

**MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS  
COUNCIL HELD ON WEDNESDAY 17<sup>TH</sup> JULY 2013 AT THE MUNICIPAL  
OFFICES, 71 HIGH STREET, OATLANDS COMMENCING AT 10:00 A.M.**

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**ENCLOSED**

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

- *Item 11.1.1 South East Irrigation Scheme - Development Application*
- *Item 14.2.2 Lake Dulverton & Dulverton Walkway Action Plan (Draft) – Edition 3. 2013 and Callington Park Action Plan (Draft) – Edition 1. 2013*
- *Item 17.2.2 Agenda – Annual General Meeting (24<sup>th</sup> July 2013) and Agenda - General Meeting (24<sup>th</sup> July 2013)*

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COUNCIL HELD ON WEDNESDAY 17<sup>TH</sup> JULY 2013 AT THE MUNICIPAL  
OFFICES, 71 HIGH STREET, OATLANDS COMMENCING AT 10:00 A.M.**

**OPEN COUNCIL MINUTES**

**1. PRAYERS**

Mr Bo Pennicott (representing the Uniting Church) conducted Prayers.

*At the commencement of the meeting, Council formally acknowledged the recent passing of former Councillor / Warden of the Municipality of Oatlands, Mr Roy ‘Tem’ Fish. Mr Fish was a Councillor with the former Oatlands Council from 1958 to 1970 and 1983 to 1990. He was elected as Warden from 1990 to 2<sup>nd</sup> April 1993.*

**2. ATTENDANCE**

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

**In Attendance:** Mr T Kirkwood (General Manager), Mr A Benson (Manager – Community and Corporate Development), Mr D Cundall (Planning Officer), Mr S Mitchell (Building Compliance Officer / Plumbing Inspector) and Mrs K Brazendale (Executive Assistant).

**3. APOLOGIES**

Nil.

**4. APPLICATION FOR LEAVE OF ABSENCE**

Clr J L Jones OAM requested leave of absence for the August meeting.

**C/13/07/005/19392 DECISION**

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

THAT Clr J L Jones OAM be granted leave of absence for August 2013 meeting.

**CARRIED.**

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

**5. MINUTES**

**5.1 ORDINARY COUNCIL MINUTES**

The Minutes of the previous meeting of Council held on the 26<sup>th</sup> June 2013, as circulated, are submitted for confirmation.

**C/13/07/005/19393 DECISION**

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

THAT the Minutes of the previous meeting of Council held on the 26<sup>th</sup> June 2013, as circulated, be confirmed.

**CARRIED.**

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

**C/13/07/006/19394 DECISION**

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

THAT Item 14.4.1 be brought forward onto the agenda.

**CARRIED.**

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

**14.4.1 Building Surveying Services (Class 7b & Class 10) - Review of Policy**

AUTHOR BUILDING COMPLIANCE OFFICER / PLUMBING INSPECTOR- (S MITCHELL)

DATE 11<sup>th</sup> JULY 2013

**ISSUE**

Council to reconsider its position relating to the provision of Building Surveying Services for Class 7b (e.g. Farm Sheds) and Class 10 (e.g. Garages, Carports) buildings only.

**BACKGROUND**

Since Council ceased providing building surveying services (September 2011) it has been noted by Council staff that there is an increasing cost burden on owner/applicants to obtain the services of a building surveyor in the private sector at a reasonable cost.

In the interests of the constituents of this local government area, it is proposed that Council resume providing Building Surveying Services for Class 7b and Class 10 buildings only (e.g. sheds, garages, carports, containers and the like and farm sheds).

The following are definitions of the respective classes taken from the Building Regulations:

***“Class 7b******Definition of farm building***

*farm building means a building which has low human occupancy and –*

*(a) is associated with and located on land devoted to the practice of farming; and*

*(b) is used essentially for –*

- (i) housing machinery and equipment; or*
- (ii) livestock; or*
- (iii) the production, storage or processing of agricultural and horticultural produce or feed; and*

*(c) may include, but is not limited to, a hayshed, implement shed, grain and fertiliser store, cool store for vegetables and fruit, piggery, poultry shed, shearing shed, farm dairy, milking shed, grain silo and silage bunker, greenhouse, farm workshop, fruit-packing shed, egg-grading room and garage not attached to a farm residence;*

### ***Class 10a & 10b***

*A non habitable building or structure-*

*10a A private garage, shed, carport or the like.*

*10b A structure being a fence, mast, antenna, retaining or free standing wall, swimming pool or the like.”*

The focus of this report is the smaller scale buildings such as sheds/garages and the like. As stated, it has become evident that there is a substantial cost in engaging a private building surveyor to provide services for these type of buildings, which is primarily due to the cost of travel associated with servicing the southern midlands council area.

It is also apparent that after having made enquiries, due to anticipated costs, some are electing to build without seeking the necessary approvals. It follows that this becomes a compliance issue, adding further cost and workload upon Council officers.

### **DETAIL**

To address this issue, it is proposed that Council resume providing building surveying services for class 10 & 7b buildings only. An appropriate fee would be charged to ensure cost recovery and essentially, and avoid any anti-competitive issues.

Essentially for such buildings, it involves seeking a Certificate of Likely Compliance, subsequent inspections (normally 2) and the issue of a Certificate of Final Inspection.

Private Sector - fee ranges quite considerably from \$550 to \$1,000 with some charging mileage as well. The majority were at the top end of the scale being closer to the \$1,000 mark.

Councils – A number of Councils are still providing building surveying services, and fees for Class 7b and 10 range from \$300 to \$700. The Southern Midlands were at the lower end of this scale prior to withdrawing this service.

## **CONCLUSION**

I would like to conclude by saying that I believe this proposal will be a huge benefit to the constituents of this local government area in providing a service that will not only be financially beneficial but provide a service which will be a one stop shop. This proposal does not prevent a person from still engaging a private building surveyor if they wish. This information will be given at the time of enquiry about making an application to Council so they are then making an informed choice.

It is quite a daunting experience for most people to come to Council and fill in all the application forms (even though we do our very best to assist in all cases). Then be told well you will need to go and see this person; then you will need to do this and so on. Having sourced all the information and Certificates etc., come back and we will process your application for a shed.

The likely response is (and has been), well it is only a shed and why would I build a shed if I have to comply with all this. The end result being, an unhappy customer and the shed is most likely constructed without approvals.

As mentioned, this solution will provide a ‘one stop shop’ option, which will see a more cost effective and timely response being given to applicants.

**Human Resources & Financial Implications** – Council’s existing Building Surveyor (Mr Richard Rigney) will provide the service on an hourly charge. All fees will be retained by Council and offset the additional cost.

There are two fee structure options available to take into account the fact that many Class 10 Buildings can vary substantially in size:

### Option 1

- Class 7b Buildings - \$2.85 p/s/m (excl. GST) with a minimum of \$505 (excl. GST) - includes 2 x inspections @ \$110 each
- Class 10 - A flat fee for all buildings of \$505 (excl. GST) - includes 2 x inspections @ \$110 each

### Option 2

- Class 7b Buildings - \$2.85 p/s/m (excl. GST) with a minimum of \$505 (excl. GST) - includes 2 x inspections @ \$110 each
- Class 10 Building under 50 square metres – Flat fee of \$405(excl. GST) - includes 2 x inspections @ \$110 each
- Class 10 Building over 50 square metres – Flat fee of \$505 (excl. GST) - includes 2 x inspections @ \$110 each



**Community Consultation & Public Relations Implications – Positive**

**Policy Implications – Policy position.**

**Priority - Implementation Time Frame – Immediate.**

**RECCOMENDATION**

**THAT:**

- A. The information be received.**
- B. Council reinstate the provision of Building Surveyor services for class 7b and Class 10 Buidlings only; and**
- C. Council adopt the Option 2 Fee Structure which is considered to be more equitable given the range (and size) of buildings within the Class 10 category.**

**C/13/07/009/19395 DECISION**

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

**THAT:**

- A. The information be received.
- B. Council reinstate the provision of Building Surveyor services for class 7b and Class 10 Buidlings only; and
- C. Council adopt the Option 2 Fee Structure which is considered to be more equitable given the range (and size) of buildings within the Class 10 category.
- D. Council conduct a review of the fee structure in 2 years, to confirm full cost recovery for this service.

**CARRIED.**

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

**Council Chamber, Kempton – Clock Tower**

Whilst Mr Shane Mitchell (Building Compliance Officer / Plumbing Inspector) was present at the meeting, there was discussion in relation to the operations of the historic Clock Tower. Mr Mitchell has assumed responsibility to maintain and service the Clock.

Mr Mitchell presented a background briefing paper.

At the conclusion of discussion, Council expressed its sincere gratitude for the work undertaken by Mr Mitchell and recognised the time that he commits on a voluntary basis to ensure that the clock is functioning correctly.

Mr S Mitchell (Building Compliance Officer / Plumbing Inspector) left the meeting at 10.45 a.m.

**5.2 SPECIAL COUNCIL MINUTES**

Nil.

**5.3 SPECIAL COMMITTEES OF COUNCIL MINUTES**

**5.3.1 Special Committees of Council - Receipt of Minutes**

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

- Lake Dulverton and Callington Park Management Committee – meeting held 8<sup>th</sup> July 2013

**RECOMMENDATION**

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

**C/13/07/011/19396 DECISION**

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

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

**CARRIED.**

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

### 5.3.2 Special Committees of Council - Endorsement of Recommendations

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

- Lake Dulverton and Callington Park Management Committee – meeting held 8<sup>th</sup> July 2013

#### RECOMMENDATION

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

#### C/13/07/012/19397 DECISION

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

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

**CARRIED.**

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

*The meeting was suspended at 11.11 a.m. for morning tea and resumed at 11.35 a.m.*

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

**5.4.1 Joint Authorities - Receipt of Minutes**

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

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

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

**RECOMMENDATION**

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

**DECISION**

**DECISION NOT REQUIRED**

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

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

##### ***36A. Annual reports of authorities***

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

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

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

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

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

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

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

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

##### ***36B. Quarterly reports of authorities***

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

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

*(a) a statement of its general performance; and*

*(b) a statement of its financial performance.*

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

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

**RECOMMENDATION**

**THAT the reports received from the Joint Authorities be received.**

**DECISION**

**DECISION NOT REQUIRED**

*Mr T Kirkwood (General Manager) left the meeting at 11.40 a.m. and returned to the meeting at 11.45 a.m.*

## **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.

A Workshop was held on Friday 5<sup>th</sup> July 2013 at the Council Chambers, Kempton commencing at 9.30 a.m.

Attendance: Mayor A E Bisdee OAM, Clrs M J Connors, D F Fish and J L Jones OAM.

Apologies: Deputy Mayor M Jones OAM, Clrs A R Bantick, B Campbell, C J Beven and A O Green.

Also in Attendance: T F Kirkwood, D Mackey and D Cundall.

The purpose of the workshop was to:

- Inform Elected Members of the June/July Public Consultation on the Draft Proposed Southern Midlands Planning Scheme so far;
- Seek feedback from the Elected Members on any concerns or items for discussion about the Consultation; and
- Seek feedback and discussion on a submission to the Regional Planning Project from the Southern Midlands Council on the Regional Provisions of the scheme.

It is expected, as part of the June/July consultation and exhibition of the draft planning schemes across the Southern Region that the Council also makes a submission to the Southern Regional Planning Project.

The Submission shall highlight any concerns that Council may have with certain aspects of the Regional Planning Scheme provisions and is a chance to raise any other matters of concern regarding the proposed schemes.

## **MATTERS FOR CONSIDERATION**

The workshop was an opportunity for Elected Members to relay any concerns from members of the community about the draft planning scheme to Council Officers. These concerns can form a part of the submission to the Southern Regional Planning Project.

A short list of these concerns was compiled and will form a part of the submission. The matters tabled were items relating to the regional draft planning scheme provisions:

The concerns were (in no particular order):



- **Bushfire Prone Areas Code/ Biodiversity Code/ Vegetation Removal Exemptions:**
  - Elected Members in attendance at the workshop would like to see provisions that will not restrict the ability for landowners to clear vegetation from boundary fences up to 4m from the boundary fence. It is believed 4m will allow suitable room for machinery to clear vegetation and recognizes natural obstacles that may prevent machinery from having access to the property line such as terrain, geological features or large trees.
  
- **Geo-diversity Code:**
  - There is concern that Local Government is not the appropriate body to assess impacts on geo-diversity and that the geo-diversity planning scheme overlay mapping is too broad.
    - Elected Members would like to pose the question ‘Is this necessary?’ and if so ‘Where is the State Government Policy on the matter?’
    - The areas mapped do not account for all the small geo-diversity sites and features and does not recognise land that may not even contain any geo-diversity sites. The mapping is too broad. So why should a developer have to prove otherwise?
    - Elected Members would like to pose the question ‘Who is a geo-diversity expert?’ and ‘Does a geo-diversity expert determine what modifications are necessary to allow a development to occur in the affected land?’
    - If this code is implemented then applications subject to the code should be referred to the appropriate government department. The onus of demonstrating compliance with the code should not be on the developer or land owner to seek and pay a consultant to assess the application where it may be proven unnecessary.
    - Elected Members question the whole basis of using planning schemes to recognise and protect geodiversity values on private land, especially since it appears there is no State policy position that this should happen at all.
  
- **General Residential Zone – Lot Size in Oatlands**
  - The proposed lot size for the General Residential Zone is 450m<sup>2</sup>. Currently the minimum size is 600m<sup>2</sup>. It is acknowledged that despite a smaller minimum lot size stipulated in the draft (in line with other Council’s in the South) that the subdivision standards still allow for varying lot sizes in the residential zone.
  - Within those areas of the General Residential Zone at Oatlands covered by the Heritage Precincts, special local provisions should apply that require (not just allow) variation in lot size in order to fit with the historic character.

