



AGENDA

ORDINARY COUNCIL MEETING

Wednesday, 27th January 2016
10.00 a.m
Colebrook Hall

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Dear Sir/Madam



NOTICE OF MEETING

Notice is hereby given that the next ordinary meeting of Council will be held on

Date: Wednesday, 27th January 2016

Time: 10.00 a.m.

Venue: Colebrook Hall

I certify under s.65(2) of the Local Government Act 1993 that the matters to be discussed under this agenda have been, where necessary, the subject of advice from a suitably qualified person and that such advice has been taken into account in providing any general advice to the Council.

COUNCILLORS PLEASE NOTE:

- Public Question Time has been scheduled for 12.30 pm

Yours faithfully

A handwritten signature in blue ink, appearing to read 'T F Kirkwood'.

T F Kirkwood
GENERAL MANAGER

OPEN COUNCIL AGENDA

1. PRAYERS

Rev Dennis Cousens to recite the Lord's Prayer.

2. ATTENDANCE

3. APOLOGIES

Clr David Marshall.

4. APPLICATION FOR LEAVE OF ABSENCE

Nil.

5. MINUTES

5.1 ORDINARY COUNCIL MINUTES

The Minutes of the previous meeting of Council held on the 9th December 2015, as circulated, are submitted for confirmation.

DECISION

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

5.2 ANNUAL GENERAL MEETING MINUTES

The Minutes of the Annual General Meeting of Council held on the 9th December 2015, as circulated, are submitted for confirmation.

RECOMMENDATION

THAT the Minutes of the Annual General Meeting held 9th December 2015 be confirmed.

DECISION

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

5.3 SPECIAL COMMITTEES OF COUNCIL MINUTES

5.3.1 Special Committees of Council - Receipt of Minutes

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

- Nil

DECISION NOT REQUIRED

RECOMMENDATION

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

DECISION

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

5.3.2 Special Committees of Council - Endorsement of Recommendations

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

- Nil

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 Meeting, as circulated, are submitted for receipt:

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

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

DECISION NOT REQUIRED

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

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

36A. Annual reports of authorities

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

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

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

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

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

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

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

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

36B. Quarterly reports of authorities

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

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

(a) a statement of its general performance; and

(b) a statement of its financial performance.

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

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

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.

No workshops have been held since the last meeting.

RECOMMENDATION

THAT the information be noted.

DECISION

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

7. QUESTIONS WITHOUT NOTICE

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

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

1.

2.

3.

4.

5.

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*.

9. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

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

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*.

DECISION

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

10. PUBLIC QUESTION TIME (SCHEDULED FOR 3.30 PM)

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

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

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

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

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

10.1 PERMISSION TO ADDRESS COUNCIL

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

Nil.

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

Nil.

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

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

12.1 DEVELOPMENT APPLICATIONS

12.1.1 DEVELOPMENT APPLICATION (DA 2015/171) FOR PROPOSED TELECOMMUNICATIONS INFRASTRUCTURE (NBN TOWER) AT RED COTES, CHAUNCY VALE ROAD, BAGDAD (CT 143469/4), OWNED BY P G & R J WILSON

Author: SENIOR PLANNING OFFICER (DAVID CUNDALL)

Date: 20 JANUARY 2016

Enclosures:

- Development Application - *Planning Report: Proposed Fixed Wireless Facility Lot 4, Chauncy Vale Road Bagdad* prepared on behalf of NBN Co
- Representations

PROPOSAL

The Applicant Visionstream on behalf of the NBN Co has applied to the Southern Midlands Council for a Permit under the *Land Use Planning and Approvals Act 1993* ("the Act") to install and operate a 35m high monopole to provide wireless telecommunications to the Bagdad area.

The application is to construct the telecommunications tower to provide wireless NBN to Bagdad as part of the NBN network. The tower, as required by the Planning Scheme, must also be capable of supporting future telecommunications facilities.

The application has been lodged under the *Southern Midlands Interim Planning Scheme 2015*.

The land is located at the farm known as Red Cotes and is accessed from Chauncy Vale Road. The subject title contains farm buildings and is used for farming. The land and is zoned Rural Resource.

In accordance with the Planning Scheme the proposal is defined as "Utilities - Telecommunications Infrastructure". The proposal is subject to several planning codes. Such matters are addressed in this report.

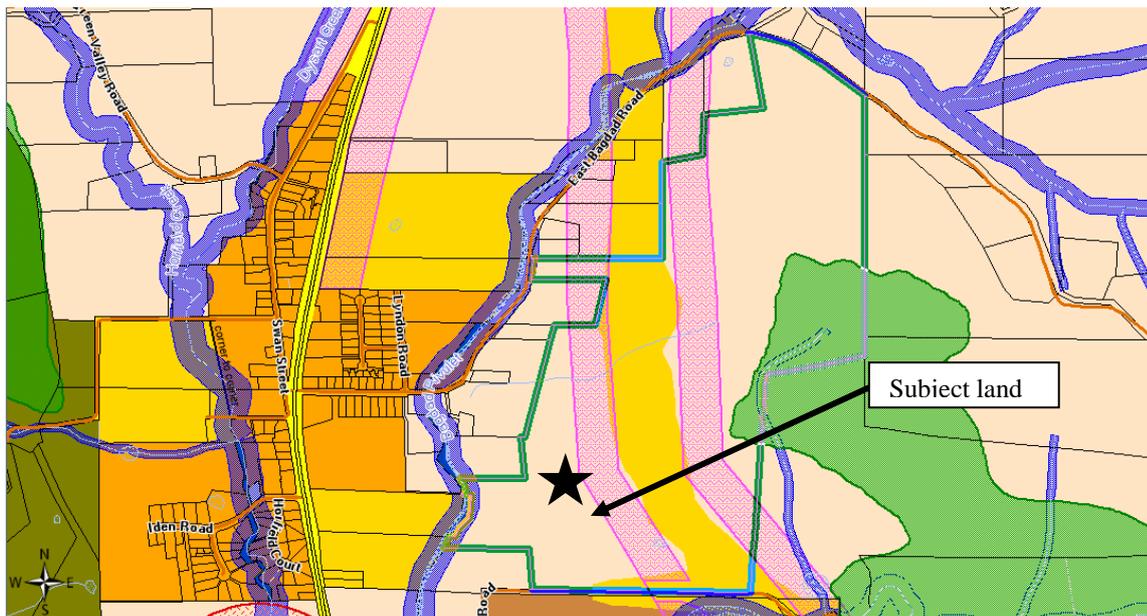
A permit for this type of "Telecommunications Infrastructure" is considered at the discretion of Council.

The Council gave notice of the application on the 18th December 2015. During the notification period, the Council received two (2) representations objecting to the granting of a permit.

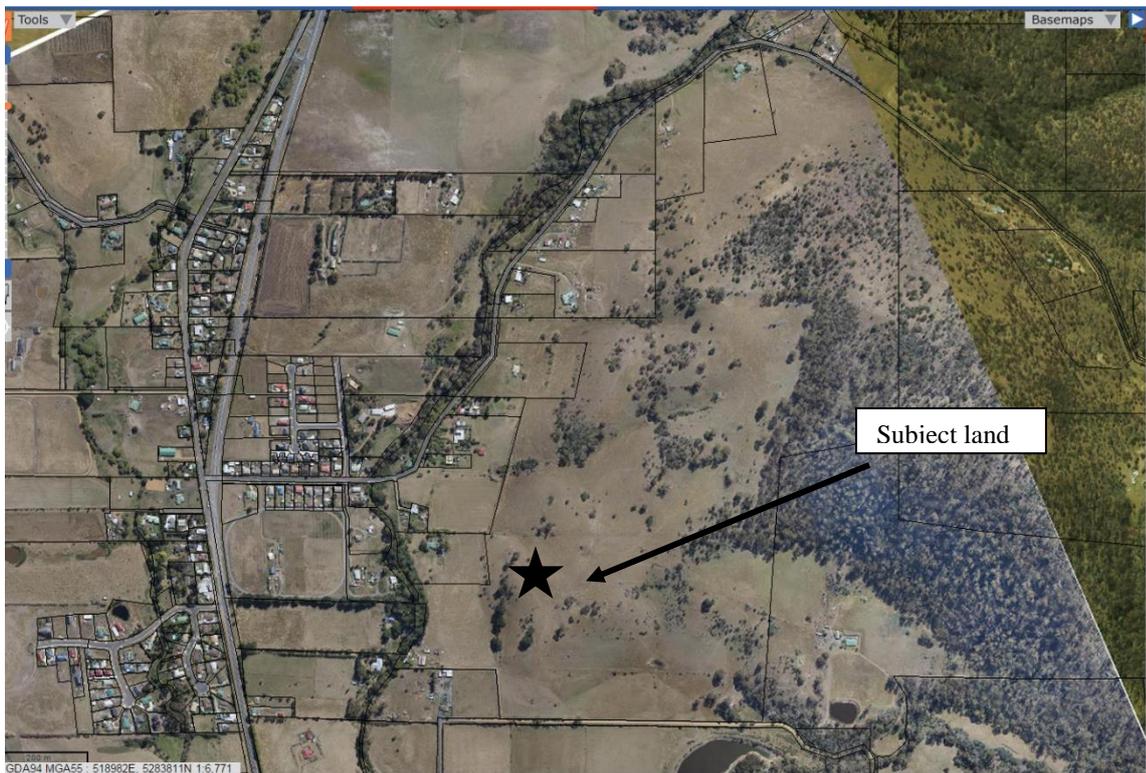
This report will assess the proposal against the relevant provisions of the Act and the Scheme. The Application is recommended for approval subject to conditions and advice.

THE SITE

Map 1 below shows the land zoning and location of the property.



Map 1_The land, coloured light brown is the Rural Resource Zone. The subject property is marked with an arrow and annotation. The location of the proposed NBN tower is marked by the black star. The blue stripes across the map are the location of creeks and waterways. The adjoining red hatched land that runs north south is the location of the future Bagdad Bypass scenic protection area. The yellow coloured land between these red hatched areas is the location of the future Bypass roadway. The land to the west of the tower is the village zone of Bagdad.



Map 2 _ Aerial image of the land. The black star marks the location of the proposed NBN Tower.

THE APPLICATION

The Applicant has submitted the attached *Planning Report: Proposed Fixed Wireless Facility: Lot 4, Chauncy Vale Road Bagdad* to accompany the Development Application form.

USE/DEVELOPMENT DEFINITION

The proposed use and development is defined, under the Planning Scheme, as 'Utilities' and then further defined as 'Telecommunications Infrastructure'.

Use/Development Status under the Planning Scheme

Telecommunications Infrastructure is a discretionary use and development in the Rural Resource Zone. The use/development is subject to the "Telecommunications Code". The Interim Scheme determines that this code is used to assess telecommunications works. The provisions of a code prevail over any conflicting provisions (standards etc) in a zone.

The proposal is a discretionary use and development and was advertised in accordance with Section 57 of the Act.

A permit, for this use/development may be granted by Council with or without conditions or Council may refuse to grant a permit.

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised on the 18th December 2015 for fourteen (14) days. Council are advised this 14 day period was extended due to the Christmas holiday period. Two (2) representations were received raising concerns with visual amenity and health effects of a wireless telecommunications tower.

Representation 1	Council Officer Comment
<p>To the General Manager,</p> <p>We ... do strongly object to the above NBN tower being erected at the said location on the following grounds.</p> <p>1: My wife had a [medical procedure]. Now cannot have MRI's or go through metal scanners or use mobile phones because of the radiation.</p> <p>2. The tower will not blend in with the landscape around Chauncy vale area. We were approached before the Wilson's to have the tower on our property but declined because of the health and the impact it will have.</p> <p>3. They emit radiation & research has found they affect sleep patterns, and is too close to our house, The Wilson family do not live on the property so it's not going to worry them. It is all about the money.</p> <p>4. There is No legal access to the property so they will have to apply for one and it is too dangerous for vehicles to access there as traffic coming down the road cannot see turning vehicles.</p> <p>5. If this tower is erected it will devalue our property</p> <p>6. We are quite sure there are other sites in Bagdad away from residential dwellings to have the tower erected.</p> <p>Thanking you in anticipation</p>	<p><i>Many of these towers have been constructed across Australia to provide telecommunications services.</i></p> <p><i>Officers, understand, via the records of other planning decisions in Australia and in discussion with the NBN Co that the concern about human health is often raised.</i></p> <p><i>The Application includes a report on the Electromagnetic energy (EME) and radiofrequency (RF). <u>The maximum EME level calculated for the proposed systems at this site is 0.15% of the public exposure limit.</u></i></p> <p><i>The proposed tower is not located in a scenic protection area, however, the visual impacts of the tower must be considered by the Planning Authority in accordance with the standards of the "Telecommunications Code".</i></p> <p><i>The Planning Authority does not consider property value in the assessment of new land use and development.</i></p> <p><i>The tower is subject to satisfactorily meeting the standards of the Planning Scheme for visual impacts.</i></p>

Representation 2	Council Officer Comment
<p>To the General manager,</p> <p>Re: Proposed telecommunications infrastructure at Red Coates Chauncy Vale Road, Bagdad owned by P G & R J Wilson and described as certificate 143469/4</p> <p>Southern Midlands Council ref: DA 2015</p> <p>To the General Manager,</p> <p>As we are residents that reside very close to the above proposed structure, we would like confirmation that these matters below have been addressed.</p> <ol style="list-style-type: none"> 1. That the health of any person, livestock or land would not be affected by having that type of structure within such a close proximity to adjoining properties. 2. That the value of adjoining properties will not decline significantly having such a large structure within easy view of these properties and people's perception with health concerns. <p>We had contacted an nbn department and they have said that all guide lines would have been complied with and this structure would be within those guide lines and therefore we are confident that the southern midlands council will assure us that the above concerns are not a factor in this proposal.</p>	<p><i>Per the above comments, the Application includes a report on the Electromagnetic energy (EME) and radiofrequency (RF). <u>The maximum EME level calculated for the proposed systems at this site is 0.15% of the public exposure limit.</u></i></p> <p><i>The Planning Authority does not consider property value in the assessment of new land use and development.</i></p> <p><i>The tower is subject to satisfactorily meeting the standards of the Planning Scheme. This is the purpose of this report.</i></p>

ASSESSMENT - THE SOUTHERN MIDLANDS INTERIM PLANNING SCHEME

Rural Resource Zone

Red Cotes is in the Rural Resource Zone. The proposal is a discretionary land use and development in this zone. The proposal must satisfy the requirements of the following relevant provisions of this zone:

Discretionary Use		
Objective: To ensure that discretionary non-agricultural uses do not unreasonably confine or restrain the agricultural use of agricultural land.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 No acceptable solution.	<p>P1</p> <p>A discretionary non-agricultural use must not conflict with or fetter agricultural use on the site or adjoining land having regard to all of the following:</p> <p>(a) the characteristics of the proposed non-agricultural use;</p> <p>(b) the characteristics of the existing or likely agricultural use;</p> <p>(c) setback to site boundaries and separation distance between the proposed non-agricultural use and existing or likely agricultural use;</p> <p>(d) any characteristics of the site and adjoining land that would buffer the proposed non-agricultural use from the adverse impacts on amenity from existing or likely agricultural use.</p>	<p><i>It is unlikely the proposed telecommunications tower will fetter the current and potential agricultural use of this land.</i></p> <p><i>There are many similar towers located on farm land across Australia. In many of these examples the land surrounding the tower is still used for grazing and cropping and other permitted agricultural land uses without incident or conflict. The tower, requires only 80m2 of land.</i></p> <p><i>The location of the tower is in the vicinity of existing established trees and is against the backdrop of Big Tom Hill. The tower is 105m from the nearest boundary of land in other ownership. This land is also in the Rural Resource Zone. It is highly unlikely the siting of the tower will fetter the ability for land in other ownership to be used for farming practices.</i></p>

Height		
To ensure that building height contributes positively to the rural landscape and does not result in unreasonable impact on residential amenity of land.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Building height must be no more than: 9 m if for a residential use. 10 m otherwise.	P1 Building height must satisfy all of the following: (a) be consistent with any Desired Future Character Statements provided for the area; (b) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by overlooking and loss of privacy; (c) if for a non-residential use, the height is necessary for that use.	<i>The height standards are more suitably addressed in the Telecommunications code. However in regard to meeting the performance criteria of this zone, against the objectives of the zone, the proposal does not cause any “overlooking and loss of privacy” and the height of the structure is necessary to gain adequate telecommunications coverage of the Bagdad area. The proposal complies with the performance criteria.</i>

Setback		
To minimise land use conflict and fettering of use of rural land from residential use, maintain desirable characteristics of the rural landscape and protect environmental values in adjoining land zoned Environmental Management.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Building setback from frontage must be no less than: 20 m.	P1 Building setback from frontage must satisfy all of the following: (a) be consistent with any Desired Future Character Statements provided for the area; (b) minimise adverse impact on the rural landscape as viewed from the road; (c) be no less than: 10 m or if there is an	<i>The tower is setback 270m from the Chauncy Vale Road and complies with the acceptable solution.</i>

	existing building set back less than this distance, the setback must not be less than the existing building	
A2 Building setback from side and rear boundaries must be no less than: 40 m.	P2 Building setback from side and rear boundaries must satisfy all of the following: (a) be sufficient to prevent potential for land use conflict that would fetter non-sensitive use of adjoining land; (b) be no less than: 20 m, if the lot is greater than 1 ha; 10 m, if the lot is less than or equal to 1 ha.	<i>The tower is setback 105m from the nearest boundary and therefore complies with the acceptable solution.</i>
A3 Building setback for buildings for sensitive use must comply with all of the following: (a) be sufficient to provide a separation distance from a plantation forest, Private Timber Reserve or State Forest of 100 m; (b) be sufficient to provide a separation distance from land zoned Significant Agriculture of 200 m.	P3 Building setback for buildings for sensitive use must satisfy all of the following: (a) be sufficient to prevent potential for land use conflict that would fetter non-sensitive use of adjoining land; (b) be sufficient to provide a separation distance no less than: 40 m from a plantation forest, Private Timber Reserve or State Forest; 80 m from land zoned Significant Agriculture.	<i>The tower is not considered a sensitive use in this context or per the definition of "sensitive use" in the planning scheme.</i> <i>The standard is not applicable.</i>

<p>A4</p> <p>Buildings and works must be setback from land zoned Environmental Management no less than:</p> <p>50 m.</p>	<p>P4</p> <p>Buildings and works must be setback from land zoned Environmental Management to satisfy all of the following:</p> <p>(a) there is no impact from the development on the environmental values of the land zoned Environmental Management;</p> <p>(b) the potential for the spread of weeds or soil pathogens onto the land zoned Environmental Management is minimised;</p> <p>(c) there is no potential for contaminated or sedimented water runoff impacting the land zoned Environmental Management;</p> <p>(d) there are no reasonable and practical alternatives to developing close to land zoned Environmental Management.</p>	<p><i>The proposal complies with the acceptable solution.</i></p>
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Design		
To ensure that the location and appearance of buildings and works minimises adverse impact on the rural landscape..		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>The location of buildings and works must comply with any of the following:</p> <p>(a) be located within a building area, if provided on the title;</p> <p>(b) be an addition or alteration to an existing building;</p>	<p>P1</p> <p>The location of buildings and works must satisfy all of the following:</p> <p>(a) be located on a skyline or ridgeline only if:</p> <p>(i) there are no sites clear of native vegetation and clear of other</p>	<p><i>The proposal complies with the acceptable solution as the proposal is not located on a skyline or require the clearing of native vegetation.</i></p>

<p>(c) be located in an area not requiring the clearing of native vegetation and not on a skyline or ridgeline.</p>	<p>significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;</p> <p>(ii) significant impacts on the rural landscape are minimised through the height of the structure, landscaping and use of colours with a light reflectance value not greater than 40 percent for all exterior building surfaces;</p> <p>(b) be consistent with any Desired Future Character Statements provided for the area;</p> <p>(c) be located in and area requiring the clearing of native vegetation only if:</p> <p>(i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;</p> <p>(ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures;</p>	
<p>A2</p> <p>Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.</p>	<p>P2</p> <p>The appearance of external finishes of buildings must not be incompatible with the rural landscape</p>	<p><i>To comply with the acceptable solution the recommendation is that a condition be included on the permit that ensures the proposed tower must comply with the acceptable solution.</i></p>

		<p><i>Accordingly the tower cannot have a reflectance value greater than 40%.</i></p> <p><i>It is recommended the developer provide an accurate colour and finishes schedule to the satisfaction of the Council prior to the submission of the application for a building permit. The schedule must then form a part of the approved plans.</i></p> <p><i>Council Officers recommend a dull grey colour that will absorb light greater than the 40% standard.</i></p> <p><i>The Visual amenity is further assessed in the "Telecommunications code".</i></p>
<p>A3</p> <p>The depth of any fill or excavation must be no more than 2 m from natural ground level, except where required for building foundations.</p>	<p>P3</p> <p>The depth of any fill or excavation must be kept to a minimum so that the development satisfies all of the following:</p> <p>(a) does not have significant impact on the rural landscape of the area;</p> <p>(b) does not unreasonably impact upon the privacy of adjoining properties;</p> <p>(c) does not affect land stability on the lot or adjoining areas.</p>	<p><i>The proposal will comply with the acceptable solution.</i></p>

Parking and Access Code

Part E6 of the Planning Scheme provides provisions for appropriate standards of access and parking for new land use and development.

