MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD ON WEDNESDAY 27TH JUNE AT THE MUNICIPAL OFFICES, 71 HIGH STREET, OATLANDS COMMENCING AT 10:00 A.M.

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ENCLOSED

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Item - 17.2.1 LGAT Annual General Meeting Agenda & LGAT General Committee Meeting Agenda

MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS COUNCIL HELD ON WEDNESDAY 27TH JUNE AT THE MUNICIPAL OFFICES, 71 HIGH STREET, OATLANDS COMMENCING AT 10:00 A.M.

OPEN COUNCIL MINUTES

1. PRAYERS

Reverend Meg Evans conducted Prayers.

2. ATTENDANCE

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

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

3. APOLOGIES

Nil.

4. APPLICATION FOR LEAVE OF ABSENCE

Clr M Connors has requested leave of absence from the 1st July 2012 to 30th September 2012 inclusive.

C/12/06/004/19061 DECISION

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

THAT Clr M Connors be granted 'leave of absence' for the period 1st July 2012 to 30th September 2012 inclusive.

CARRIED.

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

5. MINUTES

5.1 ORDINARY COUNCIL MINUTES

The Minutes of the previous meeting of Council held on the 23rd May 2012, as circulated, are submitted for confirmation.

C/12/06/005/19062 DECISION

Moved by Clr C J Beven, seconded by Clr D F Fish

THAT the minutes of the previous meeting of Council held on the 23rd May 2012, as circulated, be confirmed.

CARRIED.

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

5.2 SPECIAL COUNCIL MINUTES

Nil.

5.3 SPECIAL COMMITTEES OF COUNCIL MINUTES

5.3.1 Special Committees of Council - Receipt of Minutes

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

- Nil

RECOMMENDATION

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

DECISION

DECISION NOT REQUIRED

5.3.2 Special Committees of Council - Endorsement of Recommendations

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

- Nil

RECOMMENDATION

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

DECISION

DECISION NOT REQUIRED

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 –** Special Meeting held 21st May 2012
- **Southern Waste Strategy Authority -** Nil

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

RECOMMENDATION

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

C/12/06/007/19063 DECISION

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

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

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

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

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

36A. Annual reports of authorities

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

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

(a) a statement of its activities during the preceding financial year; and
(b) a statement of its performance in relation to the goals and objectives set for the preceding financial year; and
(c) the financial statements for the preceding financial year; and
(d) a copy of the audit opinion for the preceding financial year; and
(e) any other information it considers appropriate or necessary to inform the single authority council or participating councils of its performance and progress during the financial year.

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

36B. Quarterly reports of authorities

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

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

(a) a statement of its general performance; and
(b) a statement of its financial performance.

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

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

RECOMMENDATION

THAT the reports received from the Joint Authorities be received.

DECISION

DECISION NOT REQUIRED

6. NOTIFICATION OF COUNCIL WORKSHOPS

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

Three workshops have been held since the previous Council meeting.

1. A Workshop was held at the Council Chambers, Oatlands on 30th May 2012, commencing at 10.00 a.m.

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

Apologies: Nil

Also in Attendance: T F Kirkwood, A Benson, J Lyall, B Porter and K Brazendale.

The purpose of this Workshop was to consider the draft 2012-13 Capital Works Program, taking into account the outcomes of the review of the Financial Management Strategy.

Draft 2012 – 2013 Budget

Budget alterations identified at the Workshop:

CAPITAL BUDGET:

Adjusted Capital Expenditure:

- Roads Program – remove Bartonvale Road Drainage project – allocation of $27,000
- Roads Program – Native Corners Road/Armstrongs Road – Drainage Project – reduce budget by 50% (private contribution required) – less $5,200
- Bridge Program – Swanston Road (B1716) – reduce budget to $40K to enable design only (at this stage)
- Sustainability Program – reduce allocation for Town Hall (Paintings) by $2,000

Amended budget documents to be prepared and circulated.

2. A Workshop was held at the Council Chambers, Kempton on 14th June 2012, commencing at 1.30 p .m.

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

Apologies: Clr A R Bantick.

Also in Attendance: T Kirkwood, K Brazendale and G Hunt.

The purpose of this Workshop was to review the draft 2012-13 Operating Budget.

The key outcomes included:

- household collection and waste management charges to be increased to achieve full cost recovery within the Waste Management Program
- Callington Mill Precinct Business Operation – proceed to conduct an external review of the business operation as a whole and to identify issues and opportunities for improvement; and
- Climate Change Program – review budget and confirm detail.

3. A Workshop was held at the Council Chambers, Kempton on 21st June 2012, commencing at 10.00 a .m.

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

Apologies: Mayor A E Bisdee AOM, Clr A R Bantick

Also in Attendance: Budget Session - T Kirkwood, K Brazendale, G Hunt
Planning Scheme Session - D Mackey, D Cundall, B Williams, L Cartledge and K Brazendale.

The purpose of this Workshop was to;

a) review the outcomes of the previous Budget Workshop relating to the 2012-13 Operating Budget (refer notes below);
b) review the proposed Rates and Charges (including draft Rates Resolution); and
c) provide a briefing in relation to the development of the new Southern Midlands Planning Scheme and its relationship to the broader statewide and regional processes.

Draft 2012 – 2013 Budget

Budget alterations identified at the Workshop:

OPERATING BUDGET:

Additional Revenue:

- Increase of $2,500 – Waste Management Program – budgeted to reflect review of charges (new charges to be confirmed)
- Interest on Investments - increase budget by $10,000 (to $260K) noting the receipt of the 2012/13 FAGS Grant (50%) in advance.

Additional Operating Expenditure:

- Nil

Reduced Operating Expenditure:

- 1% reduction in operating expenditure (excluding Depreciation, Loan Interest and Fire Service Contribution) - $65,182
- $50,000 reduction for the Callington Mill Precinct Business operation, noting that an external review is to be undertaken which will require a further review of the budget.

Amended budget documents to be prepared and circulated.

RECOMMENDATION

THAT the information be received and the outcomes of the workshops held 30th May, 14th June and 21st June 2012 noted.

C/12/06/012/19064 DECISION

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

THAT the information be received and the outcomes of the workshops held 30th May, 14th June and 21st June 2012 noted.

CARRIED.

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

7. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

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

RECOMMENDATION

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

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

- Southern Water - Appointment of Owners Representatives (Item 20.1)

C/12/06/013/19065 DECISION

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

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

CARRIED.

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

8. DECLARATIONS OF PECUNIARY INTEREST

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

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

The following Pecuniary Interest was declared:

Clr D F Fish - Item 21.2 'In-Committee'

9. PUBLIC QUESTION TIME (SCHEDULED FOR 12.30 PM)

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

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

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

(2) *The chairperson may –*
- *(a) address questions on notice submitted by members of the public; and*
- *(b) invite any member of the public present at an ordinary meeting to ask questions relating to the activities of the Council.*

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

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

(5) *The chairperson may –*
- *(a) refuse to accept a question; or*
- *(b) require a question to be put on notice and in writing to be answered at a later meeting.*

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

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

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

No questions were raised by members of the public.

9.1 PERMISSION TO ADDRESS COUNCIL

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

- Nil

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

10.1 INVESTIGATION INTO RESOURCE SHARING / REVIEW OF SERVICE PROVISION MODELS

Clr A O Green has submitted the following Notice of Motion:

"That the Southern Midlands Council initiate discussions with Central Highlands and Derwent Valley Councils to determine the feasibility or otherwise of establishing a joint authority providing services for the sub-region in areas including but not restricted to information technology, human resources, financial management, engineering, solid waste management, environmental health and plant & equipment."

Background Comments (as provided):

Nil.

C/12/06/016/19066 DECISION

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

THAT the Southern Midlands Council initiate discussions with Central Highlands and Derwent Valley Councils to determine the feasibility or otherwise of establishing a joint authority providing services for the sub-region in areas including but not restricted to information technology, human resources, financial management, engineering, solid waste management, environmental health and plant & equipment.

CARRIED.

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

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

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

11.1 DEVELOPMENT APPLICATIONS

11.1.1 Development Application for Signage (Banner Sign) in the Historic Precinct Special Area, at 110 High St, Oatlands.

File Reference: *T5843357*

APPLICANT: **Danny Burow ('The Pancake and Crepe Shop')**
LAND OWNER: **Danny Burow and Gerard Walters**
REPORT AUTHOR: **David Cundall (Planning Officer)**
DATE: **12th June 2012**

ATTACHMENTS:

1. **Sign Plans**
2. **Site Photos**
3. **Good Example of a heritage sign**
4. **Tasmanian Heritage Council Practice Note No 6 – Signs and Hoardings on Sites Listed in the Tasmanian Heritage Register**
5. **Representation**

THE PROPOSAL:

The applicant Danny Burow seeks retrospective planning approval from the Southern Midlands Council for a banner Sign at 'The Pancake and Crepe Shop' at 110 High St Oatlands.

This proposed signage consists of a single vertical banner sign that reads "Coffee Tea Pancake's Crepe's Devonshire Tea's" with a 'cup of tea' graphic. The banner is made of a poly type material measuring approximately 2m by .5m. The banner is a maroon colour with creamy yellow writing with a creamy yellow decorative border around the font and graphic. The banner is affixed to a tall lightweight cream coloured pole attached with small metal eyelet type fixings (See Attachment 2 Photos).

The banner is erected during business hours and is positioned at the edge of the property (in front of the business) and can be easily seen by both pedestrians and motorists on the High St.

The colours and graphics chosen are of the same style as the rest of the café's signage.

THE SITE

The land is located on the High St Oatlands, roughly opposite Mill Lane. The building is a heritage listed two storey Georgian type sandstone building currently used for a café business. Affixed to the front façade is large sign reading 'The Pancake and Crepe Shop' and below are two small chalk boards (for menu etc). There is an outdoor seating area and a solid 'A-frame' sandwich board sign with the business name and tea cup graphic located on the footpath.

THE APPLICATION

The applicant has provided a completed standard application form and provided a sign design. The Planning Officer has also included photos of the sign in the application for file and report reference.

BACKGROUND

'The Pancake and Crepe Shop' was granted a planning permit in December 2011 (DA 2011/128). The applicant applied for the new business and the signage. Included in the application (2011) was the banner sign in question.

The application was advertised for the statutory 14 day period and received one representation expressing concern for the proposed banner in question. This banner sign was the only point of concern.

The applicant/business owner was eager to open the business in time for the busy Christmas period, but given that a representation was received (at this time of the year), a decision could only be made at the next Council meeting on the 25th of January 2012. With no assurance that Council would grant a planning permit for the business, they would need to wait nearly 8 weeks for a decision to be made and a further 2 weeks if a permit is granted (per legislation). This would have meant losing a significant amount of income and business in waiting for a decision to be made. Not to mention any further unknowns such as appeals.

The representation received at the time was focused on the proposed banner sign. The applicant was made aware of this issue and decided to withdraw the banner. The representor was notified by the Planning Officer of the applicant's intention to omit the banner from the application and withdrew the representation in accordance with the Land Use Planning and Approvals Act 1993. The business was subsequently given approval by Council Officers under delegated authority at a Development Assessment Committee meeting.

The proposed banner at that stage was not assessed and was not included in the planning permit.

However, the applicant had already had the banner sign constructed prior to any approval, and despite having no approval, the applicant displayed the banner sometime in March 2012. Council Officers were soon made aware of the banner and contact was made with the café owners.

The owners were further informed that the sign had no approval. Despite attempts to convince them to apply for a sign considered to be more consistent with other 'heritage type signs' in the township, they submitted the Development Application before Council seeking retrospective approval.

THE PLANNING SCHEME ASSESSMENT

Use/Development Definition

The works are defined as a 'Sign' under Schedule 6 of the Southern Midlands Planning Scheme. Signs must be developed in accordance with Schedule 6 'Signs' and in accordance with the 'The Historic Precinct Special Area'.

Zone: Commercial Zone

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

It would be appropriate for the Planning Officer to begin assessing the development by the relevant intentions of the zone:

4.2 The intent of the Commercial Zone is to:

There are 6 statements of Intent for the Commercial Zone. The café business already largely meets these requirements. The proposed banner is more an intensification of the site and of existing signage.

The 'Development Standards' of the Commercial Zone detailed below, are more applicable for assessment:

4.3 Development Standards – Streetscape and Amenity

a) enhance and maintain the character of the streetscape in terms of scale, proportions, treatment of parapets and openings and decoration;

The banner is one of several banners found along the High Street. The scale and proportions of the sign are not as big as some other banners or signs found along the High St. Other banners are of inappropriate colours, positioning or are advertising type hoardings.

The planning officer has a duty to assess the application on its individual merits and location. The scale and proportion of the banner in this instance is thought to be larger than necessary given that the building has complete and un-obscured road frontage and all details indicate that the building is a café (tables, chairs, menu boards and other signage). However it seems that without a sign located at some height, passing traffic may not be alerted to the business as easily as those travelling on foot. The current 'A-frame' sandwich board on the pavement is usually obscured from view by parked cars.

The Planning Officer would agree that signage facing the direction of passing traffic may well be necessary, given that Oatlands attracts many passing tourists and motorists.

However a banner does not enhance the character of the streetscape. The streetscape is a uniquely 'Georgian' streetscape and currently has a limited amount of signage; most of which is aimed at pedestrians. Many of the businesses in close proximity to the café have opted for signage that is more in keeping with the historical aesthetics of the town. Other businesses use signs such as 'Swinging Tavern Signs' either mounted to a building or affixed to a separate pole at the street frontage (See Attachment 3 for a good example). Such signage is readily accepted under heritage guidelines such as the attached Heritage Tasmania's 'Practice Note No 6'.

b) respect the inherent aesthetic, cultural and heritage values of Oatlands;

The graphics, font and colours are considered sympathetic to the surrounding amenity and character of the Oatlands Township. Such branding could be considered acceptable in many Australian Colonial type towns and is suitable for a small café without being imitative of the period.

The sizing and materials used are however, not considered respectful of the inherent aesthetic, cultural and heritage values of Oatlands. Many other businesses have opted for signage that would be typically found in the 19th and early 20th century, in the form of 'Swinging Tavern Signs', sandwich boards and other signs fitted into traditional locations.

c) respect historic buildings and works neighbouring the site and in the vicinity;

The building's minor setback from the neighbouring building arguably pre-empts the need for a sign closer to the street to be level with other signage found along this side of the High St. The location would be consistent with the dominant streetscape building line and is situated in a position that captures the view of passing traffic.

The banner has a very minor impact on the views of the neighbouring heritage listed sandstone cottage. It does not obscure views of the cottage but it does impact upon its overall setting.

d) ensure that neighbouring dwellings and their associated private open space are not unreasonably deprived of sunlight or privacy;

The banner does not impact upon private open space or basic amenity.

e) provide pedestrian facilities and safe access within the commercial areas;

The banner does not impact upon pedestrian access or safety.

f) provide, where possible, spaces for community interaction which incorporate street furniture, lighting, landscaping and public facilities of cultural or civic value;

Not applicable.

g) provide landscaping which creates visual links between development, minimises conflicts of scale, softens hard or bleak areas and provides shelter, shade and screening; and ensure the:

- *(i) screening of all outdoor storage areas, outdoor work areas and rubbish*
- *(ii) receptacles from public view;*
- *(iii) placement and design of roof mounted air conditioning equipment, lift motor*
- *(iv) housings and similar equipment so as to reduce the visual impact on the*
- *(v) streetscape; and*
- *(vi) exterior pipework, ducts, vents, sign supports, fire escapes and similar*

Not applicable.

h) Structures are painted and/or designed to match existing exterior surface treatment so that these elements are not prominent in the streetscape.

The colours chosen are not in stark contrast to colours typically found along the High St. The colours blend well with the café building and the overall streetscape setting. The banner suits the layout of the existing signage and the layout of the outdoor seating (Attachment 2- Photos).

Special Area: Historic Precinct Special Area

The general intent of the Historic Precinct Special Area is to conserve and enhance the historic character of particular areas of Oatlands, Kempton and Campania. More specifically, the intent of the Historic Precinct Special Area is to:

a) allow for continued development that respects the streetscape qualities of the settlements through appropriate building form, design and finishes and which is compatible with the general heritage values of town settings;

The size and materials are otherwise largely incompatible with this intent. However the dull colouring certainly softens the impact of the sign. It does not stand-out as much as other banners or advertising hoardings. The banner is not brightly coloured nor uses graphics or fonts incompatible with the rest of the business.

b) give priority to the protection of the historic integrity of the individual buildings, groups of buildings and the general streetscape within the heritage areas of Oatlands, Kempton and Campania;

As mentioned before the banner sign has a minor impact upon neighbouring buildings.

c) ensure that the design and external appearance of new buildings or additions / adaptations to existing buildings respects and maintains the historic character and heritage values;

The banner is not considered a new building or addition/adaptation to a building. It is an intensification of signage.

d) Ensure that new buildings do not visually dominate neighbouring 19th Century buildings.

The banner is not a new building.

e) Maintain the visual amenity of the historic buildings when viewed from the Midlands Highway or from streets within the settlements.

The banner is only clearly visible upon the approach to the building from along High St and from Mill Lane (however from Mill Lane the other café signs are more noticeable).

Statutory Status
Under the *Planning Scheme*, signage of this type is a 'Discretionary Use/Development' in the Commercial Activity Zone and within the Historic Precinct Special Area. Such a use development:

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

Extract SMPS 1998

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

Public Notification and Representation
The application was advertised, and all adjoining owners notified on the 26th May 2012 for the statutory 14 day period. One (1) representation was received. The banner has also generated some interest in the area. The representation received by Council expressed concern for the impacts on the Historic Precinct of Oatlands, streetscape amenity and the overall necessity of the sign.

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

T F KIRKWOOD
GENERAL MANAGER

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

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GENERAL MANAGER

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T F KIRKWOOD
GENERAL MANAGER

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

T F KIRKWOOD
GENERAL MANAGER

Historic Precinct Special Area: Development Standards

Signs in the Historic Precinct Special Area must be developed generally in accordance with Schedule 6, and particularly in accordance with Clause S6.4 (b).

The specified intentions of the historic precinct would draw a similar argument to those already put forward by the Planning Officer under the other intentions of the zone. It would be more appropriate to offer specific argument under the aforementioned Schedule 6 of the scheme, whereby signs are to be developed in accordance with the following principles:

a) signs must be of a high standard in terms of design, construction and materials;

Apart from the grammatical errors, there is nothing wrong with the actual physical quality of the sign (all new materials and professionally made). However these premises are called into question when assessed under more specific heritage type criteria.

b) signs must directly relate to the site upon which they are displayed; and

The sign directly relates to the site at which it has been placed.

c) if located on a site adjacent to a place listed in Schedule 4, Buildings and Works of Historic Significance, signs should respect the character and location of the site listed in Schedule 4.