- **Significant Agricultural Zone**

- It is noted that the Significant Agricultural Zone mapping could be better defined to natural contours, rather than title boundaries, in places where the topography or soil type may not be accommodating to intensive farming activities

**SUBMISSION**

Council Officers will prepare a submission based on these key issues and any other matters presented to Officers at this Council Meeting.

**RECCOMENDATION**

**THAT:**

- a) **the information be received; and**
- b) **Council Officers write a submission to the Regional Planning Project on behalf of the Southern Midlands Council that will include the matters depicted in this report**

**C/13/07/018/19398 DECISION**

Moved by Clr D F Fish, seconded by Clr M Connors

**THAT:**

- a) the information be received; and
- b) Council Officers write a submission to the Regional Planning Project on behalf of the Southern Midlands Council that will include the matters depicted in this report and include a 5m boundary (bush fire area).

**CARRIED.**

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

## 7. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

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

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

- Southern Midlands Council – Uniforms & Protective Clothing Policy (Revised Policy) (Item 20.1)

### RECOMMENDATION

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

### C/13/07/019/19399 DECISION

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

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

**CARRIED.**

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

**8. DECLARATIONS OF PECUNIARY INTEREST**

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

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

***The following declaration was recorded***

*Clr A O Green – Item 11.1.1 – Development Application ‘The South East Irrigation Scheme Stage 3’.*

**9. PUBLIC QUESTION TIME (SCHEDULED FOR 12.30 PM)**

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

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

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

***At the time of issuing the Agenda, correspondence has been received from Mrs H M Scott OAM, being a property owner from Woodsdale Road, Woodsdale (refer comment provided below).***

***Refer Notes from the Public Consultation Session held at 12.40 p.m. which are detailed later in the Minutes of the Meeting.***

Mrs Scott raises two issues:

1. Woodsdale Road – 3 recent accidents (since January) below her home and enquires why a guard rail has not been erected near a deep culvert. A guard rail would prevent cars entering the paddock.

Location to be assessed and comment provided at the meeting. No budget allocation has been provided for this purpose.

2. Woodsdale Cemetery – Update requested.

It is confirmed that a formal request has been sent through to Crown Land Services which asks the Department and/or Minister to approve transfer of ownership of the Woodsdale Cemetery to Council under the “Crown Land Assessment Classification” process (or similar). Consistent with Council’s decision, the intent is then to transfer ownership of the property to a newly established legal entity responsible for the management and operation of the Woodsdale Cemetery.

The request sent to the Department clearly conveys Council’s intent to subsequently transfer ownership, and approval from the Minister is sought as part of the initial transfer process. Ministerial approval is required because all transfers under the CLAC process include a ‘determinable interest’ on the Title whereby Council cannot sell or exchange the land without prior Ministerial approval.

**9.1 PERMISSION TO ADDRESS COUNCIL**

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

➤ Nil

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

Nil

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

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

**11.1 DEVELOPMENT APPLICATIONS**

*Clr A O Green declared an interest and left the meeting at 11.48 a.m.*

**11.1.1 Development Application for 'The South East Irrigation Scheme Stage 3 Irrigation Scheme' – Pipeline and associated works – Defined by the Southern Midlands Planning Scheme 1998 as Utilities (Minor) partly in a Major Flood Level Special Area, Watercourse Protection Special Area and Properties listed in Schedule 4 Buildings and Works of Historic Significance in the Tea Tree, Rekuna, Campania Area**

**AUTHOR** PLANNING OFFICER (D CUNDALL)

**DATE** 10<sup>TH</sup> JULY 2013

**ENCLOSURE** South East Irrigation Scheme - Development Application

**PROPOSAL**

The applicant Tasmanian Irrigation Pty Ltd ("Tas. Irrigation"), seeks development approval in accordance with the attached 'South East Irrigation Scheme – Development Application' (Attachment 1) to construct an irrigation pipeline through a section of the Southern Midlands Local Government Area through various properties and roads in the Tea Tree, Rekuna and Campania area.

The applicant is seeking approval for a 'construction corridor' to lay the pipeline and associated infrastructure. The corridor is a surveyed strip of land in which the pipeline will be laid. The corridor is up to 100m wide and allows room for the pipe to be laid with room for the construction site and room for the pipe to avoid any yet unknowns such as geological features, underground services, heritage sites or protected species etc.

The proposed pipeline is defined as a 'Utilities (Minor) under the *Southern Midlands Planning Scheme 1998* and invokes discretion for works within a Major Flood Level Special Area, Watercourse Protection Special Area and for crossing Properties listed in Schedule 4 Buildings and Works of Historic Significance.

The proposal includes a large holding dam at Rekuna which is not assessed by Council. Dam works are assessed separately under the *Water Management Act 1999* and by the



Assessment Committee for Dam Construction at the Department of Primary Industries Parks Water and the Environment (DPIPWE).

The pipeline is proposed to take water from Granton to be distributed throughout the South East farming district. The proposal intersects 5 Local Government Areas.

### **LEGISLATIVE PERFORMANCE REQUIREMENTS & TECHNICAL REPORTS AND ASSESSMENT**

Many technical reports and assessments to meet other legislative requirements have been completed in the lead up to the Development Application to Council.

Local Government is not the only body that assesses the development.

Other reports and assessment are concerned with environmental and cultural values found within the 100m wide ‘survey corridor’. Such reports focus on water management, aquatic systems, Aboriginal heritage, European heritage, Flora and Fauna mapping (and potential impact and avoidance studies) and other potential risks and mitigation measures.

The applicants have also completed a full assessment application seeking approval under the *Environment Protection and Biodiversity Conservation Act 1999* (the *EPBC Act*).

### **CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

One of the most significant documents relating to the construction of the pipeline is the ‘Construction and Environmental Management Plan’ (CEMP).

The ‘Construction Environmental Management Plan (CEMP)’ is the guiding document for contractors to practice and ensure sound environmental management practices during and prior to construction.

It is the responsibility of the contractor to supply this CEMP in consultation with Tas Irrigation and within the parameters of the relevant Commonwealth and State Legislation, Regulations and Environmental Policies.

Tas Irrigation has prepared specific Environmental Protection Requirements as the performance criteria and guidelines for contractors to produce the CEMP. More information can be found on p7 of the Attachment 1.

**THE SITE**

The land in question is mostly privately owned rural land. Other land includes some parcels of Crown land, State Reserves, TasRail land, Council land (including roads and road reserves) and waterway crossings. The pipeline is generally accessible by Council maintained roads or other existing private roadways and tracks. The plan is to utilise existing tracks and roads where ever possible during the construction of the pipeline and for future maintenance and rehabilitation works.

Most of the proposed pipeline corridor is through cleared rural pasture land. However in areas, such as stream and river crossings, some native vegetation may need to be cleared or avoided in accordance with the CEMP and approvals under the *EPBC Act*.

**USE/DEVELOPMENT DEFINITION**

Under *Schedule 3 Use or Development Category Definitions* of the *Planning Scheme*, the proposed development is defined as a, ‘Utilities (Minor)’.

**Zoning**

Most of the proposed project is situated in the *Rural Activity Zones*, in a mixture of both *Rural Agriculture* and *Intensive Rural Agriculture*.

**Zone: Rural Agriculture Zone**

6.2.2 The intent of the Rural Agriculture Zone is to:

- (a) give priority to the sustainable long term use of land for agricultural, pastoral, forestry and other rural uses;*
- (b) recognise and protect the potential of land in the Kempton, Bagdad/Mangalore and Jordan valleys for future intensive agricultural use in anticipation of the completion of the South East Irrigation Scheme;*
- (c) encourage expansion and diversification of agricultural activities;*
- (d) protect rural land from development that may:*
  - (i) jeopardise its long term capability for agricultural use;*
  - (ii) cause unplanned and premature demands on the Council for the provision of infrastructure services, or*
  - (iii) cause adverse impacts on the environment, catchment or productivity of the land and its general ability to sustain agricultural use;*

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

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

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

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

**Zone: Road Activity Zone**

8.2.1 The intent of the Road Zone is to:

- a) provide for the use, development, amenity, safety and efficiency of roads in the planning area;*
- b) establish a road hierarchy which enables the appropriate road functions to be recognised and managed accordingly and to ensure, where appropriate, compatibility with the road network of adjacent municipal areas;*
- c) manage the interaction between roads and adjoining use and development to ensure that the road network operates with a maximum degree of efficiency and safety;*
- d) enable the public road system to be maintained in a manner which accords with the concept of public accountability, community consultation and the objectives of sustainable development;*
- e) ensure that use and development adjoining roads does not restrict improvements to the efficiency and safety of the road network;*
- f) ensure that roads are maintained to reflect the landscape, townscape heritage qualities and access requirements of the areas through which they pass; and*
- g) ensure that the planning, use and development of roads is integrated with other movement systems, including rail, bus, bicycle and pedestrian networks.*

***Extract SMPS 1998***

The proposed pipeline also runs through some of the municipalities ‘Special Areas’ as defined under ‘Part 9 – Special Areas’ of the *Planning Scheme*. These areas are:

- Major Flood Level Special Area;
- Watercourse Protection Special Area;

The proposal also invokes ‘Part 10 – Other Planning Provisions’ in the *Planning Scheme*:  
– Historic Buildings and Works;

### **STATUTORY STATUS**

Under the *Planning Scheme*, a Utilities (minor) is a ‘Permitted as-of-right development’ through most of the municipality. However, as the proposal also includes land within a Major Flood and Watercourse Protection Special Areas and runs through properties listed for Buildings and works of Historic Significance the application invokes Clause 11.5 (discretionary); and Subsequently the use/development:

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

### **Extract SMPS 1998**

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

### **PUBLIC NOTIFICATION AND REPRESENTATIONS**

The application was advertised, and all adjoining owners notified on the 1<sup>st</sup> June 2013 for the statutory period.

No representations were received. The application did however generate much interest in the community with many residents contacting both Council and Tas Irrigation Pty Ltd to discuss the matter and find out what was happening in their area.

### **ASSESSMENT**

#### **Planning Scheme**

##### **Zone Intent**

The proposal is predominately located within the Rural Activity Zones, with some proposed works through the Road Activity Zone. It is the Planning Officer’s deduction that this particular Utilities (Minor), meets all of the aforementioned intentions of the zones; and as the proposal is in fact ‘as-of-right’ as defined by the *Planning Scheme* in the rural and road zones, it serves little or no purpose to justify the proposal against the intentions of such zones (as the zone already accommodates such as use).

It is acknowledged and appreciated that the Applicant has provided assessment against these intentions of the relevant zone as part of the Development Application.

It is however necessary to assess any potential impacts on the previously mentioned ‘special areas’ and ‘other planning provisions’ as they are in fact ‘discretionary’ areas for such development. It is also acknowledged the Applicant has also responded to this section of the *Scheme* as part of the Development Application (Attachment 1 – pp29-30).

## **Part 9 Special Areas**

### *9.3 Major Flood Level Special Area*

- a) *“The purpose of this special area is to ensure that use or development is not inappropriately approved on land which is prone to flooding or which may be subject to inundation through dam construction”*

This special area is located in the low lying areas around the Coal River (in the White Kangaroo, Weavers Lane and Estate Road area). The planning scheme is primarily focused on the development of buildings within a flood prone area that may restrict the movement of flood waters, cause any undue risk and to restrict new buildings within a flood area. The mapping of the special area also brings the matter to any potential developer or landowner’s attention.

The Engineers at Pitt and Sherry have stated that the pipeline will not cause impact to the Flood Prone Area. It is also acknowledged the pipeline manages to avoid a large percentage of this flood prone area; however the Coal River crossing is largely unavoidable in order to give water to the landowners in Weavers Lane.

It would be anticipated that any risk is mitigated prior to construction as part of the CEMP.

### *9.4 Watercourse Protection Special Area*

- a) *“The purpose of the Watercourse Protection Special Area is to control erosion, pollution and undesirable changes in stream hydrology and to protect the natural drainage functions and botanical, zoological and landscape values of listed streams, rivers, lakes and wetlands in the municipal area.”*

The *Watercourse Protection Special Area* is also located around the Coal River (White Kangaroo, Weavers Lane and Estate Road area).

The Applicant has stated that all measures will be taken to minimise erosion, pollution and changes to hydrology as part of the CEMP submitted by contractors.

It is duly noted that the development requires minimal removal of natural vegetation to prepare for the pipeline in the vicinity of river crossings. An undertaking to regenerate these areas upon completion should ensure soil stability and minimal erosion.

Any approval given shall seek a copy of the CEMP.

## **Part 10 Other Planning Provisions**

*10.1 Historic Buildings and Works*

This provision applies to all properties listed in ‘Schedule 4’ of the *Planning Scheme* as being a building or works of historic significance.

‘Schedule 4’ of the *Southern Midlands Planning Scheme 1998*, is a list of all locally significant places. The list includes places listed ‘Locally’ and at a ‘State level’ (on the Tasmanian Heritage Register).

The applicant has included in the development application a complete assessment of Heritage Impacts and assessment of Heritage Features (listed or otherwise) in a separate report commissioned by Tas Irrigation. The report ‘South East Irrigation Scheme ENTURA-5FE34 Historic Heritage Assessment Report’ is an assessment of the heritage sites and features located along the proposed pipeline route.

In Southern Midlands, the pipeline intersects land containing heritage listed buildings and works. Those listed on the State Register have been officially exempted by Heritage Tasmania as having no impact on these properties.

The same conclusion can be drawn for the locally listed places given Tas. Irrigation’s avoidance of these places.

Mitigation measures include the following:

- The main measure to mitigate impacts upon heritage features is by way of avoidance; it is expected the CEMP should also address and acknowledge any known heritage features and avoid such features during construction.
- If an impact is unavoidable, the advice from a suitably qualified historical archaeologist is to be sought in relation to mitigation measures and to record the feature.
- All building sites of listed historical significance have been avoided.

