

**MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS  
COUNCIL HELD ON WEDNESDAY 12<sup>TH</sup> DECEMBER 2012 AT THE  
MUNICIPAL OFFICES, 71 HIGH STREET OATLANDS COMMENCING AT  
2.15 P.M.**

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**ENCLOSED**

**Council Meeting Minutes & Special Committees of Council Minutes**

**General Information Bulletin**

**Enclosures**

- Item 12.5.1 - Constitution of Tasmanian Water and Sewerage Corporation Pty Limited; and Draft Shareholders Letter of Expectation
- Item 14.3.1 - Creative Communities Report; Draft Southern Midlands Arts Strategy; and Draft Terms of Reference - Proposed Arts Advisory Committee

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MUNICIPAL OFFICES, 71 HIGH STREET OATLANDS COMMENCING AT  
2.15 P.M.**

**OPEN COUNCIL MINUTES**

**1. PRAYERS**

Reverend Meg Evans conducted Prayers.

**2. ATTENDANCE**

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

**In Attendance:** Mr T Kirkwood (General Manager), Mr A Benson (Manager – Community & Corporate Development), and Mrs K Brazendale (Executive Assistant).

**3. APOLOGIES**

Nil.

**4. APPLICATION FOR LEAVE OF ABSENCE**

Nil.

## 5. MINUTES

### 5.1 ORDINARY COUNCIL MINUTES

The Minutes of the previous meeting of Council held on the 28<sup>th</sup> November 2012, as circulated, are submitted for confirmation.

#### **C/12/12/005/19204 DECISION**

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

THAT the Minutes of the previous meeting of Council held on the 28<sup>th</sup> November 2012, as circulated, be confirmed.

**CARRIED.**

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

### 5.2 SPECIAL COUNCIL MINUTES

Nil.

**5.3 SPECIAL COMMITTEES OF COUNCIL MINUTES**

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

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

- Nil

**RECOMMENDATION**

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

**DECISION**

**DECISION NOT REQUIRED**

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

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

- Nil

**RECOMMENDATION**

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

**DECISION**

**DECISION NOT REQUIRED**

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

##### 5.4.1 Joint Authorities - Receipt of Minutes

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

- **Southern Tasmanian Councils Authority** – Meeting held 29<sup>th</sup> November 2012
- **Southern Waste Strategy Authority** - Nil

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

#### RECOMMENDATION

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

#### C/12/12/007/19205 DECISION

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

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

**CARRIED.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

**RECOMMENDATION**

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

**DECISION**

**DECISION NOT REQUIRED**

## 6. NOTIFICATION OF COUNCIL WORKSHOPS

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

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

### RECOMMENDATION

**THAT the information be received.**

### C/12/11/010/19207 DECISION

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

THAT the information be received.

**CARRIED**

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

## 7. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

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

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

- Regional Councils Campaign – Stage 2 (Item 20.1)
- MILE Inc. - Festival Advertising (Item 20.2)
- Storage Facility – Push Bikes (Available for Hire – Callington Mill) (Item 20.3)

### 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*.**

### C/12/11/011/19208 DECISION

Moved by Clr C J Beven, seconded by Deputy Mayor M Jones OAM

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

**CARRIED.**

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

**8. DECLARATIONS OF PECUNIARY INTEREST**

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

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

Nil

## 9. PUBLIC QUESTION TIME (SCHEDULED FOR 3.30 PM)

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

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

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

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

***No questions were raised by members of the public.***

**9.1 PERMISSION TO ADDRESS COUNCIL**

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

- 2.20 p.m. - Mark Carrington (Digital Switchover Liaison Officer Southern Tasmania) will discuss with Council the new digital TV changeover and the impacts on the Southern Midlands area.
- 3.45 p.m. - Arts Strategy Working Group and representatives from Tas Regional Art.

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

Nil

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

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

**11.1 DEVELOPMENT APPLICATIONS**

Nil.

**11.2 SUBDIVISIONS**

Nil.

**11.3 MUNICIPAL SEAL (PLANNING AUTHORITY)**

Nil.

**11.4 PLANNING (OTHER)**

Nil.

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

### **12.1 ROADS**

|   |
|---|
| <b>Strategic Plan Reference – Page 13</b> |
|---|

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

#### **12.1.1 Midland Highway, Constitution Hill – Speed Limit (Department of Infrastructure, Energy and Resources)**

AUTHOR GENERAL MANAGER (T KIRKWOOD)  
DATE 5<sup>th</sup> DECEMBER 2012

#### **ISSUE**

Council to reconsider its position and provide comment (if any) to the Department of Infrastructure, Energy and Resources on the proposal to increase the speed limit down Constitution Hill (southbound) from 80 to 90 kilometres per hour.