110 High St is a significant part of the heritage precinct. Any new development must be sympathetic to its surroundings. Pre-lodgment meetings with Council Officers are highly recommended to assist applicants in guiding them to what type of signage would be considered more acceptable in accordance with the Planning Scheme and planning advisory guidelines. The banner sign does not obscure views of the building and is best assessed with the following standards S6.4(b).

Schedule 6.4 (b):
Signs within a Historic Precinct Special Area or on a site listed in Schedule 4, Buildings and Works of Historic Significance, should be developed in accordance with the following 10 principles. Of the 10 principles the sign clearly meets 7 of the 10 criteria. The other 3 are debatable, aside from 'principle iii'; the applicant has at least attempted to meet the principles:

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

The banner sign is one of the larger signs found in the township. The sign is slightly recessed against the backdrop of other nearby buildings. As mentioned before the banner does not obscure views of nearby buildings but does have a minor impact on their otherwise intact and authentic appearance. There are other banners and other advertising hoardings, found in the township, and as the representation mentioned they are increasing as the town attracts more people and business.

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

The existing signage arrangement is considered acceptable given they were given approval by the Tasmanian Heritage Council and the signs were largely located in traditional locations. The banner sign in question is located in what could be considered a traditional location in a visual line with other signs along the High St. The banner sign does not have a great impact on the architectural qualities of the café building. Its standout features of large windows, glazing bars, sandstone, height and character still remain visually dominant and one can appreciate its heritage charms with or without the signs. The recent business has added a new sense of character to the building in terms of making good use of a heritage listed building in a tidy and tasteful manner.

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

The choice of colours, graphics and font offer some sympathy to the period of the area and site. The sizing, materials and type of sign however do not. A banner would arguably not have been used in the 19th and early 20th Century.

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

Not applicable. The sign does not have internal illumination.

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

Sign meets this criteria.

vi. surviving early signs should be kept and protected;

Not applicable.

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

The applicants have chosen not to affix the banner sign to the building.

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

All the signs are consistent with one another. Given also the business is a local café the fonts and graphics are not considered 'corporate'.

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

Not applicable.

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

The banner is below awning level.

Schedule 6.4 (c):
Council shall not approve any sign that:

(i) creates a traffic hazard;

(ii) interferes with pedestrian or vehicular traffic;

(iii) obscures any direction, safety, information, warning, traffic control or other like sign;

(iv) creates a loss of sunlight or daylight to adjoining residential properties;

(v) is fixed, painted or in any way attached to a residential building which is not on the site of the business to which the sign relates;

(vi) intrudes in terms of its size, design, colour, location or shape so as to cause a reduction of visual amenity;

(vii) is not of a high standard of design or construction;

(viii) substantially reduces the visibility of other signs in the locality;

(ix) if illuminated, causes or is likely to cause annoyance to residents or confusion with traffic control devices in the vicinity; or

(x) Interferes with any public utility.

The sign causes a minor reduction in the visual amenity of the town. The banner would not be called into question and nor would it be discretionary if it was within 1m2 and constructed in accordance more closely with the scheme standards of design or the heritage practice notes.

HERITAGE TASMANIA PRACTICE NOTES

This assessment should be read in conjunction with Attachment 4 'Practice Note No 6'.

The Heritage Practice Note No 6 has 15 principles that should be applied to new signs on heritage buildings, sites or within heritage townships. Not all are applicable but should be taken into consideration considering Council Officers use the Practice Notes as additional guidelines in making decisions in accordance with Part 9.1.7 of the Scheme 'Consideration of Applications' whereby Council may consider '…any guidelines for development of historic buildings or with historic areas adopted by Council'. The principles are as follows:

1. *The Heritage Council requires the applicant to submit properly prepared drawings showing the exact size, layout, lettering, colours, materials and fixing details.*

   The applicant has submitted sufficient detail considering the application is for retrospective approval and that Council Officers are fully aware of all the necessary details.

2. *Signs on heritage registered places should be designed in materials, colours and layout sympathetic to the period of the registered place. New signage need not directly imitate the style of the period, but rather should be a contemporary interpretation, unless it is a restoration or re-creation of a known historic sign in the same location.*

Though the building was constructed in the early 20th Century the design and its ability to continue with the tradition of stonework and style in the Oatlands streetscape is what helps to make this building a significant building. As much as it has heritage significance on its own merits it also has significance for its part in the overall streetscape. The period of the building is sympathetic to the Georgian 19th century style, the banner is contemporary in design and materials and although something different, such as a "swinging tavern sign" would have been more ideal, its use of colours and graphics are reminiscent of a bygone era without imitation.

3. *The size of signs should be kept to a reasonable minimum which still allows the reading of the information.*

Arguably if Oatlands attracted more pedestrians or had a central town centre there would be fewer motorists and more people walking and seeing the sites and attractions. One appreciates the many businesses that make up the High St of Oatlands especially on foot; by vehicle it is easy to oversee some of the smaller businesses and especially without prior knowledge of the businesses' existence. The planning scheme allows for a sign 1m2 or below as acceptable for a 'permitted' sign. The banner sign which has a surface area of approximately 2m by .5m equates to 1m2 (it may be a little over this size). The size of the sign and the amount of information on the sign is surplus to the need. The only rationale behind the sign is to grab the attention of passing motorists. It is clear from the name of the business 'The Pancake and Crepe Shop' that the business specializes in these dishes. Therefore only a minimum amount of information is really necessary. That said the size of the building, combined with its other architectural qualities such as the large symmetrical paneled windows dwarf the sign by comparison. The colours also match the recent finishes of the building.

4. *The number of signs should be kept to a minimum taking into account normal public movements around the particular place.*

The signs do not impend on public movements around the building or town. The signs assist in consolidating the outside eating area. The business has three main signs (including the proposed banner). This is a sufficient and reasonable amount; though the overall sizing has been called into questioning under other criteria.

5. *Signs generally should not have internal illumination.*

Not applicable.

6. *Signage should be located in areas or on elements on buildings which have been traditionally used for signage.*

The actual location of the sign is not considered too much out of keeping with the general character of the township. There are other examples of signs located at the street frontage affixed to a pole.

7. *Where there is sufficient space, a free standing sign option is preferred. However the installation of free standing signs should not impact on known significant archaeological deposits.*

The applicants have chosen a free standing sign to avoid affixing the sign to the building and for maximum attention. The location of the pole would have minimal impact on any archaeological deposits and no questions have been raised by Councils' archaeologist.

8. *Where a building has more than two tenants, a tenancy board should be used instead of individual signs. For complex multi-tenancies a signage policy setting out the applicant's intentions for the whole site should be provided by the applicant.*

Not applicable.

1. *Signs should be directly related to the owner, major tenant or principal function of the site.*

The sign meets this criteria. The sign is not advertising for any other unrelated business.

2. *Surviving early signs should be kept and protected.*

Not applicable.

3. *New signs attached to a heritage building should be capable of being attached and removed without causing damage to the heritage fabric. Generally fixings should not be corrosive and should be into mortar joints where possible.*

Not applicable as sign is freestanding.

4. *No new signs should be painted on to previously unpainted surfaces.*

Not applicable.

5. *Sky signs should not be used.*

Not applicable.

6. *Corporate image requirements such as specific colours should be adapted to suit the individual location and building.*

Not considered corporate imager.

7. *Buildings generally should not have projecting signs placed above awning level.*

The banner is below awning level.

In summary:

Though a smaller sign made of more traditional materials would have been more acceptable, the banner sign, through its location and use of colours, largely meets these principles or they are simply not applicable. Of the 15 principles the banner clearly meets 12. The remaining 3 can be called into question, but certainly do not outright prevent the banner.

OTHER CONSIDERATIONS

The planning scheme is written in such a way that Council Officers, Councillors, applicants and the general public have room for interpretation and discretion.

The scheme under S6.3 'Development Status' is lenient towards signs under 1m2 (in area) and comply with the standards (basically the same as the heritage practice notes) and is not visible from roads outside the general urban speed limit. Had the sign been more in accordance with the standards the sign would have been permitted (current fee only $75). Had the applicants minimised the size of the sign (only slightly), and not used a poly banner, affixed to a modern lightweight steel pole and opted for a swinging or fixed plate sign; the sign would have been approved by Council Officers as a 'Permitted Use or Development' with our without any conditions.

CONCLUSION

This has been a lengthy assessment of a single banner with good reason. The representation received by Council has brought into question the possible proliferation of banners and signage in the historic precinct area. Councilors and Council Officers need to be aware that more signage in the High St could have an overall impact on a largely 'unbroken' historic streetscape. There other examples of signs and banners in the High St that would not meet any of the assessment criteria and principles. The banner in question however, meets many of the principles. The standout issues with the sign are the poly type materials, size, grammatical errors and its overall necessity considering the building has complete road frontage and has other basic visible elements confirming 'The Pancake and Crepe Shop' is in fact a café and is open for business.

In the banner's favour are the overall lay out of the café, its tidy appearance and its ability to blend with other newer and superficial elements of the building. The size and scale of the building overall dwarfs the banner sign. The banner sign does not impose on any safety or pedestrian access and does not detract from the overall amenity of the town or neighbouring buildings. The banner also meets most of the Heritage Practice Notes.

It would however be preferable that when the café owners decide that the grammatical errors are not to their liking that they remove the banner and replace it with a swinging sign, preferably affixed to a more decorative pole.

Overall, though the sign struggles to meet some of the many criteria, it still meets the vast majority. The sign is not considered a permanent fixture on the streetscape, and given that it is only erected during business hours a condition of the permit should be included to enforce this practice.

The banner sign should be approved by Council. The Planning Officer will also continue to encourage business owners such as the 'Pancake and Crepe Shop' to use signage of a more traditional size and material.

RECOMMENDATION

THAT, in accordance with the provisions of the Southern Midlands Planning Scheme 1998 and section 57 of the Land Use Planning & Approvals Act 1993, Council approve the application for a banner sign at 110 High St with the following conditions:

CONDITIONS

General

1) **The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.**
2) **The banner sign is to be removed at the close of business each day.**

The following advice applies to this permit:

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

C/12/06/035/19067 DECISION

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

THAT, in accordance with the provisions of the Southern Midlands Planning Scheme 1998 and section 57 of the Land Use Planning & Approvals Act 1993, Council approve the application for a banner sign at 110 High St with the following conditions:

CONDITIONS

General

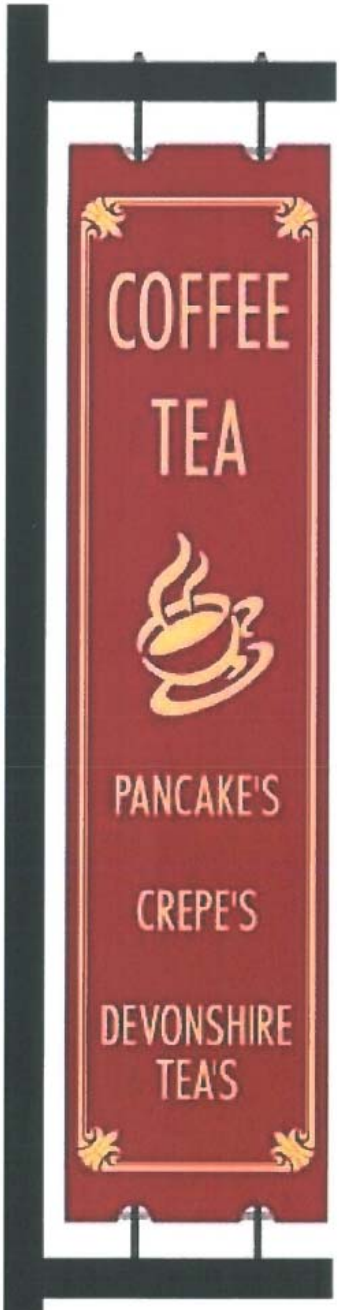
1) The use or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
2) The banner sign is to be removed at the close of business each day.

The following advice applies to this permit:

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

CARRIED.

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



SOUTHERN MIDLANDS COUNCIL

Planning Approval

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

DA 2012/52

Dated

.2m x .48m Banner
. Cream Pole

Attachment 2 –
Various photos of the banner sign. Note the scale of the sign compared to the building and note the matching colours and theme of the café.


COFFEE
TEA
The Pancake & Crepe shop

Attachment 3 –

This ‘swinging tavern sign’ on the High St is attached to a decorative pole at the front of a business. It is a good example of the kind of signs considered aesthetically pleasing and strongly in accordance with heritage guidelines and standards. The sign matches other architectural details and colours of the building, is generally unobtrusive and could even be considered an enhancement of the streetscape amenity. The sign can also be easily seen by passing motorists and pedestrians.

Tasmanian Heritage Council

Practice Note No 6

SIGNS AND HOARDINGS ON SITES LISTED IN THE TASMANIAN HERITAGE REGISTER

The Tasmanian Heritage Council recognises the need for signs (and hoardings) as an essential part of carrying on a business.

The intention of these guidelines is to allow for the identification and promotion of businesses and services in a manner that does not have a detrimental effect on but generally reinforces the historic cultural heritage significance of a place.

HOW CAN SIGNS IMPACT ON A BUILDING?

Signs can often detract from the appreciation of buildings, townscape and landscape.

Care is needed to locate new signs so that they respect the architectural features of buildings and do not intrude upon the visual qualities of the townscape. The architectural characteristics of a building should always dominate, with signs or other advertising limited to traditional locations.

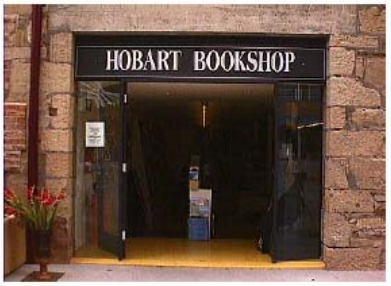
(From *Australia ICOMOS, The Illustrated Burra Charter*, P Marquis-Kyle & M Walker, 1992).

For further information contact
TASMANIAN HERITAGE COUNCIL
103 Macquarie Street, HOBART TAS 7000
GPO Box 618, HOBART TAS 7001

TEL: 1300 850 332 (local call cost) | 6233 2037
FAX: 6233 3186
EMAIL: enquiries@heritage.tas.gov.au
WEB: www.heritage.tas.gov.au

PRINCIPLES TO FOLLOW

1. The Heritage Council requires the applicant to submit properly prepared drawings showing the exact size, layout, lettering, colours, materials and fixing details.
2. Signs on heritage registered places should be designed in materials, colours and layout sympathetic to the period of the registered place. New signage need not directly imitate the style of the period, but rather should be a contemporary interpretation, unless it is a restoration or re-creation of a known historic sign in the same location.



3. The size of signs should be kept to a reasonable minimum which still allows the reading of the information.

4. The number of signs should be kept to a minimum taking into account normal public movements around the particular place.

5. Signs generally should not have internal illumination.

6. Signage should be located in areas or on elements on buildings which have been traditionally used for signage.

7. Where there is sufficient space, a free standing sign option is preferred. However the installation of free standing signs should not impact on known significant archaeological deposits.

8. Where a building has more than two tenants, a tenancy board should be used instead of individual signs. For complex multi-tenancies a signage policy setting out the applicant's intentions for the whole site should be provided by the applicant.

9. Signs should be directly related to the owner, major tenant or principal function of the site.

10. Surviving early signs should be kept and protected.

11. New signs attached to a heritage building should be capable of being attached and removed without causing damage to the heritage fabric. Generally fixings should not be corrosive and should be into mortar joints where possible.

12. No new signs should be painted on to previously unpainted surfaces.

13. Sky signs should not be used.

14. Corporate image requirements such as specific colours should be adapted to suit the individual location and building.

15. Buildings generally should not have projecting signs placed above awning level.

Photographic acknowledgment: Graceme Corney for the Tasmanian Heritage Council, 1999

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

T F KIRKWOOD
GENERAL MANAGER

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

T F KIRKWOOD
GENERAL MANAGER

11.1.2 Development Application for the Replacement of a Roof on a Building of Historic Significance in the Historic Precinct Special Area at 'The Roxy Supermarket' 54 High St Oatlands.

File Reference: *T729053*

APPLICANT: **Shane Adams**
LAND OWNER: **Glen Grove Pty Ltd**
REPORT AUTHOR: **David Cundall (Planning Officer)**
DATE: **12th June 2012**

ATTACHMENTS:

1. **Roof Works Photos**
2. **Tasmanian Heritage Council Practice Note No 1 – Guidelines for Works to the Roofs of Heritage Places**
3. **Support Letters**

THE PROPOSAL:
The applicant Shane Adams seeks retrospective planning approval from the Southern Midlands Council for the re-roofing of 'The Roxy Supermarket' at 54 High St Oatlands with a material not considered exempt under the Heritage Tasmania Guidelines for Exempt Works. The building is located in the Historic Precinct Area and is listed on the Tasmanian Heritage Register and in the Southern Midlands Planning Scheme as a local building of heritage significance.

THE SITE
The 'Roxy Supermarket' is a federation style building located on the High St Oatlands next to the 'BP' Service Station, adjacent to the school. It is a long narrow weatherboard building with a medium pitched hipped roof with an impressive façade with complete street frontage. The building has been renovated at numerous times in the past and, along with the recent roof replacement, has undergone other minor maintenance, including painting and basic repairs. The 'Roxy' building was constructed in the 1920s as a picture theatre and was used up until the 1960s. In 1971 the building became a supermarket.

The building is a prominent streetscape feature within the commercial district of Oatlands, and along with the other past uses of the site, the 'Roxy' plays an important role in the growth and history of Oatlands.

THE APPLICATION

The applicant has provided a completed standard application form, a 'Works Application Form' for Heritage Tasmania, a comprehensive property inspection report (from previous renovations) and a cover letter detailing the reasoning behind the roof works. The Planning Officer has also had numerous discussions with the owner and applicant.

BACKGROUND

The owner of the building, Glen Grove Properties Pty Ltd contacted the Planning Officer in February 2012 about intended works to the building. These works included basic repairs, new coat of paint and replacement of the roofing iron. The owner had supplied the intended colours of the building, which were not significantly different to existing colours and had excellent heritage streetscape appeal. The paint works were also to be conducted by a specialist in heritage buildings.

The building was originally roofed in a short sheeted corrugated galvanised iron (CGI) and the landowner was unsure what material would be the replacement. The Planning Officer provided the owner with some details about heritage buildings and the procedures people must take prior to any works commencing. As the owner was unsure about the replacement roof, the Planning Officer provided them with the Heritage Tasmania Practice Notes on re-roofing heritage buildings.