**Referrals and Agency Comments**

The application was referred to multiple State and Infrastructure Authorities for the purpose of fulfilling statutory requirements and to give such parties the opportunity to provide comment and/or any conditions they may want to include in any planning permit being issued.

Most of the parties contacted have already been in consultation with Tas. Irrigation. TasRail, Southern Water and DIER continue to work with Tas, Irrigation and require further approvals in the event of a planning permit being issued by Council.

Any requirements or conditions from these parties, where appropriate, have been included in the Planning Officer’s recommendation.

***DIER Response***

The proposal crosses State Owned Road Assets and was subsequently referred to DIER for comment. Tas Irrigation has sought prior agreements/arrangements with DIER and required their consent for the lodgement of the Development Application (as a landowner). Any Contractor will require further permits from DIER prior to works commencing within the State Road Reserve. DIER's comments are included as 'Advice' in the Recommended Conditions of this report.

*DIER provided the following comments*

From the review of the related documents, one road crossing is suggested for DIER State Road Network, crossing Tea Tree Secondary Road.

In accordance with provisions of the *Roads and Jetties Act 1935* (the Act), no works on or affecting Tea Tree Secondary Road are to be undertaken until a permit has been issued through DIER. Contact is to be made, therefore, with the DIER's Permits Officer ([permits@dier.tas.gov.au](mailto:permits@dier.tas.gov.au) or telephone 6233 7177) for the required permit prior to the commencement of any works. Permit application forms can be found at [http://www.transport.tas.gov.au/road/services\\_works\\_eg\\_gas\\_water\\_electricity](http://www.transport.tas.gov.au/road/services_works_eg_gas_water_electricity). DIER will also require the developer to submit Traffic Management Plans to satisfy DIER that traffic would be managed properly along the affected sections of DIER roads involved. The Traffic Management Plans should also cover any proposed traffic diversion due to the proposed development.

From an Road Asset Management perspective, any excavation of the road pavement that is required will need to be repaired to DIER's specification. It is DIER's requirement that any road crossings that are to be made, where possible are to be tunnel bored to eliminate the potential for pavement deformation from occurring from road trenching works. If trenching is required, DIER expects all but no consolidation of the trench or differential settlement between existing road surface and reinstated surface during the defects liability period of 12 months. The backfill details such as compaction layer depths, compaction method etc. needs careful consideration – checking that the existing DIER specification will deliver the outcome required is encouraged. Additionally, no trenches are to be left open overnight or when no works are taking place, to ensure the safety of all motorists on the road.

***Southern Water***

The proposed Irrigation Pipeline intersects Southern Water's Main Trunk Line in the Tea Tree/Campania area. Subsequently the application was referred to Southern Water for their information and any conditioning.

The conditions of Southern Water are to be attached to any approval issued by Council.

**CONCLUSION**

An application has been made for the construction and use of an irrigation distribution line and associated construction works through a section of the Southern Midlands.

The proposal is defined as a ‘Utilities (minor)’ which is ordinarily a ‘permitted as-of-right’ development. However, by default, the development invokes discretion as its proposed route is through special areas and land with sites of Historic Significance as listed in the *Planning Scheme*. Such discretions have been addressed in the Development Application and associated reports; it is anticipated that further studies and commitments to prepare a suitable CEMP shall further re-enforce compliance with the Planning Scheme and the various State Policies. Any other matters can be addressed by way of conditioning and through the re-enforcement of commitments made in the Development Application.

The strategic assessment reports and studies that have been conducted to satisfy the objectives of the *EPBC* and the many other bodies of legislation invoked by this proposal have also satisfied all planning related aspects of the proposal under the *Southern Midlands Planning Scheme* and under the *LUPAA*. It must be noted that much of the projects construction impacts are covered by other bodies of legislation or other authorities.

It is the Planning Officer’s recommendation to approve the Midlands Water Scheme in accordance with the provided conditions.

## RECOMMENDATION

**THAT, in accordance with the provisions of the *Southern Midlands Planning Scheme 1998* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council approve the application for a Utilities (minor) partly in a Major Flood Level Special Area, Watercourse Protection Special Area and Properties listed in Schedule 4 Buildings and Works of Historic Significance in the Tea Tree, Rekuna, Campania Area, 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.
2. This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, which ever is later, in accordance with section 53 of the *land Use Planning and Approvals Act 1993*.
3. A copy of the Construction Environmental Management Plan is to be provided to the Council prior to works commencing. The Construction Environmental Management Plan shall form a part of this Permit.
4. The developer is to provide the Council with an ‘as-constructed’ plan of the completed works.



5. The developer is to provide GIS data to Council to further identify and map the location of the pipeline to the satisfaction of the Manager of Development and Environmental Services.

***Aboriginal heritage***

6. In the event that any suspected item(s) of archaeological significance is inadvertently encountered during works associated with development of the site, then the activity creating the disturbance should cease immediately, and the *Aboriginal Relics Act 1975* will apply for reporting and management.

***Signage***

7. No signage, otherwise exempt by the *Southern Midlands Planning Scheme 1998*, is approved as part of this application.

***Amenity***

8. All external metal surfaces must be clad in non-reflective pre-coated metal sheeting or painted to the satisfaction of the Council's General Manager.

***Southern Water***

9. Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P (2) (b) Southern Water impose conditions on the permit as per Form PL05C (attached).

***Traffic, Access and Road Crossings***

10. All work on or affecting the State Road, including drainage, must be carried out in accordance with a permit provided by the Transport Division of the Department of Infrastructure Energy and Resources. No works on the State Road shall commence until the Minister's consent has been obtained and a permit issued in accordance with the *Roads and Jetties Act 1935* (SEE ADVICE BELOW)
11. Design drawings for any works relating to Council road crossings are to be submitted for approval by Council's Manager of Works and Technical Services (Mr Jack Lyall 6254 5008). Drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by the Manager of Works and Technical Services.
12. Prior to the development commencing, on any Council roadway, a Traffic Management Plan is to be submitted for approval by Council's Manager of Works and Technical Services (Mr Jack Lyall 6254 5008). The Traffic Management Plan is to include:
  - a. A condition assessment of road pavements and bridges used for transportation routes.
  - b. Details of any road closures
  - c. Management of upgrades to infrastructure
  - d. Traffic sign removal and reinstatement
  - e. Speed limits, transport times and other restrictions during transport
  - f. Management for the use of escorts for over-dimensional vehicles
  - g. A public contact plan
  - h. Procedures for incident management

- i. Details of permits required; and
  - j. A maintenance program for affected roads
13. The Applicant must provide not less than 48 hours written notice to Council’s Manager of Works and Technical Services (Jack Lyall 6254 5008) before commencing construction works within a council roadway.
  14. The Developer is to contact the Manager, Works & Technical Services to arrange a site inspection within two (2) working days of completion of works.
  15. Upon practical completion, a post construction condition assessment of roads and bridges used for transportation routes must be submitted to Council’s Manager of Works and Technical Services (Mr Jack Lyall). The assessment must be undertaken at the developers’ expense. Any damage or excess wear and tear which may be attributed to the development is to be made good at the developer’s expense to the satisfaction of the relevant authority.
  16. The developer must pay the cost of any alterations, damages and/or reinstatement to Council’s road assets, Council infrastructure, existing services 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*

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

Monday to Friday	7:00 a.m. to 6:00 p.m.
Saturday	8:00 a.m. to 6:00 p.m.
Sunday and State-wide public holidays	10:00 a.m. to 6:00 p.m.
18. 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. Unreasonable emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
  - b. The transportation of materials, goods and commodities to and from the land.
  - c. Obstruction of any public footway or highway.
  - d. Appearance of any building, works or materials.
  - e. Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council’s Manager of Development and Environmental Services.

19. Public roadways or footpaths must not be used for the storage of any construction materials or wastes or for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period, unless otherwise approved by Council or included as part of the Development Application.

**The applicant shall also be advised that:**

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. Any containers located on site for construction purposes are to be removed at the completion of the project unless the necessary planning and building permit have been obtained by the developer/owner. Materials or goods stored in the open on the site shall be screened from view from people on adjoining properties, roads and reserves.

*DIER ADVICE*

- C. In accordance with provisions of the *Roads and Jetties Act 1935* (the Act), no works on or affecting Tea Tree Secondary Road are to be undertaken until a permit has been issued through DIER. Contact is to be made, therefore, with the DIER's Permits Officer ([permits@dier.tas.gov.au](mailto:permits@dier.tas.gov.au) or telephone 6233 7177) for the required permit prior to the commencement of any works. Permit application forms can be found at [http://www.transport.tas.gov.au/road/services\\_works\\_eg\\_gas\\_water\\_electricity](http://www.transport.tas.gov.au/road/services_works_eg_gas_water_electricity) DIER will also require the developer to submit Traffic Management Plans to satisfy DIER that traffic would be managed properly along the affected sections of DIER roads involved. The Traffic Management Plans should also cover any proposed traffic diversion due to the proposed development.

From a Road Asset Management perspective, any excavation of the road pavement that is required will need to be repaired to DIER's specification. It is DIER's requirement that any road crossings that are to be made, where possible are to be tunnel bored to eliminate the potential for pavement deformation from occurring from road trenching works. If trenching is required, DIER expects all but no consolidation of the trench or differential settlement between existing road surface and reinstated surface during the defects liability period of 12 months. The backfill details such as compaction layer depths, compaction method etc. needs careful consideration – checking that the existing DIER specification will deliver the outcome required is encouraged. Additionally, no trenches are to be left open overnight or when no works are taking place, to ensure the safety of all motorists on the road.

- D. The issue of this permit does not ensure compliance with the provisions of the *Threatened Species Protection Act 1995* or the *Commonwealth Environmental Protection and Biodiversity Protection Act 1999*. The applicant may be liable to

complaints in relation to any non-compliance with these Acts and may be required to apply to the Policy and Conservation Assessment Branch of the Department of Primary Industry, Water & Environment or the Commonwealth Minister for a permit.

- E. The issue of this permit does not ensure compliance with the provisions of the *Forest Practices Act 1985*. Unless otherwise provided by section 17(6) of that Act, a Forest Practices Plan for the clearing of trees may need to be prepared in accordance with the Forestry Code and certified by an authorised Forest Practices Officer.
- F. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.

#### **C/13/07/036/19400 DECISION**

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

**THAT, in accordance with the provisions of the *Southern Midlands Planning Scheme 1998* and section 57 of the *Land Use Planning & Approvals Act 1993*, Council approve the application for a Utilities (minor) partly in a Major Flood Level Special Area, Watercourse Protection Special Area and Properties listed in Schedule 4 Buildings and Works of Historic Significance in the Tea Tree, Rekuna, Campania Area, 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.
2. This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this letter or the date of the last letter to any representor, which ever is later, in accordance with section 53 of the *land Use Planning and Approvals Act 1993*.
3. A copy of the Construction Environmental Management Plan is to be provided to the Council prior to works commencing. The Construction Environmental Management Plan shall form a part of this Permit.
4. The developer is to provide the Council with an ‘as-constructed’ plan of the completed works.

5. The developer is to provide GIS data to Council to further identify and map the location of the pipeline to the satisfaction of the Manager of Development and Environmental Services.

***Aboriginal heritage***

6. In the event that any suspected item(s) of archaeological significance is inadvertently encountered during works associated with development of the site, then the activity creating the disturbance should cease immediately, and the *Aboriginal Relics Act 1975* will apply for reporting and management.

***Signage***

7. No signage, otherwise exempt by the *Southern Midlands Planning Scheme 1998*, is approved as part of this application.

***Amenity***

8. All external metal surfaces must be clad in non-reflective pre-coated metal sheeting or painted to the satisfaction of the Council's General Manager.

***Southern Water***

9. Pursuant to the Water and Sewerage Industry Act 2008 (TAS) Section 56P (2) (b) Southern Water impose conditions on the permit as per Form PL05C (attached).

***Traffic, Access and Road Crossings***

10. All work on or affecting the State Road, including drainage, must be carried out in accordance with a permit provided by the Transport Division of the Department of Infrastructure Energy and Resources. No works on the State Road shall commence until the Minister's consent has been obtained and a permit issued in accordance with the *Roads and Jetties Act 1935* (SEE ADVICE BELOW)
11. Design drawings for any works relating to Council road crossings are to be submitted for approval by Council's Manager of Works and Technical Services (Mr Jack Lyall 6254 5008). Drawings are to be prepared by a qualified and experienced civil engineer, or other person approved by the Manager of Works and Technical Services.
12. Prior to the development commencing, on any Council roadway, a Traffic Management Plan is to be submitted for approval by Council's Manager of Works and Technical Services (Mr Jack Lyall 6254 5008). The Traffic Management Plan is to include:
  - a. A condition assessment of road pavements and bridges used for transportation routes.
  - b. Details of any road closures
  - c. Management of upgrades to infrastructure
  - d. Traffic sign removal and reinstatement
  - e. Speed limits, transport times and other restrictions during transport
  - f. Management for the use of escorts for over-dimensional vehicles
  - g. A public contact plan
  - h. Procedures for incident management

- i. Details of permits required; and
- j. A maintenance program for affected roads

13. The Applicant must provide not less than 48 hours written notice to Council's Manager of Works and Technical Services (Jack Lyall 6254 5008) before commencing construction works within a council roadway.
14. The Developer is to contact the Manager, Works & Technical Services to arrange a site inspection within two (2) working days of completion of works.
15. Upon practical completion, a post construction condition assessment of roads and bridges used for transportation routes must be submitted to Council's Manager of Works and Technical Services (Mr Jack Lyall). The assessment must be undertaken at the developers' expense. Any damage or excess wear and tear which may be attributed to the development is to be made good at the developer's expense to the satisfaction of the relevant authority.
16. The developer must pay the cost of any alterations, damages and/or reinstatement to Council's road assets, Council infrastructure, existing services 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*

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

Monday to Friday

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

Saturday

8:00 a.m. to 6:00 p.m.

