**	**$ 492,918**	
SAFETY		Road Accident Rescue Unit	$ 3,000	$ -	$ 3,000	
			$ 3,000	**$ -**	**$ 3,000**	
ADMINISTRATION	C6020007	Computer System (Hardware / Software)	$ 35,000	$ 64,243	$ (29,243)	
	C6020007	Council Chambers - Damp Issues & Stonemasonry	$ 15,000	$ -	$ 15,000	
	C6020007	Council Chambers - Concrete Paths (Forecourt)	$ 7,400	$ 7,358	$ 42	
	C6020007	Council Chambers - Building Improvements	$ 7,500	$ -	$ 7,500	
	C6020007	Town Hall (General) - incls. Office Equip/Furniture	$ 8,000	$ 4,806	$ 3,194	
		Council (Notebooks/Tablets)	$ 6,000	$ -	$ 6,000	
	C6020007	Photo Reframing	$ 1,500	$ -	$ 1,500	
	C6020010	Municipal Revaluation	$ -	$ 98,000	$ (98,000)	
WORKS		Kempton Depot - Furnishings	$ 5,000	$ 2,818	$ 2,182	
		Kempton Depot - Rewiring	$ 10,000	$ -	$ 10,000	
		Depot Relocation	$ 5,000	$ -	$ 5,000	
	C9990002	Minor Plant Purchases	$ 9,500	$ 7,534	$ 1,966	
		Radio System	$ 2,000	$ -	$ 2,000	
		Plant Replacement Program				
		Refer separate Schedule (Net Changeover)	$ 217,920	$ 170,477	$ 47,443	
		Light Vehicles	$ 168,000	$ 61,523	$ 106,477	
		(Trade Allowance - $240K)	$ -	$ -	$ -	
		Water Tanks Replacement (Truck)	$ 36,000	$ -	$ 36,000	
			$ 533,820	**$ 416,759**	**$ 117,061**	
		GRAND TOTALS	**$ 5,438,758**	**$ 2,022,484**	**$ 3,416,274**	

4

SOUTHERN MIDLANDS COUNCIL
SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED

	This Financial Year 14th May 2015		Last Financial Year 15th May 2014	
Arrears brought forward as at July 1		$ 431,103.63		$ 352,040.89
ADD current rates and charges levied		$ 4,326,873.65		$ 4,142,807.56
ADD current interest and penalty		$ 71,856.87		$ 77,843.49
TOTAL rates and charges demanded	100.00%	$ 4,829,834.15	100.00%	$ 4,572,691.94
LESS rates and charges collected	84.93%	$ 4,102,206.31	82.48%	$ 3,771,514.82
LESS pensioner remissions	4.51%	$ 217,665.10	4.56%	$ 208,552.64
LESS other remissions and refunds	-0.21%	-$ 10,335.58	-0.23%	-$ 10,633.25
LESS discounts	0.45%	$ 21,649.34	0.39%	$ 17,782.22
TOTAL rates and charges collected and remitted	89.68%	$ 4,331,185.17	87.20%	$ 3,987,216.43
UNPAID RATES AND CHARGES	10.32%	$ 498,648.98	12.80%	$ 585,475.51