The access to the tower (and tower compound area) is via an existing access to the land. This access is used to serve the farm. Officers do not consider any further works to the road access are necessary to facilitate this use and development.

As described in the Development Application, traffic movements are minimal, once a year, and any visits regarding technical faults etc would be ad hoc and as necessary.

It is recommended that a condition is included on any permit issued to ensure that Council roads are not damaged or soiled during construction operations and that any damage is repaired to the satisfaction of Council's Manager of Works and Technical Services.

Telecommunications Code

Part E19 of the Planning Scheme applies to the use and development of Telecommunications Infrastructure. The proposal must satisfy the standards of this code. The standards with a comment from the Planning Officer are below:

Shared Use and Co-Location		
To minimise the total number of towers and antenna within the municipal area		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 A new antenna must be located on an existing tower.	P1 A new antenna may be located on a new tower if it is impracticable to co-locate on an existing tower, having regard to the following: (a) no existing tower is located within the telecommunications network area with technical capacity to meet the requirements for the antenna; (b) no existing tower is located within the telecommunications network area with sufficient height to meet the requirements of the antenna; (c) no existing tower is located within the telecommunications network area with sufficient structural strength to support the proposed	<i>It is necessary to construct a new telecommunications tower, as there are no other existing towers in the area that are suitable for the NBN service and other future telecommunication services that would adequately service the township.</i> <i>The proposal complies with the performance criteria.</i>

	<p>antenna and related Equipment; (d) there is risk of electromagnetic interference between the antenna and an existing antenna on an existing tower; (e) there are other limiting factors that render existing towers unsuitable</p>	
<p>A2</p> <p>A new tower or mast must be structurally and technically designed to accommodate comparable additional users, including by the rearrangement of existing antenna and the mounting of antenna at different heights</p>	<p>P2</p> <p>No performance criteria.</p>	<p><i>The tower can further accommodate telecommunications facilities. The proposal complies with the Acceptable Solution.</i></p>

Visual Amenity		
To minimise detrimental impact upon the visual amenity of a locality by reducing prominence of telecommunications infrastructure.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>The location of telecommunications infrastructure must comply with all of the following:</p> <p>(a) be within existing utility corridors and sites and use existing infrastructure; (b) be externally finished and maintained in a neutral colour that minimises visual intrusiveness; (c) not: (i) be located on skylines that can be seen in silhouette; (ii) be aligned diagonally to the principal slope of a hill; (iii) cross at a low point</p>	<p>P1</p> <p>The location of telecommunications infrastructure not complying with A1 must ensure any detrimental impact upon visual amenity is minimised by reducing the prominence of telecommunications infrastructure, and important public views such as vistas to significant public buildings, streetscapes and heritage areas are protected.</p>	<p><i>The proposed tower is not within an existing utility corridor or on land with existing utilities use rights.</i></p> <p><i>The proposal is reliant on the performance criteria for visual amenity.</i></p> <p><i>Concerns about visual amenity have been raised by persons that have lodged a representation.</i></p> <p><i>The tower does not detract from significant buildings, streetscapes and heritage areas.</i></p> <p><i>It will be visible from elevated vantage points in the Bagdad valley, such Gangells Lane, Iden Road, Blackport Road etc. It is considered however the</i></p>

<p>of a saddle between hills; (iv) be located around the base of a hill; (v) be along the edge of an existing clearing; (vi) be artificially lit unless required for air navigation safety; (vii) be used for signage purposes, other than necessary warning and equipment information, (d) aerial telecommunication lines or additional supporting structures are erected and operated in residential and commercial areas only where overhead cables exist; (e) equipment housing and other visually intrusive infrastructure is screened from public view.</p>		<p><i>backdrop of Big Tom Hill and other hills soften the overall impact of the tower on the landscape.</i></p> <p><i>It is recommended that any permit issued includes a condition ensuring the pole is painted and coated in a material that will maximise light absorption to modern best practice and that the NBN Co provide a schedule demonstrating the intended finish of the pole for approval prior to the granting of a building permit.</i></p> <p><i>The proposal will comply with this standard on the provision that the structure is suitably painted.</i></p>
<p>A2</p> <p>Height above natural ground level must be no more than:</p> <p>(a) 60 metres in the Environmental Management, Rural Resource and Significant Agriculture Zones; (b) 45 metres in the General Industrial or Port and Marine Zone; (c) 40 metres in the Central Business, Commercial, Environmental Living, General Business, Major Tourism, Rural Living and Utilities Zones; (d) 20 metres in the Community Purpose, General Residential, Inner Residential, Light Industrial, Local Business, Low Density Residential, Recreation, Urban Mixed Use and Village Zones.</p>	<p>P2</p> <p>Height above natural ground level not complying with A2 must satisfy all of the following:</p> <p>(a) the predominant height of existing infrastructure or vegetation in the immediate vicinity is above the specified height limit; (b) there is no adverse impact on heritage or ecological values, or visual amenity of the locality; (c) it is critical for the role of the facility within the telecommunications network.</p>	<p><i>The acceptable height, per the acceptable solution, is below 60m in the Rural Resource Zone. The proposed tower is 35m high.</i></p> <p><i>The height of the tower complies with the acceptable solution.</i></p>

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Environmental Values		
To ensure that environmental values are protected		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Telecommunications infrastructure must not be located in an area of environmental significance.	P1 Telecommunications infrastructure located in an area of environmental significance must ensure environmental and heritage values are not significantly impacted.	<i>This is not considered an area of environmental significance. The proposal complies with the Acceptable Solution.</i>

Access		
To ensure that telecommunications infrastructure does not impede movement of vehicular and other modes of transport.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Telecommunications infrastructure must not impede movement of vehicular and other modes of transport.	P1 Telecommunications infrastructure must provide for adequate clearance for vehicular traffic and must not pose a danger or encumbrance to users of other land or aircraft.	<i>The proposal complies with the acceptable solution.</i>

Significant Agricultural Land		
To protect the productive capacity and efficient farming operations of significant agricultural land.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Telecommunications infrastructure within the Significant Agriculture Zone must be placed on or within 2 metres of property boundaries or fence lines.	P1 Telecommunications infrastructure within the Significant Agriculture Zone must not degrade or restrict the productive capacity of the land.	<i>The proposal is not within the Significant Agriculture Zone. The standard is not applicable.</i>

CONCLUSION

The report has assessed a Development Application for proposed Telecommunications Infrastructure (NBN Tower) at Red Cotes, Chauncy Vale Road Bagdad (CT 143469/4), owned by R J Wilson & P G Wilson.

Two (2) representations were lodged with Council objecting to the location of the tower raising concerns with visual prominence and effects on human health. The NBN Co, has addressed the human health concerns in the application and also given an appraisal of the visual prominence of the structure.

To reduce the visual prominence of the proposed tower, Council Officers have recommended suitable conditions relating to the visual amenity to be placed on the permit.

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

RECOMMENDATION

THAT, in accordance with the provisions of the *Southern Midlands Interim Planning Scheme* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council approve the application for proposed Telecommunications Infrastructure at Red Cotes, Chauncy Vale Road Bagdad (CT 143469/4), owned by R J Wilson & P G Wilson, Applicant NBN Co and that a permit be issued with the following conditions:

CONDITIONS

General

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

Visual Amenity

- 2) Before any work commences a schedule specifying the finish and colours of all external surfaces and samples must be submitted to and approved by the Council's Manager of Development and Environmental Services. The schedule must provide for colours and surfaces, with a dull grey colour, with a light reflectance value not greater than 40 percent and to best practice. The light reflectance values of surfaces must be specified on the schedule. The schedule shall form part of this permit when approved.

Services

- 3) 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

- 4) 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 7:00 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.

- 5) 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:
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
 - The transportation of materials, goods and commodities to and from the land.
 - Obstruction of any public footway or highway.
 - Appearance of any unsightly building used as part of the construction, works or materials.
 - 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.
- 6) The developer must make good and/or clean any road surface or other element damaged or soiled by the development to the satisfaction of the Council's Manger of Works and Technical Services.

The following advice applies to this permit:

- This permit does not imply that any other approval required under any other legislation has been granted.
- Any requirements for aviation safety that necessitate modification to the proposed tower, such as safety lighting, should be brought to the attention of the Southern Midlands Council prior to its installation.
- 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.

DECISION

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

12.1.2 DEVELOPMENT APPLICATION (DA 2015/172) FOR PROPOSED TELECOMMUNICATIONS INFRASTRUCTURE (NBN TOWER) AT 10 SUGARLOAF ROAD, KEMPTON (CT 150090/1), OWNED BY LAURISTON PTY LTD

Author: SENIOR PLANNING OFFICER (DAVID CUNDALL)

Date: 20 JANUARY 2016

Enclosures:

- Development Application - Planning Report: Proposed Fixed Wireless Facility 10 Sugarloaf Road, Kempton prepared on behalf of NBN Co
- Representation

PROPOSAL

The Applicant Visionstream on behalf of the NBN Co has applied to the Southern Midlands Council for a Permit under the *Land Use Planning and Approvals Act 1993* ("the Act") to install and operate a 40m high monopole to provide wireless telecommunications to the Kempton area.

The application is to construct the telecommunications tower to provide wireless NBN to Kempton as part of the NBN network. The tower, as required by the Planning Scheme, must also be capable of supporting future telecommunications facilities.

The application has been lodged under the *Southern Midlands Interim Planning Scheme 2015*.

The land is located at 10 Sugarloaf Road, Kempton. This land forms part of a large farm (Lauriston) on the western side of the Green Ponds Rivulet. The subject title contains a dwelling and multiple sheds used for farming. The land and is zoned Rural Resource.

In accordance with the Planning Scheme the proposal is defined as "Utilities - Telecommunications Infrastructure". The proposal is subject to several planning codes. Such matters are addressed in this report.

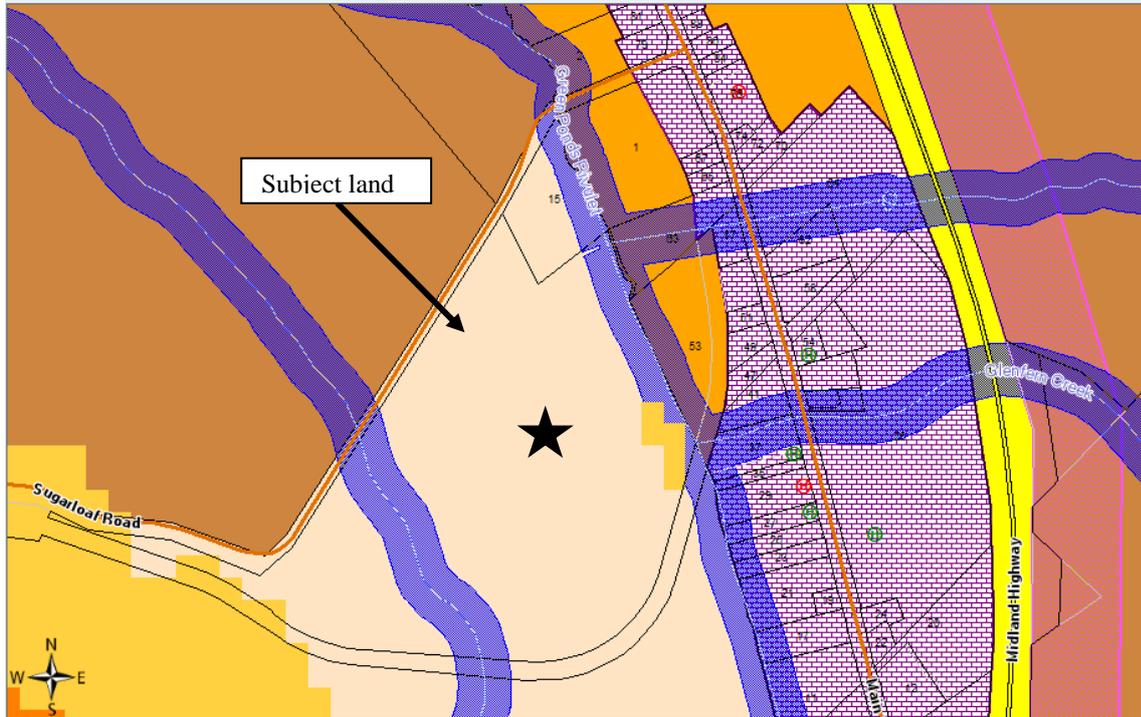
A permit for this type of "Telecommunications Infrastructure" is considered at the discretion of Council.

The Council gave notice of the application on the 18th December 2015. During the notification period, the Council received one (1) representation objecting to the granting of a permit.

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

THE SITE

Map 1 below shows the land zoning and location of the property.



Map 1_ The land, coloured light brown is the Rural Resource Zone. The subject property is marked with an arrow and annotation. The location of the proposed NBN tower is marked by the black star. The blue stripes across the map are the location of creeks and waterways. The adjoining red hatched land is the heritage precinct of Kempton and the orange parcels of land along the Greenpond Rivulet is the Village Zone. The land on the opposite side of Sugarloaf road is the Significant Agricultural Zone.



Map 2 _ Aerial image of the land. The black star marks the location of the proposed NBN Tower. The existing dwelling and sheds are visible in this image. Most of the surrounding land is agricultural land.

THE APPLICATION

The Applicant has submitted the attached *Planning Report: Proposed Fixed Wireless Facility: 10 Sugarloaf Road Kempton* to accompany the Development Application form.

USE/DEVELOPMENT DEFINITION

The proposed use and development is defined, under the Planning Scheme, as 'Utilities' and then further defined as 'Telecommunications Infrastructure'.

Use/Development Status under the Planning Scheme

Telecommunications Infrastructure is a discretionary use and development in the Rural Resource Zone. The use/development is subject to the "Telecommunications Code". The Interim Scheme determines that this code is used to assess telecommunications works. The provisions of a code prevail over any conflicting provisions (standards etc) in a zone.

The proposal is a discretionary use and development and was advertised in accordance with Section 57 of the Act.

A permit, for this use/development may be granted by Council with or without conditions or Council may refuse to grant a permit.

PUBLIC NOTIFICATION AND REPRESENTATIONS

The application was advertised on the 18th December 2015 for fourteen (14) days. Council are advised this 14 day period was extended due to the Christmas holiday period. One (1) representation was received raising concerns with visual amenity and health effects of a wireless telecommunications tower.

Representation 1	Council Officer Comment
<p>Re Telecommunications Tower at Lauriston Kempton General Manager</p> <p>Dear Sir /Madam</p> <p>We are opposed to the tower firstly because of the sheer ugliness of this tower if you stand outside the council at Kempton to take a photo of the clock you will be disappointed with your photo because this tower will be in the photo.</p> <p>Kempton is supposed to be a heritage town this tower is not heritage. I know we need new towers but not this close to town, if radiation does come off these towers it's to close to the town and the school, kids should not be exposed to this .</p> <p>What does heritage mean? The council made a community member take long sheets of new tin off there roof and put short ones on because it didn't fit in with the HERITAGE of the town, but now going to put up just over the road a 20 metre steel tower. Go figure this.</p> <p>We would like to have the tower moved somewhere else out of site of our beautiful HERITAGE town ! Or is it one rule for this and one rule for other things!!!</p>	<p><i>Many of these towers have been constructed across Australia to provide telecommunications services. Officers, understand, via the records of other planning decisions in Australia and in discussion with the NBN Co that the concern about human health is often raised.</i></p> <p><i>The Application includes a report on the Electromagnetic energy (EME) and radiofrequency (RF). <u>The maximum EME level calculated for the proposed systems at this site is 0.19% of the public exposure limit.</u></i></p> <p><i>The proposed tower is not located in the historic precinct special area and is therefore not subject to the standards of the heritage precinct special area. Consideration to the heritage precinct and streetscape of Kempton is given in this report against the standards of the "Telecommunications Code". It is concluded that although the tower will be visible from the Kempton township (as is necessary for it to work) its general location surrounded by trees, a small hill and against the backdrop of a much larger and partly forested hill will reduce the overall visual prominence of the structure. The heritage places, buildings and streetscape of the town will still remain visually prominent when viewed from key vantage points.</i></p>

ASSESSMENT - THE SOUTHERN MIDLANDS INTERIM PLANNING SCHEME

Rural Resource Zone

10 Sugarloaf Road is in the Rural Resource Zone. The proposal is a discretionary land use and development in this zone. The proposal must satisfy the requirements of the following relevant provisions of this zone:

Discretionary Use		
Objective: To ensure that discretionary non-agricultural uses do not unreasonably confine or restrain the agricultural use of agricultural land.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 No acceptable solution.	<p>P1</p> <p>A discretionary non-agricultural use must not conflict with or fetter agricultural use on the site or adjoining land having regard to all of the following:</p> <p>(a) the characteristics of the proposed non-agricultural use;</p> <p>(b) the characteristics of the existing or likely agricultural use;</p> <p>(c) setback to site boundaries and separation distance between the proposed non-agricultural use and existing or likely agricultural use;</p> <p>(d) any characteristics of the site and adjoining land that would buffer the proposed non-agricultural use from the adverse impacts on amenity from existing or likely agricultural use.</p>	<p><i>It is unlikely the proposed telecommunications tower will fetter the current and potential agricultural use of this land.</i></p> <p><i>There are many similar towers located on farm land across Australia. In many of these examples the land surrounding the tower is still used for grazing and cropping and other permitted agricultural land uses without incident or conflict.</i></p> <p><i>The location of the tower is in the vicinity of existing farm buildings and stock yards. The tower is 120m from the nearest boundary of land in other ownership. The adjoin land to the east is in the Village Zone and is not considered agricultural land as such.</i></p> <p><i>The tower is highly unlikely to fetter the ability for land adjoining this land to be used for agricultural purposes.</i></p>

Height

To ensure that building height contributes positively to the rural landscape and does not result in unreasonable impact on residential amenity of land.

Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Building height must be no more than:</p> <p>9 m if for a residential use.</p> <p>10 m otherwise.</p>	<p>P1</p> <p>Building height must satisfy all of the following:</p> <p>(a) be consistent with any Desired Future Character Statements provided for the area;</p> <p>(b) be sufficient to prevent unreasonable adverse impacts on residential amenity on adjoining lots by overlooking and loss of privacy;</p> <p>(c) if for a non-residential use, the height is necessary for that use.</p>	<p><i>The height standards are more suitably addressed in the Telecommunications code.</i></p> <p><i>However in regard to meeting the performance criteria of this zone, against the objectives of the zone, the proposal does not cause any “overlooking and loss of privacy” and the height of the structure is necessary to gain adequate telecommunications coverage of the Kempton township.</i></p> <p><i>The proposal complies with the performance criteria.</i></p>

<p>Setback To minimise land use conflict and fettering of use of rural land from residential use, maintain desirable characteristics of the rural landscape and protect environmental values in adjoining land zoned Environmental Management.</p>		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>Building setback from frontage must be no less than:</p> <p>20 m.</p>	<p>P1</p> <p>Building setback from frontage must satisfy all of the following:</p> <p>(a) be consistent with any Desired Future Character Statements provided for the area;</p> <p>(b) minimise adverse impact on the rural landscape as viewed from the road;</p> <p>(c) be no less than:</p> <p>10 m or if there is an existing building set back less than this distance, the setback must not be less</p>	<p><i>The tower is setback 155m from the Sugarloaf Road and complies with the acceptable solution.</i></p>

<p>A2</p> <p>Building setback from side and rear boundaries must be no less than:</p> <p>40 m.</p>	<p>than the existing building</p> <p>P2</p> <p>Building setback from side and rear boundaries must satisfy all of the following:</p> <p>(a) be sufficient to prevent potential for land use conflict that would fetter non-sensitive use of adjoining land;</p> <p>(b) be no less than:</p> <p>20 m, if the lot is greater than 1 ha;</p> <p>10 m, if the lot is less than or equal to 1 ha.</p>	<p><i>The tower is setback 120m from the nearest boundary and therefore complies with the acceptable solution.</i></p>
<p>A3</p> <p>Building setback for buildings for sensitive use must comply with all of the following:</p> <p>(a) be sufficient to provide a separation distance from a plantation forest, Private Timber Reserve or State Forest of 100 m;</p> <p>(b) be sufficient to provide a separation distance from land zoned Significant Agriculture of 200 m.</p>	<p>P3</p> <p>Building setback for buildings for sensitive use must satisfy all of the following:</p> <p>(a) be sufficient to prevent potential for land use conflict that would fetter non-sensitive use of adjoining land;</p> <p>(b) be sufficient to provide a separation distance no less than:</p> <p>40 m from a plantation forest, Private Timber Reserve or State Forest;</p> <p>80 m from land zoned Significant Agriculture.</p>	<p><i>The tower is not considered a sensitive use in this context or per the definition of "sensitive use" in the planning scheme.</i></p> <p><i>The standard is not applicable.</i></p>

<p>A4</p> <p>Buildings and works must be setback from land zoned Environmental Management no less than:</p> <p>50 m.</p>	<p>P4</p> <p>Buildings and works must be setback from land zoned Environmental Management to satisfy all of the following:</p> <p>(a) there is no impact from the development on the environmental values of the land zoned Environmental Management;</p> <p>(b) the potential for the spread of weeds or soil pathogens onto the land zoned Environmental Management is minimised;</p> <p>(c) there is no potential for contaminated or sedimented water runoff impacting the land zoned Environmental Management;</p> <p>(d) there are no reasonable and practical alternatives to developing close to land zoned Environmental Management.</p>	<p><i>The proposal complies with the acceptable solution.</i></p>
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Design		
To ensure that the location and appearance of buildings and works minimises adverse impact on the rural landscape..		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
<p>A1</p> <p>The location of buildings and works must comply with any of the following:</p> <p>(a) be located within a building area, if provided on the title;</p> <p>(b) be an addition or alteration to an existing building;</p>	<p>P1</p> <p>The location of buildings and works must satisfy all of the following:</p> <p>(a) be located on a skyline or ridgeline only if:</p> <p>(i) there are no sites clear of native vegetation and clear of other</p>	<p><i>The proposal complies with the acceptable solution as the proposal is not located on a skyline or require the clearing of native vegetation.</i></p>

<p>(c) be located in an area not requiring the clearing of native vegetation and not on a skyline or ridgeline.</p>	<p>significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;</p> <p>(ii) significant impacts on the rural landscape are minimised through the height of the structure, landscaping and use of colours with a light reflectance value not greater than 40 percent for all exterior building surfaces;</p> <p>(b) be consistent with any Desired Future Character Statements provided for the area;</p> <p>(c) be located in and area requiring the clearing of native vegetation only if:</p> <p>(i) there are no sites clear of native vegetation and clear of other significant site constraints such as access difficulties or excessive slope, or the location is necessary for the functional requirements of infrastructure;</p> <p>(ii) the extent of clearing is the minimum necessary to provide for buildings, associated works and associated bushfire protection measures;</p>	
<p>A2</p> <p>Exterior building surfaces must be coloured using colours with a light reflectance value not greater than 40 percent.</p>	<p>P2</p> <p>The appearance of external finishes of buildings must not be incompatible with the rural landscape</p>	<p><i>To comply with the acceptable solution the recommendation is that a condition be included on the permit that ensures the proposed tower must comply with the acceptable solution.</i></p> <p><i>Accordingly the tower</i></p>

		<p><i>cannot have a reflectance value greater than 40%.</i></p> <p><i>It is recommended the developer provide an accurate colour and finishes schedule to the satisfaction of the Council prior to the submission of the application for a building permit. The schedule must then form a part of the approved plans.</i></p> <p><i>Council Officers recommend a dull grey colour that will absorb light greater than the 40% standard.</i></p> <p><i>The Visual amenity is further assessed in the "Telecommunications code".</i></p>
<p>A3</p> <p>The depth of any fill or excavation must be no more than 2 m from natural ground level, except where required for building foundations.</p>	<p>P3</p> <p>The depth of any fill or excavation must be kept to a minimum so that the development satisfies all of the following:</p> <p>(a) does not have significant impact on the rural landscape of the area;</p> <p>(b) does not unreasonably impact upon the privacy of adjoining properties;</p> <p>(c) does not affect land stability on the lot or adjoining areas.</p>	<p><i>The proposal will comply with the acceptable solution.</i></p>

Parking and Access Code

Part E6 of the Planning Scheme provides provisions for appropriate standards of access and parking for new land use and development.

The access to the tower (and tower compound area) is via the existing access to the land. This access is used to serve the dwelling and farming use of the land. Officers do

not consider any further works to road access are necessary to facilitate this use and development.

As described in the Development Application, traffic movements are minimal, once a year, and any visits regarding technical faults etc would be ad hoc and as necessary.

It is recommended that a condition is included on any permit issued to ensure that Council roads are not damaged or soiled during construction operations and that any damage is repaired to the satisfaction of Council’s Manager of Works and Technical Services.

Telecommunications Code

Part E19 of the Planning Scheme applies to the use and development of Telecommunications Infrastructure. The proposal must satisfy the standards of this code. The standards with a comment from the Planning Officer are below:

Shared Use and Co-Location		
To minimise the total number of towers and antenna within the municipal area		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 A new antenna must be located on an existing tower.	P1 A new antenna may be located on a new tower if it is impracticable to co-locate on an existing tower, having regard to the following: (a) no existing tower is located within the telecommunications network area with technical capacity to meet the requirements for the antenna; (b) no existing tower is located within the telecommunications network area with sufficient height to meet the requirements of the antenna; (c) no existing tower is located within the telecommunications network area with sufficient structural strength to support the proposed antenna and related equipment; (d) there is risk of electromagnetic interference between the	<i>It is necessary to construct a new telecommunications tower, as there are no other existing towers in the area that are suitable for the NBN service and other future telecommunication services that would adequately service the township.</i> <i>The proposal complies with the performance criteria.</i>

	antenna and an existing antenna on an existing tower; (e) there are other limiting factors that render existing towers unsuitable	
A2 A new tower or mast must be structurally and technically designed to accommodate comparable additional users, including by the rearrangement of existing antenna and the mounting of antenna at different heights	P2 No performance criteria.	<i>The tower can further accommodate telecommunications facilities. The proposal complies with the Acceptable Solution.</i>

Visual Amenity		
To minimise detrimental impact upon the visual amenity of a locality by reducing prominence of telecommunications infrastructure.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 The location of telecommunications infrastructure must comply with all of the following: (a) be within existing utility corridors and sites and use existing infrastructure; (b) be externally finished and maintained in a neutral colour that minimises visual intrusiveness; (c) not: (i) be located on skylines that can be seen in silhouette; (ii) be aligned diagonally to the principal slope of a hill; (iii) cross at a low point of a saddle between hills; (iv) be located around the base of a hill; (v) be along the edge of an existing clearing; (vi) be artificially lit	P1 The location of telecommunications infrastructure not complying with A1 must ensure any detrimental impact upon visual amenity is minimised by reducing the prominence of telecommunications infrastructure, and important public views such as vistas to significant public buildings, streetscapes and heritage areas are protected.	<i>The proposed tower is not within an existing utility corridor or on land with existing utilities use rights. The proposal is reliant on the performance criteria for visual amenity. Concerns about visual amenity have been raised by persons that have lodged a representation. The structure will be visible from the township as this is necessary for the town to receive wireless coverage. However the overall prominence of the structure is obscured from most vantage points in the town by existing trees, buildings and the small hill adjacent the tower. If the tower is constructed, the heritage buildings and streetscape of Kempton will still be the prominent feature.</i>

<p>unless required for air navigation safety; (vii) be used for signage purposes, other than necessary warning and equipment information, (d) aerial telecommunication lines or additional supporting structures are erected and operated in residential and commercial areas only where overhead cables exist; (e) equipment housing and other visually intrusive infrastructure is screened from public view.</p>		<p><i>Nevertheless it is recommended that any permit issued includes a condition ensuring the pole is painted and coated in a material that will maximise light absorption to modern best practice and that the NBN Co provide a schedule demonstrating the intended finish of the pole for approval prior to the granting of a building permit.</i></p> <p><i>The proposal will comply with this standard on the provision that the structure is suitably painted.</i></p>
<p>A2 Height above natural ground level must be no more than: (a) 60 metres in the Environmental Management, Rural Resource and Significant Agriculture Zones; (b) 45 metres in the General Industrial or Port and Marine Zone; (c) 40 metres in the Central Business, Commercial, Environmental Living, General Business, Major Tourism, Rural Living and Utilities Zones; (d) 20 metres in the Community Purpose, General Residential, Inner Residential, Light Industrial, Local Business, Low Density Residential, Recreation, Urban Mixed Use and Village Zones.</p>	<p>P2 Height above natural ground level not complying with A2 must satisfy all of the following: (a) the predominant height of existing infrastructure or vegetation in the immediate vicinity is above the specified height limit; (b) there is no adverse impact on heritage or ecological values, or visual amenity of the locality; (c) it is critical for the role of the facility within the telecommunications network.</p>	<p><i>The acceptable height, per the acceptable solution, is below 60m in the Rural Resource Zone. The proposed tower is 40m high.</i></p> <p><i>The height of the tower complies with the acceptable solution.</i></p>

Environmental Values		
To ensure that environmental values are protected		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Telecommunications infrastructure must not be located in an area of environmental significance.	P1 Telecommunications infrastructure located in an area of environmental significance must ensure environmental and heritage values are not significantly impacted.	<i>This is not considered an area of environmental significance. The proposal complies with the Acceptable Solution.</i>

Access		
To ensure that telecommunications infrastructure does not impede movement of vehicular and other modes of transport.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Telecommunications infrastructure must not impede movement of vehicular and other modes of transport.	P1 Telecommunications infrastructure must provide for adequate clearance for vehicular traffic and must not pose a danger or encumbrance to users of other land or aircraft.	<i>The proposal complies with the acceptable solution.</i>

Significant Agricultural Land		
To protect the productive capacity and efficient farming operations of significant agricultural land.		
Acceptable Solutions	Performance Criteria	OFFICER COMMENT
A1 Telecommunications infrastructure within the Significant Agriculture Zone must be placed on or within 2 metres of property boundaries or fence lines.	P1 Telecommunications infrastructure within the Significant Agriculture Zone must not degrade or restrict the productive capacity of the land.	<i>The proposal is not within the Significant Agricultural Zone. The standard is not applicable.</i>

CONCLUSION

The report has assessed a Development Application for proposed Telecommunications Infrastructure (NBN Tower) at 10 Sugarloaf Road, Kempton (CT 150090/1), owned by Lauriston Pty Ltd.

One (1) representation was lodged with Council objecting to the location of the tower raising concerns with visual prominence and effects on human health. The NBN Co, has addressed the human health concerns in the application and also given an appraisal of the visual prominence of the structure.

To reduce the visual prominence of the proposed tower, Council Officers have recommended suitable conditions relating to the visual amenity to be placed on the permit.

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

RECOMMENDATION

THAT, in accordance with the provisions of the *Southern Midlands Interim Planning Scheme* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council approve the application for proposed Telecommunications Infrastructure at 10 Sugarloaf Road, Kempton (CT 150090/1), owned by Lauriston Pty Ltd, Applicant NBN Co and that a permit be issued with the following conditions:

CONDITIONS

General

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

Visual Amenity

- 2) Before any work commences a schedule specifying the finish and colours of all external surfaces and samples must be submitted to and approved by the Council's Manager of Development and Environmental Services. The schedule must provide for colours and surfaces, with a dull grey colour, with a light reflectance value not greater than 40 percent and to best practice.
The light reflectance values of surfaces must be specified on the schedule. The schedule shall form part of this permit when approved.

Services

- 3) 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

- 4) 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 7:00 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.

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

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

The following advice applies to this permit:

- a) This permit does not imply that any other approval required under any other legislation has been granted.
- b) Any requirements for aviation safety that necessitate modification to the proposed tower, such as safety lighting, should be brought to the attention of the Southern Midlands Council prior to its installation.
- 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.

DECISION

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

12.2 SUBDIVISIONS

Nil.

12.3 MUNICIPAL SEAL (PLANNING AUTHORITY)

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

Nil.

12.4 PLANNING (OTHER)

12.4.1 Council Submission: Draft Tasmanian Planning Scheme

Author: MANAGER DEVELOPMENT & ENVIRONMENT (DAMIAN MACKEY)

Date: 20 JANUARY 2016

Attachments:

- Correspondence from Minister for Planning dated 22 December 2015

Enclosures:

- Draft Tasmanian Planning Scheme, 23 December 2015

ISSUE

Formulation of a submission to the Minister for Planning on the Draft Tasmanian Planning Scheme.

BACKGROUND

In late December 2015 the Minister for Planning wrote to all Councils providing them with an opportunity to comment on the Draft Tasmanian Planning Scheme (TPS). This is pursuant to a requirement in the *Land Use Planning & Approvals Act 1993* for the Minister to consult with local government. Comments from Councils are required by 5 February 2016.

In addition to each Council having the opportunity to provide its own comments, the Local Government Association of Tasmania is undertaking a process to develop a collective submission to the Minister.

The Minister has advised that, after considering submissions from Local Government, the intention is to commence the formal public exhibition of the TPS later in February. Councils will therefore have a second opportunity to comment during this statutory process.

It should be noted that the draft TPS document consists of just the statewide written provisions. It does not include local written provisions or maps of zones and overlays. Under the legislation these are considered to be 'local provisions' and are to be drafted by individual Councils in the second half of 2016 following the finalisation of the statewide provisions embodied in the TPS.

It should also be noted that the TPS will supersede the recently declared Southern Midlands Interim Planning Scheme 2015. Whilst there are similarities between the TPS and the Southern Midlands Interim Planning Scheme 2015, the two are separate documents running through separate statutory processes. There is potential for confusion amongst the general public, so Council will need to ensure the difference between the two is explained in any public information it produces.

OFFICER COMMENTS

Only a relatively short timeframe has been provided to consider the Draft TPS. The following comments are nevertheless provided for Council consideration by Council officers. It should be noted, however, that they do not constitute a thorough review of the Draft TPS by Council officers.

4.0 Exemptions.

Home occupation:

This exemption could be expanded to provide for the parking/garaging of one large truck in the Rural, Agriculture and Rural Living zones. This is a common need in rural municipalities wherein self-employed persons or employees of small and medium enterprises need to regularly garage a truck at their residence overnight.

The home occupation definition would allow for tattoo and piercing studios in any zone. It is suggested that the definition be the same as current interim scheme definition, or include a restriction specifying no medical waste generated on site.

Agricultural buildings and works:

Agricultural sheds in the Rural Zone and Agricultural Zone would be exempt from the need for planning approval up to 200m² in area, with unlimited height and located 5m from any boundary. Furthermore, there is no limit on the number of such sheds. The implications are multiple large sheds very close to boundaries, on skylines, clad in zincalume sheds in inappropriate areas, and potentially accommodating noisy activities located close to neighbouring dwellings. It is suggested to keep the current agricultural shed exemptions in the interim scheme (100m² maximum) or tighten up on the qualifications.

Internal buildings and works

The exemption for internal building works unless State listed (THR) should be changed to include places listed on the local code where the internal fixtures are specifically listed.

Unroofed decks

The unroofed decks exemption makes no reference to setbacks. Also the exemption should consider allowing decks that actually abut or adjoin dwellings given that's where people build decks and given most dwellings are built with privacy and setbacks in mind.

Vegetation removal for safety or in accordance with other statutes, (f):

From powerlines, clearance should be exempt as necessary to make safe private or public powerlines.

The 2m distance provided in subclause (f) is inadequate and, in any case, there should be no distance limitation given the wide variation in the possible height of trees within 'striking distance' of powerlines and the risks (predominantly bushfire) associated with this issue.

Vegetation removal for safety or in accordance with other statutes, (i):

From fence lines, clearance should be exempt within 5m in the Rural and Agriculture zones, and within 3m in other zones.

The 3m distance provided in subclause (i) in rural zones would not be sufficient for the machinery needed for fence construction in many bushland areas. The 1.5 metres provided in other zones would not be sufficient for the lighter vehicles usually used in fence construction in those areas.

Rain-water tanks and fuel tanks

The 45kl capacity limit should be greater in the Rural and Agriculture zones. Working farms generally have significantly more capacity in their rainwater tanks. Ideally, all rain-water tanks should be exempt. If an exemption limitation is considered necessary by the State, the limit should be 90kl.

12.0 Village Zone

12.2 Use Table

Planning Authorities, in developing their local provisions, should be able to qualify various commercial uses so that they are permitted rather than discretionary if located in certain targeted areas within a particular village. For example: 'If located on Main Street'. It is unclear whether the TPS will provide for such local variation.

20.0 Rural Zone

Mapping of the Rural Zone / Agricultural Zone:

Without zone mapping guidelines, it is difficult to fully consider the draft zone provisions. For example, it is unclear to what extent lower-class agricultural land (e.g. rough grazing land) might be included in the Rural Zone or the Agricultural Zone.

