

COUNCIL MEETING

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ENCLOSED

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

Item 15.6.1 - Draft Disability Access & Inclusion Policy and Draft Disability Access & Inclusion Plan (DAIP) 2012 – 2017

Item 15.8.1 - Draft Southern Midlands Play Place Strategy

Item 17.1.1

1. Tasmanian Audit Office Survey Fraud Control in Local Government
2. Draft Fraud Control Policy
3. Draft Code of Conduct for Councillors and Employees
4. Draft Gifts, Bribes and Benefits Policy
5. Public Interest Disclosures Act 2002 Procedures

Item 17.2.2 - Discussion Paper

19th October 2012

Dear Sir/Madam,

NOTICE OF MEETING

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

**Municipal Office,
71 High Street, Oatlands
Wednesday 24th October 2012
10.00 a.m.**

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

COUNCILLORS PLEASE NOTE:

- **A morning Tea is to be held for retiring Police Officers (Dale French, John Rowlands and John Makowski) at 11.00 a.m. The relieving Oatlands Sergeant, and the officers from Kempton and Oatlands will also attend.**
- **Public Question Time has been scheduled for 12.30 p.m.**

Yours faithfully,



**Mr T F Kirkwood
General Manager**

OPEN COUNCIL AGENDA

1. PRAYERS

Councillors to recite the Lords Prayer.

2. ATTENDANCE

3. APOLOGIES

Mayor A E Bisdee OAM

RECOMMENDATION

THAT the apology from Mayor A E Bisdee OAM be received and he be granted leave of absence from the meeting.

DECISION

Vote For	Councillor	Vote Against
	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	

4. APPLICATION FOR LEAVE OF ABSENCE

Nil.

5. MINUTES

5.1 ORDINARY COUNCIL MINUTES

The Minutes of the previous meeting of Council held on the 26th September 2012, as circulated, are submitted for confirmation.

DECISION

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

5.2 SPECIAL COUNCIL MINUTES

Nil.

5.3 SPECIAL COMMITTEES OF COUNCIL MINUTES

5.3.1 Special Committees of Council - Receipt of Minutes

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

- Southern Midlands Facilities and Recreation Committee – meeting held 9th October 2012
- Lake Dulverton & Callington Park Management Committee – meeting held 20th October 2012

RECOMMENDATION

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

DECISION

Vote For	Councillor	Vote Against
	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 Committees of Council are submitted for endorsement.

- Southern Midlands Facilities and Recreation Committee – meeting held 9th October 2012
- Lake Dulverton & Callington Park Management Committee – meeting held 20th October 2012

RECOMMENDATION

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

DECISION

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

5.4 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

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.

It is reported that no Council workshops have been held since the last ordinary meeting of Council.

RECOMMENDATION

THAT the information be received.

DECISION

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

7. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

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

RECOMMENDATION

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

DECISION

Vote For	Councillor	Vote Against
	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*.

9. PUBLIC QUESTION TIME (SCHEDULED FOR 12.30 PM)

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

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

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

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

Deputy Mayor M Jones OAM to invite questions from members of the public.

9.1 PERMISSION TO ADDRESS COUNCIL

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

- Edwin Batt & Lisa Rudd – Southern Midlands Arts Strategy Committee – to make a brief presentation at 10.30 a.m.
- Geoff Williamson and Pete Baldwin (Oatlands District High School) – Breath Youth Program – will attend at 12.00 noon to provide an update for Council in relation to this Program.

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

10.1 AUSTRALIA’S NATIONAL LANDSCAPES PROGRAM AND TASMANIA’S ISLAND HERITAGE

ENCLOSURE: Tasmanian Land Map

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

1. “THAT the Southern Midlands Council write to the Federal Minister for Tourism conveying our disappointment at the arbitrary excision of most of the midlands from the *Tasmania’s Island Heritage* National Landscape area.”
2. “THAT the Southern Midlands Council request Destination Southern Tasmania co-ordinate a response from other Southern Local Government areas, including Clarence, Brighton, Derwent Valley and Central Highlands that similarly have been excluded without justification, explanation or consultation.”

BACKGROUND COMMENTS (provided by Clr Green)

On 3rd October 2012, the Federal Government announced the latest Australia’s National Landscape. *Tasmania’s Island Heritage* is the fifteenth National Landscape to be announced, with there to be a cap of sixteen.

Disappointingly, the vast majority of the Southern Midlands has been excluded from *Tasmania’s Island Heritage*. Localities included, however, are Stonehenge, Swanston, Woodsdale, Levendale and Runnymede. Other similarly affected southern local government areas include the Central Highlands, Brighton, Derwent Valley and Clarence. To our north those affected include Northern Midlands, Launceston, West Tamar, Devonport and Burnie.

The criterion upon which our municipality and attractions were assessed and determined not worthy of inclusion, when compared to (for instance) places that have been included such as Rokeby and Clarendon Vale, require explanation and justification. On the face of it, the decision appears arbitrary.

Tasmania’s Island Heritage has the potential to produce confusion for visitors, as well as within the broader community, as the announced landscape is not bound by obvious geographic, cultural or even administrative borders.

DECISION

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

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

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

11.1 DEVELOPMENT APPLICATIONS

Nil.

11.2 SUBDIVISIONS

Nil.

11.3 MUNICIPAL SEAL (PLANNING AUTHORITY)

Nil.

11.4 PLANNING (OTHER)**11.4.1 Progression Towards a New Southern Midlands Planning Scheme and the Southern Tasmania Regional Planning Project***File Ref:* 9/084

AUTHOR MANAGER STRATEGIC PROJECTS (D MACKEY)
DATE 18TH OCTOBER 2012

BACKGROUND

The Southern Tasmania Regional Planning Project concluded the first major phase of the Project in October 2011, being the delivery of a Southern Regional Land Use Strategy to the Minister for Planning and its subsequent formal declaration as a statutory *Regional Strategy*. This followed its endorsement by all twelve Southern Tasmanian Councils.

The second major output of the Southern Tasmania Regional Planning Project is a suite of contemporary and consistent planning schemes, one for each of the twelve Planning Authorities in Southern Tasmania.

All new planning schemes in the State will have to be based on the State's Planning Scheme Template for Tasmania. However the Template only provides the 'bare bones' of planning schemes - primarily in layout, structure, definitions and common zone names. It does not provide the actual operational provisions and standards that are the 'engine room' of planning schemes in a day-to-day sense. These are being drafted by individual Councils and Councils acting together within a region.

In terms of acting together; the Southern Regional Planning Project is nearing completion of the 'regional model planning scheme', which is simply the intended regionally-common planning scheme provisions, set within the State's Template. A large portion of future consistency and commonality between planning schemes will come from the regional model planning scheme. However, in recognition that there are genuine differences and peculiarities across the region, each planning scheme will also contain planning scheme provisions particular to it. Individual councils are drafting these 'local provisions'.

Therefore, the new planning schemes within Southern Tasmania will include content provided from three sources:

- The State (the Planning Scheme Template for Tasmania and any State-wide Codes)
- The Region (the Regional Model Planning Scheme and any region-wide Codes)
- The Local Council (local provisions necessary to reflect specific local circumstances or protect important local values, plus any specific Council Codes and Specific Area Plans).

It is an expectation of the Minister that each region will produce a high level of commonality between their schemes. It is important that each Council within the region keeps in step with the others in the scheme drafting process. All new draft planning schemes for a region should be lodged with the Minister around the same time.

TIMEFRAMES GOING FORWARD

During the course of 2012 a new draft of the Southern region model planning scheme was developed using comments received from Council planners in response to the November 2011 draft.

The Regional Planning Project is currently awaiting input from the Tasmanian Planning Commission's model scheme committee on the new draft of the model scheme. TPC comments are expected by the end of October. Over November the Regional Project will then amend the model scheme provisions using the TPC committee's comments, plus any further comments received from Councils, to create the next draft of the regional model scheme.

This draft of the model scheme will be the version put out for public comment, as part of the (informal) public exhibition of each Council's planning scheme. It will be completed in early December, allowing Councils to then move to complete their individual local scheme provisions.

Councils will be completing their draft schemes in the new year, through February. The aim is to reach a stage when all twelve Councils have developed their draft schemes to the point where they are all comfortable with putting them out for (informal) public consultation. If all Councils are able to consider their draft schemes at their March 2013 Councils meetings, then the public consultation period will be able to commence in April 2013.

The (informal) public consultation should be at least 4 weeks, and should be a coordinated effort between all Southern Councils. The main reason for this is that we are aiming for a significant level of commonality between schemes. The text in the draft schemes will be colour-coded so that members of the public can clearly understand which text is particular to the individual council, which is intended to be common across the region, and which is the text mandated by the State. All members of the public in Southern Tasmania should be able to provide comment on the intended regional common provisions through the one coordinated process.

Following the conclusion of the advertising period, submissions from the public pertaining to local provisions will be considered and resolved by the relevant Council.

Submissions pertaining to intended regional provisions will need to be collated by the Regional Project and considered collectively through a regional process involving all Southern Councils.

Submissions pertaining to the State-mandated text will not be able to be considered by Councils at all. These submissions will be passed on to the State for their records. It must be noted that this (informal) public consultation process undertaken by the 12 Southern Councils does not have any ability whatsoever to amend the State text.