Sunday and State-wide public holidays

10:00 a.m. to 6:00 p.m.

18. 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) Unreasonable emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, ash, dust, waste water, waste products, grit or otherwise.
  - b) The transportation of materials, goods and commodities to and from the land.
  - c) Obstruction of any public footway or highway.
  - d) Appearance of any building, works or materials.
  - e) Any accumulation of vegetation, building debris or other unwanted material must be disposed of by removal from the site in an approved manner. No burning of such materials on site will be permitted unless approved in writing by the Council's Manager of Development and Environmental Services.
19. Public roadways or footpaths must not be used for the storage of any construction materials or wastes or for the loading/unloading of any vehicle or equipment; or for the carrying out of any work, process or tasks associated with the project during the construction period, unless otherwise approved by Council or included as part of the Development Application.

**The applicant shall also be advised that:**

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. Any containers located on site for construction purposes are to be removed at the completion of the project unless the necessary planning and building permit have been obtained by the developer/owner. Materials or goods stored in the open on the site shall be screened from view from people on adjoining properties, roads and reserves.

**DIER ADVICE**

- C. In accordance with provisions of the *Roads and Jetties Act 1935* (the Act), no works on or affecting Tea Tree Secondary Road are to be undertaken until a permit has been issued through DIER. Contact is to be made, therefore, with the DIER's Permits Officer ([permits@dier.tas.gov.au](mailto:permits@dier.tas.gov.au) or telephone 6233 7177) for the required permit prior to the commencement of any works. Permit application forms can be found at [http://www.transport.tas.gov.au/road/services\\_works\\_eg\\_gas\\_water\\_electricity](http://www.transport.tas.gov.au/road/services_works_eg_gas_water_electricity) DIER will also require the developer to submit Traffic Management Plans to satisfy DIER that traffic would be managed properly along the affected sections of DIER roads involved. The Traffic Management Plans should also cover any proposed traffic diversion due to the proposed development.

From a Road Asset Management perspective, any excavation of the road pavement that is required will need to be repaired to DIER's specification. It is DIER's requirement that any road crossings that are to be made, where possible are to be tunnel bored to eliminate the potential for pavement deformation from occurring from road trenching works. If trenching is required, DIER expects all but no consolidation of the trench or differential settlement between existing road surface and reinstated surface during the defects liability period of 12 months. The backfill details such as compaction layer depths, compaction method etc. needs careful consideration – checking that the existing DIER specification will deliver the outcome required is encouraged. Additionally, no trenches are to be left open overnight or when no works are taking place, to ensure the safety of all motorists on the road.

- D. The issue of this permit does not ensure compliance with the provisions of the *Threatened Species Protection Act 1995* or the *Commonwealth Environmental Protection and Biodiversity Protection Act 1999*. The applicant may be liable to complaints in relation to any non-compliance with these Acts and may be required to apply to the Policy and Conservation Assessment Branch of the Department of Primary Industry, Water & Environment or the Commonwealth Minister for a permit.
- E. The issue of this permit does not ensure compliance with the provisions of the *Forest Practices Act 1985*. Unless otherwise provided by section 17(6) of that

Act, a Forest Practices Plan for the clearing of trees may need to be prepared in accordance with the Forestry Code and certified by an authorised Forest Practices Officer.

- F. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.

**CARRIED.**

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



**11.2 SUBDIVISIONS**

*Nil.*

**11.3 MUNICIPAL SEAL (PLANNING AUTHORITY)**

*Nil.*

**11.4 PLANNING (OTHER)**

*Nil.*

**12. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)**

**12.1 ROADS**

**Strategic Plan Reference – Page 13**

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

*Nil.*

**12.2 BRIDGES**

**Strategic Plan Reference – Page 14**

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

*Nil.*

**12.3 WALKWAYS, CYCLE WAYS AND TRAILS**

**Strategic Plan Reference – Page 14**

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

*Nil.*

**12.4 LIGHTING**

**Strategic Plan Reference – Page 14**

- 1.4.1a Improve lighting for pedestrians.
- 1.4.1b Contestability of energy supply.

Nil.

**12.5 SEWERS**

**Strategic Plan Reference – Page 15**

- 1.5.1 Increase the number of properties that have access to reticulated sewerage services.

Nil.

**12.6 WATER**

**Strategic Plan Reference – Page 15**

- 1.6.1 Increase the number of properties that have access to reticulated water.

Nil.

**12.7 IRRIGATION**

**Strategic Plan Reference – Page 15**

- 1.7.1 Increase access to irrigation water within the municipality.

Nil.

**12.8 DRAINAGE**

**Strategic Plan Reference – Page 16**

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

Nil.

**12.9 WASTE**

**Strategic Plan Reference – Page 16**

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

Nil.

**12.10 INFORMATION, COMMUNICATION TECHNOLOGY**

**Strategic Plan Reference – Page 16**

1.10.1 Improve access to modern communications infrastructure.

Nil.

**12.11 SIGNAGE**

**Strategic Plan Reference – Page 16**

1.11.1 Signage that is distinctive, informative, easy to see and easy to understand.

Nil.

*Clr A O Green returned to the meeting at 11.55 a.m.*

*Mr J Lyall (Manager – Works and Technical Services) attended the meeting at 11.55 a.m.*

**12.12 OFFICER REPORTS – WORKS & TECHNICAL SERVICES (ENGINEERING)**

**12.12.1 Manager - Works & Technical Services Report (J Lyall)**

*File Ref: 3/075*

AUTHOR MANAGER – WORKS & SERVICES

DATE 12<sup>TH</sup> JULY 2013

**ROADS PROGRAM**

Maintenance Grading - Crichton Road and Native Corners Road. It should be noted that recent rains has created a lot of potholes - they are being attended to by hand filling and where possible re-grading.

**BRIDGE PROGRAM**

Shene Road, Pontville has been installed. Other bridges for renewal are being measured and in preparation for quotes. Stratford Road Bridge will have minor repairs on Tuesday (16<sup>th</sup> July 2013).

**WASTE MANAGEMENT PROGRAM**

Extra Cartage still being undertaken at Campania due to holiday period clean ups.

**TOWN FACILITIES PROGRAM**

General Maintenance continuing

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

Roads Program – Clifton Vale Road / Stonor Road reconstruction projects – assessment underway in relation to problems being experienced in isolated areas of recent road reconstruction projects. Contractors involved in these works are assisting.

- Bowhill Road – sections impacted by recent heavy vehicles linked with the Midlands Water Scheme (heavy grading required);
- Swanston Road– potholing required;
- Inglewood Road – vicinity of viaduct – failed sections – area identified for reconstruction
- Lee Street, Campania – minor defect (requires maintenance)
- Native Corners Road, Campania – acknowledged works undertaken
- Grange Road, Kempton – drainage issues etc. - still awaiting advice from DIER

Town Facilities – High Street footpath(s) – fine gravel spread as a risk reduction measure due to recent frosts.

Holyrood House – High Street, Oatlands – issues to be progressed.

Campbell Street, Oatlands – needs to be reassessed in terms of upgrade options.

Streetlighting – Main Street, Kempton – vicinity of Post Office – streetlight not operating

**RECOMMENDATION**

**THAT the information be received.**

**C/13/07/044/19401 DECISION**

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

THAT the information be received.

**CARRIED.**

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

**Public Question Time commenced at 12.40 p.m.**

Two members of the public were in attendance: Mrs H M Scott OAM and Mr W Moore.

The following issues were raised for discussion:

1. Woodsdale Road – 3 recent accidents (since January) below her home and enquires why a guard rail has not been erected near a deep culvert. A guard rail would prevent cars entering the paddock.

DIER officer to assess location to determine possible need for ‘warning signs’. Longer term consideration for installation of guard rail, noting that no budget allocation has been provided for this purpose.

2. Woodsdale Cemetery – Update requested.

It is confirmed that a formal request has been sent through to Crown Land Services which asks the Department and/or Minister to approve transfer of ownership of the Woodsdale Cemetery to Council under the “Crown Land Assessment Classification” process (or similar). Consistent with Council’s decision, the intent is then to transfer ownership of the property to a newly established legal entity responsible for the management and operation of the Woodsdale Cemetery.

The request sent to the Department clearly conveys Council’s intent to subsequently transfer ownership, and approval from the Minister is sought as part of the initial transfer process. Ministerial approval is required because all transfers under the CLAC process include a ‘determinable interest’ on the Title whereby Council cannot sell or exchange the land without prior Ministerial approval.

3. Woodsdale Road - Tasman Highway end – potholes in the vicinity of ‘Rowlands’ property
4. Public Toilets – aim to leave minimal dampness on floors following cleaning;
5. National Broadband Network – solution for Wooddale area? – to be confirmed;

*Public question time concluded at 12.55 p.m. and the meeting was suspended for lunch. The meeting resumed at 1.40 p.m.*

13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

**13.1 RESIDENTIAL**

**Strategic Plan Reference – Page 17**

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

Nil.

**13.2 TOURISM**

**Strategic Plan Reference – Page 18**

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

Nil.

**13.3 BUSINESS**

**Strategic Plan Reference – Page 19**

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

2.3.1b Increase employment within the municipality.

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

Nil.

**13.4 INDUSTRY**

**Strategic Plan Reference – Page 20**

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

Nil.

**13.5 INTEGRATION**

**Strategic Plan Reference – Page 21**

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

Nil.

**14 OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)**

**14.1 HERITAGE**

**Strategic Plan Reference – Page 22**

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

**14.1.1 Heritage Project Officer's Report**

*File Ref:* 3/097

**AUTHOR** MANAGER HERITAGE PROJECTS (B WILLIAMS)

**DATE** 12<sup>TH</sup> JULY 2013

**ISSUE**

Southern Midlands Heritage Projects – report from Manager Heritage Projects

**DETAIL**

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

- An application has been made as part of the Regional Forestry Agreement funding program for funding to allow HESC to develop a package of re-training programs for former forestry workers.
- Plans are progressing for a series of HESC Heritage Skills Taster and Trade days for October 2013.
- Alan and Rowena are finalising the Community Heritage Archive Project, and Alan is working with the Oatlands & District Historical Society for follow-up projects.
- Preparation for Development Application for works to the Commissariat and 79 High Street.
- Jen is progressing write-ups of the summer archaeology programs 2011-13.
- Continued liaison with student projects.
- Review of the Southern Midlands Council Historic Heritage Strategy 2009-13 has commenced.

- Alan has been undertaking site visits and finalising research documentation as part of the Southern Midlands Convict Sites project.
- Brad delivered a talk to the Midlands Seniors Group on the Southern Midlands Archaeology Program.
- Oatlands Court House amenities block is nearing completion.
- The program of HESC courses for July-December has been drafted and a promotional program is soon to commence. Curriculum development is continuing with external partners. An ‘Approvals Process for Heritage Projects’ course run by John Wadsley in late June was over-subscribed.
- Heritage Building Solutions has recommenced work on the Gaol Arch. The completion deadline of April 30<sup>th</sup> has been extended to August 31<sup>st</sup>. Acquittal documentation is due September 30<sup>th</sup>.

**RECOMMENDATION**

**THAT the information be received.**

**C/13/07/048/19402 DECISION**

Moved by Clr J L Jones OAM, seconded by Clr C J Beven

THAT the information be received.

**CARRIED.**

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



**14.2 NATURAL****Strategic Plan Reference – Page 23**

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

**14.2.1 Landcare Unit & Climate Change – General Report**

*File Ref: 03/082*

AUTHORS NRM PROGRAMS MANAGER – (M WEEDING )  
 DATE 9<sup>TH</sup> JULY 2013

**ISSUE**

Southern Midlands Landcare Unit and GIS Monthly Report

**DETAIL**

- Work on the Bushlinks 500 project continues. Planting on Round 1 property sites has commenced. Management Agreements for two Round 2 properties have been finalised, with on ground works due to commence within a month. The end of the financial year project progress report is now due with the Australian Government. It is hoped that this report can be finalised in the next week or two. Following acceptance of the report by the Australian Government, the next instalment of \$325,000 will be sent to Council.
- Graham Green finalised the GIS mapping for Planning Scheme public consultation.
- The CEEP (Community Energy Efficiency Program) Project to retrofit the Town Hall for energy efficiency is progressing.
- Maria Weeding has been working with the Parks and Wildlife Service to compile an Operational Plan for the management of the Midlands Water Scheme water for Lake Dulverton.
- Maria has been busy with Lake Dulverton and Callington Park matters. Maria has also been talking with Tas Irrigation regarding the need for T I to hold an information forum for landholders that have bought water in the Midlands Water Scheme. From grass roots feedback, it seems that a number of landholders are still unsure of a number of key operational matters that will directly affect their own personal level operation of the scheme.
- A grant has been submitted by Southern Midlands and Brighton Council to seek funding from the *Tasmanian Forests Intergovernment Agreement – Economic Diversification Fund*. The proposed project aims to develop and commission

Tasmania's first production facility for conversion of community green waste streams by pyrolysis into value-added products such as gas (for energy generation) and 'biochar' (for agricultural-scale soil amendment).

The facility will have the capacity to process 2500 tonnes of green waste per annum including all of the municipal green waste that is currently managed by Brighton and Southern Midlands Council as well as other identified organic waste streams such as cropping residues.

If geared purely for production of energy, initial investigations suggest the facility will produce in the order of 160 kW, equating to approximately 200 MWhrs of renewable energy per annum. If the process is geared for production of biochar as well, the energy output will be reduced.

Conversion of the green waste stream to renewable energy products will save approximately 3300 tonnes of CO<sub>2</sub> emissions per year - easily offsetting the combined annual emissions attributed to Brighton and Southern Midlands Council (including fleet, electricity and corporate waste streams).

The total project costs are in the order of \$960,000 with \$864,000 being sought from the funding source and the balance largely through 'in kind' contributions and a contribution of \$5000 from the Southern Waste Strategy Authority.