Heritage Tasmania provides practice guidelines for people that want to re-roof their buildings and advise that the building should be re-roofed in the same material. The 'Practice Notes' (Attachment 2) are clear and concise and advise that (in this case), if the roof is replaced with short sheeted CGI sheeting then the works can be exempted from requiring heritage approval. The Southern Midlands Council are also satisfied that this approach is suffice and logical to exempt from planning approval. It basically means that if the Tasmanian Heritage Council are satisfied that the works to the building will not destroy the aesthetic and heritage significance and fabric of the building then accordingly the Southern Midlands Council are satisfied this should not also impact upon the local heritage significance of the precinct or place.

THE PLANNING SCHEME ASSESSMENT

Use/Development Definition

The works are not easily defined under the Southern Midlands Planning Scheme 1998, ordinarily the replacement of a roof with a like for like material could be considered 'Maintenance and Repair' under Schedule 1. However the complete replacement of a roof, and especially on a building of historic significance, means the complete removal of a large portion of its heritage fabric and is probably best defined as 'Development' under the Schedule 2 if the Scheme. The 'Development' definition accounts for all types of works and includes:

a. the construction, exterior alteration or exterior decoration of a building; and
b. the demolition or removal of a building or works; and
c. the construction or carrying out of works; and

d. the subdivision or consolidation of land, including buildings or airspace; and
e. the placing or relocation of a building or works on land; and
f. the construction or the putting up for display of signs or hoardings; and

Extract SMPS 1998
'Maintenance and Repair' is ordinarily exempt from planning approval, except where the building is listed as a building of historic significance or is in the historic precinct special area; and where it is demonstrated that the external works could significantly alter the external appearance of the building.

The Southern Midlands Council use the 'Practice Notes' and guidelines of the Tasmanian Heritage Council to assist in making this decision. The Council can use '…any guidelines for development of historic buildings or within historic areas adopted by Council' as defined in *9.1.7 Consideration of Applications*. As Council has adopted Heritage Tasmania's Guidelines, Council Officers have come to the conclusion that in many cases where Heritage Tasmania require a permit for works to a heritage building so to should the Southern Midlands Council to protect the historic integrity of the heritage precincts and locally listed historic buildings.

The reasoning is that heritage listed buildings are the primary reason why an area is deemed an historic precinct special area in the first place. If the fabric of these buildings differ too greatly from their original materials, then the basis of the historic precinct and the local listing begins to loose its value and integrity.

So although the difference in roofing iron, may not appear a significant alteration in appearance the expertise behind the roofing practice notes says otherwise. As Council does not employ an expert Heritage Officer in the field of heritage architecture, building design and materials, the Planning Officer relies on other forms of material and expertise that is readily available and easy to explain to ratepayers and potential developers and builders.

The 'Roofing Practice Notes' in this case ordinarily exempt roofing works that are merely the replacement of the material 'like-for-like'. The expertise behind the practice notes is insinuating that a change in the existing materials to a modern material constitutes a significant change to the fabric of the building. If the 'Practice Notes' did not put emphasis on this aspect of repair and maintenance then the Council would be left deciding whether they consider roofing to be a significant change in materials on a heritage listed building.

Irrespective it could be strongly argued that the works are a *Miscellaneous* type *Development* pursuant to the scheme definitions.

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

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

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

IV. May be refused a Planning Permit by Council

Extract SMPS 1998

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

Public Notification and Representation
The application was advertised, and all adjoining owners notified on the 27th April 2012 for the statutory 14 day period. Council received two support letters during the 14 day period.
The letters support the owners of the building for undertaking the works and view the type of roofing material as not inconsistent with other roofs in the area. The letters also commend the owners for the works undertaken and believe the works have improved the aesthetic and streetscape appeal of the area.
The letters are not considered to be in anyway opposed to the development and have been attached in their entirety to this report (Attachment 3).

The Planning Officer only offers the comment that the owners should have applied to Council seeking approval for the roof works prior to commencement and should not have undertaken the works to the building without also consulting Heritage Tasmania. Council and Heritage Tasmania can assist owners of Heritage Buildings about the upkeep and maintenance of the place and can save the owner time and money. The Southern Midlands Council are not punishing the owners or criticising the works to the building but are ensuring that landowners follow the correct process and apply for a planning permit in discussion with Council prior to works commencing. The works like any other development are subject to the Planning Scheme and require an assessment and decision from Council.

4.3 Development Standards of the Commercial Zone – Streetscape and Amenity

i) enhance and maintain the character of the streetscape in terms of scale, proportions, treatment of parapets and openings and decoration;

The recent repairs and painting have certainly enhanced the streetscape character and appeal of the building. The previous roof was rusting and arguably in need of some repairs. The heritage practice notes would advise that the roof should be replaced with the same materials, and if this cannot be achieved then Heritage Tasmania and the Council would consider a different material upon making an application to Council.

The colour of the material is not too dissimilar to the previous material. The building looks much tidier with the new roof.

j) respect the inherent aesthetic, cultural and heritage values of Oatlands;

The standout values of Oatlands are emphasised under the Historic Precinct Special Area. It would be expected that any new development and works takes into consideration the historic precinct special area and the overall values of Oatlands.

The building holds cultural heritage significance as it was once an important part of the township and an example of picture theatres and social associations with the town. It would be expected that works to this building take into consideration the associations and feelings that the community may still have with the place.

There are many other buildings in the area that are heritage listed and have Colourbond roofs. It is not entirely out of character for a building to have a Colourbond roof, however, through the planning process it will be considered if such a roof is appropriate to the particular building and consider its overall impact on sensitive parts of the streetscape. Overall the recent works are respectful of the aesthetic, cultural and heritage values of Oatlands. However, the applicant should have submitted a development application prior to the works commencing.

k) respect historic buildings and works neighbouring the site and in the vicinity;

Owners of heritage listed buildings must contact the Council as a starting point to seek advice or guidance prior to commencing any new works. Some works require approval from both Council and Heritage Tasmania and others are exempt from the planning approval process. A strong indicator of what works are considered exempt is articulated in the 'Heritage Tasmania Practice Notes' and 'Exempt Works Guidelines'. Discussions with Council Officers are essential.

The buildings that adjoin the site are a mixture of 'old and new'. A Bp Service Station and a row of shops and opposite is the Oatlands District School.

The properties in the immediate vicinity do not constitute an overly sensitive part of the streetscape.

l) ensure that neighbouring dwellings and their associated private open space are not unreasonably deprived of sunlight or privacy;

The works do not impact upon private open space or basic amenity.

m) provide pedestrian facilities and safe access within the commercial areas;

The works does not impact upon pedestrian access or safety.

n) provide, where possible, spaces for community interaction which incorporate street furniture, lighting, landscaping and public facilities of cultural or civic value;

Not applicable.

o) provide landscaping which creates visual links between development, minimises conflicts of scale, softens hard or bleak areas and provides shelter, shade and screening; and ensure the:

- *(i) screening of all outdoor storage areas, outdoor work areas and rubbish*
- *(ii) receptacles from public view;*
- *(iii) placement and design of roof mounted air conditioning equipment, lift motor*
- *(iv) housings and similar equipment so as to reduce the visual impact on the*
- *(v) streetscape; and*
- *(vi) exterior pipework, ducts, vents, sign supports, fire escapes and similar*

It would be expected that the works are justified under *Part 10.1 Historic Buildings and Works* and the provisions of the H*istoric Precinct Special Area*

p) Structures are painted and/or designed to match existing exterior surface treatment so that these elements are not prominent in the streetscape.

The external colours of the roof are certainly recessive to the prominent features of the building.

Intent of the Historic Precinct Special Area

The general intent of the Historic Precinct Special Area is to conserve and enhance the historic character of particular areas of Oatlands, Kempton and Campania. More specifically, the intent of the Historic Precinct Special Area is to:

f) allow for continued development that respects the streetscape qualities of the settlements through appropriate building form, design and finishes and which is compatible with the general heritage values of town settings;

As mentioned previously the roof works are not particularly out of character with the rest of the town. It is expected however, that owners of heritage listed buildings follow advice and guidance from Council Officers or Heritage Tasmania Officers.

g) give priority to the protection of the historic integrity of the individual buildings, groups of buildings and the general streetscape within the heritage areas of Oatlands, Kempton and Campania;

The building is an important part of the Oatlands streetscape. The front façade is arguably the most important part of the building. The roof however is not. The adjoining buildings do not retain the same heritage value and are not heritage listed. The roof works do not have a great impact on the nearby buildings.

h) ensure that the design and external appearance of new buildings or additions / adaptations to existing buildings respects and maintains the historic character and heritage values;

Works to a building listed with Heritage Tasmania and in the Planning Scheme will be assessed accordingly later in this report. It seems however that a change in materials have not undermined the historic character and heritage values of the township and the colours chosen are modest and recessive to the important façade of the building.

i) Ensure that new buildings do not visually dominate neighbouring 19th Century buildings.

The roof works are not considered a new building.

j) Maintain the visual amenity of the historic buildings when viewed from the Midlands Highway or from streets within the settlements.

The roof works do not contravene views of the streetscape from various viewpoints. The type of roofing material requires a more detailed examination or an appreciation for roofs in the more traditional form.

Part 9.1.3 Development Standards of the Historic Precinct Special Area

Works in the Historic Precinct Special Area must be developed generally in accordance with the Development Standards of the Historic Precinct Special Area.

a) *scale, roof pitch, building height, form, bulk, rhythm, materials and colour of new buildings should be appropriate to the site, adjacent buildings, and the heritage values of the local streetscape, taking into account the intent of the Special Area;*

The application is for the roof works only. Heritage Tasmania have approved the works to the building. The Planning Officer must also take into consideration any representations received from the public and assess the works against particular planning scheme provisions.
This standard applies to new buildings. But it can still be argued that the change in materials and colours still constitute a significant change, given that the roof makes up a large proportion of the building. Heritage Tasmania in their approval of the development do not consider the change in roof materials as a significant alteration to the heritage value of the place. If Heritage Tasmania believe the historic integrity of the building still remains then so should the integrity of the overall precinct. Council Officers still need to assess the works and make a determination from a local point of view, but generally Southern Midlands Council and the Heritage Council have had similar views on heritage works.

b) *buildings should provide a strong edge to the street consistent with the prevailing building line;*

This is unchanged.

c) *the visual relationship between the existing and new buildings should be considered, with new buildings avoiding visually dominating neighbouring historic buildings;*

The works do not dominate neighbouring buildings. The colours chosen are recessive to the setting.

d) *where feasible, additions and new buildings should be confined to the rear of existing buildings;*

'Maintenance and Repair' or 'Development' of this nature is not considered a new building or addition.

e) *architectural details and openings for windows and doors to visually prominent facades shall respect the historic character in terms of style, size, proportion and position;*

If for example the owners painted the front façade of the building in an entirely different colour or colours not considered to be sympathetic to the heritage landscape or ignored the outstanding architectural details of the façade, then planning approval would have been required. The roofing material is not considered to be the integral feature of the building. It would however have been preferable that it was replaced with the same material.

f) outbuildings are generally to have a gabled, corrugated roof with an angle of pitch matching that of the primary building on the land, and with differentiated colouring of the exterior walls and roof so as to also match that of the primary building on the land;

Not applicable.

g) fences along street boundaries of properties, including both main and side streets should be:
- *i. between 900mm and 1000mm high, with a maximum of 1200mm for posts;*
- *ii. vertically articulated, (such as with dowel-and-rail, picket or palisade fences), and should not be horizontally articulated, (such as with post and rail fences); and*
- *iii. "transparent" or "open" in appearance, that is, the distance between dowels or pickets, etc, should be such that the fence does not appear solid;*

Not applicable.

h) hedges along street boundaries, including both main and side streets, are acceptable provided

Not applicable.

Part 10.1 Historic Buildings and Works:
The Planning Scheme requires Planning Officers to confer with the 'Heritage Advisory Committee' or to seek any other expert opinion it deems relevant in making a decision on works to heritage buildings. The scheme also allows for Officers to have regard to the *Burra Charter* and to consider the need to retain heritage buildings and places.

Council does not currently have a 'Heritage Advisory Body', but the Planning Officer will often confer with Heritage Tasmania and Council's Manager of Heritage Projects for some advice or guidance on heritage buildings; and in other cases, Council will refer the development application to an independent advisor for an opinion or assistance.

In this case, Council has referred the application to an Independent Advisor for assistance in making a determination on the application. The advisor's comments have been included in this report.

Council must refuse any application that will significantly detract from the historic character or importance of any placed listed in Schedule 4.

THE BURRA CHARTER

In the absence of prescriptive standards for works to heritage listed buildings in the planning scheme, the Planning Officer will provide some assessment under the relevant 'Articles' of the Burra Charter, pursuant to 10.1 (d) of the Scheme. The following exerts are taken from the Burra Charter (*Australia ICOMOS Burra Charter, 1999):*

Conservation Principles:

Article 2 - Cautious Approach and Article 3 – Knowledge, skills and techniques

The Burra Charter endorses a principle that, works to a heritage building should be '…as much as necessary but as little as possible', and that works should use traditional techniques and materials. The building report that accompanied the application recommended that the owners undergo some roof works. The report states the roof was in a 'fair condition' and required the replacement of some roof sheets over the coming years. It advised that some of the sheets were corroding in places and the premises would benefit from basic maintenance and the re-screwing of some of the sheets.

According to the Roxy's own building report, the entire roof did not need replacing at this stage. Had the applicants discussed the roof works with Council or Heritage Tasmania in some detail, it would have been advised to follow the principles of the *Burra Charter* and to conduct only the minimal works. This would not require a planning permit from Council or Heritage Tasmania.

The applicant had expressed to Council that they wished to replace the whole roof, fearing water damage to their stock and to prevent ongoing maintenance. They were also of the belief that a Colourbond roof would look tidier.

Article 5 – Values

Works to heritage places should take into consideration the cultural values of the building. Heritage Tasmania provides an 'Assessment of the Cultural Significance' of the place as part of the registration process (on the Heritage Register). This is invaluable information that provides assistance in making a determination on the works to the place.

It seems that based on Heritage Tasmania's step to approve the works, they are satisfied that the works have not impacted upon the cultural significance of the building. The change in roofing material, albeit not ideal, still helps to ensure the longevity of the building and does not detract from its overall appearance. The general sense of place and significance seems to remain, people can still recognize the building for its past uses and cultural associations.

Article 8 Setting
Conservation requires the retention of an appropriate visual setting and other relationships that contribute to the cultural significance of the place. New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate (Burra Charter 1999):

This article of the *Charter* is not dissimilar to the standards of the planning scheme for the *Historic Precinct Special Area and the Commercial Zone.* The recent roof works are recessive to the prominent features of the building and do not draw attention away from the overall setting of the area.

Article 15 Change
Change may be necessary to retain cultural significance, but is undesirable where it reduces cultural significance. The amount of change to a place should be guided by the cultural significance of the place and its appropriate interpretation.

Heritage Tasmania's 'Assessment of the Cultural Significance' of the 'Roxy' only mentions the roof in the building's description. It does not specifically focus on the roof as a major heritage attribute. The short sheeted iron is only considered a part of the cultural significance of the building, and an example of materials that were commonly used at the time of construction.

EXTERNAL ADVICE

The application was referred to an external expert heritage consultant to assist Council in its decision making. The consultant defines the works as *Development* under the planning scheme and does not believe the works are merely 'Maintenance and Repair'. The consultant's assessment is included in its entirety below:

54 High Street, Oatlands - Roxy Supermarket

The application seeks retrospective approval for the replacement of the roof of the former picture theatre (once known as the "Roxy Talkies") at 54 High Street, Oatlands.

The application is not merely 'maintenance' or 'repair' - as it involves the complete removal of the roof sheeting of the building, and the installation of new sheeting. The property is heritage-listed; the work is 'development' as defined in *Land Use Planning and Approvals Act 1993* (the exterior alteration or exterior decoration of a building) and planning consent is required - albeit retrospective in this instance.
The application also needs to be considered as a 'proposal' - i.e. as though the work had not been undertaken.

The former roof was corrugated galvanised iron sheets with an applied paint finish. It was probably the original roof, dating back to the 1920s. Galvanised corrugated iron (typically in Lysaght's 'Custom Orb' profile) was the most common form of roof sheeting in Tasmania from the 1870s to the mid-twentieth century. With adequate care and maintenance, such roof sheeting can last indefinitely. Occasional rust treatment and an adequate paint coating regime would normally ensure a very long life for old corrugated iron roofs.

In many cases, the overall appearance of a freshly painted old roof is not radically dissimilar to the appearance of a roof with new corrugated sheeting. The primary differences are the loss of general patina, the absence of occasional undulations and irregularities, and differing sheet widths and lengths.
The simple hipped roof form of this building is one of its architectural features, but the actual roof sheeting is arguably of less aesthetic value, especially when considered in comparison with the building façade. The primary cultural significance of the Roxy is its historical and social associations with the town, a reminder of the days of local picture theatres. Less important are its architectural and aesthetic qualities - but the building (and especially its façade) is a very significant element within the streetscape of Oatlands. It's also a reminder that Oatlands isn't merely a nineteenth century town of sandstone buildings - but that the town continued to evolve and meet the entertainment needs of its twentieth century community.

The loss of the original roof sheeting may be regarded as regrettable, but it is does not impact detrimentally or irretrievably on the overall significance of the Roxy, or of the streetscape of Oatlands generally. The roof sheeting would arguably have required replacement eventually, and the sheeting now used is not considered sufficiently inappropriate as to warrant refusal of a planning application.

The proposal is deemed to comply with the relevant heritage provisions of the *Southern Midlands Planning Scheme 1998.*

HERITAGE TASMANIA

The application was referred to Heritage Tasmania, pursuant to the statutory process. Heritage Tasmania approved the application without conditions.

CONCLUSION

It can be concluded that, in hindsight, the owner of the building should have sought and followed advice on how to maintain and repair a heritage building.

Although they indicated in discussions with Council Officers, that the building needed a new roof, their own 'Property Inspection Report' said otherwise. The Planning Officer believes the owners wanted the long sheet Colourbond roof to ensure longevity of the building and avoid having to commit to ongoing maintenance. The owners were also of the opinion that the shade and type of Colourbond used gave the building a tidier finish.