#### **BACKGROUND**

This issue considered at the previous Council Meeting, however it was resolved not to support the proposed reduction in speed limit, but seek further information and additional detail from the Department which justifies the proposal to increase the speed limit at this point of time.

#### **DETAIL**

To recap, the Department has written to Council seeking its comments, as representative of community views, to increase the speed limit on the Midland Highway down Constitution Hill from 80 to 90 km/h.

The section of the highway in question is some 3.8 kilometres long, extending from Dysart to the northern edge of Bagdad. The Midland Highway has a 110 km/h speed limit to the north of Dysart and an 80 km/h speed limit through Bagdad to the south. It is not proposed to make any changes to the existing 100 km/h speed limit going up Constitution Hill from Bagdad to Dysart.

Following Council's decision, a request was submitted to the Department for supporting information. The following is an extract from the advice received:

"The speed limit was reduced to 80km/h during the course of the improved traffic control.

Following resealing of the pavement surface the northbound speed limit was raised from 80 to 100 km/h.

It was always our intention to lift the southbound speed limit to 90km/h. However it has been delayed until the Wet and Icy electronic warning system is fully functional.

The electronic warning system has undergone substantial testing and now operating at the appropriate level to allow for the southbound speed limit to be raised.

In dry conditions 90 km/h is an appropriate speed for southbound traffic. When our system detect adverse weather conditions such as wet or icy road, electronic signs are active to provide real time warning and advice for motorists to slow down and drive to the conditions.

The 80 km/h speed limit has been very contentious and the 90 km/h has been our aim for a number of years.”

**Human Resources & Financial Implications – Nil.**

**Community Consultation & Public Relations Implications –** In terms of community opinion, a major concern has been the use of engine brakes in this location. Any increase in speed limit will alleviate the need to use engine brakes.

**Policy Implications – N/A.**

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

**RECOMMENDATION**

**THAT Council endorse the proposal to increase the speed limit on the Midland Highway down Constitution Hill from 80 to 90 kilometres per hour.**

**C/12/12/028/19210 DECISION**

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

Council endorse the proposal to increase the speed limit on the Midland Highway down Constitution Hill from 80 to 90 kilometres per hour

**CARRIED.**

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



**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 Tasmanian Water and Sewerage Corporation Pty Limited**

AUTHOR GENERAL MANAGER (T KIRKWOOD)  
DATE 6<sup>th</sup> DECEMBER 2012

ENCLOSURE: Constitution of Tasmanian Water and Sewerage Corporation Pty Limited  
Draft Shareholders Letter of Expectation

**ISSUE**

Council to:

- a) Consent to become a member of the new Corporation;
- b) Formally agree to the Constitution of the Tasmanian Water and Sewerage Corporation Pty Ltd; and
- c) Agree to the draft Shareholders Letter of Expectation which is to be finalised in consultation with the new Board of Directors.

**BACKGROUND**

Nil.

**DETAIL**

Council has previously considered the enabling legislation to establish the Tasmanian Water and Sewerage Corporation Pty Limited, which has now been through the parliamentary process. Council has also considered the draft Constitution which provides the level of detail to support the legislation.

Firstly, in accordance with Section 5 of the *Water and Sewerage Corporations Act 2012* (Tas), Council must notify of its intention to become a member of the proprietary company limited by shares.

Council is also required to:

- a) agree to the Constitution, which has been amended to take into account feedback from Councils. The final draft was considered at the most recent LGAT General Meeting, whereat it was formally resolved to recommend adoption to all Councils.

- b) agree to the draft Shareholders Letter of Expectation. Whilst this document cannot be finalised pending consultation with the Board of Directors, the aim is to have a near complete draft which can be used as part of the Board recruitment process.

Both these documents are enclosed.

**Human Resources & Financial Implications** – Nil.

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

**Policy Implications** – Policy Position

**Priority - Implementation Time Frame** – All Tasmanian Councils have been requested to adopt the following recommendation(s) through the December 2012 round of meetings.

### **RECOMMENDATION**

- 1. THAT Council become a member of the Water and Sewerage Corporation to be formed under the *Water and Sewerage Corporation Act 2012*.**
- 2. THAT Council agree:**
  - a. To the constitution of the Water and Sewerage Corporation to be formed under the *Water and Sewerage Corporation Act 2012* in the terms attached; and**
  - b. To ratify the constitution following registration of the Company.**
- 3. THAT Council:**
  - a. Agree to the draft Shareholders' Letter of Expectation (SLE) in the terms attached; and**
  - b. Acknowledges that the SLE must be finalised in consultation with the Board of Directors of the Corporation formed under the *Water and Sewerage Corporation Act 2012* after the corporation is registered.**

### **C/12/12/019/19210 DECISION**

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

- 1. THAT Council become a member of the Water and Sewerage Corporation to be formed under the *Water and Sewerage Corporation Act 2012*.**
- 2. THAT Council agree:**
  - a. To the constitution of the Water and Sewerage Corporation to be formed under the *Water and Sewerage Corporation Act 2012* in the terms attached; and**
  - b. To ratify the constitution following registration of the Company.**

**3. THAT Council:**

- a. Agree to the draft Shareholders’ Letter of Expectation (SLE) in the terms attached; and
- b. Acknowledges that the SLE must be finalised in consultation with the Board of Directors of the Corporation formed under the *Water and Sewerage Corporation Act 2012* after the corporation is registered.