This project has been slowly progressing in the back ground between both Councils in consultation with other stakeholders. This initiative has been part of the Southern Midlands Council's Climate Change and Energy Efficiency program. Up until now it has been difficult to identify a funding source to take the project to the next level. It is hoped that this funding opportunity will be the catalyst to progress this opportunity to the next level.

- Helen has taken leave for the month of July.

**RECOMMENDATION**

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

**C/13/07/051/19403 DECISION**

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

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

**CARRIED.**

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

**14.2.2 Lake Dulverton & Callington Park Management Committee – Draft Actions Plans**

*File Ref: 03/082*

AUTHORS NRM PROGRAMS MANAGER – (M WEEDING)

DATE 9<sup>TH</sup> JULY 2013

**ENCLOSURE:**

1. *Lake Dulverton & Dulverton Walkway Action Plan (Draft) – Edition 3. 2013*
2. *Callington Park Action Plan (Draft) – Edition 1. 2013*

**ISSUE**

The Lake Dulverton and Callington Park Management Committee seek Council endorsement to release the following two plans for public comment:

1. *Lake Dulverton & Dulverton Walkway Action Plan (Draft) – Edition 3. 2013*
2. *Callington Park Action Plan (Draft) – Edition 1. 2013*

**DETAIL**

The Lake Dulverton and Callington Park Management Committee has recently revised the Lake Dulverton Action Plan 2008 edition. In addition, a separate Callington Park Plan has been prepared, recognising that a comprehensive plan has not been developed previously.

The consultation process will involve seeking written submissions and be advertised as follows:

- local advertising through Notices being placed in local business and other key locations within the Southern Midlands Council area (Notice boards throughout the municipal area);
- the local newspaper (i.e. Southern Midlands News); and
- Mercury Newspaper (to be considered).

The timeframe will allow for public submissions and feedback by 19<sup>th</sup> August 2013, with the actual timeframe depending on distribution of the various newsletters etc. (approx. 4 weeks allowed).

**RECOMMENDATION**

**THAT Council endorse the following Plans being released for public comment:**

1. *Lake Dulverton & Dulverton Walkway Action Plan (Draft) – Edition 3. 2013*
2. *Callington Park Action Plan (Draft) – Edition 1. 2013*

**C/13/07/053/19404 DECISION**

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

THAT Council endorse the following Plans being released for public comment:

1. *Lake Dulverton & Dulverton Walkway Action Plan (Draft) – Edition 3. 2013;*  
and
2. *Callington Park Action Plan (Draft) – Edition 1. 2013.*

**CARRIED.**

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

**14.3 CULTURAL****Strategic Plan Reference – Page 23**

- |        |   |
|--------|---|
| 3.3.1a | Increase the retention, documentation and accessibility of the aboriginal convict, rural and contemporary culture of the Southern Midlands. |
| 3.3.1b | Ensure that the Cultural diversity of the Southern Midlands is maximised.   |

Nil.

**14.4 REGULATORY (OTHER THAN PLANNING AUTHORITY AGENDA ITEMS)**

**Strategic Plan Reference – Page 24**

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

**14.4.1 Building Surveying Services (Class 7b & Class 10) - Review of Policy**

*Item addressed earlier in the meeting.*

**14.5 CLIMATE CHANGE**

**Strategic Plan Reference – Page 24**

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

Nil.

**15 OPERATIONAL MATTERS ARISING LIFESTYLE**

**15.1 COMMUNITY HEALTH AND WELLBEING**

**Strategic Plan Reference – Page 25**

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

Nil.

**15.2 YOUTH**

**Strategic Plan Reference – Page 25**

4.2.1 Increase the retention of young people in the municipality.

Nil.

**15.3 SENIORS**

**Strategic Plan Reference – Page 26**

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

Nil.

**15.4 CHILDREN AND FAMILIES**

**Strategic Plan Reference – Page 26**

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

Nil.

**15.5 VOLUNTEERS**

**Strategic Plan Reference – Page 26**

4.5.1 Encourage community members to volunteer.

Nil.

**15.6 ACCESS**

**Strategic Plan Reference – Page 27**

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

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

Nil.

**15.7 PUBLIC HEALTH**

**Strategic Plan Reference – Page 27**

4.7.1 Monitor and maintain a safe and healthy public environment.

Nil.

**15.8 RECREATION**

**Strategic Plan Reference – Page 28**

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

Nil.

**15.9 ANIMALS**

**Strategic Plan Reference – Page 28**

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

**15.9.1 Animal Control Officers Report**

*File Ref:* 3/027

**AUTHOR** ANIMAL CONTROL OFFICER (G DENNE)

**DATE** 11<sup>TH</sup> JULY 2013

**ISSUE**

**Consideration of Animal Control Officer’s monthly report.**

**DETAIL**

Refer Monthly Statement on Animal Control for period ending 30<sup>th</sup> June 2013.

**RECOMMENDATION**

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

**C/13/07/056/19405 DECISION**

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

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

**CARRIED.**

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



**SOUTHERN MIDLANDS COUNCIL  
MONTHLY STATEMENT ON ANIMAL CONTROL  
FOR PERIOD ENDING 30/06/2013**

**Total of Dogs Impounded:** 4  
**Dogs still in the Pound:** -

**Breakdown Being:**

ADOPTED	RECLAIMED	LETHALISED	ESCAPED
	4		

**MONEY RECEIVED**

**Being For:**

Pound	
Reclaims	
Dog Registrations	\$9243.89
Kennel Licence Fee	\$545.40
Infringement Notices	
Complaint Lodgement Fee	
<b>TOTAL</b>	<b>\$9789.29</b>

**COMPLAINTS RECEIVED FOR PERIOD ENDING 30/06/2013**

**Dog at Large:** 5  
**Dog Attacks:** 0  
**Request Pick-ups:** 5  
**After Hours Calls:** 4  
**TOTAL** 14

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

**Animal Control Officer:** **Garth Denne**

**15.10 EDUCATION**

**Strategic Plan Reference – Page 28**

4.9.1 Increase the educational and employment opportunities available in the Southern Midlands.

Nil.

**16 OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)**

**16.1 RETENTION**

**Strategic Plan Reference – Page 29**

5.1.1 Maintain and strengthen communities in the Southern Midlands.

Nil.

**16.2 CAPACITY AND SUSTAINABILITY**

**Strategic Plan Reference – Page 29**

5.2.1 Build the capacity of the Community to help itself and embrace the framework and strategies articulated by the Social Inclusion Commissioner to achieve sustainability.

Nil.

**16.3 SAFETY**

**Strategic Plan Reference – Page 30**

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

Nil.

**16.4 CONSULTATION**

**Strategic Plan Reference – Page 30**

5.4.1 Improve the effectiveness of consultation with the Community.

Nil.

**16.5 COMMUNICATION**

**Strategic Plan Reference – Page 30**

5.5.1 Improve the effectiveness of communication with the Community.

Nil.

**17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)**

**17.1 IMPROVEMENT**

**Strategic Plan Reference – Page 31**

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

Nil.

**17.2 SUSTAINABILITY****Strategic Plan Reference – Page 32 & 33**

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

**17.2.1 Local Government Board – Review into the Number of Councillors Elected to Tasmanian Councils**

AUTHOR GENERAL MANAGER (T KIRKWOOD)  
DATE 11<sup>th</sup> JULY 2013

**ISSUE**

**To advise Council that representatives from the Local Government Board will conduct a workshop with Council (and senior staff) on Tuesday 13<sup>th</sup> August 2013, commencing at 1.00 p.m.**

**BACKGROUND**

Council, at its meeting held, resolved as follows:

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

The Local Government Board has subsequently been asked by the Minister for Local Government to review the number of councillors elected to Tasmanian councils. This review is focussing on the Brighton, Southern Midlands, Derwent Valley, Dorset and Launceston City Councils as they have specifically requested their numbers be reviewed.

**DETAIL**

The Board has been through the initial community consultation phase, with only two submissions being lodged in relation to the review of the Southern Midlands.

As part of the review process, the Board is to conduct a workshop with Council (and senior staff) which will last for approximately 1 to 2 hours, depending on discussion and questions. It is intended to be a fairly informal session aimed at obtaining the view of elected representatives.

The Board will be represented by Mr Hadley Sides (Chair), Ms Liz Gillham (nominee of LGAT), a nominee from the LGMA, and a representative from the Local Government Division.

**Human Resources & Financial Implications** – N/A.

**Community Consultation & Public Relations Implications** – It is my understanding that the Board will establish its recommended position which will then be the subject of further community consultation.

*Council Web Site Implications: N/A*

**Policy Implications** – Policy position.

**Priority - Implementation Time Frame** – Workshop scheduled for Tuesday 13<sup>th</sup> August 2013, commencing at 1.00 p.m.

**RECOMMENDATION**

**THAT the information be received.**

**C/13/07/061/19406 DECISION**

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

THAT the information be received.

**CARRIED.**

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

*Clr J L Jones OAM left the meeting at 2.58 p.m. and returned to the meeting at 3.03 p.m.*

**17.2.2 Local Government Association of Tasmanian – Agendas – Annual General Meeting (24<sup>th</sup> July 2013) and General Meeting**

AUTHOR GENERAL MANAGER (T KIRKWOOD)  
DATE 11<sup>th</sup> JULY 2013

**ATTACHMENT:**

**ENCLOSURE:** 1. Agenda – Annual General Meeting (24<sup>th</sup> July 2013)  
1. Agenda - General Meeting (24<sup>th</sup> July 2013)

**ISSUE**

**Council to consider its position in respect to the Motions listed on the Agendas of the Annual General Meeting and the General Meeting of the Local Government Association of Tasmania - both scheduled for 24<sup>th</sup> July 2013.**

**BACKGROUND**

Nil.

**DETAIL**

The LGAT Annual General Meeting is scheduled to be held on 24<sup>th</sup> July 2013.

In addition to the standard business conducted at the AGM, there are two Motions relating to proposed changes to the Rules of the Association:

1. Remove the “As of Right” Entitlement of the Lord Mayor or Proxy to sit on the General Management Committee (refer Item 7.1); and
2. Voting Entitlements at LGAT General Meetings (Item 7.2).

Refer enclosed Agenda Papers for background comments and recommendations.

General Meeting - There are numerous motions listed under each of the ‘Policy’ categories. The General Meeting Agenda is to be used for the purpose of discussion and decision by Council.

Specific Items of Interest may include:

Items 14 and 21.1 – Container Deposit Scheme – Council has previously expressed reservation relating to the introduction of such a scheme, given the likely impact on kerbside recycling activities and a resultant increase in cost for that service.

Item 19.2 – Unapproved Signage on State Roads – this issue has been discussed at length in the past, and a blanket decision to remove all unapproved signs may have significant local impact.

Item 20.5 LUPAA Applications – The issue of managing representations has recently been discussed by Council officers. Discussion of this Motion provides an opportunity for Council to formally agree on a policy and procedure relating to representations received and how they are to be managed. A draft procedure will be tabled for discussion.

**Human Resources & Financial Implications** – To be considered.

**Community Consultation & Public Relations Implications** – N/A.

*Council Web Site Implications: N/A*

**Policy Implications** – Policy position.

**Priority - Implementation Time Frame** – Meetings scheduled for 24<sup>th</sup> July 2013 so decision(s) are required at this meeting. Alternatively, there may be some issues that warrant listening to the debate at the meeting(s), and therefore delegation should be given to the Mayor to vote accordingly.

## RECOMMENDATION

**THAT Council consider its position in respect to the Motions listed on the Agendas of the Annual General Meeting and the General Meeting of the Local Government Association of Tasmania - both scheduled for 24<sup>th</sup> July 2013.**

## C/13/07/063/19407 DECISION

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

THAT:

- a) The information be received; and
- b) Council acknowledge the position taken in respect to each of the Motions listed on the Agendas of the Annual General Meeting and General Meeting.

**CARRIED.**

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

### **17.2.3 Delegations Register – Review**

AUTHOR GENERAL MANAGER (T KIRKWOOD)

DATE 11<sup>th</sup> JULY 2013

**ATTACHMENT:** Extract from Delegations Register (Council Delegations)

**ENCLOSURE:** Nil

#### **ISSUE**

**Council to review and confirm the following Delegations:**

- a) Council to General Manager;**
- b) Council to Development Assessment Committee;**
- c) Council to Senior Administration Officer (Development & Environmental Services) – Permit Authority - Building; and**
- d) Council to Building Compliance Officer / Plumbing Inspector – Permit Authority – Plumbing.**

#### **BACKGROUND**

The Delegations Register is being reviewed in a two stage process.

The first stage involves a review of the Delegations direct from Council, and the second stage involves a review of the delegations from the General Manager to the respective Officers.

This report is focused on the first stage only.

#### **DETAIL**

The Delegations have been reviewed to ensure consistency and compliance with the respective legislation.

Certain delegations have been deleted which are now redundant as a result of legislative amendments; changes to Council responsibilities and activities (i.e. transfer of water and sewerage), and awareness of current operational arrangements.

Please note that the Delegations have been referred to Dobson, Mitchell and Allport (DMA) for review and confirmation in terms of legislative compliance. In particular, DMA has been requested to review the delegation to the Development Assessment Committee as this is a more complex issue. Firstly the Special Committee has been established under section 24 of the *Local Government Act 1993 (LGA)*; Council has then delegated its powers (or part thereof) as a Planning Authority under section 22 of the LGA – as opposed to section 6(3) of LUPAA as that restricts Council being able to



delegate to a ‘person’ employed by the authority. I also wanted to highlight Point 4.3 in the Roles, Functions and Responsibilities of the Special Committee (refer separate attachment) which dates back a number of years. You will note that the intention is to withdraw the Delegation where a Councillor(s) specifically requests an application to come before Council. Whilst this has never happened, DMA has been asked to comment on the validity of this approach.