The standards and intent of the Commercial Zone and Historic Precinct Area have been assessed. Development more in accordance with the 'Roofing Practice Notes' and the 'Burra Charter' would have been more appropriate. However it seems that the location of the building among buildings that are not heritage listed does not have a great impact on the Historic Precinct Special Area or streetscape. The other works to the building, including the painting, have largely improved the tidy and aesthetic appeal and the streetscape as a whole.

Given the location of the building given Heritage Tasmania have approved the works and given the consultant also believe the works comply with the *Planning Scheme* Council should approve the works.

RECOMMENDATION

THAT, in accordance with the provisions of the Southern Midlands Planning Scheme 1998 and section 57 of the Land Use Planning & Approvals Act 1993, Council approve the roof works to 'The Roxy Supermarket' at 54 High St, Oatlands with the following conditions:

CONDITIONS

General

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

Heritage Tasmania

2) **All works are to comply with conditions imposed by the Tasmanian Heritage Council [see attached conditions 'Notice of Heritage Decision' No. 4060].**

The following advice applies to this permit:

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

C/12/06/058/19068 DECISION

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

THAT, in accordance with the provisions of the Southern Midlands Planning Scheme 1998 and section 57 of the Land Use Planning & Approvals Act 1993, Council approve the roof works to 'The Roxy Supermarket' at 54 High St, Oatlands with the following conditions:

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2) All works are to comply with conditions imposed by the Tasmanian Heritage Council [see attached conditions 'Notice of Heritage Decision' No. 4060].

The following advice applies to this permit:

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

CARRIED.

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

Attachment 1 - Photos

New Roof and Paint Works

Tasmanian Heritage Council

Practice Note No 1

GUIDELINES FOR WORKS TO THE ROOFS OF HERITAGE PLACES

Corrugated galvanized iron

GENERALLY

The roofs of heritage buildings contribute to a place's heritage values.

While roofs clearly have a practical function, they are also a strong visual element, either as the main feature of the building itself or as a visual element in the streetscape.

Some roofs are intrinsically significant, demonstrating past styles or fashions, construction techniques that are no longer mainstream practice, or unusual construction materials.

All roof cladding materials deteriorate over time with exposure to weather. Roof systems, including gutters and downpipes, need to be maintained and may eventually need partial or full replacement. The upkeep of a roof is building maintenance, but it is also *conservation* work.

Basic maintenance actions that will increase the longevity and effectiveness of a roof include ensuring that gutters are free draining and clear of leaf litter, ensuring that sheeting is firmly secured, and checking that flashings are in good repair. The functional life of rusted galvanized iron can often be extended by maintaining a painted finish, by the selective replacement of deteriorated sheets, or by slipping short sections of new sheeting into the laps. The thickness of older roof sheeting is such that surface rust does not normally impair its function.

A key principle of good conservation practice is to retain as much heritage fabric as possible. Substantial or total replacement should be undertaken only when patching and repair are no longer feasible.

Where a roof material is rare (eg slate, timber shingles, copper, lead, or iron tile roofing), it is likely to be of high heritage significance. Any repairs and replacements should be in like material to retain its significance. Where this is not prudent or feasible, we suggest you call us and seek our advice on options.

Iron tiles (see page 2)

For further information contact
TASMANIAN HERITAGE COUNCIL
103 Macquarie Street, HOBART TAS 7000
GPO Box 618, HOBART TAS 7001

TEL: 1300 850 332 (local call cost) | 6233 2037
FAX: 6233 3186
EMAIL: enquiries@heritage.tas.gov.au
WEB: www.heritage.tas.gov.au

METAL SHEETING

Corrugated galvanised iron (CGI) roof sheeting custom orb profile or equivalent is the most common material found on historic buildings in Tasmania. It is preferable that any replacement is with the same type of material.

The replacement of CGI sheeting, whether painted or not, with new CGI sheeting of the same profile and sheet lengths as exists would generally qualify for exclusion from the Works Application process (see Works Application Process box – page 4).

However replacement of CGI sheeting (whether painted or not) with Colorbond or Zincalume is considered to be a change of material, and for this a Works Application would generally be required.

A Works Application will generally also be required if a change of construction method (including sheet length) is proposed.

Examples of this type of work include replacing CGI with Colorbond or Zincalume corrugated sheeting in full length sheets. In certain cases the Heritage Council will require that sheet lengths be of the same length as that which currently exists, especially on roof faces relating to the principal elevations or those clearly visible to the public.

In situations where the roof is not a visible element, the Heritage Council is more likely to consider changes to the construction method and may agree to these works being excluded from the Works Application process.

Fixings

The Heritage Council accepts that new fixings for steel roof sheeting will generally be Tek screws rather than nails. In rare cases, such as roofs that are part of a museum display or an historic building open to the public, it may not be appropriate or desirable to use modern screw fixings. In such instances, it is recommended that a traditional type of nail fixing is used. Tek screws can also be used for repairs to existing roofs, alongside original fixings.


Old lead-headed nails

Iron Tiles

Roofs of iron tiles such as those produced by Morewood & Rogers are rare and should be retained if at all possible. Where iron tiles have failed, replacements need to be manufactured by a metal worker using heavy gauge galvanized steel.

SHINGLES

Renewing shingled roofs

Existing timber shingled roofs may be renewed with new timber shingles, and this work does not require formal Heritage Council approval. Advice on the sourcing of shingles and technical aspects of repair and renewal can be sought from Heritage Tasmania.

Shingle roofs surviving under CGI

Where old shingled roofs exist beneath CGI roofing, these should be retained as significant historic fabric. Apart from providing evidence of the original construction materials and techniques, retention of shingles improves the thermal insulation of a roof.

If you believe that parts of the shingled roof need to be removed, we recommend you contact Heritage Tasmania for advice on how to proceed. Depending on the extent of intervention, a Works Application may be required.


Timber shingled roof

SKYLIGHTS OR DORMER WINDOWS

New skylights or dormer windows in visible roof faces will generally require a Works Application. The Heritage Council will in most instances require skylights to be of a low profile and not in the front roof face. New dormers should be of a traditional placement, size and proportion.

When upgrading existing skylights, it is preferable to retain the original dimensions. Where existing dormers are to be renovated, original or early details such as flashings, cladding materials, and joinery details (including glazing divisions in sashes) should be retained and any replacement material should replicate the existing.

SLATE ROOFING

Slate roofs are relatively rare in Tasmania and all reasonable effort should be made to maintain them.

The common maintenance scenario for slate roofs is that partial replacement and patching occurs effectively for a period of 80-100 years, then the overall accumulation of patches combined with accelerated decay requires a full removal and relaying of slate.


Slate roof

Practical issues

The deterioration of slate roofs can normally be attributed to:

- Design and installation; were the roof is of a shallow pitch or inappropriately laid, the slates may fail prematurely.
- Human impact, mainly from people walking on the slate roof or from carrying out inappropriate repairs.
- Slippage of slates, due to failure of the nails or enlargement of the nail holes in the slate.
- Inferior quality of the slate, which delaminates or fractures because of faults inherent in its composition (eg: mineral impurities).
- Salt attack, which has a most severe effect on porous slates. The source of the salt may be internal (ie: mineral impurities within the slate) or external (ie: airborne salts from the ocean or pollutants). Salt attack is most visible from the underside where white discolouration (efflorescence) and spalling or delamination may be seen. However, a white bloom is often evident on the surface of affected slates. Affected slates are susceptible to breakage (including frost damage) or may develop holes, either event requiring their replacement.
- Deterioration of cappings, flashings and gutters, allowing water to seep through. This does not usually have a direct impact on the condition of the slates, apart from in some instances rust streaks that may discolour the slate.

Maintenance tips

Use copper nails for fixing. These are non-corrosive and can be cut away without damaging surrounding slates when it is necessary to replace a broken slate. Steel nails with corrosion resistant finishes are used in some instances, but have the disadvantage that they cannot be cut away.

Do not install fixings through the visible face of the slate. This is a common but inappropriate practice.

Use lead or copper ridge capping and flashing for slate roofs in preference to galvanized iron. Grey Colorbond steel is an inferior, but in many instances acceptable, substitute material for ridge cappings. Lead cappings have the advantage of inhibiting lichen growth on the roof surface.

Be careful when removing slates to maximize the salvage of those in acceptable condition that can be reused. It is common for up to 70 per cent of original slates to be in sufficiently good condition to allow their re-use.

To maintain the roof's appearance, each roof slope should have either all old or all new slates. A mix of old and new on one slope rarely looks good.

In some instances, the Heritage Council may allow the rear portion of the roof to be re-clad in a different material (because it is not visible) with slate cladding maintained only on visible roof faces.

FLASHINGS

Flashings around chimneys are often a visible and distinctive feature of an historic roof. The Heritage Council encourages the continued use of traditional stepped flashings, particularly in highly visible locations.

In many cases, the substitution of an existing timber over-flashing for a metal over-flashing on gables is acceptable, but will require approval through the Works Application process.

The replacement or re-cladding of timber fascias or barges with a metal cover is not normally considered appropriate for heritage buildings.

When submitting your Works Application, it is recommended that you provide specific details on any proposed changes being proposed to the form or material of flashings.

TERRACOTTA TILES

Early terracotta roofing is uncommon, but not rare, in Tasmania. The decorative elements (finials, gargoyles and ridgings) found on some of these roofs are the most distinctive elements and often irreplaceable. They are therefore of high heritage significance.

Practical issues

Extreme care should be taken when walking on a tiled roof. Place feet on the laps rather than in the centre of the tile.

Most early forms of roof tiles are unglazed, and are sometimes under-fired. They can be quite porous and become susceptible to breakage in severe frost.

Porous tiles will also be vulnerable to salt attack, which in turn increases the tiles' susceptibility to breakage in severe frost. Salt attack is generally only visible from the underside where white discolouration (efflorescence) and spalling or delamination may be seen.

Roof inspections should be scheduled annually, in spring, to secure loose tiles and replace broken tiles. Secure loose tiles with galvanised or copper wire, or with steel nails in a galvanised or silicone bronze finish.

Some tile patterns are no longer available, making it difficult to source replacements. In such instances, it may be appropriate to strip the tiles off one roof face to provide tiles for the repair and replacement of other faces. A new tile of similar colour and pattern can be re-laid on the stripped face.

Total replacement of tiles is rarely necessary; however, repair and partial replacement of defective flashings is common. Lead sheeting should be used for flashings on tiled roofs as it can be dressed to the profile of the tile. Ridge tiles and cappings are set in mortar which can become dislodged. Use colour-matched lime mortar.

Mould, dirt and lichens can be removed with hot water spray and gentle scrubbing. A neutral pH soap can be used without detriment. Another effective way to remove lichen is to spray the roof with a compatible hydro-phobic solution. On porous tiles this also has the added advantage of reducing water absorption. Most treatments need to be repeated from time to time. At the time of treatment, disconnect any pipes directing rainwater to tanks to avoid polluting drinking water.

GUTTERS AND DOWNPIPES

Replacement of original gutters and downpipes with Colorbond or Zincalume is acceptable provided that the sectional profiles match the original or are historically appropriate. These works would normally qualify for exclusion from the Works Application process (see below). However a Works Application may be required for the use of plastic or PVC as these materials are not generally considered appropriate.

In situations where the gutters or downpipes are a distinctive detail or an unusual material (eg cast iron), every reasonable effort should be made to maintain the existing elements and any replacement material should match the original.

WORKS APPLICATION PROCESS

Under the *Historic Cultural Heritage Act* 1995, a Works Application is required for any works or development which may impact on the significance of a heritage-listed property.

A Works Application form and information sheet can be obtained from your local planning authority or downloaded from our website.

All Works Applications need to be lodged with the local planning authority along with such planning, building or plumbing applications as may be required for the work proposed.

Where your proposed works are minor, and won't affect the significance of the place, the Heritage Council may provide you with an 'exclusion' from the normal works application process. Please contact Heritage Tasmania to check whether your works would be excluded from the normal works application process. For works that qualify as an exclusion, a certificate is issued to you and your local planning authority, confirming that a Works Application is not required.

How long does it take to obtain approval? The Heritage Act requires that a decision on your Works Application be delivered within 42 days of the date it is received by the local council.

Are there any penalties for not abiding by the Act? Yes. However the Heritage Council tries to work proactively with owners to resolve issues through discussion and mediation; rather than by conflict, objection, and using penalties.

Attachment 3 – Support Letters

LETTER 1

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

T F KIRKWOOD
GENERAL MANAGER

LETTER 2:

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

T F KIRKWOOD
GENERAL MANAGER

11.1.2 Development Application for the Relocation of the 'Oatlands Gaol Arch' from 73 High St to the Old Oatlands Gaol Site, Mason St (Building and Works of Historic Significance in the Historic Precinct Special Area) at High St and Mason St Oatlands.

File Reference: *T5842565*

APPLICANT: **Mr Brad Williams (Manager – Heritage Projects - Southern Midlands Council)**
LAND OWNER: **Southern Midlands Council and Education Department**
REPORT AUTHOR: **David Cundall (Planning Officer)**
DATE: **20th June 2012**

ATTACHMENTS: **Letters received during representation period**

ENCLOSURE: **Arch relocation plan and supplementary plan**

THE PROPOSAL:

The Applicant Mr Brad Williams, Manager Heritage Projects, of the Southern Midlands Council seeks approval from Council acting as the Planning Authority for the relocation of the Old Oatlands Gaol Arch, located at 73 high St Oatlands, to the Old Oatlands Gaol Site in Mason St Oatlands. The proposal is to re-instate the Gaol Arch in its original place.

THE SITE
There are two parcels of land involved in this Development Application, the former Oatlands State School at 73 High St Oatlands and the Old Oatlands Gaol site in Mason St Oatlands.

The Arch is currently located at the School site. The arch forms the entrance gates to the property from the High St (see *Image 1* below). On either side of the arch are rose beds and a hedge. The land is currently used by the Council for offices and for the 'Centre for Heritage' (Heritage Education and Skills Centre).

The Old Gaol Site in Mason St is owned by the Southern Midlands Council. The Council have been in the process of restoring the site in accordance with the *Oatlands Gaol Conservation Management Plan 2006*. Works have included numerous archaeological digs, interpretation, restoration and general conservation of the site. It is intended to open the site to the public. The Old Oatlands Gaol site is comprised of remains of the original gaol wall, a two storey Georgian sandstone building and the Oatlands swimming pool.

Image 1 – Arch at the Former School, 73 High St Oatlands

THE APPLICATION

The applicant has provided a completed standard application form, a 'Works Application Form' (for Heritage Tasmania), a comprehensive 'Arch Relocation Plan and Supplement', detailed design drawings of the arch and an exert from the *Conservation Management Plan 2006.* The applicant has provided a good level of detail in order to assess the proposal.

BACKGROUND

It is best to read Attachment 1 for the complete background and rationale behind the project. The document is short and succinct and provides a good overview of the history of the arch and the public forums that have been held in the past few years.

THE PLANNING SCHEME ASSESSMENT

Use/Development Definition

Technically the removal of the arch is just considered 'Miscellaneous Development' under Schedule 2 and Schedule 3 of the Planning Scheme. The works are cannot be particularly attributed to any other use or development definition. The 'Miscellaneous Development' definition accounts for the 'demolition and removal of building works…and…. the construction and carrying out of works'. There is no particular intensification of a use; though the arch re-instatement could be seen as a minor intensification of the Mason St Gaol Site, as a general public attraction.

Zone, Special Area and Schedule:
The arch is located in the Commercial Activity Zone in the Historic Precinct Special Area. The Gaol is located in the Community Activity Zone and also within the Historic Precinct Special Area. Both these sites are listed in the planning scheme under Schedule 4 as 'Buildings and Works of Historic Significance'.

The intent of the zone and scheme standards will be used to assess the application.

Statutory Status
Under the *Planning Scheme*, the type of work is a 'Discretionary Use/Development'. 'Miscellaneous Development' is by default discretionary in the respective zones. Such a development:

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

VI. May be refused a Planning Permit by Council

Extract SMPS 1998

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

Public Notification and Representation
The application was advertised, and all adjoining owners notified on the 20th of April 2012 for the statutory 14 day period. Two letters were received by Council in allocated time. One letter was a letter of full support for the development and the other expressed support for the development but had some concerns for the intensification of the Gaol Site.

The table below includes the two letters and the Planning Officer response to the letters.

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

T F KIRKWOOD
GENERAL MANAGER

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

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GENERAL MANAGER

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

T F KIRKWOOD
GENERAL MANAGER

4.3 Development Standards of the Commercial Zone – Streetscape and Amenity

q) enhance and maintain the character of the streetscape in terms of scale, proportions, treatment of parapets and openings and decoration;

The removal of the arch will no doubt have some impact upon the High St streetscape. The past few generations would have grown up with the arch in the High St and given its central location, it is a fairly well known part of the area. However, it would be assumed that not many people would have known the arch was originally from the Old Gaol.
The loss of the arch from the High St is in someway a loss of its character and features, however, its re-instatement in Mason St will add to the streetscape of that area, and attempt to restore a more authentic heritage streetscape. The building at 73 High St is still an impressive heritage building, and integral part of the town and streetscape even without the arch.

The project plan has also indicated that the arch is in dire need of repairs and that the arch could potentially be a risk to public safety. The arch, although an impressive part of the streetscape, would require a significant amount of repairs and ongoing maintenance in order to remain a part of the High St.

r) respect the inherent aesthetic, cultural and heritage values of Oatlands;

The Gaol Arch in its current location is arguably an important and well recognised part of the Oatlands High St. The Tasmanian Heritage Register Datasheet for 73 High St mentions the arch in the description of the place '…the school and Oatlands Gaol gateway form a prominent landmark on the main street, which is regarded as important to the community's sense of place.'

The arch in its current location exudes some local heritage a value, given it has been in place since the 1930s, however its relocation to Mason St, strengthens the heritage fabric and values of another building at a higher level.