The timeframe for considering and resolving the issues raised by the public will take several months. It is not possible to foreshadow exactly how long as it will depend, in part, and the number and nature of the submissions received, particularly in respect of the regional provisions, and the ease (or otherwise) in reaching agreement amongst the 12 Southern Councils in their resolution.

Once all public consultation issues have been resolved, the Councils will be able to proceed quickly to finalise new drafts of their planning schemes for formal submission to the Minister.

FUTURE OF THE SOUTHERN REGIONAL PLANNING PROJECT: FUNDING

The Southern Regional Planning Project continues to exist tenuously through a series of ad hoc short-term funding agreements between the State and the Councils.

At the start of 2012 the Southern Tasmanian Councils Association was hopeful that an agreement with the State could be finalised for a 3-year arrangement for a joint regional planning structure that brought key Government agencies, Southern Water and expanded local government representation to the table. Such a structure was foreshadowed, in principle, in the Project's original Memorandum of Understanding. It would have provided for a regional planning entity with the resources to recommence strategic planning work – as well as fulfil the regional coordination role as the draft schemes step through the statutory TPC approval process.

However, such an agreement was not reached and negotiations reduced to merely continuing the Regional Planning Project as it currently exists – and only for the regional coordination role to complete scheme drafting and the statutory TPC approval process.

Therefore, no further regional strategic planning work will be undertaken in the foreseeable future. One significant outcome of this is that the next iteration of the Southern Tasmania Regional Land Use Strategy will be a long way off. Important new information, such as the 2011 census data, will not be incorporated into regional strategic planning for several years, at least.

Be that as it may, agreement has now been reached with the State Government for a modest joint funding arrangement (50/50 state/local government) to enable the Regional Planning Project to continue to the end of the financial year. Provided the 12 Councils endorse their draft schemes as suitable for (informal) public consultation at their March or April 2013 Council meetings, this funding should see the project through to the

completion of public consultation period and the initial collation of comments pertaining to regional issues.

THE PATHWAY FORWARD: INTERIM SCHEMES OR DRAFT SCHEMES?

Two years ago the State amended the Land Use Planning and Approvals Act 1993 to re-introduce the concept of interim planning schemes, which had been eliminated in 1993 when the legislation was overhauled. The Regional Project MoU between the State and the 12 Southern Councils sets down the State's expectation that the new planning schemes will be submitted to the State by Councils as draft interim planning schemes.

It is noted that the 'traditional' (post-1993) draft planning scheme approval pathway remains in the Act and, therefore, Councils have the choice of submitting their draft planning schemes to the State as either draft interim planning schemes or as 'traditional' draft schemes.

As Councillors are aware, the key difference is that interim planning schemes, (if declared by the Minister), come into effect prior to the statutory public consultation and formal hearings process, whilst in the traditional planning scheme pathway new schemes coming into effect at the end of that process.

The Solicitor General has provided advice to the Tasmanian Planning Commission that highlights some potential issues that arise through the use of the Interim Planning Scheme mechanism. These apparently revolve around potential impacts on property rights prior to the 'due process' afforded to landowners by the statutory public consultation and hearings process.

Whilst this was initially identified by the STCA as a potential risk prior to the signing of the MoU, the legislation had not been written and the detailed process of creating an interim planning scheme was therefore not known at the time. A Review of the legislation and process now set in place through the legislation has brought to light other issues that may be of concern to Councils, in addition to those apparently raised by the Solicitor General to the TPC.

Legal advice has been sought by the STCA to assist Councils in making a determination in regard to the approach they would like to adopt in pursuing new planning schemes

The southern Councils are all committed to the introduction of new planning schemes and have invested a considerably amount in preparing their new schemes.

It is anticipated that the Councils will wish to implement their new planning schemes in the most effective and efficient manner, providing contemporary land use management while ensuring that the outcomes for the community are fair and equitable and that the new planning schemes are legally robust and will not be subject to future legal challenge.

The decision that needs to be made now or in the not-to-distant future is: do we lodge our

draft schemes as ‘interim’ planning schemes or as ‘traditional’ draft planning schemes? As mentioned above, both pathways remain in the Act.

The Regional Planning project and the 12 Southern Councils have always been committed to public consultation in respect to the new planning schemes. The region is planning to have a period of (informal) public consultation prior to the submission of the draft planning schemes to the State regardless of which process is to be adopted.

The options that are available to Councils to create new planning schemes are:

To use the Interim Planning Scheme path as it currently exists.

To use the traditional path and jointly agree to consistency with the Southern Regional Land Use Strategy and to common regional provisions.

To seek legislative changes to the Interim Planning Scheme process to deal with the issues raised by the Solicitor General.

It should be noted that, in order to achieve the objectives of the Regional Planning Project’s MoU, we would need to make a collective decision - so that all 12 Councils adopt the same pathway. Regional consistency would likely be severely diminished through the statutory process if, for example, some Councils choose the interim scheme pathway and others the traditional pathway.

In terms of timing, the decision whether to take the interim or traditional scheme pathway ought to be made prior to the collective informal public notification period, which now will be around April next year. It is essential that we can advise members of the public what the next steps will be – essentially in layman’s terms; whether they will have the opportunity to be involved in the statutory public consultation and hearing process before or after the scheme comes into effect.

At it’s meeting on 18 October, the STCA Board considered a detailed report into all of the above, along with high-level legal advice. That report with the legal advice has subsequently been forwarded to Councils for their consideration. The minutes of the STCA meeting will be available prior to the Council meeting, and will be tabled. Essentially, the Board is proposing that:

1. That the STCA continue to investigate, with the Tasmanian Planning Commission and the Minister for Planning, ways to ensure that:
 - the common objective of the State Government and the 12 Councils' to implement new planning schemes consistent with the Southern Regional Land Use Strategy is met
 - a high proportion of common provisions are included in the new planning schemes.
 - that the process of declaring the new planning schemes is undertaken in a manner which is effective and efficient, that the community perceive is fair and equitable and that results in legally robust planning schemes that have minimal risk of being subject to future legal challenge as a consequence of the process adopted for their declaration
 - whichever solution is adopted must allow Councils to implement local strategic planning, subregional strategic planning and the outcomes of the regional Industrial Land Study

2. A letter be drafted to the Minister for Planning seeking clarification of the issue of what happens to Development Applications (including 43A applications) that are part way through the council assessment process when an Interim Planning Scheme is declared.

PLANNING SCHEMES ONLINE AND THE CONTENT MANAGEMENT SYSTEM

The Tasmanian Planning Commission is implementing an IT solution to assist the drafting, assessing, managing and accessing of all planning scheme provisions across the State.

From the Regional Project's point of view, this is most welcome and timely.

It has become apparent that using separate Microsoft Word documents for the collective drafting of planning schemes that have common state & regional common content and interspersed local content will be excessively time-consuming for both the Regional Project and for Councils.

It is also understood that the TPC's task of assessing and comparing these documents, and attempting to ensure commonality between planning schemes, will also be excessively time consuming if a better way is not found.

Both the Region and the TPC also require an automated, fool proof mechanism that ensures intended common provisions (both State and regional) appear correctly in each scheme free of transcribing errors.

The solution now being implemented have the following characteristics:

- Reduced cost in drafting planning schemes:
 - Allow the collective drafting of planning scheme documents into which text from multiple sources must appear.
 - Enable specified text to be automatically common to various schemes on a state wide or region-wide basis.
 - Allow for common provisions to be drafted and amended at one source, regardless of how many schemes they are common to.
 - Provide surety that intended common provisions are accurately portrayed in final scheme documents.
- More manageable public consultation processes:
 - Provide a single website where all draft schemes are available.
 - Enable on-line comments to be lodged by members of the public against specific provisions, thereby automating a significant component of the public notification process.
- More effective assessment of comments and the schemes:
 - Enable statutory reviewers of draft scheme provisions to view public comments, lodge their own comments, see the comments made by their fellow reviewers and suggest amended wording.
 - Provide for multiple levels of access and authority, in terms of reviewing, commenting, drafting, approving and publishing changes.
- An easily understandable end user interface:
 - Access to all planning scheme ordinances being via a single website, which holds the current and correct version of all schemes.
 - Enquiries regarding a particular property and a particular proposed use identify only those parts of the planning scheme that are relevant.
 - Minimise the need for hard copies of entire planning schemes to be printed.
 - Provide for a simple public user interface.
- Clearly portraying to the public that the State has a single, coordinated system of planning schemes.

This will be a very timely improvement to the system and will speed up the drafting of our planning schemes.

From the Regional Project's point of view, ideally, the new system would be in place by early November to allow the amended regional common provisions arising out of the current Council feedback process to be loaded directly into the system.

The TPC is holding a 2-hour presentation on the new system for Local Government on Tuesday 23 October (see separate invitation).

THE SOUTHERN INDUSTRIAL LAND STUDY

The STCA has prepared a draft regional industrial land strategy for public consultation.

A copy of the document *Draft Southern Tasmania Industrial Land Strategy, Stage 2 Report, October 2012* is available from the STCA website (www.stca.tas.gov.au) until the end of November, during which time submissions are invited from interested parties.

The background document, the *Southern Tasmania Industrial Land Study, Stage 1 Final Report, December 2011* is available from the website.

The Industrial Land Study is being undertaken under the auspices of the Southern Tasmanian Councils Authority. It is jointly funded by Southern Councils and the State Government's Department of Economic Development Tourism and the Arts.