**Human Resources & Financial Implications** – Delegations are essential part of providing an efficient and cost effective service to ratepayers and Council customers.

**Community Consultation & Public Relations Implications** – N/A.

*Council Web Site Implications: N/A*

**Policy Implications** – Policy position.

**Priority - Implementation Time Frame** – N/A.

## RECOMMENDATION

**THAT Council review and confirm the attached Delegations, and affix the Common Seal. Note: It is seen as good practice to affix the Seal to Council Delegations.**

## C/13/07/065/19408 DECISION

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

THAT Council review and confirm the attached Delegations, and affix the Common Seal.  
**CARRIED.**

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

<b>Committee Name</b>	<b>Development Assessment Committee</b>
<b>Decision No.</b>	
<b>File Reference.</b>	<b>6/061</b>
<b>Type</b>	THAT in accordance with the provisions of Section 24 of the Local Government Act 1993 a Council Committee be established to be known as the Development Assessment Committee.
<b>Roles, Functions &amp; Responsibilities</b>	<p>1 <u>Decision Making:</u></p> <p>(i) The Chair will ensure that the Committee does not decide on the granting of a permit unless the appropriate professional advice has been obtained.</p> <p>(ii) The Development Assessment Committee has the authority, with the consent of the General Manager, to seek external professional advice as considered necessary.</p> <p>(iii) In cases where there is not unanimous support at a meeting for the granting of a permit, the application is to be referred to full Council for determination.</p> <p>(iv) The Development Assessment Committee has the authority to refer applications to any Access Advisory Committee established by Council under the DDA Act, for determination in regard to access provisions.</p> <p>2 <u>Functions:</u></p> <p>(i) A forum for the joint consideration and discussion of all development applications received by Council with view to coordinating assessment, inspections, agenda preparation and processing of applications.</p> <p>(ii) Determination of certain applications and other matters in accordance with powers delegated from Council.</p>

	<p>(3) <u>Councillor Involvement:</u></p> <p>(i) Councillors are permitted to attend meetings of the Development Assessment Committee.</p> <p>(ii) A summary of the <i>register of applications</i> is to be forwarded to all Councillors fortnightly.</p> <p>4 <u>Delegation</u></p> <p>4.1 Pursuant to Section 22 of the <i>Local Government Act 1993</i> Council delegates to the Development Assessment Committee the authority to grant a planning permit under the <i>Land Use Planning &amp; Approvals Act 1993</i>, with or without conditions, in relation to applications for a use or development for which:</p> <p>(a) under the provisions of the planning scheme, Council is bound to grant a permit, (ref: Permitted Uses - Section 58 <i>Land Use Planning &amp; Approval Act 1993</i>); or</p> <p>(b) under the provisions of the planning scheme, Council has a discretion to refuse or permit and no representations in the form of objections have been received during the statutory public notification period, (ref: Discretionary Uses - Section 57 <i>Land Use Planning &amp; Approvals Act 1993</i>); and</p> <p>(c) are assessed as being in conformity with the development standards and other relevant provisions of the planning scheme.</p> <p>4.2 Pursuant to Section 22 of the <i>Local Government Act 1993</i> Council delegates to the Development Assessment Committee the authority to forward certified planning scheme amendments to the Resource Planning and Development Commission in cases where:</p> <p>(a) no representations in the form of</p>
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	<p>objections have been received within the statutory public notification period; and</p> <p>(b) no amendments are otherwise considered necessary.</p> <p>4.3 Delegation under points 4.1 and 4.2 above, only has effect for cases where a Councillors has not, prior the issuing of a Planning Permit or prior to the forwarding of the amendment, requested that the application or amendment be referred to full Council for determination.</p>
<b>Membership Structure</b>	<ul style="list-style-type: none"> <li>• Chair: Manager Development &amp; Environmental Services (Proxy: General Manager)</li> <li>• Development Control / Planning Officer</li> <li>• Permit Authority (Building)</li> <li>• Permit Authority (Plumbing)</li> <li>• Manager – Works &amp; Technical Services (Proxy: Works Coordinator – W&amp;TS)</li> <li>• Environmental Health Officer</li> <li>• Other Council officers to be in attendance as appropriate</li> </ul>
<b>Chairperson</b>	<ul style="list-style-type: none"> <li>• Chair: Manager Development &amp; Environmental Services Proxy - General Manager</li> </ul>
<b>Term of Appointment</b>	No term
<b>Quorum</b>	A quorum for the Development Assessment Committee is three (3) members.
<b>Proxies</b>	See under membership structure
<b>Meetings Frequenty &amp; Minutes</b>	<ol style="list-style-type: none"> <li>1. Meetings are to be held on a weekly basis.</li> <li>2. Minutes of meetings are to be prepared in accordance with a proforma.</li> <li>3. The minutes will constitute a <i>register of applications</i> under consideration by the Development Assessment Committee and is to indicate applicable assessment and determination timeframes and whether delegation of approval applies.</li> </ol>
<b>Pecuniary Interest Members &amp; Recording</b>	<p><b>Committee Members</b> (ref: Part 5 Local Government Act 1993) Committee members with a direct or indirect pecuniary interest in a matter before the Committee must declare that interest before any discussion on</p>

	that matter commences. On declaring an interest the member is to leave the meeting room.  <b>Recording</b> Any declaration of pecuniary interest shall be recorded in the minutes of the Committee meetings.
<b>Spokesperson Protocol</b>	As per policy.
<b>Working Groups (under Committee)</b>	Not applicable
<b>Admin/Sec Support</b>	Administration Officer (Development Services)
<b>Annual Budget</b>	Not applicable

## SOUTHERN MIDLANDS COUNCIL

## DELEGATIONS REGISTER

## 1.1 DELEGATION: COUNCIL TO GENERAL MANAGER

<b>Meeting Date:</b>	17 <sup>th</sup> July 2013 (Reviewed)
<b>Date Void &amp; Comment:</b>	

That pursuant to Section 22 (1) of the *Local Government Act 1993*, Council delegates to the GENERAL MANAGER the following powers and functions, in accordance with such policies, policy guidelines, and directions as the Council may from time to time approve, and unless prohibited by Section 22(2) of the *Local Government Act 1993* or otherwise specified, authorise that those powers and functions may be delegated by the General Manager pursuant to Section 64 of the *Local Government Act 1993*.

1. *Local Government Act 1993* - Section 74 – To sign cheques or approve electronic transactions to pay expenses incurred by the Corporation in accordance with Estimates adopted by the Council.
2. *Local Government Act 1993* – Section 75 - To invest or deposit any sum of money in accordance with Section 75 of the
3. To write off any debts owed to the Council pursuant to Section 76 of the *Local Government Act 1993* if there are no reasonable prospects of recovering the debt or if the costs of recovery are likely to equal or exceed the amount to be recovered, providing such an amount does not exceed \$50.00 (Note: relates to debts owned to Council which are not deemed to be charges on the land).
4. *Local Government Act 1993* - Section 77 (1) - To make a grant or benefit to any person, other than a Councillor, for any purpose in keeping with a Council policy.
5. *Local Government Act 1993* - Section 81- To establish and maintain in the Corporations' name such authorised deposit-taking institution accounts as is considered necessary.
6. To determine appropriate debt collection procedures and where necessary instigate recovery action pursuant to Part 9, Division 10 of the *Local Government Act 1993* – Sections 133 to 136.
7. *Local Government Act 1993* – Section 137 – To effect administrative procedures e.g. Serve notices etc. relating to the sale of land for unpaid rates. Note: a report to Council is required before any action to proceed with sale by way of public auction or direct sale.
8. *Local Government Act 1993* – Section 193 – authority to establish and maintain pounds for the detention of stray animals.
9. *Local Government Act 1993* – Section 197 – authority to sell, give away free of charge or destroy any animal in accordance with this section of the Act.
10. *Local Government Act 1993* – Section 198A – authority to grant a permit to a person to operate a private pound for detention of stray animals.

11. To act pursuant to Section 200 and Section 201 of the *Local Government Act 1993* for the purpose of determining whether nuisance exists and taking necessary action, and to appoint other officers as required.
12. To authorise the total or partial release of bonds, guarantees and security deposits, where the appropriate head of Department has certified that the work or thing to which the bond, guarantee or deposit relates has been satisfied in whole or in part.
13. To authorise the carrying out, by the Council, of private works for other parties provided that full cost recovery is achieved.
14. *Local Government Act 1993* – Section 340 – To approve the removal or destruction of Council records or documents in accordance with the *Archives Act 1983*.
  
15. *Public Health Act 1997* – Section 57 – to develop and implement an approved program for immunisation in its municipal area.
16. *Public Health Act 1997* - To act pursuant to the powers specified in sections 77, 78, 81, 82, 83, 93, 97, 98, 101, 102, 103, 106, 107, 110, 111, 112, 115, 116, 119, 121, 122, 123, 135, 136, 136B and 136C, and to issue Certificate(s) of Authority to authorised officers in accordance with section 31 of that Act.
  
17. *Food Act 2003* – Section 101(2) - To appoint authorised officers under the *Food Act 2003* and to issue Certificate(s) of Authority in accordance with that Act.
  
18. *Environmental Management and Pollution Control Act 1994* – Section 21 - To be appointed as a ‘Council Officer’ pursuant to this Act, and to appoint other officers (i.e. employees) as required.
  
19. *Local Government (Highways) Act 1982* - Section 19 (1) – Authority to close a local highway in connection with a public function, or in order to facilitate work on land adjoining a local highway.
20. *Local Government (Highways) Act 1982* - Sections 34 and 39 – To exercise the duties and powers relating to giving of notices to owners/occupiers of land when making of drains etc. near a local highway maintainable by Council or requiring vegetation to be removed, with respect to sight distances etc.
21. *Local Government (Highways) Act 1982* - Section 46 – To grant written permission to a person, subject to any appropriate conditions, to undertake certain work within a local highway as identified in that section of the Act.
22. *Local Government (Highways) Act 1982* - Section 55 – To allot a property number to any building or property within the municipal boundary.
  
23. *Land Use Planning & Approvals Act 1993* - Part 5 – To enter into agreements for the creation of bonds and guarantees in respect to Planning Permits.
24. *Land Use Planning & Approvals Act 1993* – Sections 57 & 58 – To agree to the extension of consideration times for applications for permits in accordance with Sections 57(6) and 58(2) of the Act.

25. *Building Act 2000* - authorised to act as the “Permit Authority – Building” and the “Permit Authority - Plumbing” in the absence of the Senior Administration Officer (Development & Environmental Services) and the Building Compliance Office / Plumbing Inspector respectively, including the authority to appoint other such persons as required to fulfill these roles.

**The common seal of the Southern Midlands Council has been hereunto affixed, pursuant to a resolution of the Southern Midlands Council passed the <sup>th</sup> day of , 2013. (Ref: C )**

..... ] **Mayor**

..... ] **Councillor**

..... ] **General Manager**



**SOUTHERN MIDLANDS COUNCIL**

**DELEGATIONS REGISTER**

**1.2 DELEGATION: COUNCIL TO THE DEVELOPMENT ASSESSMENT COMMITTEE (A Special Committee appointed pursuant to Section 24 of the *Local Government Act 1993*)**

<b>Meeting Date:</b>	17th July 2013 (Reviewed)
<b>Date Void &amp; Comment:</b>	

**Introduction:**

The Southern Midlands Council, in accordance with Section 24 of the *Local Government Act 1993*, has established a Special Committee to be known as the development Assessment Committee.

The roles, functions and responsibilities; delegation; membership; and other operating procedures of the Special Committee are detailed in the attached document.

**Delegation to the Development Assessment Committee:**

**2.1 Granting of Planning Permits:**

Pursuant to Section 22 of the *Local Government Act 1993* Council delegates to the Development Assessment Committee the authority to grant a planning permit under the *Land Use Planning & Approvals Act 1993*, with or without conditions, in relation to applications for a use or development for which:

- (a) under the provisions of the planning scheme, Council is bound to grant a permit, (ref: Permitted Uses - Section 58 *Land Use Planning & Approval Act 1993*); or
- (b) under the provisions of the planning scheme, Council has a discretion to refuse or permit and no representations in the form of objections have been received during the statutory public notification period, (ref: Discretionary Uses - Section 57 *Land Use Planning & Approvals Act 1993*); and
- (c) are assessed as being in conformity with the development standards and other relevant provisions of the planning scheme.

**2.2 Forwarding of Certified Planning Scheme Amendments:**

Pursuant to Section 22 of the *Local Government Act 1993* Council delegates to the Development Assessment Committee the authority to forward certified planning

scheme amendments to the Resource Planning and Development Commission in cases where:

- (a) no representations in the form of objections have been received within the statutory public notification period; and
- (b) no amendments are otherwise considered necessary.

**2.3 Nullification of 2.1 and 2.2:**

Delegation under points 2.1 and 2.2 above, only has effect for cases where a Councillor has not, prior to the issuing of a Planning Permit or prior to the forwarding of the amendment, requested that the application or amendment be referred to full Council for determination.

**Notes:**

In reference to the *Building Act 2000*, a **permit authority** means a person or body authorised for that purpose by the council of the municipal area in which the relevant building work, building, plumbing work or plumbing installation is located or, if the council has not made such an authorisation, the general manager of the council.

Through separate delegation, the Southern Midlands Council, pursuant to Section 11 of the *Building Act 2000*, has authorised and appointed the Senior Administration Officer (Development & Environmental Services) to act as the “Permit Authority – Building”.

Through separate delegation, the Southern Midlands Council, pursuant to Section 11 of the *Building Act 2000*, has authorised and appointed the Building Compliance Officer / Plumbing Inspector to act as the “Permit Authority – Plumbing”.

In terms of backup provisions, in the absence of either officers, the General Manager is authorised to act as both the “Permit Authority – Building” and “Permit Authority - Plumbing”, and may delegate this authority to another officer accordingly.