The applicant's plan includes great detail on the cultural significance of the arch in its current location and the benefits of relocating the arch to its new location. The applicant has addressed this component well.

s) respect historic buildings and works neighbouring the site and in the vicinity;

The applicant is not demolishing the arch, but rather re-instating it in its original form. This displays a respect for heritage buildings. Though some views of neighbouring heritage places maybe affected visually by the loss of the arch, there is no actual new development that would otherwise affect the neighbouring buildings. The arch is not being replaced with something modern or out of context with the area.

t) ensure that neighbouring dwellings and their associated private open space are not unreasonably deprived of sunlight or privacy;

The relocated arch may have some minor impacts on the neighbouring dwelling in the form of increased interest in the Gaol site. However the arch should not create any significant overshadowing or depravation of sunlight or privacy.

u) provide pedestrian facilities and safe access within the commercial areas;

The applicant argues strongly that the arch in its current location poses a risk to the public. The arch is in dire need of repairs and maintenance and should in time either be repaired or fenced off from public access. The applicant argues that relocating the arch would save this expense and work and remove entirely (generally considered best practice risk management).

v) provide, where possible, spaces for community interaction which incorporate street furniture, lighting, landscaping and public facilities of cultural or civic value;

Re-instatement of the arch will no doubt add to the appeal of the Oatlands Gaol as a tourist and community interest site. Intensifying this area also encourages people to see the town on foot and see areas outside of the Oatlands High St. It would be expected that if the arch relocation is approved that works to 73 High St will restore the area to an acceptable standard; also the works should not impact upon the rose garden and existing hedging.

w) provide landscaping which creates visual links between development, minimises conflicts of scale, softens hard or bleak areas and provides shelter, shade and screening; and ensure the:

- *(i) screening of all outdoor storage areas, outdoor work areas and rubbish*
- *(ii) receptacles from public view;*
- *(iii) placement and design of roof mounted air conditioning equipment, lift motor*
- *(iv) housings and similar equipment so as to reduce the visual impact on the*
- *(v) streetscape; and*
- *(vi) exterior pipework, ducts, vents, sign supports, fire escapes and similar*

See previous response.

x) Structures are painted and/or designed to match existing exterior surface treatment so that these elements are not prominent in the streetscape.

The relocation would assist in the restoration of an important structure. The Oatlands Gaol currently has a large 'scar' on the side of the building where the arch was formally

situated. The building is also showing signs of deterioration in this point. It is expected the arch once rebuilt would greatly assist in repairing this 'scar' and preventing further degradation of the building. Given the arch used to be a part of the Gaol it will be a great aesthetic improvement.

Intent of the Historic Precinct Special Area
The general intent of the Historic Precinct Special Area is to conserve and enhance the historic character of particular areas of Oatlands, Kempton and Campania.

Given that the arch is the restoration of a significant building in the Oatlands Precinct and the Gaol is part of the 'Military Precinct', the restoration works are largely considered to meet the intentions of the *Historic Precinct*. Conservation works such as this strengthen the integrity of the area.

Part 9.1.3 Development Standards of the Historic Precinct Special Area

Given the inherent nature of the project, to restore, conserve and enhance the heritage fabric of Oatlands, it can be argued strongly that the works are in accordance with the standards below. The Planning Officer will still provide some comment where necessary.

Works in the Historic Precinct Special Area must be developed generally in accordance with the Development Standards of the Historic Precinct Special Area.

i) scale, roof pitch, building height, form, bulk, rhythm, materials and colour of new buildings should be appropriate to the site, adjacent buildings, and the heritage values of the local streetscape, taking into account the intent of the Special Area;

The project strengthens the heritage integrity of the township.

j) buildings should provide a strong edge to the street consistent with the prevailing building line;

The removal of the arch from High St in this particular location does not upset the traditional and prevailing building line.

k) the visual relationship between the existing and new buildings should be considered, with new buildings avoiding visually dominating neighbouring historic buildings;

No new buildings are proposed.

l) where feasible, additions and new buildings should be confined to the rear of existing buildings;

Not applicable.

m) architectural details and openings for windows and doors to visually prominent facades shall respect the historic character in terms of style, size, proportion and position;

n) outbuildings are generally to have a gabled, corrugated roof with an angle of pitch matching that of the primary building on the land, and with differentiated colouring of the exterior walls and roof so as to also match that of the primary building on the land;

o) fences along street boundaries of properties, including both main and side streets should be:
   i. between 900mm and 1000mm high, with a maximum of 1200mm for posts;
   ii. vertically articulated, (such as with dowel-and-rail, picket or palisade fences), and should not be horizontally articulated, (such as with post and rail fences); and
   iii. "transparent" or "open" in appearance, that is, the distance between dowels or pickets, etc, should be such that the fence does not appear solid;

If in the process of restoring the site, once the arch has been removed, a new fence is installed, it would be expected that any fencing, at a minimum should meet this standard. To ensure this, a new Development Application should be made to Council.

p) hedges along street boundaries, including both main and side streets, are acceptable provided they are kept to the height indicated for fences (above).

Part 10.1 Historic Buildings and Works:
The Planning Scheme requires the Planning Officer to confer with the 'Heritage Advisory Committee' or to seek any other expert opinion it deems relevant in making a decision on works to heritage buildings or places. The scheme also allows for Officers to have regard to the *Burra Charter* and to consider the need to retain heritage buildings and places.

Council does not currently have a 'Heritage Advisory Body', but the Planning Officer will often confer with Heritage Tasmania and Council's Manager of Heritage Projects for some advice or guidance on heritage buildings; and in other cases, Council will refer the development application to an independent advisor for an opinion or assistance.

In this case, Council has referred the application to an Independent Advisor for assistance in making a determination on the application. The advisor's comments have been included in this report. The advisor has made an assessment particular to Oatlands qualities and has taken into consideration the *Burra Charter.*

Council must refuse any application that will significantly detract from the historic character or importance of any placed listed in Schedule 4.

EXTERNAL ADVICE

The application was referred to an external expert heritage consultant to assist Council in its decision making. The advice and opinion given is included in its entirety below:

73 High Street, Oatlands - Former State School - Relocation of Stone Arch

The application essentially involves the dismantling of the existing sandstone arch structure at the street frontage of the former state school in High Street, Oatlands, and the associated rebuilding of the arch in its previous location, where it formed part of the gaol complex.

The arch is a prominent element within the streetscape of Oatlands, and has obvious historical associations. To the casual observer, for example the many visitors who call into the town, its provenance and history remain obscure. Many people may probably think (mistakenly) that it was part of the school complex. The arch does have some cultural significance in its present location, and it does represent the historical community response to the partial demolition of the gaol, through the salvage and re-erection of the arch in a more prominent civic location.

The arch is not specifically identified as a separate element within the address listing of the former school at 73 High Street in Schedule 4 - Buildings and Works of Historic Significance of the Southern Midlands Planning Scheme 1998.

The processes outlined in the application are logical conservation measures, supported by the Australia ICOMOS Charter for Places of Cultural Significance (The Burra Charter).

Article 9 Location

9.1 The physical location of a place is part of its cultural significance. A building, work or other component of a place should remain in its historical location. Relocation is generally unacceptable unless this is the sole practical means of ensuring its survival.

9.2 Some buildings, works or other components of places were designed to be readily removable or already have a history of relocation. Provided such buildings, works or other components do not have significant links with their present location, removal may be appropriate.

9.3 If any building, work or other component is moved, it should be moved to an appropriate location and given an appropriate use. Such action should not be to the detriment of any place of cultural significance.

Article 9.1 cannot be applied retrospectively, but it suggests that the archway should not have been moved from the gaol site in the first place. It is impossible to retrace historical thoughts and actions with any certainty, but had the *Burra Charter* been in place in 1937, and had the same principles been applied, our predecessors would most likely have considered that the relocation of the archway was, in fact, the sole practical means of ensuring its survival (as provided for in Article 9.1).

Article 9.2 is particularly relevant in the current case. Some buildings, works or other components of places … already have a history of relocation. Provided such buildings, works or other components do not have significant links with their present location, removal may be appropriate.

The links between the archway and its present school location are of interest, but in comparison with its associations with the original gaol, these links are of little significance. Relocation of the archway is clearly a justifiable action.

The *Burra Charter* also considers the processes of 'restoration' and 'reconstruction'.

Article 18 Restoration and reconstruction

Restoration and reconstruction should reveal culturally significant aspects of the place.

Article 19 Restoration

Restoration is appropriate only if there is sufficient evidence of an earlier state of the fabric.

Article 20 Reconstruction

20.1 Reconstruction is appropriate only where a place is incomplete through damage or alteration, and only where there is sufficient evidence to reproduce an earlier state of the fabric. In rare cases, reconstruction may also be appropriate as part of a use or practice that retains the cultural significance of the place.

20.2 Reconstruction should be identifiable on close inspection or through additional interpretation.

In the present case, the proposal involves a combination of restoration and reconstruction. There is clearly adequate documentary information to support the accurate rebuilding of the archway in its former location, and the work can be undertaken without the introduction of a large amount of new stonework.

Consideration should be given to the future treatment of the school site following removal of the stone archway. Again, there is clear historical documentary evidence of its earlier state and appearance - though little remnant physical fabric. The reconstruction of the school fence may be suggested as advice attached to the permit.

Consideration should also be given to appropriate on-site interpretation, subtly explaining to future generations what has now happened to this archway - i.e. its re-erection at the gaol site (and also what happened in 1937-1939).

The provisions of Part 10.1 (Historic Buildings and Works) of the Southern Midlands Planning Scheme 1998 apply to the current application.

The proposal is deemed to comply with these provisions because:

(a) it complies with the conservation principles, processes and practices set down in the Burra Charter;

(b) it retains and protects the cultural and built heritage of the municipal area;

(c) no elements of cultural and built heritage are adversely affected by the proposal;

(d) it does not significantly detract from the character or importance of the former school campus, and does positively contribute to appreciation and understanding of the former gaol complex;

(e) it does not result in the demolition of a building or structure listed in Schedule 4, but rather, involves its reconstruction in its original location and context.

From a cultural heritage perspective, the application warrants full support.

HERITAGE TASMANIA

Both sites are listed on the Tasmanian Heritage Registry and the application was referred to Heritage Tasmania, pursuant to the statutory process. Heritage Tasmania approved the application.

At the time this report was published it was not known if any conditions were also imposed on the development. Any conditions imposed by heritage Tasmania are forward to the applicant by the Planning Authority and a condition of a permit would include '*All works are to comply with conditions imposed by the Tasmanian Heritage Council see attached conditions 'Notice of Heritage Decision' No. ###'*.

CONCLUSION

It can be concluded that the restoration of the Old Oatlands Gaol by the re-instatement of the original arch strengthens the heritage fabric and integrity of the township. The project is pragmatic in that it enables better restoration of the Oatlands Gaol and also enables the conservation of the Gaol Arch for future generations.

The relocation only attracted two letters during the representation period and both expressed support for the project, albeit some minor concern for the possible intensification of the Gaol site.

Though the arch is a well known part of the High St, its loss is not detrimental to the overall streetscape, given the impressive building that remains at 73 High St and given the potential to even restore the site to its former appearance.

The application meets *Planning Scheme* provisions and has been approved by Heritage Tasmania. Council has also referred the application to an external independent heritage expert for further advice and guidance; to which the consultant has given full support.

Council should approve this application subject to discussion and the following conditions.

RECOMMENDATION

THAT, in accordance with the provisions of the Southern Midlands Planning Scheme 1998 and section 57 of the Land Use Planning & Approvals Act 1993, Council approve the Relocation of the 'Oatlands Gaol Arch' from 73 High St to the Old Oatlands Gaol Site, Mason St (Building and Works of Historic Significance in the Historic Precinct Special Area) at High St and Mason St Oatlands with the following conditions:

CONDITIONS

General

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

2) **Works shall not impact upon the existing landscaping (rose garden and hedge) at 73 High St. Any damage or alteration should be repaired at the developers expense.**

3) **The Council as landowner of the Old Oatlands Gaol must ensure that adequate fencing or improvements are made to existing fencing to prevent any loss of privacy or amenity to the adjoining owner of the site. Any such fencing is included as part of this permit. Fence works must be to the satisfaction of the Manger of Development and Environmental Services.**

4) **This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the *Land Use Planning and Approvals Act 1993*.**

Heritage Tasmania

5) All works are to comply with conditions imposed by the Tasmanian Heritage Council [see attached conditions 'Notice of Heritage Decision' No. ####].

Services

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

Construction Amenity

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

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

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

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

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

The following advice applies to this permit:

A. Any further works to 73 High St, such as the construction of a fence or other improvements maybe subject to further approval by Council and Heritage Tasmania.

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

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

C/12/06/080/19069 DECISION

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

THAT, in accordance with the provisions of the Southern Midlands Planning Scheme 1998 and section 57 of the Land Use Planning & Approvals Act 1993, Council approve the Relocation of the 'Oatlands Gaol Arch (including abutments)' from 73 High St to the Old Oatlands Gaol Site, Mason St (Building and Works of Historic Significance in the Historic Precinct Special Area) at High St and Mason St Oatlands with the following conditions:

CONDITIONS

General

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

2) Works shall not impact upon the existing landscaping (rose garden and hedge) at 73 High St. Any damage or alteration should be repaired at the developers expense.

3) The Council as landowner of the Old Oatlands Gaol must ensure that adequate fencing or improvements are made to existing fencing to prevent any loss of privacy or amenity to the adjoining owner of the site. Any such fencing is included as part of this permit. Fence works must be to the satisfaction of the Manger of Development and Environmental Services.

4) This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the *Land Use Planning and Approvals Act 1993*.

Heritage Tasmania

5) All works are to comply with conditions imposed by the Tasmanian Heritage Council (see attached conditions 'Notice of Heritage Decision' No. 4052.)

Services

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

Construction Amenity

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

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

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

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

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

The following advice applies to this permit:

A. Any further works to 73 High St, such as the construction of a fence or other improvements maybe subject to further approval by Council and Heritage Tasmania.

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

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

CARRIED.

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

Attachment 2 – Letters Received

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

T F KIRKWOOD
GENERAL MANAGER

Letter 2

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

T F KIRKWOOD
GENERAL MANAGER

11.2 SUBDIVISIONS

Nil.

11.3 MUNICIPAL SEAL (PLANNING AUTHORITY)

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

File Ref: *(Refer PID numbers in table below)*

Nil Report

11.4 PLANNING (OTHER)

Nil.

12. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)

12.1 ROADS

Strategic Plan Reference – Page 13	
1.1.1	Maintenance and improvement of the standard and safety of roads in the municipal area.

Nil.

12.2 BRIDGES

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

Nil.

12.3 WALKWAYS

Strategic Plan Reference – Page 14	
1.3.1	Maintenance and improvement of the standard and safety of walkways and pedestrian areas.

Nil.

12.4 LIGHTING

Strategic Plan Reference – Page 14	
1.4.1	Improve lighting for pedestrians.

Nil.

12.5 SEWERS

Strategic Plan Reference – Page 14	
1.5.1	Increase the number of properties that have access to reticulated sewerage services.
1.5.2	Ensure that sewerage treatment that meets the required environmental performance standards.

Nil.

12.6 WATER

Strategic Plan Reference – Page 15	
1.6.1	Increase the number of properties that have access to reticulated water.
1.6.2	Continue to provide domestic drinking water that meets the Australian Drinking Water Guidelines.

Nil.

12.7 IRRIGATION

Strategic Plan Reference – Page 15	
1.7.1	Increase access to irrigation water within the municipality.

Nil.

12.8 DRAINAGE

Strategic Plan Reference – Page 15	
1.8.1	Maintenance and improvement of the town storm-water drainage systems.

Nil.

12.9 WASTE

Strategic Plan Reference – Page 16	
1.9.1	Maintenance and improvement of the provision of waste management services to the Community.

Nil.

12.10 INFORMATION, COMMUNICATION TECHNOLOGY

Strategic Plan Reference – Page 16	
1.10.1	Improve access to modern communications infrastructure.

Nil.

12.11 SIGNAGE

Strategic Plan Reference – Page 16	
1.11.1	Signage that is distinctive, informative, easy to see and easy to understand.

Nil.

12.12 PUBLIC AMENITIES

Strategic Plan Reference – Page	
1.12.1	Develop a policy framework along with design guidelines for public amenities

Nil.

The meeting was suspended for a short break at 10.45 a.m. and resumed at 11.00 a.m.

12.13 OFFICER REPORTS – WORKS & TECHNICAL SERVICES (ENGINEERING)

12.13.1 Manager - Works & Technical Services Report

File Ref: 3/075

AUTHOR MANAGER – WORKS & SERVICES
DATE 19TH JUNE 2012

ROADS PROGRAM
Maintenance Grading – Tunnack and Elderslie areas.

Long periods of light rain has contributed to an increase in the number of potholes which are being attended to at present.

Blackbrush Road – Mangalore
Council has received a representation from a resident of Banticks Roads (R Barnes) which requests Council to consider the introduction of a reduced speed limit on Blackbrush Road - extending from Banticks Road to Hopevale Road. A 60 kilometre per hour limit is suggested. Further comment will be provided at the meeting.

BRIDGE PROGRAM
Elderslie Road – has been completed, the abutment filling and associated road works are near completion, now awaiting the relocation of one Aurora pole after these works the final layer of road base and seal will be laid. Guardrail will be installed prior to opening of the new bridge. An estimated time for the final completion works is approximately 6 weeks (weather permitted).

Minor bridge works are being attended to as required.

WASTE MANAGEMENT PROGRAM
No current issues.

TOWN FACILITIES PROGRAM
Maintenance continuing as required

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

Roads Program –
Campania - "Lee Street" – sign to be replaced to exclude the "s". (i.e. Lee Street, not Lees Street).
Mangalore – Blackbrush Road - discussion re: road safety issues
Eldon Road – guard rail to be installed

Inglewood Road – commended for work completed to date - patches to sealed (winter seal only) when weather permits.
Stonehenge Road & Woodsdale Road intersection – repair works recently completed
Midland Highway / Entrance to Tunbridge (southern junction) – need to consult with DIER regarding a safety issue with the present location of the traffic island – not suitable for north bound heavy vehicles which cannot enter highway at the northern end due to weight restrictions (historic bridge)
Union Street, Campania – loose materials in gutters (following recent reconstruction project)

Quarry Program –
Beven's Quarry – Licence to be terminated – quarry no longer utilised.
Interlaken Road Quarry – detailed price to produce and crush road materials ($7.50 per tonne – excl. GST) – required quantity of 5,000 tonne

Waste Management Program – Parattah WTS – rehabilitation procedures continuing; required to construct bunding around waste oil containers; aim to revert to Level 1 Licence.
General discussion re: treatment and disposal of green waste, including weed contamination issues.

RECOMMENDATION

THAT the information be received.

C/12/06/089/19070 DECISION
Moved by Clr J L Jones OAM, seconded by Clr B Campbell

THAT:

a) the information be received;
b) Council write to the Department of Infrastructure, Energy and Resources seeking the introduction of a 80 kilometre per hour speed limit (extending from the end of the sealed road to Hopevale Road); and
c) Council not require the owner of the property at Blackbrush Road (PID 2831342) to realign the fence at the present time. To be reviewed following the completion of the new Planning Scheme development process and/or should resources become available to undertake road improvements in this location.

CARRIED.

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

13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

13.1 RESIDENTIAL

Strategic Plan Reference – Page 17	
2.1.1	Increase the resident, rate-paying population in the municipality.