20.2 Use Table

The Residential Use Class should allow, at the planning authority's discretion, for:

- Seasonal workers accommodation, (fruit pickers, shearers, etc.).

20.5 Development Standards for Subdivision, P1:

The Performance Criterion contains two main clauses (a) and (b).
As written, a proposed subdivision would need to comply with both.

However, it appears each clause may be intended to deal with a different circumstance. If so, the header phrase should be “Each lot must comply with one of the following:” and clause (c) should be added to each as a subclause.

If it is the intention that a subdivision must comply with both main clauses, then Council should oppose this provision, and request that compliance with only one be necessary.

Subclause (b)(ii), which requires a Part 5 Agreement to be registered on the title preventing the construction of a dwelling on a vacant balance lot, is problematic. The balance lot may be very large and may accommodate a substantial rural use, and a new dwelling may be highly desirable for an appropriate level of farm management, operation and security.

21.0 Agriculture Zone

21.2 Use Table

The Residential Use Class should allow, at the planning authority’s discretion, for:

- Seasonal workers accommodation, (fruit pickers, shearers, etc.).

21.5 Development Standards for Subdivision, P1:

The Performance Criterion is divided into three main clauses, (a), (b) and (c).

As written, a proposed subdivision would need to comply with all three.

However, it appears each subclause may be intended to deal with a different circumstance. If so, the header phrase should be “Each lot must comply with one of the following:”

If it is the intention that a subdivision must comply with all three subclauses, then Council should oppose this provision, and request that compliance with only one be necessary.

Subclause (c)(ii), which requires a Part 5 Agreement to be registered on the title preventing the construction of a dwelling on a vacant balance lot, is problematic. The balance lot may be very large and may accommodate a substantial rural use, and a dwelling may be necessary for an appropriate level of farm management, operation and security.

Furthermore, it is noted that if subdivisions must comply with all three clauses (a), (b) and (c), there will be no balance lot.

C1.0 Signs Code

‘Third Party Signs’

The signs code would allow an avenue for third party advertising, i.e. highway billboards. Suggest the performance criteria be tightened if this concept is to stay.

C7.0 Natural Assets Code

Absence of State Policy Direction

There is currently no legislation, regulation, policy, ministerial statement of expectation or other form of policy direction from the State that sets out a requirement for planning schemes to mirror, reflect or impose the provisions of the Threatened Species Act or the Nature Conservation Act.

It is understood that the view of the relevant State public servants is that the 2009 changes to the Forestry Regulations constitutes such a policy direction.

It should be Council's submission, however, that this is not the case: The Forestry Regulations direct what the forestry system does and does not do. They do not direct what planning system does and does not do. In addition to being an innate characteristic of 'forestry regulations' it is submitted that a careful reading of the regulations makes this clear.

Council submits that a clear policy statement from the State Government is necessary, by way of legislation, regulation, policy, ministerial statement of expectation or some other form of policy direction, before the proposed Natural Values Code is included in the TPS.

In the absence of a clear policy statement:

- Local Government will be unfairly blamed for imposing use and development restrictions on private land.
- There will be no democratic accountability for the decision to mirror / impose the provisions of the Threatened Species Act and Nature Conservation Act via planning schemes.

In further explanation of the above two dot points, it is noted that the code will apply via a planning scheme map overlay. Map overlays are defined, statutorily, as local provisions, not state provisions. It will therefore be the local Council that will be held accountable by landowners and developers for the impact of the Natural Assets Code.

The objective of the Resource Management & Planning System calling for '*the sharing or responsibility ... between the different spheres of government ...*' does not mean '*hiding responsibility*'. In any democracy there must be accountability for any restrictions and limitations placed on the rights of the citizens, and this must be to one of the levels of government, being constituted by the democratically elected representatives of the people.

The system should not be arranged so that Local Government elected members take political responsibility for policy decisions of the State Government, and certainly not for de facto policy decisions of State Government public servants.

C7.2.1(xi)

The General Residential Zone should be removed from the application of the Natural Values Code. The strategic decision that any natural values are not, on balance, worth protecting, should be made at the time of rezoning.

For land already zoned General Residential, the planning system should accept that any natural values thereon are already lost.

It is noted that the Zone Purpose for the General Residential Zone does not include protection of natural values.

The decision to apply the Natural Values Code to the General Residential Zone, albeit for subdivision only, appears inconsistent from a policy point of view with C7.6.2 A1(b) whereby up to 3,000m² of priority vegetation can be cleared as an Acceptable Solution in the Rural Living Zone.

C9.0 Karst Code

Council officers note that the Draft Tasmanian Planning Scheme includes a Karst Code. 'Karst' refers to limestone caves and related features.

RECOMMENDATION

(Subject to discussion)

THAT Council endorse the above comments to be included in its submission to the Minister for Planning on the Draft Tasmanian Planning Scheme.

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

Attachment

**Treasurer
Minister for Planning and Local Government**

Level 9 15 Murray Street HOBART TAS 7000 Australia
GPO Box 123 HOBART TAS 7001 Australia
Ph: +61 3 6165 7670
Email: treasureroffice@dpac.tas.gov.au



22 December 2015

Mayor Tony Bisdee
Southern Midlands Council
PO Box 21
OATLANDS 7120

By email: mail@southernmidlands.tas.gov.au

Dear Mayor

I recently wrote to inform you of the amendments to the *Land Use Planning and Approvals Act 1993* that commenced on 17 December 2015, noting my intention to consult with planning authorities as part of the preparation of the draft State Planning Provisions ahead of the statutory public exhibition and assessment that will commence in early 2016.

In addition to the public exhibition and assessment processes, the Act requires consultation with planning authorities, the Commission and any state agencies and state authorities the Minister sees fit, in preparing the draft State Planning Provisions. To this end, I enclose a copy of the draft State Planning Provisions for your consideration.

As noted in my previous correspondence, I understand there has been extensive consultation and input from local government as part of the work undertaken by the Government's drafting team and the Planning Reform Taskforce in preparing their initial advice to me on preparation of the draft State Planning Provisions.

I also note there will be an opportunity for local councils to make a representation to the Tasmanian Planning Commission on the draft State Planning Provisions when these are publicly exhibited, for consideration as part of the statutory assessment under the Act.

Once I have approved the draft State Planning Provisions for public exhibition, I will give notice to the Tasmanian Planning Commission to exhibit the relevant exhibition documents, consisting of the draft State Planning Provisions, terms of reference for their preparation, an explanatory document and any document applied, adopted or incorporated in the draft State Planning Provisions. The statutory public exhibition will be for a period of 60 days.

These documents will be available during that time for viewing at offices of the Commission and available for viewing and downloading at an electronic address of the Commission. Any person or body may make a representation to the Commission on the draft. The Commission will then consider the representations and may, as part of its assessment under the Act, hold one or more hearings before providing its report to me.

The draft State Planning Provisions have been prepared based on the template provided in *Planning Directive No 1 – Content and structure of planning schemes*, and include the 22 standard zones provided for in that template that are currently used in interim planning schemes across Tasmania, as well as a range of general and administrative provisions.

The draft State Planning Provisions also contain a suite of statewide codes building on those generally in use in interim planning schemes based on the regional model provisions developed by regional council bodies, as well as statewide content developed by relevant state agencies and the Tasmanian Planning Commission.

There are also provisions to ensure the structure and effective operation of the Tasmanian Planning Scheme as it will apply in each municipal area, including allowing for the State Planning Provisions and the Local Provisions Schedule to be effectively integrated and reference each other.

I welcome any specific comments you may have on the draft State Planning Provisions ahead of the formal statutory public exhibition to occur in early 2016.

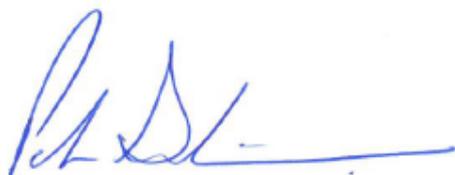
Please provide comments to the Department of Justice at:

Legislation Development
GPO Box 825
Hobart 7001

or by email to: legislation.development@justice.tas.gov.au

Comments should be received by close of business on February 5th, 2016.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Peter Gutwein', with a long horizontal flourish extending to the right.

Hon Peter Gutwein MP
Minister for Planning and Local Government

cc: Mr Tim Kirkwood, General Manager, Southern Midlands Council

13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)

13.1 ROADS

Strategic Plan Reference – Page 13

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

Nil.

13.2 BRIDGES

Strategic Plan Reference – Page 14

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

13.2.1 TENDER – DESIGN & RECONSTRUCTION OF THE BRIDGE DECK FOR THE WATTLE HILL ROAD BRIDGE, WATTLE HILL ROAD OFF STONOR ROAD, STONOR

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 20 JANUARY 2016

Attachments

1. Request for Tender (RFT)

2. Six Tenders Submitted

(because of the bulk of these attachments, one package will be available at the meeting for Councillors to peruse – a copy can be made available prior to the meeting if required – contact Andrew Benson):

ISSUE

Consideration of Tender submissions for the design and reconstruction of the bridge deck for the Wattle Hill Road Bridge, at Wattle Hill Road, over the Coal River off Stonor Road, Stonor.

BACKGROUND

This tender contract includes:

- The removal of the existing timber bridge deck and superstructure and the orderly storage of the materials on site. The materials will remain the property of the Southern Midlands Council.
- The design and construction of a new single lane bridge on the existing piers and abutments on Wattle Hill Road where it crosses the Coal River.
- Refurbishment of the existing concrete piers.

Council engaged Phil Gee, BE, FIEAust, CPEng, MBA, Managing Director, Sugden & Gee Pty Ltd. on a contract basis to undertake the Superintendent's role in respect of this project, along with the development of the tender documentation in partnership with Council's Deputy General Manager and Council's Manager Works & Technical Services.

The Request for Tender was processed through Council's E Procurement Portal, via Tenderlink. The process was seamless and very efficient to operate/manage. An online forum was established as part of the Tender process with the Superintendent being available via email up until five days before the Tender closed for questions in respect of the Tender documents and/or site conditions. With the process being undertaken through the E Procurement Portal, all organisations registered received a copy of the information and the responses, in a transparent manner. A Site Meeting was held and minutes of that meeting were lodged on the E Procurement Portal for distribution.

When the Tender closed the Nominated Officer (in this case Deputy General Manager – Andrew Benson) received an e-mail through the portal to advise that the Tender had closed and the "keys to the Tender Box" were available through a coded number access (this number is only available to the Nominated Officer). There was a Tender Opening Committee of two people, including the Nominated Officer who were at the computer to witness the downloading of the zip file with all of the Tenders and then the opening of the zip file. A Summary of the Tenders and their respective pricing was then printed off and the two members of the Tender Opening Committee signed that they were present and witnessed the opening of the Tenders on the Summary. The complete Tender documents along with the signed Tender Opening Committee Summary were then forwarded to the Tender Assessment Committee plus the Superintendent for consideration. A copy of all documents were also sent to Council's Records Management Office for lodgement in Council's Records Management system as a permanent record of the Tender submissions.

The initial Tender Assessment Panel meeting was held on Monday 18th January 2016, where the Project Superintendent, Phil Gee provided a draft Engineer's Report for consideration of the Panel. A rigorous analysis was undertaken and a range of options as provided in the documentation were considered on their respective merits.

ENGINEER'S REPORT

The following Report is provided by Sugden & Gee

[COMMENCEMENT OF ENGINEER'S REPORT]

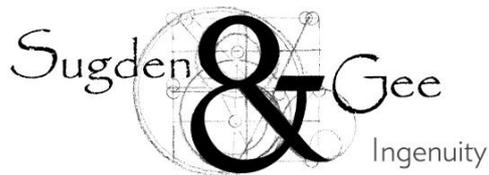
Wattle Hill Rd Bridge

Contract No. 08/2015

Report on Tenders

Prepare for: Southern Midlands Council

Date: 20 January 2016



PO Box 8, Lauderdale, TAS. 7021
Ph. 0417 305 878
Email: info@suggee.com.au
ABN 57 159 898 11

Appendix A Request for Tender
Appendix B Tender Assessment Schedule

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*This document is and shall remain the property of **Sugden & Gee**. The document may only be used for the purposes for which it was commissioned and in accordance with the Terms of Engagement for the commission. Unauthorised use of this document in any form is prohibited.*

Prepared by: Phil Gee

Date: 20 January 2016

Report Revision History					
Rev No.	Description	Prepared by	Reviewed by	Authorised by	Date
DRAFT A	Draft for Tender Assessment Panel	PG	PG	PG	16/12/15
REV00	Final Report	PG	AB	PG	20/01/16

1. Introduction

The Southern Midlands Council (SMC) advertised a Request for Tenders (RFT) for the Bridge Works to reconstruct the Wattle Hill Road Bridge (bridge no. 1402), Contract No. 08/2015 in the Mercury newspaper on 14 November 2015. A copy of the Request for Tenders is contained in Appendix A.

SMC's bridge inspectors have determined that the existing timber bridge structure has decayed and have applied a five (5) tonne load limit on it. The scope of this Contract is to design and constructed a bridge deck to replace the existing timber bridge deck that has decayed. The new bridge is to be installed on the existing piers and abutments and the works include remediation of the existing piers. Civil works including roadworks and preparation of the site and crane access are to be carried out by the SMC's workforce.

Tenders for the Contract closed at 4 pm on Monday 7 December 2015.

This report provides an assessment of Tenders received for Contract No. 08/2015.

2. Code for Tenders & Contracts

The Tender process and this assessment has been conducted in accordance with SMC's Code for Tenders and Contracts in that it aims to achieve:

- open and effective competition
- value for money
- enhancement of the capabilities of local business and industry, and
- ethical behaviour and fair dealing

The Tender process was undertaken in accordance with the Southern Midlands Council's Code for Tenders and Contracts.

The Contract price was expected to be in the range of \$210k to \$250k (excl. GST) which is above the \$100k value which requires public tender by the Council's Code for Tenders and Contracts.

The Tenders were assessed by a Tender Review Panel who will make a recommendation to Council.

The Conditions of Tender, specification, Conditions of Contract and Tender Form were prepared without bias and aligned with appropriate Australian Standards and Codes for design and construct bridge contracts.

3. Tenders Received

The following six Tenders were received:

Alternative Tenders were also invited providing a conforming Tender was also provided.

Tenderer	Price	Alternative Price	Comment
BridgePro	\$175,100.00	-	Conforming

Engineering P/L			
	-	\$176,100.00	Includes signage, guideposts and rock lined road batters and drains
	-	\$275,000.00	Includes above extras as well as a completely new structure, run on slabs, 10yr guarantee, twice yearly inspections and after flood inspections.
TasSpan P/L	\$185,813.00		5 day road closure
	-	\$181,682.00	Extended date for PC.
Tas Marine Construction P/L	\$199,140.00	-	Error in schedule which sums to \$201,540.00
VEC Civil Engineering	\$199,966.00	-	16 wks with contingency to 30 June. Extensive list of proposed changes to AS4902 insurance clauses.
Batchelor Construction Group	\$215,609.86	-	24 week construction program plus 1 week design.
Timber Restoration Systems P/L	\$399,641.00	-	Glue laminated timber

The Extensive list of proposed changes to the AS4902 insurance clauses by VEC Civil Engineering could cause their Tender to be considered a non-conforming Tender. However, there are a number of conforming Tenders which have lower prices than this Tender and no further clarification was sought.

The 24 week construction period offered with the Batchelor Construction Group Tender could deem their Tender to be considered to be a non-conforming Tender. However, there are a number of conforming Tenders which have lower prices than this Tender and no further clarification was sought.

4. Required Documentation

Tenderers were required to submit the following documentation:

- Form of Tender and schedules completed and signed by the Tenderer
- Insurance Certificates of Currency
- Quality Management System certification
- Environmental Management System certification
- WHS Management System certification

- A program scheduling the various activities from the Date of Acceptance of Tender through to issue of the Final Certificate.
- Relevant project experience of the Tenderer in bridge construction and design and construct contracts
- Relevant qualifications and experience of key staff that the Tenderer will use to deliver this Contract.
- Relevant qualifications and experience of the Professional Engineers who will be responsible for the design and certification of the bridge.
- Projected Cash Flow
- Proposed methodology and sketch plans for the proposed bridge re-establishment solution
- Proposed systems for risk management including workplace health and safety, quality of product and environmental management.
- A statement of the Tenderer's current capability and capacity to deliver the contract on time
- A statement of the Tenderer's financial capacity to carry out the Contract
- Any supporting documentation which the Tenderer considers relevant to the Tender
- Information to support the selection criteria of the Tender assessment

All Tenderers provided a signed Tender Form and schedules. Clarification was sought where minor items had not been provided from the lower conforming Tenders.

5. Assessment

The Tender assessment criteria were clearly outlined in Request for Tender.

A schedule summarising the Tender assessment of all Tenders against the assessment criteria is contained in Appendix B. The following is a discussion of Tenders against each of the assessment criteria.

6. Prices and Rates

A design and construct Contract method was adopted so as to capture innovation in design methodology and to optimise cost. Estimates based on previous bridge contract tenders ranged between \$210k and \$250k.

The lowest price Tender from BridgePro Engineering Pty Ltd represents good value from an experienced bridge contractor.

All Tender pricing Schedules were checked to ensure they corresponded with the Tender Lump Sums. The sum of the Scheduled amounts from Tas Marine Construction P/L is \$201,540.00 compared to the Tendered amount of \$199,140.00. Further clarification was not sought as there are two conforming Tenders with lower prices.

Tendered rates for labour and plant are used to price variations should they be required due to latent conditions or unforeseen circumstances. The Tendered rates in the lowest conforming Tender from BridgePro are comparable to other Tendered rates and are within acceptable range.

7. Alternative Tenders

The following alternative Tenders can be considered because, as required, an associated conforming Tender was submitted and they comply with the provisions of Clause 2.9 of the RFT.

8. *BridgePro Engineer Pty Ltd*

Although not submitted on the Tender Form, BridgePro Engineering Pty Ltd submitted two alternative packages that conform to the specification but provide additional features:

Alternative Gold Price of \$176,100.00 excl. GST for additional bridge signage, give way and single lane signage, guideposts on approaches and reflectors, rock lined road batters and drains.

Alternative Platinum Price of \$275,900.00 excl. GST for features offered in Gold Price and also a completely new structure including abutments and piers, run on slabs, 10 year guarantee, twice yearly inspections and inspections following major flood events.

Whilst the council may wish to consider the value of these extra items they are not deemed necessary.

9. *TasSpan Pty Ltd*

TasSpan Pty Ltd submitted an alternative Tender of \$181,682.00 for an extended date for Practical Completion.

10. Proposed Bridge Deck Solution

The lowest conforming Tender is from BridgePro and has a bridge solution that offers precast concrete double T deck structures, abutment packers to suit road levels, a wide pre-cast curtain wall and pier strengthening panels with insitu cast crossheads (rather than simply rendering pier with crossheads) which provides a stronger solution with a longer life of the piers. This proposed methodology exceeds the requirements of the specification.

The second lowest conforming Tender is from TasSpan and has a bridge solution that offers precast concrete deck beams and precast pier and abutment packers.

11. Company Experience & Capability

The lowest conforming Tenderer, BridgePro, is an experienced and capable bridge construction contractor with appropriate insurance and third party certified management systems. BridgePro successfully delivered two bridge contracts for SMC in the past 12 months, Brown Mountain Rd & Sydney Cottage, and there is confidence they have the experience and capability to deliver this Contract. BridgePro were also recently awarded the SMC Contract for the Swanston Bridge.