**The Common Seal of the Southern Midlands Council has been hereunto affixed, pursuant to a resolution of the Southern Midlands Council passed the XX<sup>th</sup> day of XXXXXX. (Ref: )**

..... ] **Mayor**

..... ] **Councillor**

..... ] **General Manager**

**SOUTHERN MIDLANDS COUNCIL**

**DELEGATIONS REGISTER**

**1.3 DELEGATION: COUNCIL TO THE SENIOR ADMINISTRATION OFFICER (DEVELOPMENT & ENVIRONMENTAL SERVICES)**

<b>Meeting Date:</b>	17th July 2013 (Reviewed)
<b>Date Void &amp; Comment:</b>	

That pursuant to Section 11 of the *Building Act 2000*, Council authorises and appoints the Senior Administration Officer (Development & Environmental Services) to act as the “Permit Authority – Building”.

**The Common Seal of the Southern Midlands Council has been hereunto affixed, pursuant to a resolution of the Southern Midlands Council passed the XX<sup>th</sup> day of XXXXXX. (Ref: )**

..... ] **Mayor**

..... ] **Councillor**

..... ] **General Manager**

**1.3 DELEGATION: COUNCIL TO THE BUILDING COMPLIANCE OFFICER / PLUMBING INSPECTOR**

<b>Meeting Date:</b>	17th July 2013 (Reviewed)
<b>Date Void &amp; Comment:</b>	

That pursuant to Section 11 of the *Building Act 2000*, Council authorises and appoints the Building Compliance Officer / Plumbing Inspector to act as the “Permit Authority – Plumbing”.

**The Common Seal of the Southern Midlands Council has been hereunto affixed, pursuant to a resolution of the Southern Midlands Council passed the XX<sup>th</sup> day of XXXXXX. (Ref: )**

..... ] **Mayor**

..... ] **Councillor**

..... ] **General Manager**

**17.3 FINANCES**

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

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

**17.3.1 Monthly Financial Statement (June 2013 – prior to end-of-year adjustments)**

*File Ref: 3/024*

AUTHOR FINANCE OFFICER  
DATE 12<sup>th</sup> JULY 2013

Refer enclosed Report incorporating the following: -

- a) Statement of Comprehensive Income – 1<sup>st</sup> July 2012 to 30<sup>th</sup> June 2013 (including Notes)
- b) Current Expenditure Estimates
- c) Capital Expenditure Estimates

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

- d) Rates & Charges Summary – as at 29<sup>th</sup> June 2013
- e) Cash Flow Statement – Not prepared due to end-of-year adjustments yet to be completed.

*Note: Expenditure figures provided are for the period 1<sup>st</sup> July to 31<sup>st</sup> May 2013 – approximately 92% of the period.*

**Comments**

**A. Current Expenditure Estimates (Operating Budget)**

Nil

**B. Capital Expenditure Estimates (Capital Budget)**

Nil.

**RECOMMENDATION**

**THAT the information be received.**

**C/13/07/078/19409 DECISION**

Moved by Clr J L Jones OAM, seconded by Clr C J Beven

THAT the information be received.

**CARRIED.**

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

STATEMENT OF COMPREHENSIVE INCOME  
FOR THE PERIOD  
1st JULY 2012 to 30th June 2013

	Annual Budget	Year to Date as at 30th June	% To Date	Comments
<b>Income</b>				
General rates	\$ 3,992,510	\$ 4,025,387	100.8%	Budget Includes Interest & Penalties to be imposed to end of June 2013
User Fees (refer Note 1)	\$ 728,389	\$ 656,235	90.1%	
Interest	\$ 260,000	\$ 265,429	102.1%	
Government Subsidies	\$ 31,700	\$ 30,744	97.0%	Heavy Vehicle Licence Fees & Road Rescue MAIB reimbursements
Contract Income	\$ -	\$ -	0.0%	
Other (refer Note 2)	\$ 85,188	\$ 148,231	174.0%	
<b>Sub-Total</b>	<b>\$ 5,097,787</b>	<b>\$ 5,126,025</b>	<b>100.6%</b>	
Grants - Operating	\$ 1,527,825	\$ 3,232,748	211.6%	FAGS Grant Only
<b>Total Income</b>	<b>\$ 6,625,612</b>	<b>\$ 8,358,773</b>	<b>126.2%</b>	
<b>Expenses</b>				
Employee benefits	\$ 3,608,779	\$ 3,174,626	88.0%	Less Roads - Resheeting Capitalised
Materials and contracts	\$ 2,595,324	\$ 2,518,971	97.1%	Less Roads - Resheeting Capitalised, Includes Land Tax
Depreciation and amortisation	\$ 3,120,000	\$ 3,120,000	100.0%	Percentage Calculation (based on year-to-date)
Finance costs	\$ 58,800	\$ 57,487	97.8%	
Contributions	\$ 163,329	\$ 163,329	100.0%	Fire Service Levies
Other	\$ 244,908	\$ 286,778	117.1%	
<b>Total expenses</b>	<b>\$ 9,791,140</b>	<b>\$ 9,321,191</b>	<b>95.2%</b>	
<b>Surplus (deficit) from operations</b>	<b>-\$ 3,165,528</b>	<b>\$ 962,418</b>	<b>30.4%</b>	
Grants - Capital (refer Note 3)	\$ 619,292	\$ 590,732	95.4%	
Donations	\$ 3,500	\$ -	0.0%	
Sale Proceeds (Plant & Machinery)	\$ -	\$ 152,590	0.0%	
Net gain / (loss on disposal of non-current assets)	\$ 240,000	\$ 78,365	32.7%	Budget Amount - Sale of Lots - Kandara Court
<b>Surplus / (Deficit)</b>	<b>-\$ 2,302,736</b>	<b>\$ 140,730</b>	<b>6.1%</b>	

**NOTES**

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

- All other Programs	\$ 288,889	\$	330,387	114.4%
- Callington Mill	\$ 439,500	\$	325,848	74.1% Actual Income Received (i.e. excluding Debtors)
	<u>\$ 728,389</u>	<u>\$</u>	<u>656,235</u>	

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

- Income (Private Works )	\$ 76,188	\$	129,994	170.6%
- Southern Water (Tax Equivalents)	\$ 5,000	\$	-	0.0%
- Public Open Space Contributions	\$ 4,000	\$	-	0.0%
- Other	\$ -	\$	18,237	0.0%
	<u>\$ 85,188</u>	<u>\$</u>	<u>148,231</u>	

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

- Roads To Recovery Grant	\$ 441,001	\$	440,980	100.0% To be claimed in March 2013
- Community Heritage Grants (rec'd in 2011/12)	\$ 144,550	\$	20,000	13.8%
- Cricket Nets (Campania) (rec'd in 2011/12)	\$ 24,430	\$	-	0.0%
- Community Centre (Interest Grant)	\$ 9,311	\$	-	0.0% To be claimed in June 2013
- Court House (TCF Grant)	\$ -	\$	35,900	
- Gaol (TCF Grant)	\$ -	\$	58,789	
- Climate Change Grant	\$ -	\$	32,513	
- Mens Shed Grant	\$ -	\$	2,550	
	<u>\$ 619,292</u>	<u>\$</u>	<u>590,732</u>	



## SOUTHERN MIDLANDS COUNCIL : CURRENT EXPENDITURE 2012/13

## SUMMARY SHEET

PROGRAM	TOTAL	REVISED BUDGET (GRANTS & OTHER REIMBURSEMENTS)	ACTUAL AS AT 30 JUNE 2013 100%	VARIANCE (+/-)	% BASED ON REVISED BUDGET 100%
<b>INFRASTRUCTURE</b>					
Roads	1291666	1291666	1270087	21579	98.33%
Bridges	81313	81313	47984	33329	59.01%
Walkways	167192	167192	166556	636	99.62%
Lighting	82035	82035	63995	18040	78.01%
Irrigation	2450	2450	0	2450	0.00%
Drainage	33128	33128	38624	-5496	116.59%
Waste	507046	507046	505925	1121	99.78%
Public Toilets	49580	49580	58875	-9295	118.75%
Communications	0	0	586	-586	0.00%
Signage	12300	12300	13446	-1146	109.32%
<b>INFRASTRUCTURE TOTAL:</b>	<b>2226710</b>	<b>2226710</b>	<b>2166078</b>	<b>60632</b>	<b>97.28%</b>
<b>GROWTH</b>					
Residential	2900	2900	0	2900	0.00%
Mill Operations	759628	759628	690464	69164	90.90%
Tourism	34110	34110	21175	12935	62.08%
Business	66250	66250	150487	-84237	227.15%
Agriculture	5256	5256	108	5148	2.06%
Integration	27600	27600	0	27600	0.00%
<b>GROWTH TOTAL:</b>	<b>895744</b>	<b>895744</b>	<b>862235</b>	<b>33509</b>	<b>96.26%</b>
<b>LANDSCAPES</b>					
Heritage	293347	293347	263519	29828	89.83%
Natural	132062	170597	173771	-3174	101.86%
Cultural	0	0	0	0	0.00%
Regulatory	759930	759930	676776	83154	89.06%
Climate Change	39418	39418	17235	22183	43.72%
<b>LANDSCAPES TOTAL:</b>	<b>1224757</b>	<b>1263292</b>	<b>1131300</b>	<b>131992</b>	<b>89.55%</b>
<b>LIFESTYLE</b>					
Youth	177469	177469	116869	60600	65.85%
Aged	1500	1500	1768	-268	117.86%
Childcare	16535	16535	10034	6501	60.68%
Volunteers	41311	41311	22190	19121	53.71%
Access	6405	6405	0	6405	0.00%
Public Health	7665	7665	8666	-1001	113.06%
Recreation	348300	348300	415795	-67495	119.38%
Animals	67690	67690	60337	7353	89.14%
Education	0	0	0	0	0.00%
<b>LIFESTYLE TOTAL:</b>	<b>666875</b>	<b>666875</b>	<b>635659</b>	<b>31217</b>	<b>95.32%</b>
<b>COMMUNITY</b>					
Retention	0	0	0	0	0.00%
Capacity	26025	28575	34225	-5650	119.77%
Safety	51400	51400	54432	-3032	105.90%
Consultation	5070	5070	9379	-4309	184.98%
Communication	15125	15125	7453	7672	49.28%
<b>COMMUNITY TOTAL:</b>	<b>97620</b>	<b>100170</b>	<b>105489</b>	<b>-5319</b>	<b>105.31%</b>
<b>ORGANISATION</b>					
Improvement	5850	5850	392	5458	6.70%
Sustainability	1326000	1326000	1295758	30242	97.72%
Finances	227585	227585	207674	19911	91.25%
<b>ORGANISATION TOTAL:</b>	<b>1559435</b>	<b>1559435</b>	<b>1503823</b>	<b>55612</b>	<b>96.43%</b>
<b>TOTALS</b>	<b>6671141</b>	<b>6712226</b>	<b>6404584</b>	<b>307642</b>	<b>95.42%</b>

SOUTHERN MIDLANDS COUNCIL  
CAPITAL EXPENDITURE PROGRAM 2012-13  
AS AT 30 JUNE 2013

INFRASTRUCTURE	ROAD ASSETS	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
	Resheeting Program	\$ 700,000	\$ 463,900	\$ 236,100	
	Reseal Program	\$ 350,000	\$ 124,943	\$ 225,057	Stonor Road
	Reconstruct & Seal	\$ 20,000	\$ 30,134	\$ 10,134	
		\$ 80,000	\$ 219,072	\$ 139,072	R2R
		\$ 45,000	\$ 52,326	\$ 7,326	
		\$ 80,000	\$ 52,919	\$ 27,081	
		\$ 45,000	\$ 60,320	\$ 15,320	R2R
		\$ 10,000	\$ -	\$ 10,000	
		\$ 15,000	\$ -	\$ 15,000	
		\$ 10,000	\$ -	\$ 10,000	
		\$ 5,000	\$ -	\$ 5,000	
		\$ 20,000	\$ -	\$ 20,000	
		\$ 15,000	\$ -	\$ 15,000	
		\$ 5,000	\$ -	\$ 5,000	
		\$ 15,000	\$ -	\$ 15,000	
		\$ 6,637	\$ -	\$ 6,637	
		\$ 50,000	\$ 30,651	\$ 19,349	
		\$ 6,000	\$ 6,919	\$ 919	
		\$ 25,600	\$ -	\$ 25,600	
		\$ 5,000	\$ -	\$ 5,000	
		\$ 10,000	\$ -	\$ 10,000	
		\$ 8,000	\$ -	\$ 8,000	
		\$ 8,000	\$ -	\$ 8,000	
		\$ 5,200	\$ -	\$ 5,200	50% Balance - Property Owner
		\$ 9,700	\$ -	\$ 9,700	
		\$ 15,000	\$ -	\$ 15,000	
		\$ 20,000	\$ -	\$ 20,000	
		\$ 35,000	\$ 24,448	\$ 10,552	
		\$ 110,000	\$ 32,081	\$ 77,919	
		\$ 60,000	\$ 60,710	\$ 710	
		\$ 10,000	\$ 300	\$ 9,700	
		<b>\$ 1,799,137</b>	<b>\$ 1,158,706</b>	<b>\$ 640,431</b>	