The Study was a key recommendation of the Southern Tasmania Regional Land Use Strategy, which found that there is a potential shortage of industrial land within the region and recommended that measures be put in place to ensure an adequate supply of industrial land into the future over the short, medium and long term time horizons.

COUNCIL OFFICER ARRANGEMENTS

Councillors will be aware that Council's Damian Mackey continues to be engaged with the Regional Project almost full time – nine days per fortnight with the remaining day at Southern Midlands.

RECOMMENDATION

THAT:

- a) **the information be received; and**
- b) **the abovementioned recommendation of the STCA Board meeting held 18th October 2012 be supported.**

DECISION

Vote For	Councillor	Vote Against
	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	

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.
--

12.1.1 Asset Management Plan (Transport Infrastructure)

AUTHOR GENERAL MANAGER
DATE 19th OCTOBER 2012

ISSUE

To brief Council in relation to the preparation of an Asset Management Plan for Transport Infrastructure (and its linkage to Long-Term Financial Management Plan).

BACKGROUND

The Local Government Association of Tasmania, through funding received via the Local Government Reform Fund, have been managing a project aimed at assisting Councils to implement both financial and asset management planning consistent with national frameworks.

The aim of the project was to:

- a) produce a long-term financial planning template for adoption and use;
- b) long-term financial plans;
- c) A State Policy for asset management in local government;
- d) Asset management plans in all Tasmanian councils for the major asset classes.

DETAIL

Council officers have obviously focused on an Asset Management Plan for Transport Infrastructure , which includes Roads; Bridges; Footpaths; Kerb & Channel. The total value of these assets are approximately 66% of Council's total asset base.

A briefing and presentation to the meeting will include:

- a) Overview of the draft Asset Management Plan;
- b) Review of the Risk Management Plan relating to Transport Infrastructure; and

- c) The linkage between the Asset Management Plan and Long-Term Financial Management Plan.

It is envisaged that a separate Workshop will be required to examine these documents in more detail.

Human Resources & Financial Implications – Significant investment has been made in terms of initial purchase and implementation of software; officer time allocated to training and development of the draft Plan.

Council has been able to access template(s) developed by the Institute of Public Works Engineers Australia, who were appointed by the LGAT to deliver a number of components of the Local Government Reform Fund project.

Community Consultation & Public Relations Implications – N/A.

Policy Implications – Policy position.

Priority - Implementation Time Frame – The aim is to finalise the Transport Infrastructure Plan within the next two months, and progress to Land and Building Assets as the next major asset class.

RECOMMENDATION

THAT:

- a) the information be received; and
- b) Council determine a suitable workshop date.

DECISION

Vote For	Councillor	Vote Against
	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	

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.

12.5.1 State Water and Sewerage Corporation – Draft Constitution

AUTHOR GENERAL MANAGER
DATE 19th SEPTEMBER 2012

ENCLOSURE: Draft Constitution

ISSUE

Council to consider the draft Constitution prepared for the single state-wide Corporation.

BACKGROUND

Councillors have previously been provided with a copy of the draft Bill which is consistent with Local Government's requirements relating to the governance and management of a single water and sewerage Corporation.

The draft Constitution provides the level of detail to support the legislation, and is an amended version of the existing Constitutions for the regional corporations.

The LGAT has indicated that it will prepare a supporting document which provides more detail of the treatment and reasoning behind some of the issues.

DETAIL

Whilst noting that some matters of procedure and practice will be addressed in the Shareholders Letter of Expectation, there are a number of issues within the Constitution which require highlighting and acknowledgement. They being:

Share Class Structure – 29 classes of shares for each owner Council.

Clause 5 – Meetings:

The need to conduct two general meetings in each calendar year (the latter being the Annual General Meeting).

5.7 – Decisions at general meetings;

Clause 6 - Constitution

- Modification of Constitution requires at least 75% of members

Clause 8 – Owners’ Representatives

- Timeframe for appointment as an Owner representative is unlimited
- Owners representatives to be appoint a chief and deputy chief
- Functions – are as previously agreed by Council

Clause 9 – Role of Selection Committee

Note: At a meeting of the Owners Representatives of Tasmanian Southern Councils (Held 13th September 2012), the following persons were appointed as the four southern members of the Selection Committee:

*Mayor A E Bisdee
Mayor G Bury
Mayor D Chipman
Mayor T Foster*

Clause 10 – Directors

- Not more than 7 Directors (includes the Chair)
- Limited to a ten year appointment, unless extended by a majority of Owners’ representatives;
- 10.19 – limitation on sale or disposal of main undertaking

Clause 11 – Board Reporting and Communication

- Worth noting the requirements under this Clause

Clause 14 – Distribution of Profits

- Deletion of the provisions relating to priority dividends. The new Corporation will have no obligation to continue with priority dividends as these will have been resolved prior to commencement.

Schedule 4 – Special Majority Members Resolution

- Issues which require a special majority members resolution (i.e. at least 75% of the votes cast by members entitled to vote on the resolution.

Schedule 5 – Unanimous Members Resolution

Human Resources & Financial Implications – Council has previously considered the financial implications of a single state-wide corporation. This consideration forming part of the decision to support the proposed merger.

Note: The projected dividend distributions for the Southern Midlands Council would increase to \$2.824 million (total for the 8 year period end 2020/21) compared to \$2.503 million standalone.

Community Consultation & Public Relations Implications – N/A.

Policy Implications – Policy position.

Priority - Implementation Time Frame – The LGAT requires feedback on the draft constitution be early November. Council may elect to finalise its comments at the next meeting.

RECOMMENDATION

Submitted for discussion and direction.

DECISION

Vote For	Councillor	Vote Against
	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	

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.

12.12 OFFICER REPORTS – WORKS & TECHNICAL SERVICES (ENGINEERING)

12.12.1 Manager - Works & Technical Services Report

File Ref: 3/075

AUTHOR MANAGER – WORKS & SERVICES (J LYALL)

DATE 18TH OCTOBER 2012

ROADS PROGRAM

York Plains Road (Sealed section) has some large failures dug out and replaced with suitable material. This will be sealed in the forthcoming week.

BRIDGE PROGRAM

The new section of road to connect with the Elderslie Road Bridge is being constructed and will be sealed next week (weather permitting).

WASTE MANAGEMENT PROGRAM

All operating well

TOWN FACILITIES PROGRAM

Scaffold to be erected at Oatlands Goal. Upon completion of these works, it will be relocated to the front of Town Hall for maintenance works on the building. The main entrance will still be accessible during this period.

WORKS SERVICES PROGRAM

Staff Leave/Resignations/Appointments

➤ Nil.

ANNUAL TENDERS 2012/2013

Tenders for the supply of road base materials and external plant hire for the period 1st October, 2012 to 30th September, 2013.

Plant Hire:

Following consideration of the registrations submitted, it is recommended that all which satisfy the requirements of the tender document be registered for hire on an as required basis for the period 1st October, 2012 to 30th September, 2013.

Plant hire decisions are based on the following:

- a) Best price.
- b) Operator ability.
- c) Machine condition.
- d) Availability.

Supply of Road Base Materials and Screenings:

Decisions are based on the following:

- a) Material quality
- b) Source locality
- c) Price
- d) Availability

RECOMMENDATION

THAT the information be received.

DECISION

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

13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

13.1 RESIDENTIAL

Strategic Plan Reference – Page 17

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

Nil.

13.2 TOURISM

Strategic Plan Reference – Page 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

AUTHOR MANAGER HERITAGE PROJECTS (B WILLIAMS)

DATE 18TH OCTOBER 2012

ISSUE

Southern Midlands Heritage Projects – report from Manager Heritage Projects

DETAIL

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

- Works are continuing on stabilising and capping the Oatlands Gaol walls.
- All permits are in-hand for the arch relocation, which is to commence ASAP.
- Fitout of the Gaolers Residence interpretation continuing and nearing completion.
- Brad Williams attended the Australasian Society for Historical Archaeology conference.
- Commissariat conservation management plan is progressing.
- Landscaping and fencing works at Callington Mill/Park are progressing.
- Several open days have been held as part of the Southern Midlands Community Archive Project

- Presentations were given on the SMC heritage program by Alan Townsend to the Australian Society for Archivists, Clarence Probus Club and the Oatlands Multi-Purpose Health Centre.
- Collection audit is continuing. Jen Jones has undertaken a review of the database workings.
- The Southern Midlands Convict Sites project is progressing.
- Planning is underway for the 2013 summer archaeology program.
- Further site survey and recording has been undertaken at the Picton Road Station.

RECOMMENDATION

THAT the information be received.

DECISION

Vote For	Councillor	Vote Against
	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 – General Report

File Ref: 03/082

AUTHORS NRM PROGRAMS MANAGER – M WEEDING

DATE 16TH OCTOBER 2012

ISSUE

Southern Midlands Landcare Unit Monthly Report

DETAIL

- The Dulverton Walking Track ‘spring weed growth’ maintenance works on the track surface and around the native plants has been completed. Rod Bowerman will undertake some weed control works in the next three to four weeks.
- Work on the Bushlinks 500 project continues. G Green has been busy with sorting minor details for the proposed sites, and talking to landholders in regard to the potential supply of native grass seed in the future.
- The CEEP (Community Energy Efficiency Program) Project to retrofit the Town Hall for energy efficiency has progressed. New energy efficient heaters have been provided for a number of people in the Town Hall. Graham has also completed a report for the Australian Government on progress of the project.
- An energy audit on the radio station premises was conducted by G Green. The implications as a result the power sharing arrangements for the premises need to be renegotiated.
- An energy audit of the mill site was conducted by John Todd. A report is being prepared and will be completed in the next few weeks.
- Helen Geard and Maria Weeding from the Landcare Unit assisted with guiding a number of walkers along the Dulverton Walk Track, providing information relating to points of interest along the track. This was part of the Seniors Week – Dulverton Walking Track walk event.