Nil.

13.2 TOURISM

Strategic Plan Reference – Page 17	
2.2.1	Increase the number of tourists visiting and spending money in the municipality.

Nil.

13.3 BUSINESS

Strategic Plan Reference – Page 18	
2.3.1a	Increase the number and diversity of businesses in the Southern Midlands.
2.3.1b	Increase employment within the municipality.

Nil.

13.4 INDUSTRY

Strategic Plan Reference – Page 19	
2.4.1	Retain and enhance the development of the rural sector as a key economic driver in the Southern Midlands.

Nil.

13.5 INTEGRATION

Strategic Plan Reference – Page 19	
2.5.1	The integrated development of towns and villages in the Southern Midlands.

Nil.

14 OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)

14.1 HERITAGE

Strategic Plan Reference – Page 20	
3.1.1	Maintenance and restoration of significant heritage structures.
3.1.2	Retain and enhance the heritage values of towns within the municipality.

14.1.1 Heritage Project Officer's Report

File Ref: *3/097*

AUTHOR MANAGER HERITAGE PROJECTS (B WILLIAMS)
DATE 20th JUNE 2012

ISSUE

Southern Midlands Heritage Projects – report from Manager Heritage Projects

DETAIL

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

Interpretation fitout of the Oatlands Gaol progressing. On target for completion mid this year.

Notification received from the Department of Sustainability, Environment, Water, Population and Communities of four successful grant applications. These projects are:

- The Southern Midlands Community Archive Project, managed by Rowena McDougall ($24,000)
- Southern Midlands Convict Probation Stations, Stories from a Unique Convict System, managed by Alan Townsend ($24,000)
- Oatlands Gaol Walls restoration project, managed by Brad Williams ($96,000)
- Heritage Skills Taster Days (through Heritage Education and Skills Centre, managed by Holly Farley and Brad Williams ($8000).

Conservation planning work has commenced for the Oatlands Commissariat and 79 High Street.

'Notification received from the Tasmanian Community Fund for a successful grant application for the toilet/kitchenette building at the Oatlands Court House ($36,000).

Heritage Projects Program has provided input into the MEDaLS project, SMC Strategic Plan Review, SMC budget process and website redevelopment.

Intern Jennifer Hull (Australian National University) is continuing work on the Picton Road Station Project, and assisting Karen Bramich in collections management policy and procedure.

The National Trust of Australia (Tasmania) Members Advocacy Group held a heritage seminar at the Oatlands Supreme Court House. Key speakers were Dr. James Broadbent, Mr Chris Tassell and Dr. Dianne Snowden and the seminar was opened by the Tasmanian Minister for Heritage Hon. Brian Wightman MP. Delegates were given a tour of key Oatlands heritage sites, and were given an overview of the Heritage Projects Program.

RECOMMENDATION

THAT the information be received.

C/12/06/092/19071 DECISION

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

THAT the information be received.
CARRIED.

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

14.2 NATURAL

Strategic Plan Reference – Page 20	
3.2.1	Identify and protect areas that are of high conservation value
3.2.2	Encourage the adoption of best practice land care practices.

14.2.1 Landcare Unit – General Report

File Ref: 03/082

AUTHORS NRM PROGRAMS MANAGER – M WEEDING
DATE 18th JUNE 2012

ISSUE

Southern Midlands Landcare Unit Monthly Report. (separate report for Climate Change).

DETAIL

- Graham continues to work with Damian on the new planning scheme for the Southern Midlands. The work focused on mapping the proposed significant agricultural land zone.

- Maria and Helen continue to work on Lake Dulverton & Callington Park matters, including signage and the finalisation of works associated with the placement of two seats on the Dulverton corridor walkway. Initial planning for the proposed Hutchins School working bee have been occurring.

- Helen completed the final report for the 2011 planting season Community Action Grant.

- The draft Water Management Plan for the Macquarie Catchment was to be formally distributed and available for public consultation in early May. The release of the plan has now been delayed by DPIPWE until early July 2012.

- Maria and Helen have both been away from work for part of May.

- The Biodiversity 2012-14 Project will likely be referred to as 'The Midlands Linkage' Project. Drafts of the project plan, and the information for landholders package in relation to Midlands Linkage Project have been prepared.

As requested by Council further details on the Biodiversity Fund 2012-14 (Midlands Linkage Project) project are as follows:

Project Partners

The Southern Midlands Council's Landcare Unit will be working in conjunction with the Central Highlands Council, NRM South, NRM North and Natural Resource Planning to deliver the project. Southern Midlands is the lead partner.

Project Activities

The Midlands Linkage Project has funds available for landholders within defined priority areas of the Midlands, Central Highlands and Derwent Valley municipalities to undertake the following activities:

1. fencing and weed control to protect identified areas of natural vegetation; and
2. establishment of bands of vegetation between the protected areas using an innovative new landscape restoration technique.

Vegetation establishment will involve the following elements:

1. direct seeding of a native grass species mix for establishment of a perennial grassland system; and
2. establishment of copses of native shrubs and trees throughout the seeded grassland to mimic the original 'woodland' vegetation structure of the region.

The Midlands Linkage Project will run until the end of 2014.

Anticipated benefits on-farm include:

- resourcing for protection of vegetation remnants;
- arrest of threatening processes such as tree dieback and weed invasion;
- rejuvenation of identified pasture country through introduction of perennial grasses together with managed grazing;
- improved carbon storage in trees and soils providing possible options for carbon trading.

Site works are open to detailed negotiated with landholders to ensure that they complement and dove-tail well with the farming enterprise.

Anticipated benefits for the regional environment:

- conservation of important vegetation communities;
- consolidation patches of remnant vegetation (including stream-side vegetation);
- improved habitat for the region's flora and fauna; and
- improved ecosystem function through restoring vegetation connectivity.

Selection of Project sites

Priority areas for Project site works are determined through detailed modelling (Regional Ecosystem Model) of important aspects of the Midlands and surrounding landscapes to identify where combinations of important factors align, for example: vegetation type, patch size, vegetation health, and position in the landscape.

Initial sites for Project site works have been identified, however, there remains scope for addition landholder participation. In all, the Midlands Linkage Project aims to protect 400 hectares of existing native vegetation and to establish 100 hectares of 'linked' woodland vegetation. Involvement will be determined both by the Model and also by proximity to initial Project sites with the intention of establishing Project 'clusters'.

What will be funded?

Project funding for each site will include provision of:

- detailed site planning and mapping in consultation with landholders;
- herbicide for weed control in bushland remnants;
- fencing materials required for protection of bushland remnants;
- herbicide for preparation of revegetation sites;
- native grass seed, native shrub and tree seedlings, tree guards and mulch mats for revegetation areas;
- all fencing materials required for protection of entire revegetation areas and individual copses and to enable effective controlled grazing over the perennial grassland areas; and
- ongoing support for monitoring and evaluation of each site for the duration of signed management agreements.

For each site, landholder contribution and involvement will be required in planning, erection of fencing, and some involvement in spraying and direct seeding of perennial grass seed.

Financial arrangements and Management Agreements

Payments

All Project materials as discussed above to be provided. Fencing is to be on a re-imbursement basis.

Management Agreements

Landholder Management Agreements will be arranged with each landholder. The terms of the agreement will cover a ten year duration.

RECOMMENDATION

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

C/12/06/096/19072 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	
√	Dep. Mayor M Jones OAM	
√	Clr A R Bantick	
√	Clr C J Beven	
√	Clr B Campbell	
√	Clr M Connors	
√	Clr D F Fish	
√	Clr A O Green	
√	Clr J L Jones OAM	

14.3 CULTURAL

Strategic Plan Reference – Page 21	
3.3.1	Increase the retention, documentation and accessibility of the aboriginal convict, rural and contemporary culture of the Southern Midlands.

Nil.

14.4 REGULATORY (OTHER THAN PLANNING AUTHORITY AGENDA ITEMS)

Strategic Plan Reference – Page 21	
3.4.1	A regulatory environment that is supportive of and enables appropriate development. Identify and protect areas that are of high conservation value

Nil.

14.5 CLIMATE CHANGE

Strategic Plan Reference – Page 21	
3.5.1	Develop strategies to address issues of climate change in the Southern Midlands.

14.5.1 Climate Change – General Report

File Ref: 03/082

AUTHOR: CLIMATE CHANGE & GIS PROJECT MANAGER (G GREEN)
DATE: 19TH JUEN 2012

ISSUE

Southern Midlands Climate Change Monthly Report

DETAIL

- A Community meeting was held in Oatlands on Tuesday 5th June. An overview of future climate change implications for the Midlands was presented with information derived from Climate Futures for Tasmania modelling. The implications and risks posed by climate change for farming, human health and the natural environment was then discussed. The community meeting was one of the final activities under the Climate Connect grant received from the State Government in 2011. The session allowed for discussion around what can be done personally and as a community to prepare for climate change.

- Graham has written and submitted the final Project report for the Climate Connect Grant activities. This report was received by the State Government and the final grant payment triggered.

- The Community Energy Efficiency Project (CEEP) Grant that was applied for in January was successful in receiving funding. Only two CEEP grants were awarded in Tasmania, the other going to the Cradle Coast Authority. Council will receive $25,646 under the grant which will enable Council to undertake an energy efficiency upgrade to the Council office building in Oatlands.

- A workshop on the implications for carbon pricing for local government was attended. A few key points from the meeting were:
    - A major liability for local govt is emissions from landfill sites. Southern Midlands Council is too small to meet the threshold emission level so therefore we have no liability. We may however face increased charges for delivery of waste (particularly green waste) to Copping as they will have a large emissions liability.

- In terms of fuel emissions, Southern Midlands Council should come out in front. There will be no change in fuel cost for our fleet of cars and light trucks. For heavy vehicles, such as those used in road works, the fuel excise rebate will increase from 19c per litre to 32 c per litre, making us better off.

- The price signal on electricity is unclear, some council representatives at the meeting said that their modelling had shown they would be better off in regard to costs associated with sites that are open to electricity contestability - we should look into this as I think the pool may be one of these sites.

- In terms of materials, prices are likely to increase e.g. asphalt, or anything to do with concrete, such as pipes, building & construction materials (e.g. for bridges).

- The general feeling is that the implications for budgets of the carbon tax will be less than a 1% increase in operating costs.

- A quarterly review of Council's energy usage was undertaken. The good news is that Councils energy usage across all business areas fell by 6% for the year to the end of the March quarter – a saving of over 26,500 kilowatt hours. Despite this, council's outlay on electricity bills increased by over $11,000, an indication of the magnitude of rises in energy costs. Council major energy savings were made at the swimming pool by reducing the amount of water heating input.

RECOMMENDATION

THAT the Climate Change Report be received and the information noted.

C/12/06/099/19073 DECISION

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

THAT the Climate Change Report be received and the information noted.
CARRIED.

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

15 OPERATIONAL MATTERS ARISING LIFESTYLE

15.1 YOUTH

Strategic Plan Reference – Page 22	
4.1.1	Increase the retention of young people in the municipality.

Nil.

15.2 AGED

Strategic Plan Reference – Page 22	
4.2.1	Improve the ability of the aged to stay in their communities.

Nil.

15.3 CHILDREN AND FAMILIES

Strategic Plan Reference – Page 22	
4.3.1	Ensure that appropriate childcare services as well as other family related services are facilitated within the Community.

Nil.

15.4 VOLUNTEERS

Strategic Plan Reference – Page 22	
4.4.1	Encourage community members to volunteer.

Nil.

15.5 ACCESS

Strategic Plan Reference – Page 22	
4.5.1	Continue to meet the requirements of the Disability Discrimination Act.

Nil.

15.6 PUBLIC HEALTH

Strategic Plan Reference – Page 23	
4.6.1	Monitor and maintain a safe and healthy public environment.

Nil.

15.7 RECREATION

Strategic Plan Reference – Page 23	
4.7.1	Provide a range of recreational activities and services that meet the reasonable needs of the Community.

Nil.

15.8 ANIMALS

Strategic Plan Reference – Page 23	
4.8.1	Create an Environment where animals are treated with respect and do not create a nuisance for the community.

File Ref: *3/027*

AUTHOR ANIMAL CONTROL OFFICER (G DENNE)
DATE 18TH JUNE 2012

ISSUE

Consideration of Animal Control Officer's monthly report.

DETAIL

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

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

RECOMMENDATION

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

C/12/06/101/19074 DECISION

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

THAT the Animal Control Officer's Month report be received.
CARRIED.

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

SOUTHERN MIDLANDS COUNCIL
MONTHLY STATEMENT ON ANIMAL CONTROL
FOR PERIOD ENDING 31/5/2012

Total of Dogs Impounded: **8**
Dogs still in the Pound:

Breakdown Being:

ADOPTED	RECLAIMED	LETHALISED	ESCAPED
6	2	-	-

MONEY RECEIVED

Being For:

Pound	
Reclaims	**$45.48**
Dog Registrations	
Kennel Licence Fee	
Infringement Notices	
Complaint Lodgement Fee	
TOTAL	**$45.48**

COMPLAINTS RECEIVED FOR PERIOD ENDING 31/5/2012

Dog at Large:	**7**
Dog Attacks:	
Request Pick-ups:	**2**
After Hours Calls:	**6**
TOTAL	**15**

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

Animal Control Officer: **Garth Denne**

15.9 EDUCATION

Strategic Plan Reference – Page 23
4.9.1 Increase the educational and employment opportunities available in the Southern Midlands.

Nil.

16 OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

16.1 RETENTION

Strategic Plan Reference – Page 24
5.1.1 Maintain and strengthen communities in the Southern Midlands.

Nil.

16.2 CAPACITY

Strategic Plan Reference – Page 24
5.2.1 Build the capacity of the Community to help itself.

Nil.

16.3 SAFETY

Strategic Plan Reference – Page 24
5.3.1 Increase the level of safety of the community and those visiting or passing through the municipality.

Nil.

16.4 CONSULTATION

Strategic Plan Reference – Page 24	
5.4.1	Improve the effectiveness of consultation with the Community.

Nil.

16.5 COMMUNICATION

Strategic Plan Reference – Page 25	
5.5.1	Improve the effectiveness of communication with the Community.

Nil.

17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

17.1 IMPROVEMENT

Strategic Plan Reference – Page 26	
6.1.1	Improve the level of responsiveness to Community needs.
6.1.2	Improve communication within Council.
6.1.3	Improve the accuracy, comprehensiveness and user friendliness of the Council asset management system.
6.1.4	Increase the effectiveness, efficiency and use-ability of Council IT systems.
6.1.5	Improve the Council records management system and processes.
6.1.6	Develop an overall Continuous Improvement Strategy and framework.

Nil.

17.2 SUSTAINABILITY

Strategic Plan Reference – Page 27	
6.2.1	Retain corporate and operational knowledge within Council.
6.2.2	Provide a safe and healthy working environment.
6.2.3	Ensure that staff and elected members have the training and skills they need to undertake their roles.
6.2.4	Increase the cost effectiveness of Council operations through resource sharing with other organisations.
6.2.5	Continue to manage and improve the level of statutory compliance of Council operations.
6.2.6	Ensure that suitably qualified and sufficient staff are available to meet the Communities needs.
6.2.7	Work co-operatively with State and Regional organisations.
6.2.8	Minimise Councils exposure to risk.

17.2.1 Local Government Association of Tasmania – Annual General Meeting and General Meeting (July 2012)

AUTHOR EXECUTIVE ASSISTANT (K BRAZENDALE)
DATE 19th JUNE 2012

ENCLOSURES: LGAT Annual General Meeting Agenda
LGAT General Committee Meeting Agenda

ISSUE

a) To provide Council with copies of the Agenda for both the LGAT Annual General Meeting and General Meeting to be held in July 2012; and

b) Council to consider its position in relation to the Motions contained within the Agenda.

BACKGROUND

The Local Government Association of Tasmania will be holding its Annual General Meeting on 11th July 2012 at the Wrest Point Casino, Hobart.

DETAIL

Refer enclosed Meeting Agendas.

There are no Motions within the Annual General Meeting Agenda that require specific consideration – noting that the key decision relates to the annual subscriptions for 2012 – 2013.

Council to consider each of the Motions within the General Meeting Agenda.

Comments will be provided at the meeting where necessary.

RECOMMENDATION

That the information be received and Council consider its position in relation to the Motions contained within the Agenda(s).

C/12/06/106/19075 DECISION

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

THAT:

a) the information be received; and
b) Council endorse the position taken in response to each of the Motions contained within the LGAT Meeting Agenda.

CARRIED.

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

The meeting was suspended for lunch at 12.34 p.m. and resumed at 1.10 p.m.

17.2.1 Minister for Local Government Re: Auditor-General Report (Growth in Financial and Investment Assets)

AUTHOR GENERAL MANAGER (T KIRKWOOD)
DATE 21st JUNE 2012

ATTACHMENT: Refer Letter dated 24th May 2012

ISSUE
Council to consider a reply to the attached correspondence received from the Minister for Local Government (Letter sent to all Councils).

BACKGROUND
Refer content of letter.

DETAIL
Comment will be provided at the meeting in relation to a proposed response.

Human Resources & Financial Implications – Comment to be provided.
Community Consultation & Public Relations Implications - N/A.
Policy Implications – N/A
Priority - Implementation Time Frame – A response is sought by 30th June 2012.

RECOMMENDATION

Submitted for discussion and direction.

C/12/06/107/19076 DECISION
Moved by Clr J L Jones OAM, seconded by Clr M Connors

THAT the General Manager provide an appropriate response to the Minister for Local Government which is to include:

a) the total replacement cost of Council Assets, and the present written down value of those assets (to indicate the present shortfall in asset replacement reserves); and
b) details of major capital works projects which are scheduled or planned in the foreseeable future.

CARRIED.

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

Hon Bryan Green MP
DEPUTY PREMIER

Level 10, Executive Building
15 Murray Street, Hobart, TAS 7000 Australia
Ph (03) 6233 6454 Fax (03) 6233 2272
Email bryan.green@dpac.tas.gov.au

Tasmania

SOUTHERN MIDLANDS COUNCIL
Rec'd 25 MAY 2012
File no 38/ADM
Doc. Id

24 MAY 2012

Cr Tony Bisdee
Mayor
Southern Midlands Council
PO Box 21
OATLANDS TAS 7120

Dear Mayor Tony

I have recently considered the *Report of the Auditor-General No. 6 of 2011-12* and advice provided to me regarding the growth in financial and investment assets held by councils since 2001-02. I note that the report of the Auditor-General found that councils collectively held cash reserves in excess of $330 million, representing an increase of $170 million over nine years since 2001-02.