	INFLOWS (OUTFLOWS) (July 2014)	INFLOWS (OUTFLOWS) (August 2014)	INFLOWS (OUTFLOWS) (September 2014)	INFLOWS (OUTFLOWS) (October 2014)	INFLOWS (OUTFLOWS) (November 2014)	INFLOWS (OUTFLOWS) (December 2014)	INFLOWS (OUTFLOWS) (January 2015)	INFLOWS (OUTFLOWS) (February 2015)	INFLOWS (OUTFLOWS) (March 2015)	INFLOWS (OUTFLOWS) (April 2015)	INFLOWS (OUTFLOWS) (Year to Date)
Cash flows from operating activities											
Payments											
Employee costs	- 286,297.46	- 268,596.25	- 270,131.91	- 239,132.31	- 400,241.97	- 245,082.68	- 201,646.82	- 246,002.94	- 233,697.11	- 198,974.79	- 2,589,804.24
Materials and contracts	- 521,480.45	- 306,375.10	- 373,753.54	- 428,830.09	- 187,080.03	- 254,332.78	- 276,792.28	- 305,409.87	- 197,273.28	- 254,475.41	- 3,105,802.83
Interest	- 373.55			-	- 8,701.09	- 18,326.99			-	-	- 27,401.63
Other	- 16,354.26	- 20,038.62	- 35,060.86	- 83,428.98	- 23,015.57	- 21,412.60	- 94,118.12	- 14,677.54	- 28,376.38	- 65,128.75	- 401,611.68
	- 824,505.72	- 595,009.97	- 678,946.31	- 751,391.38	- 619,038.66	- 539,155.05	- 572,557.22	- 566,090.35	- 459,346.77	- 518,578.95	- 6,124,620.38
Receipts											
Rates	96,394.89	127,273.28	1,693,179.94	425,042.42	373,835.18	255,213.10	412,284.72	259,728.89	364,467.93	262,655.74	4,270,076.09
User charges	66,467.29	57,926.84	74,787.66	45,762.56	82,801.03	99,630.74	74,817.46	72,232.79	58,415.57	117,809.00	750,650.94
Interest received	17,918.73	10,122.94	20,688.05	18,022.03	16,523.83	21,208.92	16,721.75	16,535.39	16,728.84	17,992.72	172,463.20
Subsidies									7,570.00	-	7,570.00
Other revenue grants		812,046.89		3,490.91	810,415.98	-	278.45	808,848.61	7,196.27	5,442.27	2,447,719.38
GST Refunds from ATO											-
Other	- 68,007.19	30,214.61	49,892.91	- 76,718.11	168,411.53	- 147,618.37	- 14,775.94	121,143.87	50,102.43	- 37,365.80	108,422.71
	112,773.72	1,037,584.56	1,838,548.56	415,599.81	1,451,987.55	228,434.39	489,326.44	1,278,489.55	504,481.04	366,533.93	7,756,902.32
Net cash from operating activities	- 711,732.00	442,574.59	1,159,602.25	- 335,791.57	832,948.89	- 310,720.66	- 83,230.78	712,399.20	45,134.27	- 152,045.02	1,632,281.94
Cash flows from investing activities											
Payments for property, plant & equipment	- 58,787.91	- 80,497.25	- 124,934.81	- 222,026.69	- 60,040.85	- 234,868.48	- 93,171.59	-111,076.89	- 128,213.37	- 231,704.25	- 1,345,322.09
Proceeds from sale of property, plant & equipment		14,720.91	13,636.36	31,863.63		180,392.83			-	-	- 240,613.73
Proceeds from Capital grants					-	5,000.00		-	16,000.00	-	21,000.00
Proceeds from Investments											-
Payment for Investments											-
Net cash used in investing activities	- 58,787.91	- 65,776.34	- 111,298.45	- 190,163.06	- 60,040.85	- 49,475.65	- 93,171.59	- 111,076.89	- 112,213.37	- 231,704.25	- 1,083,708.36
Cash flows from financing activities											
Repayment of borrowings	- 4,262.22			-	- 10,723.83	- 37,808.03			-	-	- 52,794.08
Proceeds from borrowings	-										-
Net cash from (used in) financing activities	- 4,262.22	-	-	-	- 10,723.83	- 37,808.03	-	-	-	-	- 52,794.08
Net increase/(decrease) in cash held	- 774,782.13	376,798.25	1,048,303.80	- 525,954.63	762,184.21	- 398,004.34	- 176,402.37	601,322.31	- 67,079.10	- 383,749.27	462,636.73
Cash at beginning of reporting year	7,992,781.80	7,217,999.67	7,594,797.92	8,643,101.72	8,117,147.09	8,879,331.30	8,481,326.96	8,304,924.59	8,906,246.90	8,839,167.80	7,992,781.80
Cash at end of reporting year	7,217,999.67	7,594,797.92	8,643,101.72	8,117,147.09	8,879,331.30	8,481,326.96	8,304,924.59	8,906,246.90	8,839,167.80	8,455,418.53	8,455,418.53

19. INFORMATION BULLETINS

Refer enclosed Bulletin dated 22nd May 2015.

Information Bulletin dated 1st May 2015 and 15th May 2015, has been circulated since previous meeting.

RECOMMENDATION

THAT the Information Bulletins dated 1st, 15th and 22nd May 2015 be received and the contents noted.

C/15/05/108/20050 DECISION

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

THAT the Information Bulletins dated 1st, 15th and 22nd May 2015 be received and the contents noted.

CARRIED.

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

20. MUNICIPAL SEAL

Nil.

21. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

Nil.

RECOMMENDATION

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

C/15/05/109/20051 DECISION

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

THAT Council move into "Closed Session" and the meeting be closed to the public.
CARRIED.

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

CLOSED COUNCIL MINUTES

Mr D Mackey (Manager Community and Development Services) and Mr D Cundall (Planning Officer) returned to the meeting at 3.15 p.m.

22. BUSINESS IN "CLOSED SESSION "

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

T F KIRKWOOD
GENERAL MANAGER

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

T F KIRKWOOD
GENERAL MANAGER

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

T F KIRKWOOD
GENERAL MANAGER

RECOMMENDATION

THAT Council move out of "Closed Session".

C/15/05/113/20053 DECISION

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

THAT Council move out of "Closed Session".
CARRIED.

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

RECOMMENDATION

THAT Council endorse the decision made in "Closed Session".

C/15/05/113/20054 DECISION

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

THAT Council endorse the decision made in "Closed Session".
CARRIED.

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

23. CLOSURE 3.50 P.M.