12. Personnel Experience & Capability

The lowest conforming Tenderer, BridgePro, has suitably experienced and capable personnel in bridge design and construction.

13. Conclusion

The lowest price Tenderer, BridgePro Engineering Pty. Ltd., is experienced in design and construction of similar bridges to the Wattle Hill Road Bridge and, with the proposed pier strengthening, their proposed solution complies with and exceeds the specification. They have certified quality management systems and carry appropriate levels of insurance.

The Tender from BridgePro at \$175,100 (excl. GST) is \$10k lower than the next lowest Tender from TasSpan, \$6k lower than TasSpan's alternative Tender and \$25k lower than the Tenders from TMC and VEC. The pre-Tender estimate based on previous Tenders was in the range of \$210k to \$250k.

The Tender Assessment Panel have reviewed BridgePro's additional Gold and Platinum offers, and, after clarification with the Tenderer, it is recommended that the additional items are not accepted.

Based on assessment the Tenders received for SMC Contract 08/2015 for the Wattle Hill Road Bridge:

1. The Tender process was conducted in accordance with the SMC Code of Tenders
2. The best value for money Tender is that received from BridgePro Pty Ltd for the sum of \$175,100.00 excl. GST.



Phil Gee, MBA, BE, CPEng, FIEAust, RPEQ
Managing Director
Sugden & Gee Pty Ltd

Appendix A

Request for Tender

(because of the bulk of this attachment, one package will be available at the meeting for Councillors to peruse – a copy can be made available prior to the meeting if required – contact Andrew Benson):

Appendix B

Tender Assessment Schedule

14. Wattle Hill Road Bridge
15. Southern Midlands Council Contract No. 08/2015

The following is a summary of the assessment of the submitted Tenders against the Selection Criteria:

Criteria*	BridgePro	TasSpan	TMC	VEC	Batchelor	TRS
Price (\$)	175,100.00	185,813.00	199,140.00	199,966.00	215,609.86	399,641.00
Price Alt (\$)	-	181,682.00	-	-	-	-
Rates Ave (\$)	68.75	63.33	72.50	71.88	68.57	105.71
Proposed bridge/culvert solution	Precast concrete including pier protection	Precast concrete	Precast concrete	Precast concrete	Precast concrete	Glue-lam timber
Conditions		5 day road closure. Alternative Tender has extended completion.		16 wk to completion with contingency. Extensive changes to AS4902 insurance clauses.	24 wk construction program plus 1 wk design.	
Relevant company experience	Strong	Strong	Some bridge, strong marine experience	Strong	Some experience	Strong in timber rehabilitation
Exp. and quals of key personnel	Strong	Strong	Good PE strong Precasters strong	Strong	Some experience PE strong Precasters strong	Not clear

*Note: all pricing excludes GST

[END OF ENGINEER'S REPORT]

The Engineer’s Report included in this Agenda Report includes the minor clarification changes sought by the Tender Assessment Panel and has been endorsed by the Tender Assessment Panel. It is confirmed that this process has been undertaken in accordance with Council’s Code for Tenders & Contracts, January 2015 version.

Human Resources & Financial Implications – The replacement cost as nominated in Council’s bridge asset management plan in concrete construction is \$284,925.00. This of course would include bridge piers and footings as opposed to this tender for the bridge deck and pier protection.

Anticipated costs associated with the completion of this project are as follows (ex GST);

1	Tender	\$ 175,100.00
2	SMC Project Management & Contract Administration	\$ 18,823.25
3	SMC to establish and decommission the crane pad on site & reinstate fences	\$ 3,500.00
4	SMC to supply and install the W Beam rail at the bridge approaches	\$ 6,000.00
5	SMC to remove selected trees from the site	\$ 2,000.00
6	SMC Signage and Sundry Roadworks	\$ 3,000.00
	Estimated Sub Total	\$ 208,423.25
7	Contingencies 10%	\$ 20,842.33
	Estimated Total	\$ 229,265.58

In breaking the bridge components down in respect of the replacement value, advice has been received that the deck replacement would constitute approximately 80% of the structure replacement cost. Therefore in respect of this project and using the Estimated Sub Total (therefore no contingencies having been allowed for) above, of \$208,423.25 it equates to 73% of the replacement cost, therein providing a “book value” saving of \$19,516.75, given 80% of the replacement cost is \$227,940.00. Therefore it is considered that this tender price represents excellent value for money.

Community Consultation & Public Relations Implications – The Road Closure will be an impact on the local Community.

Web site Implications – Advice of the Mercury advertisement for the Road Closure.

Policy Implications – Nil

RECOMMENDATION

THAT Council

1. Receive and note the report
2. Endorse the processes undertaken;
3. Accept the tender received from BridgePro Pty Ltd for the sum of \$175,100.00 excl. GST,; and
4. Sign and seal the Formal Instrument of Agreement with BridgePro Pty Ltd for the contractual requirements detailed in the Request For Tender and provided in their Tender submission, for the total sum of \$175,100.00 excl. GST;

DECISION

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

13.3 WALKWAYS, CYCLE WAYS AND TRAILS

Strategic Plan Reference – Page 14

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

Nil.

13.4 LIGHTING

Strategic Plan Reference – Page 14

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

Nil.

13.5 BUILDINGS

Strategic Plan Reference – Page 15

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

Nil.

13.6 SEWERS

Strategic Plan Reference – Page 15

1.6.1 Increase the capacity of access to reticulated sewerage services.

Nil.

13.7 WATER

Strategic Plan Reference – Page 15

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

Nil.

13.8 IRRIGATION

Strategic Plan Reference – Page 15

1.8.1 Increase access to irrigation water within the municipality.

Nil.

13.9 DRAINAGE

Strategic Plan Reference – Page 16

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

Nil.

13.10 WASTE

Strategic Plan Reference – Page 17

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

Nil.

13.11 INFORMATION, COMMUNICATION TECHNOLOGY

Strategic Plan Reference – Page 17

1.11.1 Improve access to modern communications infrastructure.

Nil.

13.12 OFFICER REPORTS – WORKS & TECHNICAL SERVICES (ENGINEERING)

13.12.1 MANAGER - WORKS & TECHNICAL SERVICES REPORT

Report to be circulated prior to the meeting.

14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

14.1 RESIDENTIAL

Strategic Plan Reference – Page 18

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

Nil.

14.2 TOURISM

Strategic Plan Reference – Page 19

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

14.2.1 DESTINATION SOUTHERN TASMANIA – ‘EXPLORING HOBART & BEYOND’- NEW VISITOR MAP

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 14 JANUARY 2016

Attachment:

- Destination Southern Tasmania – Letter dated 17th December 2016

ISSUE

Council to consider committing an amount of \$1,850 to assist with the distribution of the new Visitor Map – Exploring Hobart & Beyond.

BACKGROUND

Destination Southern Tasmania (DST) is the regional tourism organisation for Tasmania's southern region. Incorporating 11 Council Partners, Industry Membership and a partnership with Tourism Tasmania, DST is focussed on increasing visitation, increasing yield and increasing regional dispersal.

DETAIL

In reference to the attached letter, one of the organisation's core projects in its Marketing Plan is the production of a new Visitor Map for southern Tasmania.

DST is seeking financial support of \$1,850 from each of the Council stakeholders to maximise distribution of the map over a 12 month period.

The letter provides an explanation as to the need for the Map and what it will look like.

It is aimed to launch the Map in early 2016, and whilst a commitment was sought by 18th January 2016, an extension of time has been given to enable Council to consider this issue.

Human Resources & Financial Implications – An amount of \$6,000 was allocated in the 2015/16 Operating Budget as a base funding contribution to DST to assist with its normal marketing and operational expenses.

This amount is over and above the existing budget and Councillors will note that there is an opportunity to be invoiced in July 2016 (i.e. 2016/17 financial year). This would obviously be an advanced commitment for that period.

Community Consultation & Public Relations Implications – This is certainly a positive initiative aimed at enhancing (and spreading) the tourism benefits across the entire region. Council's support will be recognised on the reverse side of the Map.

Policy Implications – N/A.

Priority - Implementation Time Frame – Immediate decision required prior to DST finalising the design and printing.

RECOMMENDATION

THAT Council commit an additional \$1,850 as a contribution to Destination Southern Tasmania for the design; printing and distribution of the 'Exploring Hobart & Beyond' new visitor Map.

DECISION

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

Attachment



Mr Tim Kirkwood
General Manager
Southern Midlands Council

17 December 2016

Dear Tim

EXPLORING HOBART & BEYOND – New Visitor Map

As you are aware, Destination Southern Tasmania (DST) is focussed on developing opportunities that facilitate increased regional dispersal and move visitors around the southern region to maximise the benefits of tourism to our local communities.

One of the core projects in DST's 2016 Marketing Plan is the production of a new Visitor Map for southern Tasmania. The purpose of the Map is to highlight how accessible and connected tourism experiences are in the southern region. The Map is a tool to drive regional dispersal and capitalise on the nearly one million international and interstate visitors that travel to our region through Hobart.

We are seeking financial support of \$1,850 from each of our Council stakeholders to maximise distribution of the map over a 12 month period.

Why is the Map needed?

Maps are one of the key information sources that are used by visitors when they are in destination (City of Melbourne, Visitor Information Journey). Localised maps showcasing experiences within sub destinations exist and state-wide maps provide useful directional information. However, there is no map bringing together all of southern Tasmania and highlighting the range of experiences on offer and how easy it is to access these across the region for day or overnight trips.

The greatest challenge to regional dispersal is awareness of what is out there and how to get to it.

Hobart is the major gateway for visitors to the south with 60% of all interstate and international visitors arriving via the Hobart Airport. We also know that 81% of all visitors to Tasmania visit the southern region, including Hobart. In order to boost regional dispersal and increase visitor spend we need to develop tools that appeal to these visitors and encourage them to discover more of what is in our region.

It is also important to note that 70% of visitors to Tasmania intend to return. So any visitor tools we develop need to showcase how much there is to see and do to encourage return visits to our region.

By highlighting the wide range of attractions and experiences across our region in a map form, and by demonstrating the easy access from our capital city, DST aims to disperse visitors more widely across the region and increase their length of stay and spend. The Map will also be a useful tool for locals hosting visitors and friends.

What will the Map look like?

The Map will be A2, folding to DL and 100,000 will be printed for wide distribution on Spirit of Tasmania Ferries, at airports, Brooke Street Pier, via car hire companies, in visitor centres, through industry across the State and via Council venues as appropriate.

A local illustrator will create the Map which will focus on our region's key themes and attractions. It will be created entirely with the visitor in mind and will be both attractive and easy to navigate.

The Map will show main towns, sub-regions, key routes, driving times from Hobart, public toilets and other key facilities.



The Map will also have a grid, and on the reverse side, DST's members will be listed under the relevant sub-region section and with a grid reference.

When will the Map be launched?

The Map will be created early in the New Year (2016) ready for distribution at the major winter festivals in June. It will continue to be distributed right through 2016 and into 2017.

How can Councils help?

Design and production of the Map will be funded by industry contributions to DST. We are seeking \$1,850 from each southern Council stakeholder towards costs to ensure the map is distributed widely throughout the state, with over 100,000 copies distributed in a 12 month period.

We understand budgets have been allocated for 2015/2016 and are able to invoice this amount either in May/June 2016 or July 2016 to suit the budget cycle.

Council's support will be recognised with a logo on the reverse side of the map which includes regional information. Council will also be provided with copies of the Map for your own use.

We hope you see the benefit is supporting this project which will provide a tangible tool to enhance tourism benefits in your community and enhance economic benefits of the visitor economy right across our region.

It would be appreciated if you could advise your support for the project by 18 January 2015. Please do not hesitate to contact me if you have any queries or you would like further information.

Yours Sincerely

A handwritten signature in black ink, appearing to read "Melinda Anderson", written over a light blue horizontal line.

Melinda Anderson
CEO

14.3 BUSINESS

Strategic Plan Reference – Page 20

- 2.3.1a Increase the number and diversity of businesses in the Southern Midlands.
- 2.3.1b Increase employment within the municipality.
- 2.3.1c Increase Council revenue to facilitate business and development activities (social enterprise)

Nil.

14.4 INDUSTRY

Strategic Plan Reference – Page 21

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

Nil.

14.5 INTEGRATION

Strategic Plan Reference – Page 21

- 2.5.1 The integrated development of towns and villages in the Southern Midlands.
- 2.5.2 The Bagdad Bypass and the integration of development.

Nil.

15. OPERATIONAL MATTERS ARISING (STRATEGIC THEME –LANDSCAPES)

15.1 HERITAGE

Strategic Plan Reference – Page 22

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

15.1.1 HERITAGE PROJECT PROGRAM REPORT

Author: MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)

Date: 22 JANUARY 2016

ISSUE

Report from Manager Heritage Projects on various Southern Midlands Heritage Projects.

DETAIL

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

- Awaiting finalisation of the grant deed for the Southern Midlands Integrated Heritage Skills Hub project (\$309,000 secured through the National Stronger Regions Fund).
- Refining the Oatlands Commissariat and 79 High Street project plan and preparation of documentation for imminent development application.
- Preparation of material for continuing community heritage program on MID FM.
- Finalisation of material for Pawtella / Mount Pleasant interpretation.
- Research & writing for “Voices from the Past” project including SMC web content.
- Providing relief for Callington Mill tour guides.
- Ongoing promotion of Southern Midlands heritage through ABC local, Probus, Hobart Town First Settlers etc.

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

- Continued implementation of the Premaydena Officers Quarters project.
- Scoping of a conservation project at a prominent Southern Midlands heritage building.

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

- Planning the implementation of the next 5x5x5 project module (Brighton Army Camp).
- Completing the progress report on year 1 for the Tasmanian Community Fund.

RECOMMENDATION

THAT the information be received.

DECISION

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

15.2 NATURAL

Strategic Plan Reference – Page 23/24

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

15.2.1 LANDCARE UNIT, GIS & CLIMATE CHANGE – GENERAL REPORT

Author: NRM PROGRAMS MANAGER – (MARIA WEEDING)

Date: 19 JANUARY 2016

ISSUE

Southern Midlands Landcare Unit Monthly Report.

DETAIL

- Information on the Expressions of Interest (EOI) process for the proposed sale of Mahers Point Cottage is now live on the Council's web site and also on the web site known as 'Gum Tree'. An open day is planned for Wednesday 20th January 2016 and then again on Saturday 6th February 2016 – between 10 a.m. to 12 noon. Intending purchasers are required to send in their EOI addressed to the General Manager by the closing date - 26th Feb. The Lake Dulverton & Callington Park Committee will make a preliminary assessment of the submissions and forward a recommendation on to Council. Council will then make the final determination on the outcome of this process.
- Watering of plants on the Dulverton Walking track has occurred on a few occasions over the Christmas break and into the New Year. The somewhat extreme dry conditions have necessitated this work to ensure the more recently planted plants remain alive.
- Water into Lake Dulverton from the Midlands Water Scheme has been temporarily ceased with the plan to recommence flow at the end of February 2016.
- In regard to Callington Park - the dry stone wall adjacent to the esplanade was completed in December by Ian Carline from Wallys Stone Walling. A donation box for the Stop Over Area has been placed at Callington Park and one at Lake Dulverton. This is proving to have been a good step, as many users of the area are donating funds towards continued improvement the area by the Lake Dulverton & Callington Park Management Committee (as outlined on the donation boxes).
- The NRM Strategy for Southern Midlands is continuing to be developed.
- Helen is away on leave until February.

RECOMMENDATION

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

DECISION

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

RECOMMENDATION

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

DECISION

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

15.3 CULTURAL

Strategic Plan Reference – Page 24

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

Nil.

15.4 REGULATORY (OTHER THAN PLANNING AUTHORITY AGENDA ITEMS)

Strategic Plan Reference – Page 25

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

Nil.

15.5 CLIMATE CHANGE

Strategic Plan Reference – Page 25

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

Nil.

16. OPERATIONAL MATTERS ARISING LIFESTYLE

16.1 COMMUNITY HEALTH AND WELLBEING

Strategic Plan Reference – Page 26

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

Nil.

16.2 YOUTH

Strategic Plan Reference – Page 26

4.2.1 Increase the retention of young people in the municipality.

Nil.

16.3 SENIORS

Strategic Plan Reference – Page 27

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

Nil.

16.4 CHILDREN AND FAMILIES

Strategic Plan Reference – Page 27

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

Nil.

16.5 VOLUNTEERS

Strategic Plan Reference – Page 27

4.5.1 Encourage community members to volunteer.

Nil

16.6 ACCESS

Strategic Plan Reference – Page 28

- 4.6.1a Continue to explore transport options for the Southern Midlands Community.
- 4.6.1b Continue to meet the requirements of the Disability Discrimination Act (DDA).

Nil.

16.7 PUBLIC HEALTH

Strategic Plan Reference – Page 28

- 4.7.1 Monitor and maintain a safe and healthy public environment.

Nil.

16.8 RECREATION

Strategic Plan Reference – Page 29

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

Nil.

16.9 ANIMALS

Strategic Plan Reference – Page 29

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

16.9.1 Animal Control Report

No report available due to the Animal Control Officer being on leave.

16.10 EDUCATION

Strategic Plan Reference – Page 29

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

Nil.

17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

17.1 RETENTION

Strategic Plan Reference – Page 30

5.1.1 Maintain and strengthen communities in the Southern Midlands.

Nil.

17.2 CAPACITY AND SUSTAINABILITY

17.2.1 FORMER LEVENDALE PRIMARY SCHOOL - REVISION OF THE DEED OF TRANSFER BETWEEN THE CROWN AND SOUTHERN MIDLANDS COUNCIL FOR THE TRANSFER OF THE FORMER LEVENDALE PRIMARY SCHOOL TO COUNCIL OWNERSHIP

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 20 JANUARY 2016

ISSUE

Further consideration in the finalisation of the transfer of ownership of the former Levensdale Primary School site at 1315 Woodsdale Road, Levensdale to Council, based on recent information received from Crown Law through the Department of Education.

BACKGROUND

At the August 2015 meeting Council approved the signing of the Deed between the Crown and the Southern Midlands Council for the transfer of ownership of the former Levensdale Primary School site at 1315 Woodsdale Road, Levensdale to Council.

[EXTRACT - COUNCIL MINUTES AUGUST 2015]

DECISION

C/15/08/149/20149

Moved by Cllr E Batt, seconded by Cllr B Campbell

THAT Council Sign and Seal the Deed between Southern Midlands Council and the Crown for the transfer of the former Levensdale Primary School to Council ownership.

CARRIED

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

[END OF EXTRACT - COUNCIL MINUTES AUGUST 2015]

DETAIL

Following the August 2015 Council meeting, the Deed of Agreement was signed / sealed and forwarded to the Department of Education for the Minister's signature. In late December 2015 the Deputy General Manager was contacted by Todd Williams, Asset Planning Manager with the Department of Education. The following email from the Department was provided as an explanation of the time that had been taken with attempting to finalise the transfer by the Department.

"11th December 2015

Hi Andrew,

Just following on from our discussion yesterday. The attached email provides detail re the current position.

Please confirm when you will discuss with Council and provide a response.

Let me know if you have any questions.

Regards.