SOUTHERN MIDLANDS COUNCIL  
CAPITAL EXPENDITURE PROGRAM 2012-13  
AS AT 30 JUNE 2013

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
<b>BRIDGE ASSETS</b>				
Chauncy Vale Road (Browns Cave Creek B3763)	\$ 51,320	\$ 44,297	\$ 7,023	R2R
Daniels Road - Mansfield Crk	\$ 26,440	\$ -	\$ 26,440	
Swanston Road - Little Swanport Rv (B 1716)	\$ 40,000	\$ 460	\$ 39,540	Design Only
Eldon Road - Burns Creek (B436)	\$ 87,340	\$ 83,321	\$ 4,019	
Shene Road (B 4636)	\$ -	\$ 51,685	\$ 51,685	
<b>Works in Progress (30/6/12):</b>				
Elderside Rd (Grahams Creek Bridge)	\$ -	\$ 1,231	\$ 1,231	
Elderside Rd (Jordan River Bridge)	\$ 804,160	\$ 871,607	\$ 67,447	
Fields Road (No. 1851)	\$ -	\$ 1,469	\$ 1,469	
Rothwood Road Bridge (No. 1137)	\$ 57,000	\$ 2,536	\$ 54,464	
	<b>\$ 1,066,260</b>	<b>\$ 1,956,605</b>	<b>\$ 9,654</b>	
<b>WALKWAYS</b>				
Footpaths - General (Program to be confirmed)	\$ 130,000	\$ 25,966	\$ 104,034	
Bagdad Township				
- East Bagdad Road (Le Compté to Highway)	\$ 50,000	\$ 5,519	\$ 44,481	
- Swan Street	\$ 25,000	\$ -	\$ 25,000	
Campania Township				
- Reeve Street (Vicinity of Store)	\$ 10,000	\$ 905	\$ 9,095	
- Review Management Plan (Site Plan) / Walking Tracks (Bush Reserve)	\$ 5,000	\$ -	\$ 5,000	
Kempton Township				
- Huntground Road (to School)	\$ 5,500	\$ -	\$ 5,500	
- Kempton Hall (rear of Hall)	\$ 4,000	\$ -	\$ 4,000	
- Main Street - Elizabeth St to Shop (exc front of Hotel)	\$ 14,445	\$ -	\$ 14,445	
Mangalore Township				
- Blackburn Road (Mountford Drive down - 300 mm pipe - 110 metres)	\$ 16,500	\$ 25,471	\$ (12,971)	
Oatlands Township				
- High Street (Tree Planting)	\$ 7,000	\$ -	\$ 7,000	
Tumback Township				
- Various (to be confirmed)	\$ 7,000	\$ 1,600	\$ 5,400	
	<b>\$ 274,445</b>	<b>\$ 63,452</b>	<b>\$ 210,993</b>	
Nil Projects	\$ -	\$ -	\$ -	
	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>DRAINAGE</b>				
Bagdad				
- Hall Lane (opp Community Club)	\$ 15,000	\$ 6,899	\$ 11,101	Carry Forward
- Swan Street - Kerb & Gutter (eastern side - 250 metres)	\$ 21,682	\$ -	\$ 21,682	
- Swan Street - Kerb & Gutter (western side - 400 metres)	\$ 39,389	\$ 1,840	\$ 37,549	
- North of Le Compté Place Subdivision	\$ 10,000	\$ -	\$ 10,000	
Kempton				
- Louisa Street	\$ 21,740	\$ -	\$ 21,740	
Oatlands				
- High St/Wellington Street Junction	\$ 5,000	\$ -	\$ 5,000	
<b>Works in Progress (30/6/12):</b>				
Reeve St (Open Drain - north of Telephone Box)	\$ 26,000	\$ 9,125	\$ 16,875	
Stanley Street, Oatlands (Albert Terrace)	\$ 6,140	\$ 13,867	\$ (7,727)	
	<b>\$ 150,150</b>	<b>\$ 31,730</b>	<b>\$ 118,420</b>	
<b>WASTE</b>				
Wheeler Bins & Crates	\$ 5,000	\$ 5,504	\$ (504)	
Rubbish Receptacles (Heritage) - 15 @ \$700	\$ 10,500	\$ 8,815	\$ 1,685	
	<b>\$ 15,500</b>	<b>\$ 14,319</b>	<b>\$ 1,181</b>	

SOUTHERN MIDLANDS COUNCIL  
CAPITAL EXPENDITURE PROGRAM 2012-13  
AS AT 30 JUNE 2013

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
<b>PUBLIC TOILETS</b>				
	\$ 5,000	\$ -	\$ 5,000	Carry Forward
	<u>\$ 5,000</u>	<u>\$ -</u>	<u>\$ 5,000</u>	
<b>SIGNAGE</b>				
	\$ 25,000	\$ 332	\$ 24,668	Carry Forward
	<u>\$ 25,000</u>	<u>\$ 332</u>	<u>\$ 24,668</u>	
<b>RESIDENTIAL</b>				
	\$ -	\$ -	\$ -	
<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	
<b>TOURISM</b>				
	\$ 4,000	\$ -	\$ 4,000	Carry Forward
	<u>\$ 4,000</u>	<u>\$ -</u>	<u>\$ 4,000</u>	
<b>HERITAGE</b>				
	\$ 22,767	\$ 15,964	\$ 6,802	
	\$ 15,000	\$ 11,520	\$ 3,480	
	\$ 22,000	\$ 42,227	\$ (20,227)	
	\$ 96,000	\$ 145,238	\$ (49,238)	Grant Funded
	\$ 8,000	\$ -	\$ 8,000	
	\$ 166,000	\$ 3,423	\$ 162,577	Loan Funded
	<u>\$ 329,767</u>	<u>\$ 216,371</u>	<u>\$ 111,395</u>	
<b>LANDSCAPES</b>				
<b>NATURAL</b>				
	\$ 4,000	\$ -	\$ 4,000	Carry Forward
	<u>\$ 4,000</u>	<u>\$ -</u>	<u>\$ 4,000</u>	
<b>REGULATORY</b>				
	\$ 20,000	\$ 10,708	\$ 9,292	
	\$ 3,500	\$ 2,185	\$ 1,305	
	<u>\$ 23,500</u>	<u>\$ 12,903</u>	<u>\$ 10,597</u>	

SOUTHERN MIDLANDS COUNCIL  
CAPITAL EXPENDITURE PROGRAM 2012-13  
AS AT 30 JUNE 2013

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
<b>LIFESTYLE</b>				
<b>RECREATION</b>				
Recreation Committee	\$ 30,000	\$ 31,358	\$ (1,358)	
Bagdad Iden Park - Tables / Chairs	\$ 2,500	\$ -	\$ 2,500	
Kempton Memorial Hall	\$ 10,000	\$ -	\$ 10,000	
Campania Recreation Ground - Cricket Nets	\$ 38,490	\$ 36,853	\$ 1,637	
Campania Recreation Ground - Storage Garage	\$ 3,900	\$ 3,720	\$ 180	
Campania Hall - Footpath (adjacent to Hall)	\$ 35,000	\$ -	\$ 35,000	Funded - Sale Proceeds
Campania Hall - Car Park Imp's (incl. part seal)	\$ 16,387	\$ 9,601	\$ 6,786	
Colebrook Recreation Ground (Amenities)	\$ 75,000	\$ 62,807	\$ 12,193	
Midlands Aquatic & Recreation Centre	\$ 2,600	\$ 2,272	\$ 328	
Parlatah Recreation Ground	\$ -	\$ 15,912	\$ (15,912)	Grant Funded
Healthy Communities Projects	\$ -	\$ -	\$ -	
	<b>\$ 211,797</b>	<b>\$ 194,810</b>	<b>\$ 16,987</b>	
<b>COMMUNITY</b>				
Road Accident Rescue Unit	\$ 3,000	\$ -	\$ 3,000	
	<b>\$ 3,000</b>	<b>\$ -</b>	<b>\$ 3,000</b>	
<b>ORGANISATION</b>				
<b>SUSTAINABILITY ADMINISTRATION</b>				
Council Chambers - Building Improvements (\$ for \$)	\$ 15,000	\$ 33,364	\$ (18,364)	Balance - Grant Funded
Council Chambers - Damp Issues & Stonemasonry	\$ 15,000	\$ -	\$ 15,000	
Council Chambers (External Windows - Repair)	\$ 5,000	\$ -	\$ 5,000	Carry Forward
Computer System (Hardware / Software)	\$ 22,000	\$ 26,969	\$ (4,969)	
Town Hall (Chairs)	\$ 5,000	\$ 1,148	\$ 3,852	
Paintings (ref Mayor)	\$ 2,000	\$ -	\$ 2,000	
Town Hall (General)	\$ 8,288	\$ 9,863	\$ (1,577)	
Town Hall (Upstairs) - Rewiring	\$ 5,000	\$ -	\$ 5,000	
Asset Management - Computer Software	\$ 5,000	\$ 9,900	\$ (4,900)	
Web Site - Capital Development	\$ -	\$ 9,664	\$ (9,664)	
History of Southern Midlands Book	\$ -	\$ 28,372	\$ (28,372)	Offset by Book Sales
70 High Street - Property Purchase	\$ -	\$ 186,152	\$ (186,152)	
Minor Plant Purchases	\$ 13,500	\$ 1,694	\$ 11,806	
Radio System	\$ 2,000	\$ -	\$ 2,000	
Security Key System	\$ 6,000	\$ -	\$ 6,000	
Depot - Glenelg Street (Security Fencing)	\$ 3,000	\$ 11,438	\$ (8,438)	
Plant Replacement Program	\$ 494,152	\$ 79,803	\$ 414,349	
Roller separate Schedule (Net Changeover)	\$ 144,000	\$ 210,879	\$ (66,879)	
Light Vehicles	\$ -	\$ -	\$ -	
(Trade Allowance - \$240K)	\$ -	\$ -	\$ -	
Excavator (Approx. 2.70 tonne)	\$ 60,000	\$ -	\$ 60,000	
	<b>\$ 804,938</b>	<b>\$ 589,245</b>	<b>\$ 215,693</b>	
<b>GRAND TOTALS</b>	<b>\$ 4,716,484</b>	<b>\$ 3,340,485</b>	<b>\$ 1,376,009</b>	

**SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED**

	29/06/2013	29/06/2012
Arrears Brought Forward	\$251,900.24	\$212,537.06
ADD Current Rates and Charges Levied	\$3,949,607.96	\$3,748,196.74
ADD Current Interest	\$78,175.61	\$64,490.91
<b>TOTAL Rates and Charges Demanded</b>	<b>\$4,279,683.81</b>	<b>\$4,025,224.71</b>
LESS Rates and Charges Collected	\$3,711,462.63	\$3,583,270.97
LESS Pensioner Remissions	\$201,677.68	\$185,871.41
LESS Other Remissions	-\$2,572.74	-\$9,526.90
LESS Discounts	\$13,102.39	\$13,009.28
<b>TOTAL Rates and Charges Collected and Remitted</b>	<b>\$3,923,669.96</b>	<b>\$3,772,624.76</b>
<b>UNPAID RATES AND CHARGES</b>	<b>\$356,013.85</b>	<b>\$252,599.95</b>
	<b>8.32%</b>	<b>6.28%</b>
	<b>91.68%</b>	<b>93.72%</b>

**18. INFORMATION BULLETINS**

Refer enclosed Bulletin dated 12<sup>th</sup> July 2013.

Information Bulletin dated 1<sup>st</sup> July 2013 circulated since previous meeting.

**RECOMMENDATION**

**THAT the Information Bulletins dated 1<sup>st</sup> and 12<sup>th</sup> July 2013 be received and the contents noted.**

**C/13/07/087/19410 DECISION**

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

THAT the Information Bulletins dated 1<sup>st</sup> and 12<sup>th</sup> July 2013 be received and the contents noted.

**CARRIED.**

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

*Notes:*

*Campania District High School – invite two students to address Council following attendance at the ‘Global Youth Leaders Conference’.*

*Bargain Centre – letter of congratulations to be sent to the Management Committee acknowledging the level of fundraising and monies distributed to the various community organisations.*

### **18.1 QUESTION TIME (COUNCILLORS)**

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

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

1. Council Chambers, Kempton – Clock - Shane Mitchell to attend and present a report relating to the operations. *Discussed earlier in the meeting*
2. Forestry Dinner Invitation  
*Clr D F Fish will attend on behalf of Council.*
3. Street Lighting Policy  
*Amber lights (Main Street, Kempton and High Street, Oatlands) – draft policy in consultation with Aurora.*
4. Callington Mill Visitor Centre – pricing policy of local products
5. Parattah Progress Association – previously known as the Parattah Recreation Ground Management Committee
6. Southern Midlands Council (Youth Council) – consideration to be given to the establishment of a Youth Advisory Council (or similar).



**19. MUNICIPAL SEAL**

Nil.

**20. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA**

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

**20.1 SOUTHERN MIDLANDS COUNCIL - UNIFORMS & PROTECTIVE CLOTHING POLICY**

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

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

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

*All clothing purchases must have a logo*

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

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

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

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

**OUTDOOR STAFF**

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

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

*All clothing purchases must have a logo*

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

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

**CALLINGTON MILL BUSINESS PRECINCT - MILLERS**

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

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

*All clothing purchases must have a logo*

**IDENTIFICATION BADGES**

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

**NOTE:**

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

**C/13/07/091/19411 DECISION**

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

THAT the revised Policy be endorsed.

**CARRIED.**

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

**RECOMMENDATION**

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

**C/13/07/092/19412 DECISION**

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

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

**CARRIED.**

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

## **CLOSED COUNCIL MINUTES**

### **21. BUSINESS IN “CLOSED SESSION “**

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

**T F KIRKWOOD  
GENERAL MANAGER**

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

**T F KIRKWOOD  
GENERAL MANAGER**

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

**T F KIRKWOOD  
GENERAL MANAGER**

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

**T F KIRKWOOD  
GENERAL MANAGER**



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

**T F KIRKWOOD  
GENERAL MANAGER**

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

**T F KIRKWOOD  
GENERAL MANAGER**

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

**T F KIRKWOOD  
GENERAL MANAGER**

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

**T F KIRKWOOD  
GENERAL MANAGER**

**RECOMMENDATION**

**THAT Council move out of “Closed Session”.**

**C/13/07/100/19415 DECISION**

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

THAT Council move out of “Closed Session”.

**CARRIED.**

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

**RECOMMENDATION**

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

**C/13/07/101/19416 DECISION**

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

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

**CARRIED.**

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

**22. CLOSURE 4.13 P.M.**