The Auditor-General recommends that the net financial liabilities of councils should be between zero and negative 50 per cent. Most councils are well above this target, with the average for the State in 2010-11 being 28.5 per cent. The Auditor-General found that councils should be analysing their current revenue raising and asset management strategies in response to the high level of consolidated cash reserves.

The Tasmanian economy is facing significant challenges from the high Australian dollar and the lingering effects of the Global Financial Crisis. Many areas of the State are also suffering from the issues faced by the State's forest industry. The State Government is continuing to look for opportunities to support the Tasmanian economy and to relieve cost of living pressures, but is constrained by a reduction in revenues from GST and State taxation of almost $2 billion across the budget and forward estimates.

Expenditure from governments is a significant component of the State economy in terms of fiscal stimulus and the maintenance of assets critical to private sector productivity. It is critical, therefore, that we explore every opportunity to maximise the productive value of our financial assets. This includes maintaining demand through ongoing investment and ensuring that expenditure is scheduled across the regions to deliver greatest benefit to the State economy.

I presume that the large cash reserves of councils signals that there will be a significant capital expenditure program in many areas of the State over the coming years. I therefore consider it important that the State Government and Local Government work together to ensure that the scale and timing of our collective investment in public assets is managed to deliver greatest benefit to the Tasmanian economy. Working together on our respective major capital investment programs may also identify opportunities to reduce duplication of effort and improve efficiencies.

I would appreciate advice on your current financial and capital investment strategy and how you expect to utilise your cash and financial reserves over the coming four years. I would appreciate specific advice on any major enhancements of current capital works programs or plans to invest in major projects. Once I have received this information, I will ensure that it is consolidated into a form that can be used for further discussion on this issue.

Given the significance of the economic challenges in Tasmania, I would appreciate your advice on this issue by **30 June 2012**. Please contact the Director of Local Government, Mr Mathew Healey, by telephone on 6270 5471, or by email at Mathew.Healey@dpac.tas.gov.au if you have any queries.

Yours sincerely

Bryan Green MP
Minister for Local Government

17.3 FINANCES

Strategic Plan Reference – Page 28	
6.3.1	Maintain current levels of community equity.
6.3.2	Major borrowings for infrastructure will reflect the inter-generational nature of the assets created.
6.3.3	Council will retain a minimum cash balance to cater for extra-ordinary circumstances.
6.3.4	Operating expenditure will be maintained in real terms and expansion of services will be funded by re-allocation of service priorities or an increase in rates.
6.4.4	Sufficient revenue will be raised to sustain the current level of community and infrastructure services.

17.3.1 Monthly Financial Statement (May 2012)

File Ref: 3/024

AUTHOR FINANCE OFFICER
DATE 21st JUNE 2012

Refer enclosed Report incorporating the following: -

a) Current Expenditure Estimates

b) Capital Expenditure Estimates

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

c) Rates & Charges Summary – 17th June 2012

d) Cash Flow Statement – July to May 2012.

Note: Expenditure figures provided are for the period 1st July to 31st May 2012 approximately 92% of the period.

Comments

A. Current Expenditure Estimates (Operating Budget)

Strategic Theme – Infrastructure

- **Sub-Program –Roads** - expenditure to date ($1,304,749 – 110.81%). Every endeavour is being made to limit the amount of over expenditure within this Program, acknowledging that the overall Operating Budget is within the yearly percentage to date.

Strategic Theme – Growth

- **Sub-Program – Business** - expenditure to date ($92,619 – 178.97%). This Program is Private Works undertaken on a recharge basis.

Strategic Theme – Lifestyle

- **Sub-Program – Public Health -** expenditure to date ($7,537 – 103.85%) Minimal over-expenditure in dollar terms. All costs associated with this program have been met.

- **Sub-Program – Recreation** - expenditure to date ($361,150 – 108.03%) Expenditure for the remainder of the financial year will be minimal. The Swimming Pool Season has been completed and all costs paid to date.

Strategic Theme – Community

- **Sub-Program – Consultation** - expenditure to date ($28,161 – 555.44%) Unbudgeted expenditure which relates to Council's involvement with the Southern Midland Schools Working Group – and the preparation of submissions in response to the State Government's reform agenda.

B. Capital Expenditure Estimates (Capital Budget)

Nil.

RECOMMENDATION

THAT the information be received.

C/12/06/112/19077 DECISION

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

THAT the information be received.
CARRIED.

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

SOUTHERN MIDLANDS COUNCIL : CURRENT EXPENDITURE 2011/12

SUMMARY SHEET

PROGRAM	TOTAL	REVISED BUDGET (GRANTS & OTHER REIMBURSEMENTS)	ACTUAL AS AT 31 MAY 2012 92%	VARIANCE (+/-)	% BASED ON REVISED BUDGET 100%
INFRASTRUCTURE					
Roads	1177492	1177492	1304749	-127257	110.81%
Bridges	103225	103225	49890	53335	48.33%
Walkways	164055	164055	149747	14308	91.28%
Lighting	77792	77792	62502	15290	80.35%
Irrigation	2450	2450	0	2450	0.00%
Drainage	32090	32090	13384	18706	41.71%
Waste	472642	472642	359245	113397	76.01%
Public Toilets	49710	49710	46117	3594	92.77%
Communications	0	0	0	0	0.00%
Signage	12300	12300	9285	3015	75.49%
INFRASTRUCTURE TOTAL:	**2091756**	**2091756**	**1994918**	**96838**	**95.37%**
GROWTH					
Residential	2900	2900	25	2875	0.85%
Mill Operations	910348	910348	729248	181100	80.11%
Tourism	33610	33610	15391	18219	45.79%
Business	51750	51750	92619	-40869	178.97%
Agriculture	11548	11548	1055	10493	9.13%
Integration	11548	11548	0	11548	0.00%
GROWTH TOTAL:	**1021704**	**1021704**	**838339**	**183365**	**82.05%**
LANDSCAPES					
Heritage	167308	167308	186093	-18785	111.23%
Natural	101107	119657	112369	7288	93.91%
Cultural	0	0	0	0	0.00%
Regulatory	696156	696156	615638	80518	88.43%
Climate Change	35754	56687	34455	22232	60.78%
LANDSCAPES TOTAL:	**1000324**	**1039807**	**948555**	**91253**	**91.22%**
LIFESTYLE					
Youth	176541	176541	84177	92364	47.68%
Aged	0	0	0	0	0.00%
Childcare	16535	16535	5237	11298	31.67%
Volunteers	41757	47945	28559	19386	59.57%
Access	1405	1405	0	1405	0.00%
Public Health	7258	7258	7537	-279	103.85%
Recreation	334317	334317	361150	-26833	108.03%
Animals	66375	66375	48037	18339	72.37%
Education	0	0	106	-106	0.00%
LIFESTYLE TOTAL:	**644188**	**650376**	**534803**	**115573**	**82.23%**
COMMUNITY					
Retention	0	0	0	0	0.00%
Capacity	27025	27025	17487	9538	64.71%
Safety	51400	51400	39369	12031	76.59%
Consultation	5070	5070	28161	-23091	555.44%
Communication	21125	21125	8340	12785	39.48%
COMMUNITY TOTAL:	**104620**	**104620**	**93357**	**11263**	**89.23%**
ORGANISATION					
Improvement	5850	5850	705	5145	12.04%
Sustainability	1317109	1317109	1156099	161010	87.78%
Finances	227529	227529	207886	19644	91.37%
ORGANISATION TOTAL:	**1550488**	**1550488**	**1364689**	**185799**	**88.02%**
TOTALS	**6413080**	**6458751**	**5774660**	**684091**	**89.41%**

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2011-12
AS AT 31 MAY 2012

FRASTRUCTURE			BUDGET	EXPENDITURE	VARIANCE	COMMENTS
ROAD ASSETS						
Resheeting Program	Roads Resheeting (40.00 kms x 5.5 x 150mm x $20 m3)	$	660,000	$ 503,716	$ 156,284	
Reseal Program	Roads Resealing (as per agreed program)	$	274,960	$ 85	$ 274,875	
Reconstruct & Seal	Brown Mountain Road - approx. 300 metres	$	45,000	$ 52,903	-$ 7,903	
	Stonor Road	$	50,000	$ 78,020	-$ 28,020	
	Huntington Tier Rd (to Dysart Tip)	$	147,500	$ 147,204	$ 296	
	Woodsdale Road (vicinity of Montgomery property) - 300 metres	$	45,000	$ 1,136	$ 43,864	
	Ballyhooly Road - Road Improvements	$	45,000	$ -	$ 45,000	
	Inglewood Road	$	110,000	$ 13,283	$ 96,717	
	Union Street, Campania - Hall to Climie Street	$	55,000	$ 45,466	$ 9,534	
Minor Seals (New)	- Hasting Street Junction	$	15,000	$ -	$ 15,000	
	- Pelham Road (end of Eldersle Rd)	$	10,000	$ -	$ 10,000	
	- Church Road	$	10,000	$ -	$ 10,000	
Unsealed - Road Widening	Green Valley Road - Corner widening	$	20,000	$ 12,814	$ 7,186	
	Church Road (Corner widening)	$	20,000	$ -	$ 20,000	
	Estate Road (Survey investigation Only - $5,000)	$	15,000	$ -	$ 15,000	
	Hall Lane, Bagdad - widening	$	15,000	$ -	$ 15,000	
	Nichols Road, Eldersle (Widen & Realign)	$	60,000	$ 53,363	$ 6,637	Includes $40K Budget 2010/11)
	Other:					
	Elton Road - Slip Repairs (incl. Guard Rail)	$	35,000	$ -	$ 35,000	
	Inglewood Road - Sight Improvements	$	8,000	$ -	$ 8,000	
	Woodsdale Rd & Stonehenge Road (Junction)	$	10,000	$ 300	$ 9,700	
	Woodsdale Road - Landslip Area(s) - Engineering Assessment	$	10,000	$ -	$ 10,000	
	Development Infrastructure Roads	$	20,000	$ -	$ 20,000	
		$	1,680,460	$ 908,291	$ 772,169	
BRIDGE ASSETS						
	Daniels Road - Marshalls Crk	$	26,440	$ -	$ 26,440	
	Eddington Road - Bagdad Rivulet (Bridge 2097)	$	-	$ 85,956	-$ 85,956	
	Eldersle Road - Jordan Riv (Bridge 486)	$	804,160	$ 537,175	$ 266,985	
	Eldon Road - Burns Creek (Bridge 436)	$	111,220	$ 6,013	$ 105,207	
	Mosquito Valley Road (Bridge 5300)	$	59,430	$ 19,110	$ 40,320	
	Inglewood Rd - Little Swanport River (B 3277)	$	73,830	$ 14,233	$ 59,597	
	Inglewood Rd - Little Swanport River (B 3278)	$	-	$ 42,534	-$ 42,534	
	Levendale Back Road - Prosser River (B 1300)	$	91,840	$ 56,929	$ 34,911	
	White Kangaroo Rd - White Kang Rivulet (B 2044)	$	125,460	$ 57,591	$ 67,869	
	Carried Forward:					
	York Plains Road - Tin Dish Rvt	$	-	$ 6,515	-$ 6,515	Capitalised 30/6/11
	Wilsons Road - Bagdad Rvt	$	-	$ 6,243	-$ 6,243	Capitalised 30/6/11
	Swanston Road (Little Swanport River - 1716)	$	-	$ 15,474	$ (15,474)	WIP - Carry Forward 2009/10
	Fields Road (No. 1851)	$	-	$ 1,469	-$ 1,469	WIP - Carry Forward 2010/11
	Rotherwood Road Bridge (No. 1137)	$	-	$ 1,653	-$ 1,653	WIP - Carry Forward 2010/11
	Eldersle Road (Grahams Creek Bridge)	$	-	$ 1,231	-$ 1,231	WIP - Carry Forward 2010/11
		$	1,292,400	$ 852,126	$ 440,274	

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2011-12
AS AT 31 MAY 2012

		BUDGET	EXPENDITURE	VARIANCE	COMMENTS
WALKWAYS	Footpaths - General (Program to be confirmed)	$ 130,000	$ -	$ 130,000	
	Bagdad Township				
	- School Rd Bagdad	$ -	$ -	$ -	
	Campania Township				
	- Nil	$ -	$ -	$ -	
	Colebrook Township				
	- Nil	$ -	$ -	$ -	
	Kempton Township				
	- Nil	$ -	$ -	$ -	
	Oatlands Township				
	- Nil	$ -	$ -	$ -	
	Tunbridge Township				
	- Nil	$ -	$ -	$ -	
	Tunnack Township				
	- Nil	$ -	$ -	$ -	
	Carried Forward:				
	Bagdad Township				
	- Swan Street	$ 25,000	$ -	$ 25,000	
	Campania Township				
	- Reeve Street (Vicinity of Store)	$ 10,000	$ -	$ 10,000	
	- Review Management Plan (Site Plan) / Walking Tracks (Bush Reserve)	$ 5,000	$ -	$ 5,000	
	Oatlands Township				
	- High Street (Tree Planting)	$ 7,000	$ -	$ 7,000	
	Tunnack Township	$ 7,000	$ -	$ 7,000	
		$ 184,000	**$ -**	**$ 184,000**	
LIGHTING	Nil Projects	$ 270,000	$ 336,503	$ (66,503)	$270K Grant Funded Final Costs
		$ 270,000	**$ 336,503**	**$ (66,503)**	
DRAINAGE	Bagdad				
	- Hall Lane (Junction with Midland Highway) - Pipe Open Drain	$ 18,000	$ -	$ 18,000	
	- Swan Street - Kerb & Gutter	$ 25,000	$ -	$ 25,000	
	- Winstead Road - S/W Drainage Imp's	$ 12,000	$ -	$ 12,000	
	Campania				
	- Reeve Street (Open Drain - north of Telephone Box)	$ 28,000	$ 3,750	$ 24,250	
	- Jones Subdivision - check with AB (requirements?)	$ 7,000	$ 5,460	$ 1,540	
	Colebrook				
	- Franklin Street- Stormwater	$ -	$ 10,598	$ (10,598)	
	Kempton				
	- Louisa Street	$ -	$ 1,100	$ (1,100)	
	Oatlands				
	- Stanley St LHS - between Albert Terrace & Nelson St - Pipe Open Drain	$ 8,140	$ -	$ 8,140	
	- High St/Wellington Street Junction	$ 5,000	$ -	$ 5,000	
		$ 101,140	**$ 20,909**	**$ 80,231**	
WASTE	Oatlands WTS - Capital Improvements	$ 7,500	$ 2,030	$ 5,470	**Carried Forward:**
		$ 7,500	**$ 2,030**	**$ 5,470**	
PUBLIC TOILETS	Colebrook - Power Connection & Lighting	$ 5,000	$ -	$ 5,000	
		$ 5,000	**$ -**	**$ 5,000**	

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2011-12
AS AT 31 MAY 2012

		BUDGET	EXPENDITURE	VARIANCE	COMMENTS
SIGNAGE	Oatlands Signage	$ 25,000	$ -	$ 25,000	
		$ 25,000	$ -	$ 25,000	
GROWTH					
RESIDENTIAL	Kandara Court - Stage 1	$ -	$ 34,444	$ (34,444)	
	Kandara Court - Stage 2	$ -	$ 3,942	$ (3,942)	Prelim Survey & Engineering Design
		$ -	$ 38,386	$ (38,386)	
TOURISM	Avenues of Honour	$ 4,000	$ -	$ 4,000	
	History of Southern Midlands	$ -	$ 40,493	$ (40,493)	Grant Funded
		$ 4,000	$ 40,493	$ (36,493)	
HERITAGE	Court House (Restoration - Toilet & Kitchentte Fac's)	$ 22,767	$ 1,330	$ 21,437	
	Court House (Landscaping)	$ -	$ -	$ -	
	Kempton Watch House (Fitout)	$ 45,000	$ 39,451	$ 5,549	Includes $30K Budget 2010/11)
	Callington Mill (Master Precinct Plan)	$ 10,000	$ 11,116	$ (1,116)	
	Gaol (Interps & Landscaping) - commitment to TCF application	$ 25,000	$ 92,098	$ (67,098)	Balance Grant Funded
	Gaol (Furnishings & Fitout)	$ 8,000	$ 3,607	$ 4,393	
	Collections Management - Equip / Supplies / Labour Component	$ -	$ -	$ -	
	Parattah Railway Station	$ -	$ 831	$ (831)	
	Building Purchase - 79 High Street	$ -	$ 120,462	$ (120,462)	
		$ 110,767	$ 268,895	$ (158,128)	
LANDSCAPES					
NATURAL	Jericho Trees	$ 4,000	$ -	$ 4,000	
		$ 4,000	$ -	$ 4,000	
REGULATORY					
	Kempton Council Chambers - Building & Office Improvements	$ 10,000	$ -	$ 10,000	
	Kempton Council Chambers - Office Equipment	$ 2,000	$ -	$ 2,000	
		$ 12,000	$ -	$ 12,000	

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2011-12
AS AT 31 MAY 2012

			BUDGET	EXPENDITURE	VARIANCE	COMMENTS
LIFESTYLE	RECREATION	Recreation Committee	$ 35,000	$ 4,510	$ 30,490	
		Playground Equipment	$ -	$ -	$ -	
		Kempton Memorial Hall	$ 10,000	$ -	$ 10,000	
		Campania - Dirt Track	$ 5,000	$ 39,210	$ (34,210)	Balance Grant Funded
		Colebrook Recreation Ground (Amenities)	$ 16,367	$ -	$ 16,367	
		Oatlands Aquatics Centre	$ -	$ 10,600	$ (10,600)	
			$ 66,367	$ 54,320	$ 12,047	
		RLCIP Projects				
		Community Library Extension	$ 290,000	$ 279,145	$ 10,855	Includes $45K RLCIP2 Funds & $95K Grant
		Melton Mowbray Roadside Park	$ -	$ 750	$ 750	RLCIP Round 3
		Bagdad Walking & Riding Path	$ -	$ 691	$ 691	
		Station Park Kempton	$ -	$ 244	$ 244	
		Flour Mill Park Redevelopment	$ -	$ 146	$ 146	
		Tunbridge Coach Restoration	$ -	$ 10,000	$ 10,000	
		Dulverton Corridor Walkway	$ -	$ 43,185	$ 43,185	
			$ 290,000	$ 334,161	$ (44,161)	
COMMUNITY	SAFETY	Road Accident Rescue Unit	$ 3,000	$ 1,451	$ 1,549	
			$ 3,000	$ 1,451	$ 1,549	
ORGANISATION	SUSTAINABILITY					
	ADMINISTRATION	Computer System (Hardware / Software)	$ 20,000	$ 23,736	$ (3,736)	
		Town Hall (External Windows - Repaint)	$ 5,000	$ -	$ 5,000	
		Town Hall (Chairs)	$ 5,000	$ -	$ 5,000	
		Town Hall (General)	$ 10,000	$ 1,714	$ 8,286	
		Town Hall (Upstairs) - Rewiring	$ 5,000	$ -	$ 5,000	
		Asset Management - Computer Software	$ 25,000	$ 27,269	$ (2,269)	
	WORKS					
		Depot - Church Street - paling fence - South Parade boundary	$ 4,550	$ -	$ 4,550	
		Minor Plant Purchases	$ 6,500	$ 6,211	$ 289	
		Radio System	$ 2,000	$ -	$ 2,000	
		Security Key System	$ 6,000	$ -	$ 6,000	
		Depot - Glenelg Street (Security Fencing)	$ 3,000	$ -	$ 3,000	
		Land Acquisition (General disposal / storage area)	$ -	$ -	$ -	
	Plant Replacement Program	Refer separate Schedule (Net Changeover)	$ 734,152	$ 602,829	$ 131,323	
		Light Vehicles	$ 180,000	$ 269,877	$ (89,877)	
		Excavator (Approx. 2.70 tonne)	$ 60,000	$ -	$ 60,000	
		Water Tank Replacement (Truck)	$ -	$ -	$ -	
			$ 1,066,202	$ 931,636	$ 134,566	
	GRAND TOTALS		$ 5,121,836	$ 3,789,200	$ 1,332,636	

SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED

		17/06/2012		17/06/2011
Arrears Brought Forward		$212,537.06		$244,859.30
ADD Current Rates and Charges Levied		$3,748,196.74		$3,533,004.77
ADD Current Interest		$64,035.58		$62,781.32
TOTAL Rates and Charges Demanded	**100%**	**$4,024,769.38**	**100%**	**$3,840,645.39**
LESS Rates and Charges Collected	88.28%	$3,553,005.12	89.39%	$3,433,150.25
LESS Pensioner Remissions	4.62%	$185,871.41	4.49%	$172,491.30
LESS Other Remissions	-0.24%	-$9,541.71	-0.33%	-$12,758.87
LESS Discounts	0.32%	$13,009.28	0.30%	$11,610.63
TOTAL Rates and Charges Collected and Remitted	**92.98%**	**$3,742,344.10**	**93.85%**	**$3,604,493.31**
UNPAID RATES AND CHARGES	**7.02%**	**$282,425.28**	**6.15%**	**$236,152.08**

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	INFLOWS (OUTFLOWS) (July 2011)	INFLOWS (OUTFLOWS) (August 2011)	INFLOWS (OUTFLOWS) (Sept 2011)	INFLOWS (OUTFLOWS) (Oct 2011)	INFLOWS (OUTFLOWS) (Nov 2011)	INFLOWS (OUTFLOWS) (Dec 2011)	INFLOWS (OUTFLOWS) (Jan 2012)	INFLOWS (OUTFLOWS) (Feb 2012)	INFLOWS (OUTFLOWS) (March 2012)	INFLOWS (OUTFLOWS) (April 2012)	INFLOWS (OUTFLOWS) (May 2012)	INFLOWS (OUTFLOWS) (Year to Date)
Cash flows from operating activities												
Payments												
Employee costs	- 361,843.26	- 242,430.63	- 239,666.71	- 235,416.16	- 240,288.52	- 264,770.30	- 269,465.85	- 250,685.09	- 226,933.44	- 205,147.65	-234523.66	- 2,771,151.27
Materials and contracts	- 422,272.33	- 406,661.77	- 261,552.09	- 320,240.90	- 261,426.83	- 315,856.31	- 196,945.43	- 395,680.41	- 132,657.54	- 245,966.00	-239711.82	- 3,198,971.43
Interest	- 1,134.37	-	-	-	- 10,451.74	- 18,312.57	-	-	-	-	-10181.19	- 40,079.87
Other	- 9,030.87	- 16,960.94	- 70,256.75	- 16,757.49	- 19,139.30	- 56,321.94	- 34,809.53	- 17,676.48	- 62,684.12	- 9,784.91	-50290.88	- 363,704.21
	- 794,280.83	- 666,053.34	- 571,475.55	- 572,414.55	- 531,306.39	- 655,261.12	- 501,191.81	- 664,041.98	- 422,275.10	- 460,898.56	-534707.55	- 6,373,906.78
Receipts												
Rates	42,056.70	385,831.55	1,341,089.15	148,102.79	383,455.78	178,030.51	368,289.25	174,551.47	392,298.94	148,973.22	156110.80	3,718,790.16
User charges	124,241.49	48,334.99	79,680.21	71,292.83	57,562.50	43,554.43	72,194.90	82,830.46	61,353.12	38,131.15	54469.65	733,646.13
Interest received	25,369.29	42,111.25	28,758.03	34,709.61	35,699.50	22,268.21	22,120.20	16,775.30	23,895.80	17,599.53	9847.90	279,154.62
Subsidies	-	-	-	-	-	-	-	19,699.00	-	-	0.00	19,699.00
Other revenue grants	3,198.00	540,886.72	4,500.00	6,636.36	552,245.70	-	9,374.25	543,671.45	2,300.00	4,200.00	342071.65	2,190,329.63
GST Refunds from ATO	-	-	-	-	-	-	-	-	-	-	0.00	-
Other	63,206.37	92,601.90	37,253.54	27,156.20	45,986.05	4,294.52	13,362.97	108,107.22	18,158.99	123,431.66	44861.31	212,859.37
	258,071.85	1,109,760.41	1,491,280.93	287,897.79	982,977.83	248,147.67	439,867.13	945,634.90	498,006.85	85,472.24	807361.31	7,154,478.91
Net cash from operating activities	- 536,208.98	443,707.07	919,805.38	- 284,516.76	451,671.44	- 407,113.45	- 61,324.68	281,592.92	- 75,731.75	- 375,426.32	272653.76	780,572.13
Cash flows from investing activities												
Payments for property, plant & equipment	- 61,243.40	- 160,457.10	- 25,981.10	- 149,223.56	- 162,179.09	- 319,285.10	- 373,836.34	- 411,048.43	- 293,331.94	- 586,088.61	-315817.30	- 2,852,491.97
Proceeds from sale of property, plant & equipment	-	14,275.45	-	25,642.00	343.48	-	177,977.73	94,744.35	-	31,811.82	18.18	344,813.01
Proceeds from Capital grants	-	41,006.25	-	-	47,100.00	-	-	-	317,325.00		17831.82	423,263.07
Proceeds from Investments	-	-	-	-	-	-	-	-	-			-
Payment for Investments	-	-	-	-	-	-	-	-	-		0.00	-
Net cash used in investing activities	- 61,243.40	- 105,175.40	- 25,981.10	- 123,581.56	- 114,735.61	- 319,285.10	- 195,858.61	- 316,304.08	- 23,993.05	- 548,276.79	-297967.30	- 2,084,415.89
Cash flows from financing activities												
Repayment of borrowings	- 4,197.41	-	-	-	- 8,973.19	- 41,214.71	-	-	-	-	-9243.74	- 63,629.05
Proceeds from borrowings	-	-	-	-	-	-	-	-	-	-	0.00	-
Net cash from (used in) financing activities	- 4,197.41	-	-	-	- 8,973.19	- 41,214.71	-	-	-	-	-9243.74	- 63,629.05
Net increase/(decrease) in cash held	- 601,649.79	338,531.67	893,824.28	- 408,098.32	327,962.64	- 767,613.26	- 257,183.29	- 34,711.16	99,724.81	- 923,703.11	-34557.28	- 1,367,472.81
Cash at beginning of reporting year	8,152,371.61	7,550,721.82	7,889,253.49	8,783,077.77	8,374,979.45	8,702,942.09	7,935,328.83	7,678,145.54	7,643,434.38	7,743,159.19	681,9456.08	8,152,371.61
Cash at end of reporting year	7,550,721.82	7,889,253.49	8,783,077.77	8,374,979.45	8,702,942.09	7,935,328.83	7,678,145.54	7,643,434.38	7,743,159.19	6,819,456.08	6784898.80	6,784,898.80

17.3.2 2012 / 2013 Annual Plan & Budgets (Operating & Capital)

File Ref:

AUTHOR GENERAL MANAGER
DATE 21st JUNE 2012

ISSUE

Formal adoption of the 2012 / 2013 Annual Plan and Budget – Operating and Capital.

BACKGROUND / DETAIL

The following documents have been updated following the workshops held 30th May, 14th June and 21st June 2012.

1. Annual Plan and Program Budget Operating
2. Estimates Worksheets for Current Expenditure (Operating)
3. Capital Expenditure Estimates – Source of Funds Analysis

DETAIL - Nil.

RECOMMENDATION

THAT Council:

a) Council endorse the Budget amendments detailed in the Notes of the Budget and Rating Workshops; and
b) formally adopt the 2012/2013 Annual Plan and Budget – Operating and Capital.

C/12/06/120/19078 DECISION

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

THAT Council:

a) Council endorse the Budget amendments detailed in the Notes of the Budget and Rating Workshops; and
b) formally adopt the 2012/2013 Annual Plan and Budget – Operating and Capital.

CARRIED.

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

17.3.3 Adoption of 2012/2013 Rates and Charges Resolution

The following Rates & Charges Resolution (draft) has been based on the outcome of discussions through the budget workshops.

2012/2013 RATES AND CHARGES
RATES RESOLUTION SOUTHERN MIDLANDS COUNCIL

THAT under the *Local Government Act 1993* and the *Fire Services Act 1979*, the Southern Midlands Council has made the following rates and charges upon rateable land within the municipal area of Southern Midlands ("the municipal area"):

General Rates

1. (a) Under section 90 (3) (c) of the *Local Government Act 1993* ("the Act") Council makes a general rate of 7.362 cents in each dollar of Assessed Annual Value for all rateable land within the municipal area shown on the valuation list prepared under the *Valuation of Land Act 2001* ("the valuation list"), subject to a minimum amount of $275.00

   (b) Under section 107 (1) (c) of the Act the Council declares that the general rate is varied according to the locality of the land, and a rate of 7.612 cents in each dollar of Assessed Annual Value applies for all rateable land in the locality shown as the areas numbered 1,2,3,4,8 and 9 indicated by the heavy black lines on plan 2756 in the Central Plan Register, subject to a minimum amount of $275.00

Waste Management Charge

2. Under section 94 (1) of the Act Council makes a separate services charge in respect of the service of waste management called the Waste Management Charge upon all rateable land, which is capable of use for residential purposes, and Council declares that the charge is to be calculated in accordance with the following formulae:

   a) for rateable land upon which a dwelling or dwellings are constructed:

      Waste Management Charge = $110 x D, where D is the number of dwellings on the rateable land, capable of being occupied.

   b) for rateable land upon which no dwelling is constructed:

      Waste Management Charge = $37.00

Garbage Removal Charge

3. a) Under section 94 (1) of the Act Council makes a separate services charge of $116.00 in respect of the service of waste management called the Garbage Removal Charge upon all rateable land.

b) Under section 107 (1) (c) and section 94 (3A) of the Act the Council declares that the Garbage Removal Charge is varied according to the locality of the land and the level of service provided as follows:

(i) for the land identified by Property Identification Number 7462339 the charge is $2,436.00;

(ii) for land in the Broadmarsh/Elderslie areas to which the Council provides a fortnightly garbage removal service (utilising wheelie bins) and kerbside recycling service, the charge is $176.00.

(iii) for land in the Tunbridge area to which the Council provides a fortnightly garbage removal service (utilising wheelie bins) and kerbside recycling service, the charge is $176.00.

(iv) for land to which the Council does not provide either a weekly garbage removal service and kerbside recycling service, or a fortnightly garbage removal service (utilising wheelie bins) and kerbside recycling service, the charge is zero.

Fire Service Contributions

4. For the Council's contribution to the State Fire Commission:-

(a) for land within the Oatlands & Kempton Volunteer Brigade Rating District an amount of 0.3600 cents in the dollar on the assessed annual value of all rateable land subject to a minimum amount of $36.00;

(b) for all other land in the municipal area an amount of 0.2885 cents in the dollar on the assessed annual value of the land subject to a minimum amount of $36.00.

Instalments

5. These rates and charges are for the year commencing 1st July, 2012 and ending 30th June 2013 and are payable by 4 equal instalments, the first payable 30 days after the issue of the rates notices, the second by 4.30 p.m. on 30th November 2012, the third by 4.30 p.m. on 31st January 2013 and the fourth by 4.30 p.m. on 29th March 2013.

Where a ratepayer elects to enter into an arrangement to pay the current rates and charges by monthly, fortnightly, or weekly instalments via one of the electronic payment options (including direct debit), then the instalment amounts will be calculated to settle the debt by 30th June 2013. Penalty and interest will not be applied on any of the 2012-13 rates and charges at the relevant date, provided that the instalment arrangements are adhered to. In the event of default, penalty and interest is to be calculated on the outstanding amounts.

Late Payments

6. Penalty: A penalty of 5% applies to any rate or charge that is not paid on or before the date it falls due.

Interest: In addition to the penalty, interest under section 128 of the *Local Government Act 1993* will be charged at the rate of 9.5% per annum.

Discount

7. A discount of 1.7% will apply to all rates and charges paid in full within 30 days after the date of issue. This discount is not applicable to rates and charges which are paid in instalments. The payment due date will appear on the rates notice.

RECOMMENDATION

THAT Council adopt the 2012-13 Rates and Charges resolution as presented.

C/12/06/123/19079 DECISION

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

THAT Council adopt the 2012-13 Rates and Charges resolution, subject to amending Clause 7 (Discount) to provide for a discount amount of 1.3%

CARRIED.

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

17.3.4 2011-12 Loan Borrowing

AUTHOR GENERAL MANAGER
DATE 21st JUNE 2012

ISSUE
Council to endorse borrowing $150,000 in accordance with the 2011-12 Budget and approved Treasury Borrowing Allocation.

DETAIL
Detailed report to be submitted following receipt of quotations from the financial institutions.

The General Manager reported the following quotations for the borrowing of $150K over a ten or fifteen year-period:

- TASCORP – 10 Year – 4.88%, or 15 Year – 5.04% (to be reviewed) after 10 years;
- ANZ – 15 Year Term – 5.22% Variable rate
- Commonwealth – no submission of quote

Human Resources & Financial Implications – The proposed loan will be over a fifteen year period. A repayment schedule will be available upon receipt of quotations.
Community Consultation & Public Relations Implications – N/A.
Policy Implications – N/A.
Priority - Implementation Time Frame – Approval is required at this meeting to enable the Loan to be taken up in the 2011/12 financial year.

RECOMMENDATION

To be submitted.

C/12/06/124/19080 DECISION
Moved by Clr J L Jones OAM, seconded by Deputy Mayor M Jones OAM

THAT Council proceed to borrow $150,000 from the Tasmanian Public Finance Corporation. Repayments to be based on a fifteen year term at the quoted rate of 5.04%.
CARRIED.

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

18. INFORMATION BULLETINS

Refer enclosed Bulletin dated 20th June 2012.

Information Bulletin dated 1st & 8th June 2012 circulated since previous meeting.

RECOMMENDATION

THAT the Information Bulletins dated 1st, 8th and 20th June 2012 be received and the contents noted.

C/12/06/125/19081 DECISION

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

THAT the Information Bulletins dated 1st, 8th and 20th June 2012 be received and the contents noted.

CARRIED.

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

18.1 QUESTION TIME (COUNCILLORS)

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

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

1. Planning Scheme Workshops (3 ½ day sessions) – to be held Tuesday 10th July, 26th July, 9th August 2012 - Starting at 1.00 pm Kempton Office

2. Lake Dulverton / Callington Park Management Committee – Clr D F Fish reported that Mr Harry Oldmeadow had resigned from the Committee after many years. A dinner was held to acknowledge his past involvement and efforts.

3. 2011 Census – data now available

4. Kempton Clock Tower – to be checked – reported as not working

5. Brighton / Green Ponds RSL – correspondence received relating to the Memorial Avenue trees at Kempton. On site meeting to be arranged.

19. MUNICIPAL SEAL

19.2 FORESTRY TASMANIA – RENEWAL OF LEASE NO. 1562 (MOUNT HOBBS RADIO TOWER.

File Ref:

AUTHOR EXECUTIVE ASSISTANT (K BRAZENDALE)
DATE 20TH JUNE 2012

ISSUE

Council to approve signing and sealing the Lease renewal for Mount Hobbs Radio Tower (Lease No. 1562).

BACKGROUND
The Southern Midlands Council has radio (two-way) communication infrastructure located on the Forestry Tasmania owned property at Mount Hobbs.

DETAIL
Lease No. 1562 expired in October 2011 and is to be re-issued for a period of three (3) years from the 1st day Of October 2011.

Human Resources & Financial Implications – Rental has been assessed at $900 per annum payable three yearly in advance at the discounted rate of $2,470 per three years plus GST. There is also a Road Maintenance Fee of $75.00 per annum plus GST.

RECOMMENDATION

THAT Council sign and seal the Lease renewal for Mount Hobbs Radio Tower (Lease No. 1562).

C/12/06/127/19082 DECISION
Moved by Clr D F Fish, seconded by Clr B Campbell

THAT Council sign and seal the Lease renewal for Mount Hobbs Radio Tower (Lease No. 1562).
CARRIED.

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

20. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

20.1 SOUTHERN WATER – APPOINTMENT OF OWNERS REPRESENTATIVES

The General Manager reported that following a meeting of STCA representatives, the preferred model for the appointment of Owners Representatives is on a region wide basis (as opposed to a segmented approach).

A decision was also made not to pay Owners Representatives, other than reimbursement of direct expenses incurred.

The STCA is therefore seeking nominations from qualified and interested individuals for appointment as an Owner Representative.

C/12/06/128/19083 DECISION

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

THAT the information be received in the absence of nominating a representative.

CARRIED.

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

RECOMMENDATION

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

C/12/06/129/19084 DECISION

Moved by Clr M Connors, seconded by Clr B Campbell

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

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

CLOSED COUNCIL MINUTES

21. BUSINESS IN "CLOSED SESSION "

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

T F KIRKWOOD
GENERAL MANAGER

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

T F KIRKWOOD
GENERAL MANAGER

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

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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/12/06/147/19087 DECISION

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

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

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

RECOMMENDATION

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

C/12/06/147/19088 DECISION

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

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

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

22. CLOSURE 2.35 P.M.