- A short Biodiversity Offsets Working Group meeting was held early in October. A report on the draft Biodiversity Offsets Guidelines is to be tabled at the next STCA meeting (Wed 18th October).
- H Geard has been assisting with a few tasks relating to the Works and Technical Services Department.

RECOMMENDATION

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

DECISION

Vote For	Councillor	Vote Against
	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. |
|-------|---|

Nil.

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. |

15.6.1 Disability Access & Inclusion

AUTHOR MANAGER, COMMUNITY & CORPORATE
DEVELOPMENT (A BENSON)

DATE 18TH OCTOBER 2012

- ENCLOSURE**
1. Draft Disability Access & Inclusion Policy
 2. Draft Disability Access & Inclusion Plan (DAIP) 2012 – 2017

ISSUE

Consideration of a Disability Access & Inclusion Policy for approval, along with an accompanying document, the Disability Access & Inclusion Plan (DAIP) 2012 – 2017.

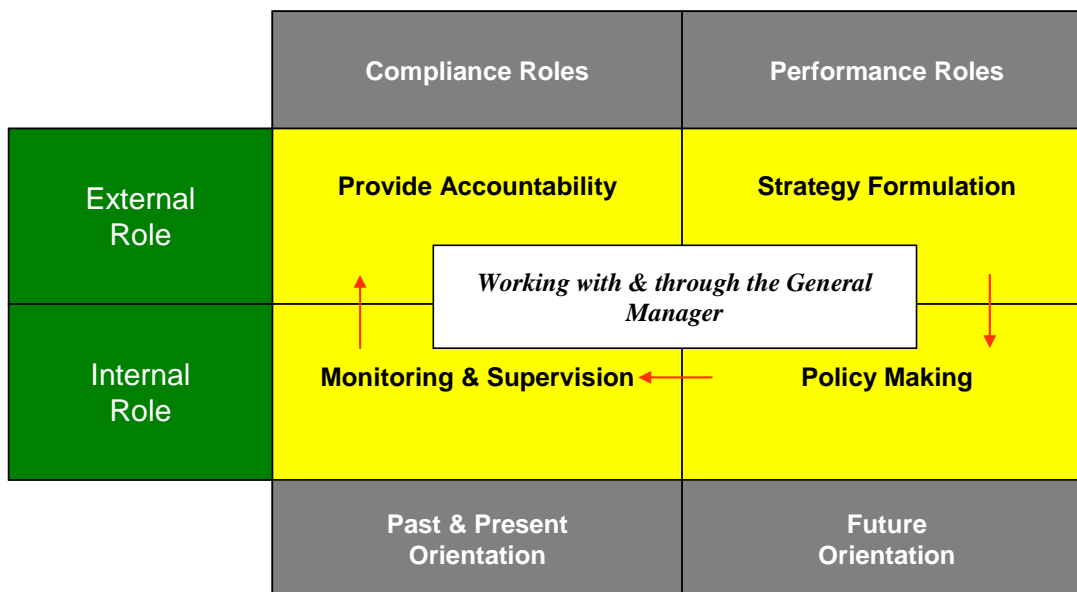
BACKGROUND

The Disability Discrimination Act 1992 is the key legislative requirement for this policy. The Southern Midlands Council is committed to “Universal Access and Inclusion” rather than “access for people with disabilities”, with the emphasis on mainstream facilities and services being accessible for all including children, seniors and people with disabilities.

The Southern Midlands Council has made steady progress in improving access since the Access Survey and Assessment undertaken by council in 1997. As well as the 2009 review. The Southern Midlands Council has tasked the Facilities and Recreation Committee with the role of developing policy in this important area.

FRAMEWORK FOR ANALYSING COUNCIL’S GOVERNANCE FUNCTION

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



This framework has been drawn from Professor Robert Tricker's work on International Governance, where he developed the model in the figure above which clarifies the twin responsibilities of conformance and performance Tricker, R., International Corporate Governance: Text Readings and Cases, New York: Prentice Hall, 1994, p.149.

DETAIL

Councillors will find attached the following documents for consideration;

1. Draft Disability Access & Inclusion Policy
2. Draft Disability Access & Inclusion Plan (DAIP) 2012 – 2017

The Policy document is self-explanatory and the document is commended to Council for approval.

The Disability Access & Inclusion Plan (DAIP) 2012 – 2017 is a draft document that would be used in the first instance as a consultation document across the Community. The document provides solid reasoning and reference information for Council and the Community to understand their respective obligations in relation to “Universal Access”. Under section 9 in the DAIP there are a range of draft outcome statements along with their associated strategies; these are an indication of the type of outcomes and strategies that could be included in the DAIP. It is proposed that these outcomes & strategies be the basis of the consultation with the Community to ensure that the DAIP is responsive to Community needs and expectations with either adding or deleting outcomes/strategies. This process is covered in section 7 of the DAIP. Once the consultation has been completed the final document will be presented to Council for endorsement/approval at the February or March 2013 Council meeting. From that information and

Implementation Plan will be created (refer to and Appendix 2 in the DAIP for the Implementation Plan format). Council will be required to report on progress in its Annual Report and the DAIP will be formally reviewed every five years.

To assist in the assessment of Council facilities against the best practice standards, a document titled Disability Access & Inclusion Plan – Access to Building & Facilities Checklist has been developed.

There will be budget implications in respect to adopting the DAIP and it is important that the Community should be aware of this requirement upon Council's finances as it moves to come in line with the requirement of the legislation.

It is noted that the Facilities & Recreation Committee considered the documents and have forwarded them to Council, for consideration and adoption

RECOMMENDATION

THAT Council

- 1 receive and note the report;**
- 2 receive the draft Disability Access & Inclusion Policy for consideration at the November 2012 Council meeting; and**
- 3. receive the draft Disability Access & Inclusion Plan (DAIP) 2012 – 2017 for consideration at the November 2012 Council meeting;**

DECISION

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

15.7 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.
-------	--

15.8.1 Proposed Southern Midlands Council Play Space Strategy & Public Open Space Policy

AUTHOR MANAGER, COMMUNITY & CORPORATE DEVELOPMENT (A BENSON)

DATE 18TH OCTOBER 2012

ENCLOSURE Draft SM Play Place Strategy

ISSUE

Consideration of the approval/endorsement of a Play Space Strategy for the Southern Midlands, including a structured framework for the formal development of public open space provided by developers as contributions at the time of subdivision.

BACKGROUND

At the recent Facilities and Recreation Committee meeting a copy of a draft Play Space Strategy was tabled for consideration with the Committee resolving to recommend to the next Council meeting that it be approved, albeit with a minor amendment.

The amended Play Space Strategy is attached for Council's consideration and approval.

One of the appendices to the Strategy is Appendix 4 – Stage Development of Subdivision Open Space. This component of the Strategy is articulated in the following manner;

APPENDIX 4 – STAGED DEVELOPMENT OF SUBDIVISION OPEN SPACE

The development of residential estates through subdivision in the Southern Midlands is emerging as a very positive growth strategy in our Villages. As part of the development process subdividers are required under the Land Use Planning Approvals Act 1993 to offer Council five percent of the land for public open space within the proposed estate. These public open space recreation areas are seldom developed by Council until there is public pressure to do so and normally this ends up as an adhoc approach in response to public pressure. Rather, Council should have a structured manner in which it facilitates the orderly development of such spaces. Therefore the following is suggested as a policy position.

Detail

That as the population of the individual estates grow, so should the “elements” (ie plantings, or play equipment, or shelters combined with seating) in the Council public open space. This not unreasonable, given that if consultation is undertaken with the Community in the area there would be a degree of ownership by the Community that would counter any possible anti-social behaviour/vandalism.

Proposed Policy Position

It is recommended that local Community consultation be undertaken and the following framework be adopted;

1. When 25% of the subdivision estates have been built upon, one element (ie planting, or play equipment, or a shelter combined with seating) be placed in the public open space;
2. When 50% of the estate has been built upon, another element (ie planting, or play equipment, or a shelter combined with seating) be placed in the public open space; and
3. When 75% of the estate has been built upon, the final element (ie planting, or play equipment, or a shelter combined with seating) be placed in the public open space

RECOMMENDATION**That Council**

- 3 Receive and note the report;**
- 4 Receive the draft Play Space Strategy for consideration at the November 2012 Council meeting;**
- 3. Receive the draft Staged Development of Subdivision Open Space Policy for consideration at the November 2012 Council meeting;**

DECISION

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

15.9 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 17TH OCTOBER 2012

ISSUE

Consideration of Animal Control Officer's monthly report.

DETAIL

Refer Monthly Statement on Animal Control for period ending 30th September 2012.

Green Valley: Two sheep were killed on the verge of the road. I attended with Kempton police we visited the surrounding properties and spoke to the residents however no one saw or heard anything. As the sheep were on the road I removed and disposed of the carcasses.