Todd Williams

*Asset Planning Manager
Facility Services Branch
Department of Education*

*p: 03 6165 6340 | f: 03 6233 2437 | m: 0448 911 603
e: todd.m.williams@education.tas.gov.au*

*Letitia House Olinda Grove Mt Nelson TAS 7000
GPO Box 169 HOBART TAS 7001*

From: Davidson, Suzanne P (DoE)
Sent: Wednesday, 25 November 2015 12:30 PM
To: Williams, Todd M (DoE)
Cc: Bogus, Shane R (DoE)
Subject: FW: Levendale - Update

Hi Todd

The Levendale situation is as follows:

Crown Land Services will not execute the existing contract. Crown Law advise DoE's options are:

Option A (“determinable fee”)

Transferring the land subject to the determinable fee on the basis that the Council must use the land for the permitted use (community purposes) and in the event they stop using the land for such permitted use or go to sell the land, the land will automatically revert back to the Crown;

Option B (“restrictive covenant”)

To proceed as we were intending to proceed by transferring the land to the Council subject to the restrictive covenant that they had to use the land for at least a period of three years for community use and then after that any change in use or wanting to sell the land would require the approval of the Minister.

As discussed at the meeting, section 12 of the Crown Lands Act provides the Minister may set aside and transfer land on whatever conditions he thinks fit and accordingly either Option A or Option B would fit within the Minister's powers.

Both of these options mean tossing out the existing Deed of Agreement already signed by Council, and Crown Land Services has already advised they will not support Option B.

That leaves Option A.

Crown Law has advised that we do not need a new Deed of Agreement to continue with Option A and can simply transfer the land using the appropriate transfer documents. What this means is that there is no formal Deed of Agreement with Council but there is a formal transfer document that specifies that any change of use from “community purpose and ancillary use” and the site will revert to the Crown.

Given all of the above and in order to progress something, Shane [DoE] and I feel we need to recommend the following course of action:

Contact Council and advise that due to restrictions enacted by Crown Land Services, the original agreement as determined in the meeting between yourself and Council cannot be progressed at this time (we need to tell them as they will never be receiving a signed copy of the Deed back) and further to this advise that DoE will progress the transfer using Option A asap with a view to finalising the transaction by January 2016. DoE will pay rates until the end of the 2015/16 financial year and will continue to maintain the property until the transaction is finalised.

Any discussions on a future sale are moot until such time as that becomes a reality and it will have to be decided at that time who gets what.

Suzy”

CONCLUSION

The position that has been articulated in the email above is not inconsistent with the position that Crown Law has taken in all other transfers.

The posture that has evolved at the Levendale site over the last twelve months appears at this point in time to be a solid foundation for the future success of the site as a Community Facility and the issue of Council divesting itself of the site would appear remote.

However, if Council agrees to this revised arrangement, it does not preclude sometime in the future, the Council of the day negotiating with the Minister for any revised disposal arrangements.

Human Resources & Financial Implications – Nil

Community Consultation & Public Relations Implications – Nil

Web site Implications – Nil

Policy Implications – Nil

RECOMMENDATION

THAT Council

1. Acknowledge receipt on the 11th December 2015 of the advice that the Department of Education have received from Crown Land Services and Crown Law in respect of the changed circumstances of the Council signed Deed of Agreement. This being for the transfer of the former Levendale Primary School from the Department of Education, to the Southern Midlands Council and
2. Agree to Option A in the aforementioned email, namely
“Transferring the land [1315 Woodsdale Road Levendale] subject to the determinable fee on the basis that the Council must use the land for the permitted use (community purposes) and in the event they stop using the land for such permitted use or go to sell the land, the land will automatically revert back to the Crown”.

DECISION

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

17.2.2 MEMORIAL AVENUE, KEMPTON

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 22 JANUARY 2016

Enclosures:

- Arborist Report – Memorial Avenue Trees Kempton
- The Avenues Kit: - The Complete Guide to Restoring Memorial Avenues and Avenues of Honour in Your Community

ISSUE

At this time of the acknowledgement of the Centenary of ANZAC it is appropriate for Council to consider the condition, maintenance and enhancement of the local cultural heritage that emanates from the World War 1 period.

BACKGROUND

[Extract from “The Avenues Kit - The Complete Guide to Restoring Memorial Avenues and Avenues of Honour in Your Community” by Adrian Howard]

Most of Tasmania’s, and indeed Australia’s, Avenues were planted during or immediately after the Great War. More were planted after the Second World War and these are often the only memorial to sacrifice and service in that conflict.

The Avenues are a living link to those who served and the communities that honoured them through the planting of trees. In a period of increasing ignorance of the details of either conflict and with media attention and pilgrimages focussed on Anzac Cove and obvious heroes, they are reminder of the role of individuals from every small community across Australia and the sacrifices they and their families made. War may be a collective experience on some levels, but the loss, grief and pain that war brings in its train, is experienced by individual men and women: its heroism and examples of sacrifice come from the acts of individual men and women. The Avenues more than any other form of memorial remind us of these individuals in a personal way.

The continuing family rites of commemoration at these trees remind us of these links. Away from large gatherings at memorials, individuals remembered as people rather than as representatives of armies, nations and great causes. These are our trees planted for our men by our families and communities; they were an expression of local and family identity.

Why Do It?

Commemoration

The Avenues were the first memorials to the dead and the serving in many Tasmanian towns. They were largely created by local community committees and funded by donations. They were intended as ‘living’ memorials that would both

beautify a town and serve as a reminder of the individuals who served, and, in many instances, were still serving their country's cause.

They remind us and demand that we understand the effects of war on individuals serving, their families and their communities. Each tree is a person with a name, address, a family, an occupation, friends and community connections through church and sport and politics. They do not allow for platitude and generalisation.

For many years these trees were places of private pilgrimage and commemoration and quite a few still are. They deserve to be remembered and cared for, they represent the most individual living connections that now remain to that time of war.

Education

Children learn history best when there is a tangible, local and immediate connection between what they learn and their local world. For children now to understand something of that time, research and identification with the individuals who attended their school, lived in the same houses and played on the same sportsgrounds is essential.

They can connect with and understand families planting trees for their dead sons and brothers and planting trees in hope that someone still serving would return one day to see it. In learning about the Avenue and those it represents, they learn about their community and the big events that changed lives.

Bring Communities Together

The process of reviving an Avenue is rewarding, it brings people together who may not know of each other or have little experience of each other. It crosses generations, classes and politics. It combines sport clubs and churches, schools and workplaces.

It re-connects people with a sense of shared heritage, shared lives, shared pride and grief.

Tourism

Increasing numbers of tourists visit Tasmania for heritage reasons: an interest in Australia's past, tracking down some aspect of family history or just exploring for the sake of it. Revived Avenues make it clear "that heritage lives", that our communities care about their past and that Tasmania's history is more than convicts and sandstone.

The process of reviving Hobart's Soldiers Memorial Avenue has created connections with families all over Australia, all willing to contribute and many making the trek to the slowly reviving Avenue. There is also increasing interest in experience of the Great War and Anzac Day. The Avenues are favoured by that and the towns and cities that revive them will benefit.

[END Extract from “The Avenues Kit - The Complete Guide to Restoring Memorial Avenues and Avenues of Honour in Your Community” by Adrian Howard]

[Extract “Avenues of Honour in the Southern Midlands” by Adrian Howard]

Green Ponds Municipal Council

As one might expect, Municipal Council minutes are full of references to the war. Local government was seen very much as a partner in the war effort and was expected to take a primary role in local communities in maintaining the war effort through fundraising, recruitment and patriotic events.

The Green Ponds Council minutes, though brief, chronicle this involvement in the war. As the sons or relatives of a number of Councillors had enlisted (Goodwin, Gorringe, Bisdee, Sibley, Porter, Johnson), this was also very personal especially with the death of some on active service. The Council Clerk also enlisted but was to return and resume his position at war’s end. It was usual for the council to pass a motion of condolence and observe a minute’s silence in cases of the death of a local lad and relatives of councillors.

Council Minutes

Cr Bisdee moved that a motion by members of the Council with Warden A E Gorringe and his family be placed in the minutes, expressing sympathy in the loss sustained owing to their son Graham Gorringe being killed in action in France.

The Motion was seconded by CR AJ Johnson and carried unanimously in silence, the members standing.

November 12th 1917

The Council was also involved more directly in the war effort through arranging civic receptions, farewelling and later welcoming soldiers, and even loaning money to returned soldiers. The Council seemed to have been supporters of conscription, organising public meetings in the Hall to promote the proposals.

After the war, Council attention focussed on establishing permanent Honour Boards, the Peace Loan, the war trophy machine gun (whereabouts now unknown) and later the building of the Memorial Clock Tower. Returning soldiers were presented with certificates of thanks from the Council on behalf of the people of the municipality.

[END Extract “Avenues of Honour in the Southern Midlands” by Adrian Howard]

DETAIL

Councillors would recall from the 2015 Southern Midlands Community Small Grants Program that the Green Pond Progress Association project under the Grants Program, ie the assessment of the Memorial Trees at Kempton by an Arborist, was a project that Council had agreed to undertake and therefore after communicating with the Progress Association President, the project was withdrawn from the scoring matrix of the Grants Program. Given the Progress Association's interest in the trees, Council committed to include them in the project team that would be established to review the Arborist's report and develops a way forward in respect of the Memorial trees.

The Arborist's assessment has been undertaken and a copy is attached to this Report. The Arborist, Alister Hodgman, was asked to attend a meeting with some interested people to enable them to gain a broad understanding of the condition of the trees and to consider a way forward. Those attendees were;

Garry Francis From the Green Ponds Progress Association,
Garry is also a volunteer at the Army Museum at Anglesea Barrack and a former serving member in the Royal Australian Army

Ken Clark President, Brighton & Green Ponds RSL sub Branch and of course a former serving member of the Royal Australian Army

David Cundall Senior Planning Officer, Southern Midlands Council

Alan Townsend Heritage Project Officer, Southern Midlands Council

John Wadsley Heritage Planner,
Member of Friends of Soldiers Memorial Avenue (Hobart, Tas.), Joint Author "Barrack Hill : a history of Anglesea Barracks 1811-2011" by John Lennox and John Wadsley
Planning Consultant Soldiers Memorial Avenue Renewal Project – Port Arthur Historic Site

Ryan Thomas Municipal Worker, Southern Midlands Council. Ryan is currently undertaking a Certificate 3 in Horticulture and as part of those studies it was arranged for him to assist the Arborist in undertaking the assessment of the Memorial Avenue trees.

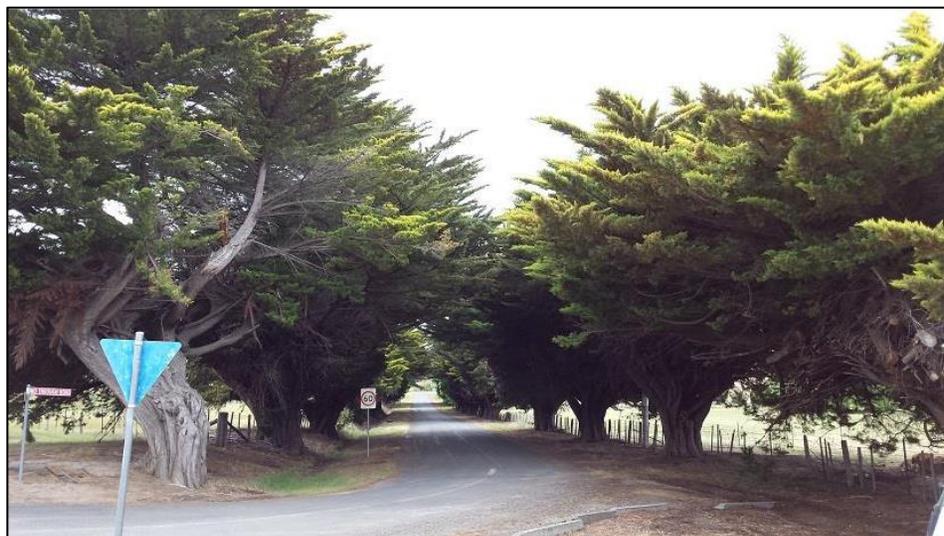
Andrew Benson Deputy General Manager / Manager Community & Corporate Development, Southern Midlands Council, also a former serving member of the Royal Australian Army

Apologies were received from

Jack Lyall Manager Works & Technical Services, Southern Midlands Council

Adrian Howard Author “The Avenues Kit - The Complete Guide to Restoring Memorial Avenues and Avenues of Honour in Your Community” 2006, Member of Friends of Soldiers Memorial Avenue (Hobart, Tas.), Author “Avenues of Honour in the Southern Midlands” 2003

As can be seen from the Arborist’s Report, there is still considerable life left in the Memorial Avenue trees. An estimate of \$30,000 has been provided to effectively bring the trees back to an acceptable shape/health through selective trimming, under the supervision of the Arborist. As can be seen from the images below it will be a time consuming and complex job to effect the improvements.



The meeting felt that the trees should be preserved and the plaques that have been removed over the years should be replaced. It was noted that there is a powerful linkage in the Kempton Village between the Memorial Avenue trees and the historic monument at the entrance to the Council Chambers in Kempton.



It was also acknowledged that the maintenance and “enhancement” of the Memorial Avenue trees is a whole of Community responsibility.

Other discussions centred on the centenary of the planting, which was 1918 and as part of the Centenary of ANZAC that some work needs to be undertaken that brings back the significance of the site, with for example, interpretation, directional signage, maybe car parking and an assembly area. These would be for a future discussion/consideration and would be subject to Community consultation, however in the short term the trimming of the trees and the replacement of the naming plaques were seen as a must.

CONCLUSION

The extracts from the “Avenues of Honour in the Southern Midlands” clearly articulate the deep seated commitment that Local Government had to supporting the effort during the “Great War” and also their leadership in the Community acknowledgement, by establishing recognition elements in everyday life such as Avenues of Honour, Honour Boards, monuments and the like to endure for time immortal as milestones of the cultural heritage of Villages throughout this Country.

As with any asset that Council invests in, there should be an asset management plan that articulates the values, both financial and cultural, to ensure that the

asset is not derogated and is preserved by Council as the custodian of Community assets.

To that end the following is recommended:-

1. A Community Committee, including key stakeholders should be established to drive the care and maintenance, as well as the sensitive enhancement of the Memorial Avenue trees at Kempton. This could be broadened to other Memorial Avenues in the Southern Midlands;
2. Given the costs associated with the “revitalisation” of the trees through trimming, it is envisaged that the tree trimming estimated be considered by Council for the 2016/2017 budget.
3. The research and verification in respect of the tree naming plaques could be undertaken on a volunteer basis.
4. The cost of the supply and installation of the plaques could be funded through a grant if available through DVA or more generally through State or Federal Government.

For discussion and Decision

DECISION

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

17.2.3 COMMON SERVICES JOIN VENTURE UPDATE (STANDING ITEM – INFORMATION ONLY)

Author: GENERAL MANAGER (TIM KIRKWOOD)
Date: 22 JANUARY 2016

Attachment:

- Common Service JV Council Update – December 2015

ISSUE

To inform Council of the Joint Venture's activities for the month of December 2015.

BACKGROUND

There are seven existing members of the Common Services Joint Venture Agreement, with two other Council participating as non-members.

Members: Brighton, Central Highlands, Glenorchy, Huon Valley, Sorell, Southern Midlands and Tasman.

DETAIL

Refer 'Common Services Joint Venture Update – December 2015 attached.

Human Resources & Financial Implications – Refer comment provided in the Update.

Councillors will note that the Southern Midlands Council provided 164 hours of service to five Councils: - Brighton, Derwent Valley, Glamorgan Spring Bay, Sorell & Tasman.

Details of services provided are included in Figure 4.

Community Consultation & Public Relations Implications – Nil

Policy Implications – N/A

Priority - Implementation Time Frame – Ongoing.

RECOMMENDATION

THAT the information be received.

DECISION

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

Common Services JV Council Update

Council

Southern Midlands

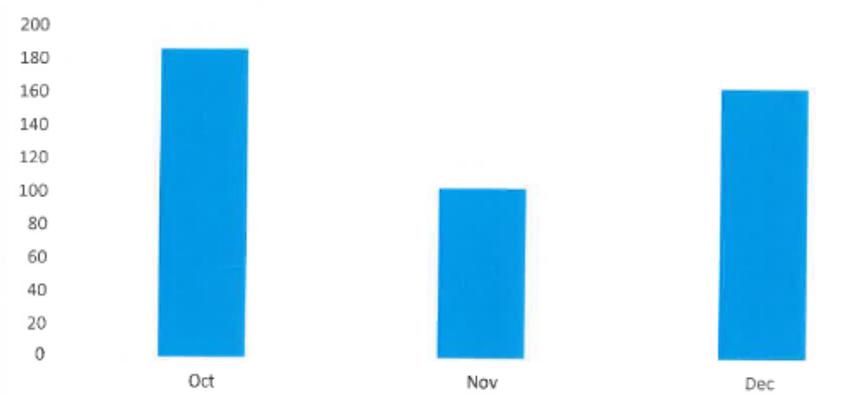
Common Services Joint Venture Participation in December '15

164 hours

Summary

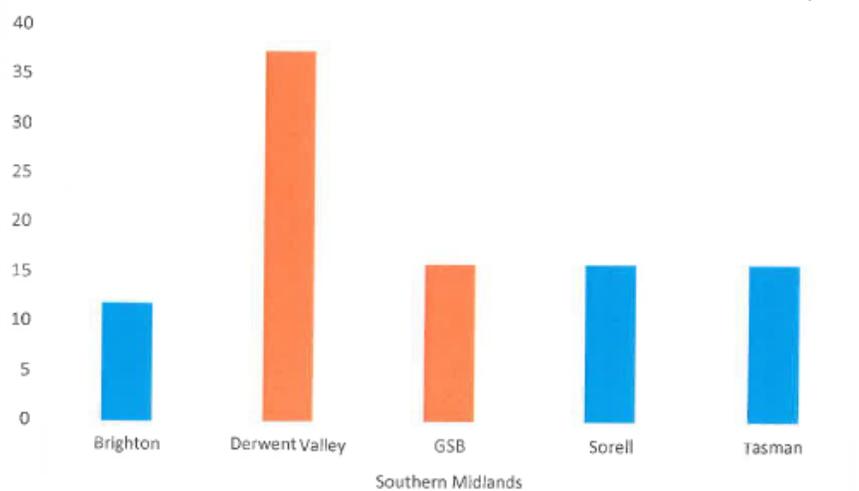
In December 2015, 164 hours of common services were exchanged by Southern Midlands Council. From this total, Southern Midlands provided 164 hours of services to other Councils but did receive any services from other Councils.

Fig 1 – Services exchanged by Southern Midlands Council in recent months



Services Provided by Southern Midlands Council

Fig 2 – Services provided by Southern Midlands Council in December '15 by Council



* Council not currently a member of the Common Services Joint Venture Agreement

Fig 3 - Services provided by Southern Midlands Council in December '15 by service category

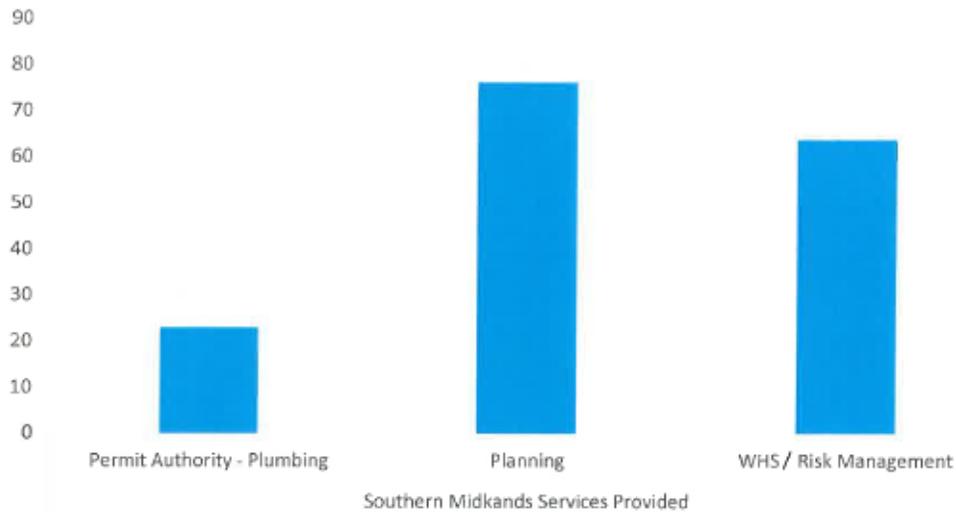


Fig 4 – Details of services provided by Southern Midlands Council in December '15

Service/Client Council	163.75	Summary of services provided
Brighton	16	
WHS / Risk Management	16	Review and update WHS Cloud DropBox
Central Highlands	76	
Planning	76	Strategic Planning services
Derwent Valley	23.75	
Planning	0.5	Strategic Planning services
Permit Authority - Plumbing	23.25	On site plumbing inspections
GSB	16	
WHS / Risk Management	16	Review and update WHS Cloud DropBox
Sorell	16	
WHS / Risk Management	16	Review and update WHS Cloud DropBox
Tasman	16	
WHS / Risk Management	16	Review and update WHS Cloud DropBox

* Council not currently a member of the Common Services Joint Venture Agreement

Cost benefits achieved by Southern Midlands and other Councils

164 hours of common services were exchanged by Southern Midlands Council last month. Analysis of common services provision has indicated that both the Provider Council and the Client Council save money through the exchange of common services at an approximate ratio of 50%.

In the month of December it is estimated, Council have achieved a net benefit of approximately \$5,300. This was a result of increasing the utilisation of its current staff to earn additional revenue from providing services to other Councils, and from utilising common services from within Local Government as opposed to external consultants (on average LG common services rates can be procured at significant discount to external consultant fees).

It is estimated that Southern Midlands Council's direct involvement in common services saved participating Councils (including Southern Midlands Council) approximately \$11,500 for the month of December.

17.3 SAFETY

Strategic Plan Reference – Page 31

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

Nil.

17.4 CONSULTATION AND COMMUNICATION

Strategic Plan Reference – Page 31

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

Nil.

18. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

18.1 IMPROVEMENT

Strategic Plan Reference – Page 32

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

Nil.

18.2 SUSTAINABILITY

Strategic Plan Reference – Page 33 & 34

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

18.2.1 COUNCIL POLICIES – CODE OF CONDUCT

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 21 JANUARY 2016

Enclosures:

- Draft Code of Conduct

ISSUE

The Local Government Association of Tasmania (LGAT) through lawyers, Page Seager are running a State wide project to provide a consistent set of Policies as well as Procedures to all Councils in Tasmania. That means Councils will be progressively changing across to the new policies framework. The Policy included within this report is the latest version of the first tranche of policy and procedure documents that form part of the Personal Behaviours Toolkit for consideration and approval by Council.

This document will cover the following categories of people:

- (a) an Employee;
- (b) a contractor or subcontractor;
- (c) an employee of a contractor or subcontractor;
- (d) an employee of a labour hire company who has been assigned to work at Council;
- (e) an outworker;
- (f) an apprentice or trainee;
- (g) a student gaining work experience; or
- (h) a volunteer.

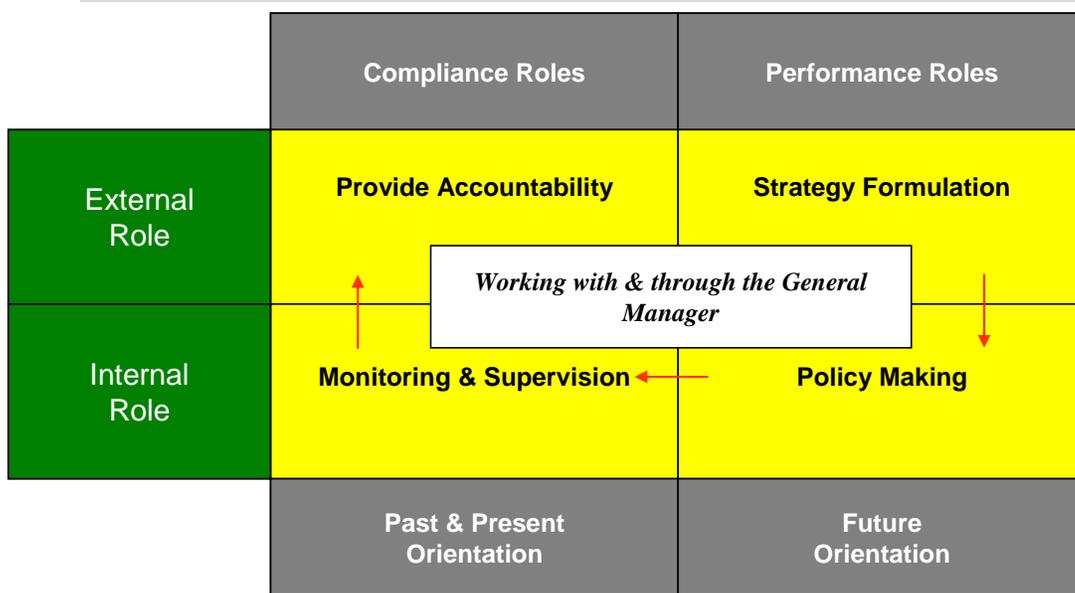
It is noted that this Code of Conduct does not cover or apply to Councillors. Councillors are subject to a separate Code of Conduct which is defined in legislation.

BACKGROUND

[EXTRACT Report to the November 2015 Council Meeting]

FRAMEWORK FOR ANALYSING COUNCIL’S GOVERNANCE FUNCTION

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



This latest Policy, has been part of the ongoing consultation with Councils across the State as well as the consultation with Australian Services Union (ASU) and the Australian Workers Union (AWU). The overall document suite will be a very worthwhile outcome in achieving a consistently updated set of policies and procedure documents with best practice application across the local government industry in Tasmania.

This is the final policy document out of the first tranche, with the second tranche documents due shortly, which will include: Alcohol and other Drugs, Diversity, as well as Flexible Working Arrangements. These are nearing completion and will provided for Council's consideration in due course

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

RECOMMENDATION
THAT Council

- a) **Receive and note the report;**
- b) **Consider Draft version 1_ Code of Conduct for adoption at the January 2016 Council meeting**

DECISION

Moved by Clr R Campbell, seconded by Clr D Marshall

THAT Council:

- a) Receive and note the report;
- b) Consider Draft version 1 Code of Conduct Policy for adoption at the January 2016 Council meeting.

CARRIED

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

[END OF EXTRACT Report to the November 2015 Council Meeting]

DETAIL

The draft Code was tabled at the November 2015 Council meeting for Council's consideration. As Councillors are aware, the process for any policy document is, that it is tabled at one meeting and then "lays on the table" until the next meeting, to enable Councillors sufficient time to work through and consider all of the ramifications of the strategy/policy, before the document is finally considered for adoption at the following meeting.

It was also noted that these new policies do cover parts of existing policies that are current Council policies. The process is, that the new policies will ultimately replace Council's existing suite of policies however in the interim period the components of the previous policies that have not been replaced will remain until they have been replaced in their entirety.

Human Resources & Financial Implications - Training sessions will be held with all SMC team members.

Community Consultation & Public Relations Implications - Nil.

Policy Implications - Nil. Procedures will be adopted to support the Policies.

Priority - Implementation Time Frame - As soon as possible.

RECOMMENDATION

THAT Council

- 1. Receive and note the report;**
- 2. Adopt Version 1 Code of Conduct Policy**

DECISION

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

18.3 FINANCES

Strategic Plan Reference – Page 34 & 35

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

18.3.1 MONTHLY FINANCIAL STATEMENT (DECEMBER 2015)

Author: FINANCE OFFICER (COURTNEY PENNICOTT)

Date: 22 JANUARY 2016

Refer enclosed Report incorporating the following:

- a) Statement of Comprehensive Income – 1st July 2015 to 31st December 2015
(including Notes)
- b) Current Expenditure Estimates
- c) Capital Expenditure Estimates

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

- d) Rates & Charges Summary – as at 11th January 2016.
- e) Cash Flow Statement – December 2015

Note: Expenditure figures provided are for the period 1st July to 31st December 2015 – approximately 50% of the period.

Comments

A. Current Expenditure Estimates (Operating Budget)

Strategic Theme – Infrastructure

Sub-Program – Lighting - expenditure to date (\$55,351– 63.43%). Street lighting is now paid on a monthly basis. Prior to the commencement of monthly payments, in August 2015, a quarterly payment was made in July 2015 which related to part of the previous financial year. Recognising that this was not an accrued expense as at June 2015, it is expected that this budget will be exceeded by approximately \$14,700 at the end of the reporting period.

Sub-Program – Signage - expenditure to date (\$5,802– 61.73%). Expenditure relates to the replacement of damaged and missing signs, including the large Çolebrook township sign.

Strategic Theme – Growth

Sub-Program – Business - expenditure to date (\$116,089– 92.01%). Works undertaken on a recharge basis. Expenditure will be offset by income received.

Strategic Theme – Lifestyle

Sub-Program – Aged – expenditure to date (\$2,700 – 180.01%). Expenditure of \$1256 relates to seniors week activities.

Sub-Program – Childcare – expenditure to date (\$5,000 – 66.67%). The total amount expended relates to the annual payment to the Brighton Family Day Care service.

Strategic Theme – Organisation

Strategic Theme – Improvement – expenditure to date (\$43,687– 499.28%). All costs relate to the joint OH&S / Risk Management project being undertaken by six participating Councils under a resource sharing agreement. The cost of the project is to be shared between the six (6) Councils with revenue coming back to Southern Midlands.

Sub-Program – Sustainability - expenditure to date (\$1,196,442 – 58.42%). Expenditure to date includes approximately \$149,500 of annual expenses (e.g. insurances, subscriptions and licence payments). If this amount is apportioned over the financial year, expenditure to date is within the approved budget.

B. Capital Expenditure Estimates (Capital Budget)

Nil.

RECOMMENDATION

THAT the information be received.

DECISION

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

STATEMENT OF COMPREHENSIVE INCOME				
FOR THE PERIOD				
1st JULY 2015 to 31st DECEMBER 2015				
	Annual Budget	Year to Date as at 31ST DECEMBER	%	Comments
Income				
General rates	\$ 4,666,548	\$ 4,638,293	99.4%	Budget includes Interest & Penalties to be imposed to end of June 2016
User Fees (refer Note 1)	\$ 658,662	\$ 409,762	62.2%	User Charges - less Private Works Income
Interest	\$ 200,000	\$ 94,055	47.0%	
Government Subsidies	\$ 15,570	\$ 7,570	48.6%	Heavy Vehicle Licence Fees & Road Rescue MAIB reimbursements
Contract Income	\$ -	\$ -	0.0%	
Other (refer Note 2)	\$ 355,854	\$ 161,084	45.3%	
Sub-Total	\$ 5,896,634	\$ 5,310,765	90.1%	
Grants - Operating	\$ 3,201,435	\$ 848,852	26.5%	Mens Shed \$3202 FAGS \$845,649.50 FAGS Grant \$3.245K
Total Income	\$ 9,098,069	\$ 6,159,616	67.7%	
Expenses				
Employee benefits	\$ (3,766,728)	\$ (1,622,326)	43.1%	Less Roads - Resheeting Capitalised
Materials and contracts	\$ (2,738,461)	\$ (1,644,997)	60.1%	Less Roads - Resheeting Capitalised, Includes Land Tax
Depreciation and amortisation	\$ (2,668,500)	\$ (1,334,250)	50.0%	Percentage Calculation (based on year-to-date)
Finance costs	\$ (50,583)	\$ (21,077)	41.7%	
Contributions	\$ (188,399)	\$ (47,100)	25.0%	Fire Service Levies
Other	\$ (264,784)	\$ (144,916)	54.7%	
Total expenses	\$ (9,677,455)	\$ (4,814,666)	49.8%	
Surplus (deficit) from operations	\$ (579,386)	\$ 1,344,950	-232.1%	
Grants - Capital (refer Note 3)	\$ 877,860	\$ 89,436	10.2%	
Sale Proceeds (Plant & Machinery)	\$ 210,000	\$ 85,466	0.0%	
Net gain / (loss on disposal of non-current assets)	\$ -	\$ -	0.0%	
Surplus / (Deficit)	\$ 508,474	\$ 1,519,853	298.9%	
				\$ 3,842,748.93 Total expenses
				\$ 1,334,250.00 Plus depreciation
				-\$ 362,333.27 Less Resheeting
				\$ 4,814,665.66 Total Expenses
				\$ 5,310,764.58 Total Revenue
				\$ 85,466.37 Plus Sale Proceeds
				\$ 89,436.00 Plus Capital Grants
				\$ 848,851.50 Plus Operational Grants
				\$ 6,334,518.45 Total Revenue

NOTES							
						\$ 1,519,852.79	Surplus/ (Deficit)
1. Income - User Fees (Budget \$658,662) includes:							
- All other Programs	\$ 330,162	\$ 264,706	80.2%				
- Callington Mill	\$ 328,500	\$ 145,056	44.2%	Actual Income Received (i.e. excluding Debtors)			
	\$ 658,662	\$ 409,762					
2. Income - Other (Budget \$355,854) includes:							
- Income (Private Works)	\$ 127,854	\$ 116,573	91.2%				
- Tas Water Distributions	\$ 228,000	\$ 44,111	19.3%				
- Public Open Space Contributions	\$ -	\$ -	0.0%				
- Other	\$ -	\$ 400	0.0%				
	\$ 355,854	\$ 161,084	45.3%				
3. Grant - Capital (Budget \$877,860) includes:							
- Black Spot Funding	\$ -	\$ -					
- Roads To Recovery Grant	\$ 877,860	\$ 89,436	10.2%	To be claimed in March 2016			
	\$ 877,860	\$ 89,436	10.2%				
Note:							
Operating Grants							
- School Holiday Program	\$ -	\$ -					
- Mens Shed	\$ -	\$ 3,202					
- NRM South	\$ -	\$ -					
- Australia Day Awards	\$ -	\$ -					
- Healthy Communities Initiative	\$ -	\$ -					
		\$ 3,202					
- Communities For Children	\$ -	\$ -					
- Mount Pleasant Recreation Ground	\$ -	\$ -					
- Station Park Kempton	\$ -	\$ -					
- ANZAC Memorial Grant	\$ -	\$ -					

SOUTHERN MIDLANDS COUNCIL : CURRENT EXPENDITURE 2015/16
SUMMARY SHEET

PROGRAM	TOTAL	REVISED BUDGET (GRANTS & OTHER REIMBURSEMENTS)	ACTUAL AS AT 31st DECEMBER 2015 50%	VARIANCE (+/-)	% BASED ON REVISED BUDGET 100%
INFRASTRUCTURE					
Roads	3004318	3004318	1522140	1482178	50.67%
Bridges	361179	361179	169421	191758	46.91%
Walkways	179906	179906	91890	88016	51.08%
Lighting	87266	87266	55351	31915	63.43%
Irrigation	0	0	0	0	0.00%
Drainage	85107	85107	40398	44709	47.47%
Waste	579191	579191	235004	344187	40.57%
Public Toilets	56642	56642	23937	32705	42.26%
Communications	0	0	0	0	0.00%
Signage	9400	9400	5802	3598	61.73%
INFRASTRUCTURE TOTAL:	4363009	4363009	2143944	2219065	49.14%
GROWTH					
Residential	0	0	0	0	0.00%
Mill Operations	481205	481205	197630	481205	41.07%
Tourism	222479	222479	99184	222479	44.58%
Business	876177	126177	116089	10088	92.01%
Agriculture	0	0	89	-89	0.00%
Integration	25615	25615	4528	21087	17.68%
GROWTH TOTAL:	1605476	855476	417520	734769	48.81%
LANDSCAPES					
Heritage	292412	292412	84980	207432	29.06%
Natural	138323	138323	60134	78189	43.47%
Cultural	0	0	0	0	0.00%
Regulatory	824289	824289	444172	380117	53.89%
Climate Change	28204	28204	5	28199	0.02%
LANDSCAPES TOTAL:	1283228	1283228	589291	693937	45.92%
LIFESTYLE					
Youth	222610	222610	16383	206227	7.36%
Aged	1500	1500	2700	-1200	180.01%
Childcare	7500	7500	5000	2500	66.67%
Volunteers	34500	34500	18195	16305	52.74%
Access	0	0	0	0	0.00%
Public Health	7881	7881	2065	5816	26.20%
Recreation	430731	430731	184378	246353	42.81%
Animals	72429	72429	38809	33620	53.58%
Education	0	0	0	0	0.00%
LIFESTYLE TOTAL:	777151	777151	267530	509621	34.42%
COMMUNITY					
Retention	0	0	0	0	0.00%
Capacity	31025	31025	16160	14865	52.09%
Safety	56650	56650	27962	28688	49.36%
Consultation	5070	5070	2255	2815	44.48%
Communication	12125	12125	1179	10946	9.72%
COMMUNITY TOTAL:	104870	104870	47556	57314	45.35%
ORGANISATION					
Improvement	8750	8750	43687	-34937	499.28%
Sustainability	2047836	2047836	1196442	851394	58.42%
Finances	252135	252135	89284	162851	35.41%
ORGANISATION TOTAL:	2308721	2308721	1329413	979308	57.58%
TOTALS	10442455	9692455	4795254	5194015	49.47%