Bagdad: Two separate attacks on neighbouring properties resulted in several sheep being killed, and others injured. Again no dogs were sighted amongst sheep, none the less Councils dog trap has been set on site, and nearby property owners interviewed also information cards were left at vacant premises. During my visits two unregistered dogs were identified resulting in notices being issued.

RECOMMENDATION

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

DECISION

Vote For	Councillor	Vote Against
	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 30/9/2012**

Total of Dogs Impounded: 5
Dogs still in the Pound: -

Breakdown Being:

ADOPTED	RECLAIMED	LETHALISED	ESCAPED
2	3		

MONEY RECEIVED

Being For:

Pound	
Reclaims	
	\$1839.89
Dog Registrations	
Kennel Licence Fee	
Infringement Notices	
Complaint Lodgement Fee	
TOTAL	\$1839.89

COMPLAINTS RECEIVED FOR PERIOD ENDING 30/9/2012

Dog at Large: 4
Dog Attacks: 3
Request Pick-ups: 2
After Hours Calls: 4
TOTAL 13

Number of Formal Complaints Received: -
Number of Infringement Notices Issued: 3

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.

16.4.1 2013 Meeting Schedule and Venues*File Ref:* 3/006 & 22/044

AUTHOR EXECUTIVE ASSISTANT (K BRAZENDALE)

DATE 16TH OCTOBER 2012**ISSUE****Council to confirm venues for the Council meetings and “public consultation” sessions to be held throughout the Municipal area.****DETAIL**

In 2012, Council held Council meetings from January to April in various venues throughout the Municipality. These meetings included “public consultation” sessions where the public are invited to attend and discuss issues with Council.

In 2012 meetings were held at the following venues:

25/1/2012	Campania Hall
22/2/2012	Tunbridge Hall
28/3/2012	Tunnack Community Hall
24/4/2012	Bagdad Community Club

The 2013 Schedule is as follows:-

All meeting to commence at 10.00 a.m. with the public consultation at 12.30 p.m. The Annual General Meeting will commence at 5.00 p.m.

Meeting Date	Venue
23/01/2013	Campania Hall
26/02/2013	Tunnack Hall
27/03/2013	Tunbridge Hall
24/04/2013	Levendale Hall
22/05/2013	Oatlands
27/06/2013	Kempton
24/07/2013#	Oatlands
28/08/2013	Kempton
25/09/2013	Oatlands
23/10/2013	Kempton
27/11/2013	Oatlands
11/12/2013	Kempton AGM

please note this Council Meeting will be held one week earlier (July). LGAT Conference.

RECOMMENDATION

THAT Council endorse the above meeting schedule.

DECISION

Vote For	Councillor	Vote Against
	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	

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

17.1.1 Proposed Southern Midlands Council Policies

AUTHOR MANAGER, COMMUNITY & CORPORATE
DEVELOPMENT (A BENSON)

DATE 18TH OCTOBER 2012

ENCLOSURES

1. Tasmanian Audit Office Survey Fraud Control in Local Government
2. Draft Fraud Control Policy
3. Draft Code of Conduct for Councillors & Employees
4. Draft Gifts, Bribes & Benefits Policy
5. Public Interest Disclosures Act 2002 Procedures

ISSUE

Business Process Improvements - Fraud Prevention

BACKGROUND

The Tasmanian Audit Office (TAO) circulated a questionnaire/survey to all Tasmanian Councils in July/August 2012 seeking advice as to the fraud control arrangements that Councils have in place. The Southern Midlands Council response is attached as Attachment 1. In his response to the TAO, the General Manager advised that whilst there has been no fraud related matters that have ever been detected at the Southern Midlands Council, the questionnaire has prompted a review of relevant policies and procedures in dealing with such matters.

For the purposes of the survey, the TAO advised that they adopted the following definition of fraud;

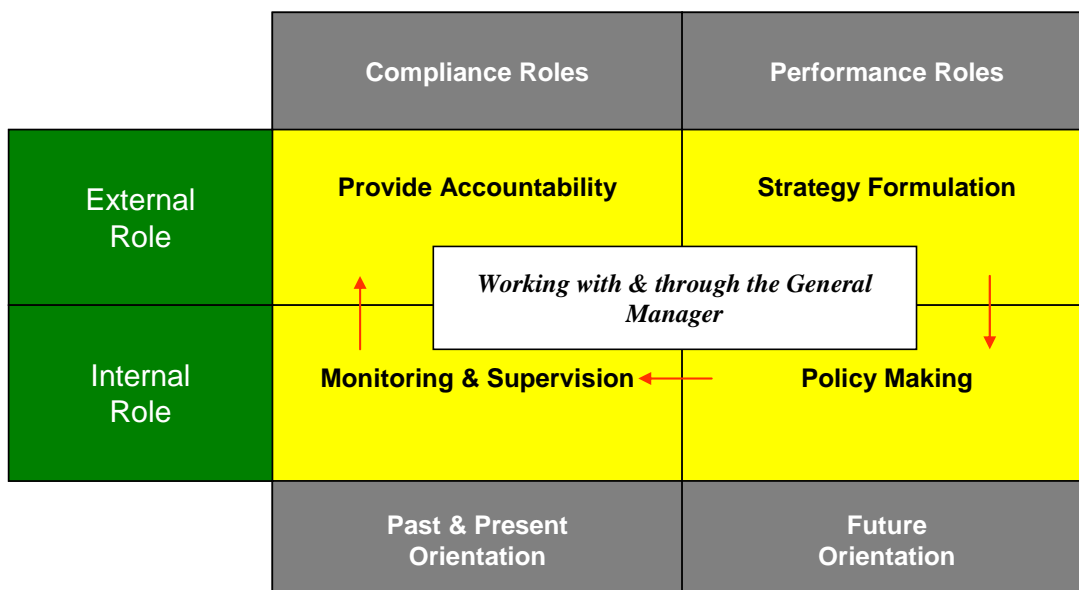
Fraud is dishonesty obtaining a benefit by deception or other means. The definition of fraud includes suspected fraud, incidents under investigation and completed incidents, whether the fraud was proved or not and whether the incident was dealt with by a criminal, civil or administrative remedy.

The survey questionnaire included the following key areas;

1. Fraud Risk Assessments
2. Fraud Control Plan
3. Fraud Awareness Training
4. Computer Assisted Techniques to identify Fraud Indicators
5. Gifts & Benefits
6. Secondary Employment
7. Conflicts of Interest
8. Code of Conduct
9. Pre-employment Checks
10. Employees Taking Leave
11. Lessons Learned from Fraud Penetration

FRAMEWORK FOR ANALYSING COUNCIL’S GOVERNANCE FUNCTION

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



This framework has been drawn from Professor Robert Tricker’s work on International Governance, where he developed the model in the figure above

*which clarifies the twin responsibilities of conformance and performance
Tricker, R., International Corporate Governance: Text Readings and Cases,
New York: Prentice Hall, 1994, p.149.*

DETAIL

Following the above mentioned TAO questionnaire/survey response, the General Manager asked the Manager Community & Corporate Development to review the information and prepare a suite of policies and procedures to address any deficiencies. The following represent the range of actions specific to the TAO areas of concern;

1. Fraud Risk Assessments

A separate component of the SMC Risk Register has been set aside to address fraud risk and will be populated as part of a workshop activity with Council staff over the next two months. It is noted that a number of the areas of concern were already included in various business function risk categories within the risk register – Council will be provided a copy of the Fraud Prevention tranche of the SMC Risk Register when it has been completed. To assist the Council officers in their consideration of these matters, information will, be drawn from a NSW State Government risk assessment manual. A number of matters that form part of that document have been used in the recently approved SMC Computer Use Policy

2. Fraud Control Plan

Attached for Councils consideration/approval is a draft Fraud Control Policy, this policy includes the following elements;

2.1 Fraud Control Investigation Procedure.

2.2 Fraud Prevention Strategy.

2.3 Fraud Detection and Risk Management Strategy.

3. Fraud Awareness Training

Following approval of the suite of fraud related policies and procedures a structured training program will be delivered to all SMC team members

4. Computer Assisted Techniques to Identify Fraud Indicators

The computer assisted data mining referred to will be an outcome of the risk assessment and be addressed in the risk treatment plans within the risk register

5. Gifts & Benefits

Attached for Councils consideration/approval is a draft Gifts, Bribes & Benefits Policy

6. Secondary Employment

This matter is not currently addressed in Council's human resource management (HRM) policies. The policies are currently being reviewed and the full suite of HRM policies will be presented to Council for consideration/adoption during the next three months

7. Conflicts of Interest

Attached for Councils consideration/approval is a draft Code of Conduct Policy that has been redrafted to include conflicts of interest.

8. Code of Conduct

Attached for Councils consideration/approval is a draft Code of Conduct Policy. It is noted that the existing Code of Conduct only refers to elected members; therefore it has been changed to also include Council staff

9. Pre-employment Checks

Pre-employment checks are undertaken for high risk positions and are an integral component of the existing SMC HRM suite of policies

10. Employees Taking Leave

SMC staff are not required to take at least two weeks leave per year, however any potential risks are mitigated through the risk register and vigilance on the part of the General Manager in relation to fraud prevention.