CAPITAL EXPENDITURE PROGRAM 2015-16							
AS AT 31 DECEMBER 2015							
				BUDGET	EXPENDITURE	VARIANCE	COMMENTS
INFRASTRUCTURE							
	ROAD ASSETS						
	Resheeting Program		Roads Resheeting (40.00 klms x 5.5 x 150mm x \$20 m3)	\$ 600,000	\$ 362,333	\$ 237,572	
		C1020041	Harbacks Road Resheeting		\$ 95		
	Reseal Program		Roads Resealing (as per agreed program)	\$ 500,000	\$ -	\$ 128,978	
		C1010046	East Bagdad Road Reseal		\$ 21,521		
		C1010048	Oatlands and Kempton Road Reseal Project		\$ 349,501		
	Reconstruct & Seal		Clifton Vale Road	\$ 21,818	\$ -	\$ 21,818	
			Brown Mountain Road (section up Hill - 200 metres)	\$ 30,000	\$ -	\$ 30,000	
			Eldon Road (various sections - 500 metres)	\$ 75,000	\$ -	\$ 75,000	
			Green Valley Road (above Bridge - 150 metres)	\$ 22,500	\$ -	\$ 22,500	
			Inglewood Road (vicinity of Viaduct) - 585 mtrs from Rail Lights to Viaduct	\$ 87,750	\$ -	\$ 87,750	
			Rhyndaston Road (Vicinity of J Housego - 100 metres)	\$ 13,750	\$ -	\$ 13,750	
			Woodsdale Road (Whitefoord end - 2 sections - 200 metres)	\$ 30,000	\$ -	\$ 30,000	
			Woodsdale Road (near 'glue pot' - 2 sections - 240 metres)	\$ 36,000	\$ -	\$ 36,000	
			Yarlington Road (Smarts Hill - 150 metres)	\$ 22,500	\$ -	\$ 22,500	
	Junction Road Realignment/ Other	C1010037	Campania - Reeve St / Clime Street	\$ 45,600	\$ 11,722	\$ 33,878	
			Church Street, Oatlands (outside school -'V' drain) - 100mtrs	\$ 6,000	\$ -	\$ 6,000	
			High Street/Esplanade - Junction Improvements	\$ 25,000	\$ -	\$ 25,000	
			Reeve Street - Hall Street to Rec Ground (K&G) - 70 mtrs	\$ 8,800	\$ -	\$ 8,800	
		C1020047	Lovely Banks Road (junction with Colebrook)	\$ 40,000	\$ 5,755	\$ 34,245	
	Carry Forwards:						
	Minor Seals (New)	C1020031	Church Road (Brighton Council end)	\$ 10,000	\$ -	\$ 10,000	
		C1020032	Hasting Street Junction	\$ 15,000	\$ -	\$ 15,000	
	Sealed - Road Widening	C1010036	Green Valley Road - Widening	\$ 83,000	\$ -	\$ 83,000	
	Unsealed - Road Widening	C1020037	Hall Lane, Bagdad - widening	\$ 15,000	\$ -	\$ 15,000	
		C1020038	Chauncy Vale Road, Bagdad	\$ 20,000	\$ -	\$ 20,000	
		C1020034	Church Road (Corner Widening)	\$ 7,165	\$ 9,202	\$ (2,037)	
	Junction / Road Realignment / Other		Woodsdale Road / Tunnack Main Rd Junction (30 mm Overlay)	\$ 6,400	\$ -	\$ 6,400	
			Yarlington Road - Realignment	\$ 20,000	\$ 11,023	\$ 8,977	
		C1020040	Interlaken Road- Corner Realignment (Rockton)	\$ 13,308	\$ 12,909	\$ 399	
		C1010038	Campania - Reeve St / Hall Street K&G	\$ 5,000	\$ -	\$ 5,000	
			Tunbridge Main Road Verge	\$ 3,000	\$ -	\$ 3,000	
		C1010039	Woodsdale Road - Landslip Area (vicinity Scotts Quarry)	\$ 15,000	\$ -	\$ 15,000	
			Woodsdale Road - Landslip Area(s) - Engineering Assessment	\$ 9,700	\$ -	\$ 9,700	
			York Plains Road *Camber adjustment)	\$ 5,000	\$ -	\$ 5,000	
		C1020026	Church Road -Realign (Intersection with Elderslie Road) - Survey & Acquisition	\$ 211,000	\$ 204,127	\$ 6,873	WIP 30/6/15
				\$ 2,003,292	\$ 988,189	\$ 1,015,103	

BRIDGE ASSETS						
	C1030003	Brown Mountain Rd Bridge (B637)	\$ -	\$ 302	\$ (302)	
	C1030023	Swanston Road - Little Swanport Rv (B 1716)	\$ 355,000	\$ 26,973	\$ 328,027	
	C1030028	Rotherwood Road (B1137)	\$ -	\$ 355	\$ (355)	
	C1030030	Jones Rd (B5083)	\$ -	\$ 80,778	\$ (80,778)	WIP 30/6/15
	C1030046	Kheme Road (Birralee Creek T468.00570)	\$ 142,527	\$ 1,734	\$ 140,793	
	C1030044	Grahams Creek Road (Grahams Creek B2510) Elderslie Road	\$ 81,672	\$ 1,304	\$ 80,368	
		Noyes Road (Limekiln Creek)	\$ 41,265	\$ -	\$ 41,265	
	C1030006	Fields Road Bridge (B1851)	\$ -	\$ 1,469	\$ (1,469)	WIP 30/6/15
	C1030021	Wattle Hill Road (Coal River B1402)	\$ 284,925	\$ 5,681	\$ 279,244	
		Hardings Road (White Kangaroo Rivulet B1096)	\$ 163,547	\$ -	\$ 163,547	
	C1030051	Old Tier Road (Blackman River B3207)	\$ 132,834	\$ 51,610	\$ 81,224	
	C1030052	Jordan River B5083	\$ -	\$ 7,877	\$ (7,877)	
	C1030049	Inglewood Road (Tin Dish Rivulet B4289)	\$ 212,650	\$ 522	\$ 212,128	WIP 30/6/15
	C1030048	Muddy Plains Road (Summerfield Creek B417)	\$ 107,289	\$ 64,014	\$ 43,275	WIP 30/6/15
	C1030050	Nala Road (Kittys Rivulet B4264)	\$ 107,289	\$ 51,514	\$ 55,775	WIP 30/6/15
	C1030012	Sandy Lane (Red Rocks Race B4198)	\$ 56,950	\$ 29,701	\$ 27,249	WIP 30/6/15
			\$ 1,685,948	\$ 323,832	\$ 1,362,116	
WALKWAYS						
		Footpaths - General (Program to be confirmed)	\$ 30,000	\$ -	\$ 30,000	
		Bagdad Township				
	C1090013	- Swan Street - Kerb & Gutter (eastern & western side)	\$ 112,244	\$ 2,687	\$ 109,557	
		Campania Township				
	C1040005	- Reeve Street (Vicinity of Store)	\$ 10,000	\$ 5,057	\$ 4,943	
	C1040005	- Reeve Street (500 metres)	\$ 80,000	\$ 8,386	\$ 71,614	WIP 30/6/14 Design etc
		- Review Management Plan (Site Plan) / Walking Tracks (Bush Reserve)	\$ 5,000		\$ 5,000	
		Kempton Township				
	C1090025	- Main Street (vicinity of Tavern) incl. renewal of K&G	\$ 17,500	\$ 14,302	\$ 3,198	
		Oatlands Township				
		- Church Street (K&G renewal)	\$ 15,000	\$ -	\$ 15,000	
		Tunbridge Township				
		- Various (to be confirmed)	\$ 7,800	\$ -	\$ 7,800	
			\$ 277,544	\$ 30,432	\$ 247,112	
DRAINAGE						
		Bagdad				
		- Midland Hwy/ Swan St Drainage (McShane Property)	\$ 22,500	\$ -	\$ 22,500	
	C1090015	- Swan Street - Kerb & Gutter (eastern & western side)	\$ -	\$ -	\$ -	
		- East Bagdad Road - Drainage Renewal	\$ 50,000	\$ 3,697	\$ 46,303	
		Campania				
	C1090008	- Reeve Street Open Drain (North Of Telephone Box)	\$ 35,000	\$ 5,740	\$ 29,260	WIP 30/6/15
		Oatlands				
		- Barrack Street(towards Mason St)	\$ 10,000	\$ -	\$ 10,000	
		- High St/Wellington Street Junction	\$ 5,000	\$ -	\$ 5,000	
	C1090024	Stormwater Management Plan		\$ 2,108		
			\$ 122,500	\$ 11,545	\$ 113,063	
WASTE						
	C110002	Wheellie Bins & Crates	\$ 7,500	\$ 3,498	\$ 4,002	
			\$ 7,500	\$ 3,498	\$ 4,002	

	PUBLIC TOILETS	C1110001	Colebrook - Power Connection & Lighting	\$ 5,000	\$ 3,935	\$ 1,066
			Campania - Urinal / Plumbing / External Shower Head	\$ 4,000	\$ -	\$ 4,000
				\$ 9,000	\$ 3,935	\$ 5,066
	SIGNAGE		Oatlands Signage (Info Bays) - Town Maps	\$ 10,000	\$ 660	\$ 9,340
		C113001	Highway Signage - Graphic Design	\$ 2,000	\$ 600	\$ 1,400
				\$ 12,000	\$ 1,260	\$ 10,740
	MILL OPERATIONS		Office Equipment & Furniture	\$ -	\$ 358	\$ (358)
				\$ -	\$ 358	\$ (358)
LANDSCAPES	HERITAGE	C3010002	Callington Mill (Master Precinct Plan)	\$ 12,500	\$ -	\$ 12,500
			Callington Mill (Mill Tower- Fire Detection System)	\$ 6,500	\$ -	\$ 6,500
			Callington Mill (Car Parking Area- Drainage Improvements)	\$ 5,000	\$ -	\$ 5,000
		C3010008	Commissariat (79 High Street)	\$ 139,500	\$ 12,923	\$ 126,577
			Oatlands Court House (Stabilisation & Gaol Cell)	\$ 5,000	\$ -	\$ 5,000
			Oatlands Gaol - Minor Capital Works	\$ 7,000	\$ -	\$ 7,000
			Roche Hall - Forecourt (Interps- Planning)	\$ 5,000	\$ -	\$ 5,000
			Roche Hall - Stamp Duty (Property Transfer)	\$ 15,275	\$ -	\$ 15,275
		C3010009	Kempton Watch House (Fitout)	\$ 7,500	\$ -	\$ 7,500
			Parattah Railway Station - Guttering & Fascia	\$ 2,600	\$ -	\$ 2,600
				\$ 205,875	\$ 12,923	\$ 192,952
	NATURAL	C3020002	Callington Park - Stone Wall	\$ 9,000	\$ 3,480	\$ 5,520
			Chauncy Vale - Day Dawn Cottage (Toilet Upgrade)	\$ 5,000	\$ -	\$ 5,000
		C3020005	Chauncy Vale Track Construction	\$ -	\$ 10,000	\$ (10,000)
			NRM South Weed Management	\$ -	\$ 620	\$ (620)
				\$ 14,000	\$ 14,100	\$ (100)
	REGULATORY	C3040001	Kempton Council Chambers - Building & Office Improvements	\$ 18,954	\$ -	\$ 18,954
		C3040001	Kempton Council Chambers - Office Equipment	\$ 3,000	\$ 990	\$ 2,010
		C3040001	Kempton Council Chambers - External Repainting	\$ 7,500	\$ -	\$ 7,500
				\$ 29,454	\$ 990	\$ 28,464

LIFESTYLE	RECREATION	C4070001	Parattah Recreation Ground - Grandstand	\$ 10,000	\$ -	\$ 10,000	
		C4070001	Parattah Recreation Ground - Demolish External Toilets	\$ 5,000	\$ -	\$ 5,000	
		C4070002	Parattah Recreation Ground - Facility Development	\$ 20,000	\$ -	\$ 20,000	
		C4070003	Campania Recreation Ground- Tree Planting	\$ 5,000	\$ 101	\$ 4,899	
		C4070005	Recreation Committee	\$ 15,000	\$ 540	\$ 14,460	
		C4070007	Woodsdale Hall	\$ -	\$ 5,545	\$ (5,545)	
		C4070016	Colebrook Recreation Ground (Amenities)	\$ 35,000	\$ 14,853	\$ 20,147	Includes C4070030
		C4070017	Kempton Hall - External Repainting	\$ 20,000	\$ -	\$ 20,000	
			Kempton Recreation Ground - Grandstand Hand Rails	\$ 5,000	\$ -	\$ 5,000	
			Oatlands Aquatic Club Building	\$ 18,000	\$ -	\$ 18,000	
		C4070022	Playspace Strategy - Alexander Circle & Lyndon Road	\$ 8,000	\$ -	\$ 8,000	
			Oatlands Recreation Ground - Retaining Wall	\$ 12,000	\$ -	\$ 12,000	
		C4070027	Oatlands Recreation Ground Flood Lights	\$ 385,000	\$ 375,973	\$ 9,027	Ground Lighting - Budget Amendment
		C4070028	Campania Recreation Ground Flood Lights	\$ -	\$ 279,668	\$ (279,668)	
		C4070031	Mt Pleasant - Watering System	\$ 20,554	\$ 16,626	\$ 3,928	
			Mt Pleasant - Upgrade Toilets	\$ 13,000	\$ -	\$ 13,000	
		C4070032	Mt Pleasant - Cricket Pitch	\$ -	\$ 12,650	\$ (12,650)	
			\$ 571,554	\$ 705,957	\$ (134,403)		
	SAFETY		Road Accident Rescue Unit	\$ 3,000	\$ -	\$ 3,000	
			\$ 3,000	\$ -	\$ 3,000		
	CAPACITY		Community Blacksmith Program	\$ 6,200	\$ -	\$ 6,200	
			Community Garden- Mill Precinct	\$ 8,200	\$ -	\$ 8,200	
	C5020001		Levendale Community Centre	\$ 20,000	\$ 10,242	\$ 9,758	
			\$ 34,400	\$ 10,242	\$ 24,158		
	ADMINISTRATION	C6020003	Computer System (Hardware / Software)	\$ 20,000	\$ 7,749	\$ 12,251	
		C6020007	Council Chambers - Damp Issues & Stonemasonry	\$ 15,000	\$ -	\$ 15,000	
		C6020007	Council Chambers - Building Improvements	\$ 7,500	\$ -	\$ 7,500	
		C6020004	Records Management		\$ 726	\$ (726)	
		C6020007	Town Hall (General) - incl. Office Equip/Furniture	\$ 8,000	\$ 4,674	\$ 3,326	
		C6020007	Photo Reframing	\$ 1,500	\$ -	\$ 1,500	
		C6020010	Municipal Revaluation		\$ 7,000	\$ (7,000)	
	WORKS		Kempton Depot - Painting	\$ 10,000	\$ -	\$ 10,000	
			Depot Relocation	\$ 5,000	\$ -	\$ 5,000	
		C9990002	Minor Plant Purchases	\$ 9,500	\$ 8,415	\$ 1,085	
			Radio System	\$ 2,000	\$ -	\$ 2,000	
			Plant Replacement Program				
			Refer separate Schedule (Net Changeover)	\$ 365,000	\$ -	\$ 365,000	
			Light Vehicles	\$ 168,000	\$ 222,526	\$ (54,526)	
			(Trade Allowance - \$240K)	\$ -	\$ -	\$ -	
			Water Tanks Replacement (Truck)	\$ 50,000	\$ 49,440	\$ 560	
			\$ 661,500	\$ 300,530	\$ 360,970		
			GRAND TOTALS	\$ 5,637,567	\$ 2,407,791	\$ 3,231,884	

	INFLOWS (OUTFLOWS) (July 2015)	INFLOWS (OUTFLOWS) (August 2015)	INFLOWS (OUTFLOWS) (September)	INFLOWS (OUTFLOWS) (October 2015)	INFLOWS (OUTFLOWS) (November)	INFLOWS (OUTFLOWS) (December 2015)	INFLOWS (OUTFLOWS) (Year to Date)
Cash flows from operating activities							
Payments							
Employee costs	- 254,864.07	- 261,693.89	- 251,001.52	- 232,034.50	- 393,712.86	- 269,604.92	- 1,662,911.76
Materials and contracts	- 412,124.72	- 525,718.68	- 473,273.43	- 198,766.35	- 377,494.06	- 176,160.99	- 2,163,538.23
Interest	- 128.02	-	-	-	- 5,019.42	- 15,929.89	- 21,077.33
Other	- 14,368.84	- 28,264.62	- 34,991.30	- 82,725.46	- 24,794.03	- 18,381.21	- 203,525.46
	- 681,485.65	- 815,677.19	- 759,266.25	- 513,526.31	- 801,020.37	- 480,077.01	- 4,051,052.78
Receipts							
Rates	86,203.59	581,696.64	1,435,377.23	353,194.19	343,847.82	283,887.71	3,084,207.18
User charges	341,967.92	60,880.69	107,331.56	106,788.34	76,656.56	65,760.67	759,385.74
Interest received	14,286.13	15,869.47	15,542.66	15,996.65	16,712.92	15,647.60	94,055.43
Subsidies	-	-	-	-	7,570.00	-	7,570.00
Other revenue grants	3,166.00	422,824.75	-	36.36	512,260.75	-	938,287.86
GST Refunds from ATO							-
Other	49,007.95	28,624.98	89,118.60	- 34,879.60	- 17,328.99	- 19,151.19	95,391.75
	494,631.59	1,109,896.53	1,647,370.05	441,135.94	939,719.06	346,144.79	4,978,897.96
Net cash from operating activities	- 186,854.06	294,219.34	888,103.80	- 72,390.37	138,698.69	- 133,932.22	927,845.18
Cash flows from investing activities							
Payments for property, plant & equipment	- 108,069.43	- 563,212.67	- 61,851.29	- 133,488.49	- 566,039.49	- 222,041.48	- 1,654,702.85
Proceeds from sale of property, plant & equipment	12,357.27	15,330.01	-	7,944.55	25,599.09	24,235.45	85,466.37
Proceeds from Capital grants	-	-	-	-	-	-	-
Proceeds from Investments	-	-	-	-	-	-	-
Payment for Investments	-	-	-	-	-	-	-
Net cash used in investing activities	- 95,712.16	- 547,882.66	- 61,851.29	- 125,543.94	- 540,440.40	- 197,806.03	- 1,569,236.48
Cash flows from financing activities							
Repayment of borrowings	- 4,507.85	-	-	-	- 12,524.30	- 35,569.30	- 52,601.45
Proceeds from borrowings	250,000.00	-	-	-	-	-	250,000.00
Net cash from (used in) financing activities	245,492.15	-	-	-	- 12,524.30	- 35,569.30	197,398.55
Net increase/(decrease) in cash held	- 37,074.07	- 253,663.32	826,252.51	- 197,934.31	- 414,266.01	- 367,307.55	- 443,992.75
Cash at beginning of reporting year	10,002,747.20	9,965,673.13	9,712,009.81	10,538,262.32	10,340,328.01	9,926,062.00	10,002,747.20
Cash at end of reporting	9,965,673.13	9,712,009.81	10,538,262.32	10,340,328.01	9,926,062.00	9,558,754.45	9,558,754.45

SOUTHERN MIDLANDS COUNCIL				
SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED				
	This Financial Year 11th January 2016		Last Financial Year 12th January 2015	
Arrears brought forward as at July 1		\$ 369,292.54		\$ 431,103.63
ADD current rates and charges levied		\$ 4,604,281.68		\$ 4,326,873.65
ADD current interest and penalty		\$ 37,476.44		\$ 34,587.88
TOTAL rates and charges demanded	100.00%	\$ 5,011,050.66	100.00%	\$ 4,792,565.16
LESS rates and charges collected	57.91%	\$ 2,901,907.91	57.86%	\$ 2,772,899.50
LESS pensioner remissions	4.38%	\$ 219,295.51	4.52%	\$ 216,791.65
LESS other remissions and refunds	-0.02%	-\$ 998.36	-0.16%	-\$ 7,668.38
LESS discounts	0.47%	\$ 23,673.42	0.45%	\$ 21,628.61
TOTAL rates and charges collected and remitted	62.74%	\$ 3,143,878.48	62.67%	\$ 3,003,651.38
UNPAID RATES AND CHARGES	37.26%	\$ 1,867,172.18	37.33%	\$ 1,788,913.78

19. INFORMATION BULLETINS

Refer enclosed Information Bulletin dated 22nd January 2016.

Information Bulletins dated the **11th & 18th December 2015** and **8th & 15th January 2016** have been circulated since the previous meeting.

RECOMMENDATION

THAT the Information Bulletins dated 11th & 18th December 2015 and 8th, 15th & 22nd January 2016 be received and the contents noted.

DECISION

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

20. MUNICIPAL SEAL

Nil.

21. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

RECOMMENDATION

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

DECISION

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

CLOSED COUNCIL AGENDA

22. BUSINESS IN “CLOSED SESSION “

EXCLUDED FROM THE AGENDA 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”.

DECISION

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

RECOMMENDATION

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

DECISION

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

23. CLOSURE