11. Lessons Learned from Fraud Penetration

Lessons have been learned from fraud penetration in local government across the country; however it is pleasing to note that no fraudulent activities have been recorded in Southern Midlands Council since its formation in 1993

In developing the aforementioned policies a requirement to develop procedures that relate to the Public Interest Disclosures Act 2002 have been identified. Therefore a document with those procedures contained within it has been included for Council's consideration/approval. It is noted that the procedures also refer to requirements under the *Integrity Commission Act 2009*.

As a requirement of the Public Interest Disclosures Act 2002, Council are required to appoint a Public Interest Disclosure Officer. It is recommended that the General Manager be appointed to the position of Public Interest Disclosure Officer, given he is currently the authorised officer under the *Right to Information Act 2009*, which is also referred to with these procedures.

RECOMMENDATION**That Council:**

1. receive and note the report;
2. receive the draft Fraud Control Policy for consideration at the November 2012 Council meeting;
3. receive the revised Code of Conduct Policy for consideration at the November 2012 Council meeting;
4. receive the draft Gifts, Bribes & Benefits Policy for consideration at the November 2012 Council meeting;
5. receive the Public Interest Disclosures Act 2002 Procedures for consideration at the November 2012 Council meeting; and
6. appoint the General Manager to the role of Public Interest Disclosure Officer in accordance with the Public Interest Disclosures Act 2002.

DECISION

Vote For	Councillor	Vote Against
	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 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 Proposed Christmas / New Year arrangements (including office closure)*File Ref:* 3/004

AUTHOR EXECUTIVE ASSISTANT (KBRAZENDALE)

DATE 16TH OCTOBER 2012**ISSUE**

To inform Council, and seek endorsement, of the proposed Christmas / New Year arrangements (includes Office closures).

DETAIL

The following arrangements are proposed for the 2012-13 Christmas / New Year period:

Council Offices close on Monday 24th December 2012 at 2.00 pm, and re-open on Wednesday 2nd January 2013.

Household Garbage Collection Service – no change to normal collection days.

All Waste Transfer Stations will be closed on Christmas Day and New Years Day.

The Heritage Highway Visitor Information Centre and the Oatlands Swimming Pool will be closed on Christmas Day.

Human Resources & Financial Implications - With the exception of scheduled rostered days off, all staff will take Annual Leave on normal working days during the closure period. Please refer to the attached Schedule for On-call arrangements.

Community Consultation & Public Relations Implications - The proposed arrangements will be advertised following endorsement by Council.

Policy Implications - Consistent with standard Council Policy.

Priority - Implementation Time Frame - N/A.

RECOMMENDATION

THAT the information be received and Council endorse the proposed Office closure arrangements.

DECISION

Vote For	Councillor	Vote Against
	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	

2012-13 Proposed Christmas / New Year Arrangements:

On call arrangements to be alternated between Mr J Lyall, Mr C Whatley and Mr T Kirkwood.

Thursday	20 th December	Break-Up Function (Location to be confirmed - commencing at 1.30 pm)
Friday	21 st December	Kempton Outdoor – Leave Oatlands Outdoor – RDO
Saturday	22 nd December	
Sunday	23 rd December	
Monday	24 th December	Council Offices close at 2.00 pm
Tuesday	25 th December	Public Holiday All Waste Transfer Stations closed. Swimming Pool closed. Tourism Information Centre closed.
Wednesday	26 th December	Public Holiday
Thursday	27 th December	Kempton Outdoor – Leave Oatlands Outdoor – Leave
Friday	28 th December	Kempton Outdoor – RDO Oatlands Outdoor – Leave
Saturday	29 th December	
Sunday	30 th December	
Monday	31 st December	Kempton Outdoor – Leave Oatlands Outdoor – Leave
Tuesday	1 st January	Public Holiday All Waste Transfer Stations closed
Wednesday	2 nd January	Return to Work Council Offices – reopen at 9.00 am Public Holiday

17.2.2 Department of Premier & Cabinet – Discussion Paper ‘Proposed Changes to Local Government Electoral Arrangements’

AUTHOR GENERAL MANAGER (T KIRKWOOD)
DATE 18TH OCTOBER 2012

ENCLOSURE Discussion Paper

ISSUE

Council to consider the enclosed Discussion Paper entitled ‘Proposed Changes to Local Government Electoral Arrangements’ and respond to the questions raised.

BACKGROUND

At the Local Government Association of Tasmania Annual Conference held in July 2012, the Minister for Local Government announced his intention to consult on a number of proposed changes to Local Government Electoral arrangements.

A Working Group, consisting of representatives from the Division of Local Government, Security and Emergency Management, LGAT, and Local Government was formed to consider the proposals and prepare this discussion paper.

The aim of the Paper is not to make recommendations or draw conclusions, but to provide a discussion of the policy advantages and disadvantages regarding each proposal.

DETAIL

The Discussion Paper outlines proposal relating to the following:

1. Introducing opt-in compulsory voting, whereby a Council may choose to make voting in local government elections compulsory;
2. Banning dual representation so that a person cannot in future hold a seat on council and in State Parliament at the same time;
3. Move to all-in, all-out council elections every four years, with four year terms for mayors and deputy mayors;
4. Returning to election of deputy mayors around the council table.

It is acknowledged within the Discussion Paper that the intent is not to address the technical issues or possibilities, but provide a policy-based discussion.

The questions to which the Local Government Division are seeking a response are as follows:

- Does the council support the introduction of council opt-in compulsory voting, whereby those Councils that wish to do so may opt-in to making voting in council elections compulsory for all electors in their municipal area?
- Does the council support a move to prevent people, in future, from serving on Council and in State Parliament at the same time?
- Does the Council support a move to all-in, all-out elections with four year terms for councillors, mayors and deputy mayors?
- Does the Council support a move to ‘around the table’ election of deputy mayors?

In reference to the first question, the State Government has argued that compulsory voting at Local Government elections would result in:

- Significantly increased voter turnout
- Greater involvement in local government issues
- Enhanced status of local government
- Councils that are more representative of the broader community.

The opposing views are:

- Compulsory voting has the potential to result in increased informal voting as people are forced to vote rather than exercising their democratic right by choice
- Compulsory voting may lead to an increase of party politics in local government with detrimental effect on community representation.

In relation to the issue of dual representation (i.e. State and Local), there are varying views around a persons’ ability to adequately represent constituents at both State and local levels; issues associated with conflict of interest and the likes.

In relation to all four questions, there are obviously pros and cons on each side of the debate, which are referred to in the Discussion Paper. These can be commented upon at the meeting, in order for Council to reach its preferred position.

Human Resources and Financial Implications – The Local Government Division has previously estimated that compulsory voting would cost an additional 20 percent and compulsory attendance voting would double the current cost of local government elections. Cost savings may be achieved if elections are held every four years, compared to the current two-year cycle.

In addition, one of the concerns in relation to compulsory voting is the costs associated with pursuing those who do not vote and the consequent enforcement costs.

Community Consultation and Public Relations Implications – It is unclear at what stage it is intended to consult with the broader community, other than through the normal legislative processes.

Policy Implications – Council’s present policy position is to oppose compulsory voting.

Priority - Implementation Time Frame – The aim is to introduce any change in advance of the October 2013 elections. Council’s feedback on the proposed changes is sought by Wednesday 31st October 2012.

RECOMMENDATION

THAT Council establish a position in respect to each of the four issues, and provide supporting comments (if any).

DECISION

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

17.3 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 (September 2012)

File Ref: 3/024

AUTHOR FINANCE OFFICER
DATE 19th OCTOBER 2012

Refer enclosed Report incorporating the following: -

- a) Current Expenditure Estimates
- b) Capital Expenditure Estimates

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

- c) Rates & Charges Summary – as at 10th October 2012
- d) Cash Flow Statement – July to September 2012.

Note: Expenditure figures provided are for the period 1st July to 30th September 2012 – approximately 25% of the period.

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

- **Sub-Program – Drainage** - expenditure to date (\$12,114 – 36.57%). General maintenance of drainage systems across various towns in municipal area. Budget to be monitored.

- **Sub-Program – Public Toilets** - expenditure to date (\$15,661 – 31.59%). The annual insurance premium has been paid for this program.

Strategic Theme – Growth

- **Sub-Program – Tourism** - expenditure to date (\$12,000 – 35.18%). Annual payment to Heritage Highway Tourism Region Association.

Strategic Theme – Lifestyle

- **Sub-Program – Child Care** - expenditure to date (\$5,236 – 31.67%). Includes annual payment of \$5,000 to Brighton Family Day Care Service.

Strategic Theme – Community

- **Sub-Program – Consultation** - expenditure to date (\$2,251 – 44.39%). Aurora expenses associated with the operation of the Radio Station. Part-reimbursement from Management Committee. The Station is awaiting an electrician to investigate and confirm separate metered connection.

Strategic Theme – Organisation

- **Sub-Program – Sustainability** - expenditure to date (\$404,902 – 30.54%). A number of one-off annual payments have been made, including the Local Government Association of Tasmania subscription; Insurance premiums; and software licences.

B. Capital Expenditure Estimates (Capital Budget)

Nil.

RECOMMENDATION

THAT the information be received.

DECISION

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

SOUTHERN MIDLANDS COUNCIL : CURRENT EXPENDITURE 2012/13

SUMMARY SHEET

PROGRAM	TOTAL	REVISED BUDGET (GRANTS & OTHER REIMBURSEMENTS)	ACTUAL AS AT 30 SEPT 2012 26%	VARIANCE (+/-)	% BASED ON REVISED BUDGET 100%
INFRASTRUCTURE					
Roads	1291886	1291886	327129	964537	25.33%
Bridges	81313	81313	4366	76947	5.37%
Walkways	167192	167192	31589	135603	18.89%
Lighting	82035	82035	40	81995	0.05%
Irrigation	2450	2450	0	2450	0.00%
Drainage	33128	33128	12114	21014	36.57%
Waste	507046	507046	99702	407344	19.66%
Public Toilets	49580	49580	15681	33919	31.59%
Communications	0	0	0	0	0.00%
Signage	12300	12300	3283	9037	26.53%
INFRASTRUCTURE TOTAL:	2226710	2226710	493866	1732844	22.18%
GROWTH					
Residential	2900	2900	0	2900	0.00%
Mill Operations	759628	759628	174568	585060	22.98%
Tourism	34110	34110	12000	22110	35.18%
Business	66250	66250	14269	51981	21.54%
Agriculture	5256	5256	108	5148	2.06%
Integration	27600	27600	0	27600	0.00%
GROWTH TOTAL:	895744	895744	200944	694800	22.43%
LANDSCAPES					
Heritage	293347	293347	66756	226591	22.76%
Natural	132062	132062	33482	98600	25.34%
Cultural	0	0	0	0	0.00%
Regulatory	759930	759930	175034	584896	23.03%
Climate Change	39418	39418	6602	32816	16.75%
LANDSCAPES TOTAL:	1224757	1224757	281854	942903	23.01%
LIFESTYLE					
Youth	177469	177469	30373	147096	17.11%
Aged	1500	1500	0	1500	0.00%
Childcare	16535	16535	5236	11299	31.67%
Volunteers	41311	41311	134	41177	0.32%
Access	6405	6405	0	6405	0.00%
Public Health	7665	7665	315	7350	4.10%
Recreation	348300	348300	89920	258380	25.82%
Animals	67690	67690	18492	49198	27.32%
Education	0	0	0	0	0.00%
LIFESTYLE TOTAL:	666875	666875	144469	522406	21.66%
COMMUNITY					
Retention	0	0	0	0	0.00%
Capacity	26025	26025	4582	21443	17.60%
Safety	51400	51400	11669	39731	22.70%
Consultation	5070	5070	2251	2819	44.39%
Communication	15125	15125	1018	14107	5.73%
COMMUNITY TOTAL:	97620	97620	19520	78100	20.00%
ORGANISATION					
Improvement	5850	5850	0	5850	0.00%
Sustainability	1326000	1326000	404902	921098	30.54%
Finances	227585	227585	56530	171055	24.84%
ORGANISATION TOTAL:	1559435	1559435	461431	1098004	29.59%
TOTALS	6671141	6671141	1602085	5069056	24.02%

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

INFRASTRUCTURE	ROAD ASSETS	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
	Resurfacing Program	\$ 700,000	\$ 227,896	\$ 472,104	
	Reseal Program	\$ 350,000	\$ -	\$ 350,000	
	Reconstruct & Seal	\$ 20,000	\$ -	\$ 20,000	
		\$ 80,000	\$ -	\$ 80,000	
		\$ 45,000	\$ -	\$ 45,000	
		\$ 80,000	\$ 39,878	\$ 40,122	
		\$ 45,000	\$ -	\$ 45,000	
		\$ 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	\$ -	\$ 50,000	
		\$ 6,000	\$ -	\$ 6,000	
		\$ 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
		\$ 10,000	\$ -	\$ 10,000	
		\$ 15,000	\$ -	\$ 15,000	
		\$ 20,000	\$ -	\$ 20,000	
		\$ 35,000	\$ 12,846	\$ 22,154	
		\$ 110,000	\$ 32,061	\$ 77,939	
		\$ 60,000	\$ 58,650	\$ 1,350	
		\$ 10,000	\$ 300	\$ 9,700	
		\$ 1,759,437	\$ 371,370	\$ 1,428,067	

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

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
BRIDGE ASSETS				
Chaunoy Vale Road (Browns Cave Creek B3763)	\$ 51,320	\$ -	\$ 51,320	
Daniels Road - Marshalls Crk	\$ 26,440	\$ -	\$ 26,440	
Swainston Road - Little Swanport Rv (B 1716)	\$ 40,000	\$ -	\$ 40,000	Design Only
Eidon Road - Burns Creek (B436)	\$ 87,340	\$ 40,486	\$ 46,854	
Works in Progress (30/6/12):				
Elderslie Rd (Grahams Creek Bridge)	\$ -	\$ 1,231	\$ 1,231	
Elderslie Rd (Jordan River Bridge)	\$ 804,160	\$ 795,165	\$ 9,005	
Fields Road (No. 1851)	\$ -	\$ 1,489	\$ 1,489	
Rehnewood Road Bridge (No. 1137)	\$ 57,000	\$ 1,653	\$ 55,347	
	\$ 1,088,260	\$ 895,995	\$ 266,265	
WALKWAYS				
Fewpaths - General (Program to be confirmed)	\$ 130,000	\$ -	\$ 130,000	
Bagdad Township	\$ 50,000	\$ 4,969	\$ 45,031	
- East Bagdad Road (Le Compte to Highway)	\$ 25,000	\$ -	\$ 25,000	
Swan Street	\$ -	\$ -	\$ -	
Campina Township	\$ 10,000	\$ -	\$ 10,000	
- Reeve Street (Vicinity of Store)	\$ 5,000	\$ -	\$ 5,000	
- Review Management Plan (Site Plan) / Walking Tracks (Bush Reserve)	\$ 5,000	\$ -	\$ 5,000	
Kempiton Township	\$ 5,500	\$ -	\$ 5,500	
- Huntingground Road (to School)	\$ 4,000	\$ -	\$ 4,000	
- Kempton Hall (rear of Hall)	\$ 1,500	\$ -	\$ 1,500	
- Main Street - Elizabeth St to Shop (level front of Hotel)	\$ 4,000	\$ -	\$ 4,000	
Mangalora Township	\$ 14,445	\$ -	\$ 14,445	
- Blackdash Road (Mountford Drive down - 300 mm pipe - 110 metres)	\$ 14,445	\$ -	\$ 14,445	
Oatlands Township	\$ 16,500	\$ -	\$ 16,500	
- High Street (Tree Planting)	\$ 7,000	\$ -	\$ 7,000	
Tunnack Township	\$ 7,000	\$ -	\$ 7,000	
- Various (to be confirmed)	\$ 7,000	\$ -	\$ 7,000	
	\$ 274,445	\$ 4,969	\$ 269,476	
LIGHTING				
Nil Projects	\$ -	\$ -	\$ -	
	\$ -	\$ -	\$ -	
DRAINAGE				
Bagdad	\$ 18,000	\$ 6,869	\$ 11,131	Carry Forward
- Hill Lane (opp Community Club)	\$ 21,882	\$ -	\$ 21,882	
- Swan Street - Kerb & Gutter (eastern side - 250 metres)	\$ 39,388	\$ -	\$ 39,388	
- Swan Street - Kerb & Gutter (western side - 400 metres)	\$ 10,000	\$ -	\$ 10,000	
- North of Le Compte Place Subdivision	\$ -	\$ -	\$ -	
Kempiton	\$ 21,740	\$ -	\$ 21,740	
- Louisa Street	\$ -	\$ -	\$ -	
Oatlands	\$ 5,000	\$ -	\$ 5,000	
- High St/Wellington Street Junction	\$ -	\$ -	\$ -	
Works in Progress (30/6/12):				
Reeve St (Open Drain - north of Telephone Box)	\$ 28,000	\$ 3,750	\$ 24,250	
Stanley Street, Oatlands (Albert Terrace)	\$ 6,140	\$ 5,312	\$ 828	
	\$ 150,180	\$ 15,951	\$ 134,189	
WASTE				
Wheele Bins & Cribbs	\$ 5,000	\$ 32	\$ 4,968	
Rubbish Receptacles (Heritage) - 15 @ \$700	\$ 10,500	\$ -	\$ 10,500	
	\$ 15,500	\$ 32	\$ 15,468	

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

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
PUBLIC TOILETS				
	\$ 5,000	\$ -	\$ 5,000	Carry Forward
	<u>\$ 5,000</u>	<u>\$ -</u>	<u>\$ 5,000</u>	
SIGNAGE				
Oatlands Signage	\$ 25,000	\$ -	\$ 25,000	Carry Forward
	<u>\$ 25,000</u>	<u>\$ -</u>	<u>\$ 25,000</u>	
GROWTH				
	\$ -	\$ -	\$ -	
	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	
TOURISM				
Avenues of Honour	\$ 4,000	\$ -	\$ 4,000	Carry Forward
	<u>\$ 4,000</u>	<u>\$ -</u>	<u>\$ 4,000</u>	
HERITAGE				
Court House (Restoration - Toilet & Kitchentile Fac's)	\$ 22,767	\$ 2,030	\$ 20,737	
Kempton Watch House (Fitout)	\$ 15,000	\$ 10,865	\$ 4,135	
Callington Mill (Master Precinct Plan)	\$ 22,000	\$ -	\$ 22,000	
Goal (Community Heritage Program)	\$ 96,000	\$ 11,608	\$ 84,393	Grant Funded
Goal (Furnishings & Fitout)	\$ 8,000	\$ 650	\$ 7,350	
Purchase - 79 High Street Oatlands (Purchase & \$40K)	\$ 166,000	\$ -	\$ 166,000	Loan Funded
	<u>\$ 328,767</u>	<u>\$ 25,152</u>	<u>\$ 304,615</u>	
NATURAL				
	\$ 4,000	\$ -	\$ 4,000	Carry Forward
	<u>\$ 4,000</u>	<u>\$ -</u>	<u>\$ 4,000</u>	
REGULATORY				
	\$ 20,000	\$ 7,488	\$ 12,514	
	\$ 3,500	\$ 900	\$ 2,600	
	<u>\$ 23,500</u>	<u>\$ 8,388</u>	<u>\$ 15,114</u>	

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

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
LIFESTYLE				
RECREATION				
Recreation Committee	\$ 30,000	\$ -	\$ 30,000	
Bagdad Iden Park - Table / Chairs	\$ 2,500	\$ -	\$ 2,500	
Kempston Memorial Hall	\$ 10,000	\$ -	\$ 10,000	
Campania Recreation Ground - Cricket Nets	\$ 36,430	\$ 12,442	\$ 23,988	
Campania Hall - Footpath (adjacent to Hall)	\$ 3,800	\$ -	\$ 3,800	
Campania Hall - Car Park Imp's (incl. part seal)	\$ 35,000	\$ -	\$ 35,000	
Collbrook Recreation Ground (Amenities)	\$ 16,367	\$ -	\$ 16,367	
Midlands Aquatic & Recreation Centre	\$ 75,000	\$ 178,370	\$ (103,370)	
Paratiah Recreation Ground	\$ 2,600	\$ -	\$ 2,600	
	\$ 211,797	\$ 190,811	\$ 20,986	
COMMUNITY				
Road Accident Rescue Unit	\$ 3,000	\$ -	\$ 3,000	
	\$ 3,000	\$ -	\$ 3,000	
ORGANISATION				
SUSTAINABILITY				
ADMINISTRATION				
Council Chambers - Building Improvements (\$ for \$)	\$ 15,000	\$ -	\$ 15,000	
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	\$ 21,029	\$ 971	
Town Hall (Chairs)	\$ 5,000	\$ -	\$ 5,000	
Paintings (ref Mayor)	\$ 2,000	\$ -	\$ 2,000	
Town Hall (General)	\$ 8,286	\$ -	\$ 8,286	
Town Hall (Upstairs) - Rewiring	\$ 5,000	\$ 1,550	\$ 3,450	
Asset Management - Computer Software	\$ 5,000	\$ -	\$ 5,000	
Web Site - Capital Development	\$ -	\$ 9,664	\$ (9,664)	
Minor Plant Purchases	\$ 13,500	\$ 880	\$ 12,610	
WORKS				
Radio System	\$ 2,000	\$ -	\$ 2,000	
Security Key System	\$ 6,000	\$ -	\$ 6,000	
Depot - Gleneig Street (Security Fencing)	\$ 3,000	\$ -	\$ 3,000	
Plant Replacement Program	\$ 494,152	\$ -	\$ 494,152	
Refer separate Schedule (Net Changeover)	\$ 144,000	\$ 31,709	\$ 112,291	
Light Vehicles	\$ -	\$ -	\$ -	
(Trade Allowance - \$240K)	\$ -	\$ -	\$ -	
Excavator (Approx. 2.70 tonne)	\$ 60,000	\$ -	\$ 60,000	
	\$ 804,938	\$ 64,841	\$ 740,097	
GRAND TOTALS	\$ 4,716,794	\$ 1,491,519	\$ 3,225,275	

SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED

	10/10/2012	10/10/2011
Arrears Brought Forward	\$251,900.24	\$212,537.06
ADD Current Rates and Charges Levied	\$3,935,997.32	\$3,742,764.63
ADD Current Interest	\$16,843.52	\$6,784.04
TOTAL Rates and Charges Demanded	\$4,204,741.08	\$3,962,085.73
LESS Rates and Charges Collected	\$1,655,367.84	\$1,652,090.17
LESS Pensioner Remissions	\$197,033.37	\$182,383.88
LESS Other Remissions	-\$3,484.12	-\$4,382.92
LESS Discounts	\$12,778.60	\$12,964.57
TOTAL Rates and Charges Collected and Remitted	\$1,861,695.69	\$1,843,055.70
UNPAID RATES AND CHARGES	\$2,343,045.39	\$2,119,030.03
	55.72%	53.48%
	44.28%	46.52%
	39.37%	41.70%
	4.69%	4.60%
	-0.08%	-0.11%
	0.30%	0.33%

	INFLOWS (OUTFLOWS) (July 2012)	INFLOWS (OUTFLOWS) (August 2012)	INFLOWS (OUTFLOWS) (Sept 2012)
Cash flows from operating activities			
Payments			
Employee costs	- 357,728.80	- 242,200.74	- 257,614.56
Materials and contracts	- 360,058.18	- 351,467.48	- 261,700.30
Interest	- 888.14	-	-
Other	- 25,513.82	- 16,720.50	- 64,977.79
	<u>- 744,188.94</u>	<u>- 610,388.72</u>	<u>- 584,292.65</u>
Receipts			
Rates	57,360.96	246,084.53	1,433,837.32
User charges	91,304.92	96,850.99	60,105.73
Interest received	19,147.65	25,894.70	19,528.76
Subsidies	-	-	-
Other revenue grants	-	-	450,690.86
GST Refunds from ATO	-	-	-
Other	99,110.53	59,116.17	59,946.42
	<u>266,924.06</u>	<u>427,946.39</u>	<u>2,024,109.09</u>
Net cash from operating activities	<u>- 477,264.88</u>	<u>- 182,442.33</u>	<u>1,439,816.44</u>
Cash flows from investing activities			
Payments for property, plant & equipment	- 49,423.63	- 142,126.33	- 247,901.17
Proceeds from sale of property, plant & equipment	12,357.27	-	-
Proceeds from Capital grants	-	-	-
Proceeds from Investments	-	-	-
Payment for Investments	-	-	-
Net cash used in investing activities	<u>- 37,066.36</u>	<u>- 142,126.33</u>	<u>- 247,901.17</u>
Cash flows from financing activities			
Repayment of borrowings	- 4,443.64	-	-
Proceeds from borrowings	-	-	-
Net cash from (used in) financing activities	<u>- 4,443.64</u>	<u>-</u>	<u>-</u>
Net increase/(decrease) in cash held	<u>- 518,774.88</u>	<u>- 324,568.66</u>	<u>1,191,915.27</u>
Cash at beginning of reporting year	7,993,200.13	7,474,425.25	7,149,856.59
Cash at end of reporting year	<u>7,474,425.25</u>	<u>7,149,856.59</u>	<u>8,341,771.86</u>

17.3.2 Oatlands District High School – Request for Donation

AUTHOR EXECUTIVE ASSISTANT (K BRAZENDALE)
 DATE 19TH OCTOBER 2012

ISSUE

Consideration of a request from the Oatlands District High School for a donation of a Season Swimming Pool Season Pass as a raffle prize (proceeds to the School).

BACKGROUND / DETAIL

See attached letter from Helen Clark dated 18th October 2012.

Human Resources & Financial Implications - Dependant on the level of donation (if any) granted by Council.

Community Consultation & Public Relations Implications - N/A.

Policy Implications - Reference Policy No. 5.6.2.2 – ‘Remissions – Charitable, Community and Sporting Bodies’.

This type of donation is not recognised in the existing Policy.

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

Submitted for discussion and recommendation

DECISION

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

18 October 2012

Mr Tim Kirkwood
General Manager
Southern Midlands Council
High Street
Oatlands 7120

Dear Tim

I am writing to you to ask if the Southern Midlands Council would be kind enough to consider donating a prize of a Season Swimming Pool Pass for the first of two fundraising raffles we are organising to raise funds to assist the Oatlands School.

The first raffle will be held in November and December to be drawn on a date to be decided. The second raffle will be held in February and March to coincide with the Oatlands Festival.

The funds raised will go towards extra teacher aide time and to provide things that are no longer funded within the school budget owing to Funding cutbacks.

Your help would be greatly appreciated.

Yours sincerely

Helen Clark
1976 Tunnack Road
Baden TAS 7120

18. INFORMATION BULLETINS

Refer enclosed Bulletin dated 18th October 2012.

RECOMMENDATION

THAT the Information Bulletin dated 18th October 2012 be received and the contents noted.

DECISION

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

18.1 QUESTION TIME (COUNCILLORS)

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

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

1.

2.

3.

4.

19. MUNICIPAL SEAL

Nil.

20. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

RECOMMENDATION

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

DECISION

Vote For	Councillor	Vote Against
	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 AGENDA

21. BUSINESS IN “CLOSED SESSION “

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

**T F KIRKWOOD
GENERAL MANAGER**

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

**T F KIRKWOOD
GENERAL MANAGER**

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

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**T F KIRKWOOD
GENERAL MANAGER**

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

**T F KIRKWOOD
GENERAL MANAGER**

RECOMMENDATION

THAT Council move out of “Closed Session”.

DECISION

Vote For	Councillor	Vote Against
	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”.

DECISION

Vote For	Councillor	Vote Against
	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