**CARRIED.**

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

**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)**

Nil Report.

**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.

*The meeting was suspended at 3.14 p.m. for a short break and resumed at 3.24 p.m.*

*Mr D Mackey (Manager – Strategic Projects) and Mr B Williams (Manager Heritage Projects) attended the meeting at 3.25 p.m. to discuss the proposed Heritage Bill.*

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

### **14.1 HERITAGE**

#### **Strategic Plan Reference – Page 22**

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

#### **14.1.1 Heritage Project Officer's Report**

*File Ref: 3/097*

AUTHOR MANAGER HERITAGE PROJECTS (B WILLIAMS)

DATE 12<sup>TH</sup> DECEMBER 2012

#### **ISSUE**

Southern Midlands Heritage Projects – report from Manager Heritage Projects

#### **DETAIL**

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

- Brad attended Aboriginal heritage legislation forum at Huonville and LGAT workshop on the legislation at Campbell Town. Brad and Damian Mackey provided Councillors with an update and overview of the *Aboriginal Heritage Protection Bill 2012*. Refer decision which reflects outcome of discussion.
- Work has commenced on the dismantling of the Oatlands Gaol arch, with view of reconstruction being completed at the gaol site by April 2013. ABC news covered the story on 1/12/12.
- Rowena McDougall has completed the first round of public days as part of the Southern Midlands Community Heritage Archive Project
- Alan Townsend has been continuing the Southern Midlands Probation Stations Project, with assistance from volunteer Will Peart.

- Acquittal documentation has been submitted to auditors for the Oatlands Gaol Interpretation Project as funded by the Tasmanian Community Fund.
- The Conservation Management Plan for the Commissariat and 79 High Street is progressing.
- Planning for the 2013 summer archaeology program is progressing. A good response has been received from students thus far. Two students from last year are returning to conduct a public archaeology and schools program.
- The Historic Cultural Heritage Bill 2012 has been delayed in the Legislative Council and is expected to be further debated early in the new sitting year.
- Alan delivered U3A course for over 60 participants focussing on Southern Midlands history

## RECOMMENDATION

**THAT the information be received.**

### C/12/12/024/19210 DECISION

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

THAT:

- a) the information be received; and
- b) Southern Midlands Council provide a submission to the Department of Primary Industry, Parks, Water and Environment in regard to the Aboriginal Heritage Protection Bill 2012 detailing the following points:

The move towards replacing the Aboriginal Relics Act 1975 is supported. The creation of contemporary legislation coordinated with other components of the planning system is long over due. However, Council wishes to express a number of concerns:

1. The Bill, as it stands, is insufficiently ‘defined’ as it leaves much to the future Ministerial guidelines. Until these are known, Southern Midlands Council is unable to fully determine its support or otherwise:
  - a. There are no bounds on what is Aboriginal heritage, what is an aboriginal heritage place, what and what constitutes a level of significance whereby non-disturbance of a site would be mandatory.

The Historic Cultural Heritage Act sets specific criteria that effectively define what is cultural heritage. Furthermore it implicitly acknowledges that there is a spectrum of significance, and that only those places or items



that pass are certain level of significance are worth formally registering and protecting.

It is understood that ‘Aboriginal significance’ is less easily definable than European cultural significance. However, the Bill fails to put any bounds in place whatsoever. This ought to be addressed within the Bill and not left to Ministerial guidelines.

- b. The lack of definition as to what constitutes ‘contemporary’, ‘intangible’ or ‘modern’ Aboriginal heritage.

Whilst we expect that these matters will be more clearly defined and articulated by way of guidelines/regulations, it is impossible at this stage to make specific comment on the Bill in the absence of this critical detail – detail which could have very significant consequences on property owners and local government.

2. The Bill will result in a significant rise in the number of discretionary planning applications. The limits of exempt development should not refer to a certain number of dwellings on a lot or a certain number of lots in a subdivision. Exemptions should refer to all development within urban zones (i.e. where prior disturbance has been substantial in most cases). It should be recognised that once land is zoned as a high development zone, the question of Aboriginal heritage should no longer be raised - except on sites listed in the Aboriginal Heritage Register.

It is at the rezoning stage where all strategic assessment and decisions should be made, including that of Aboriginal heritage. This is when important values and significant risks should be identified and strategic arrangements put in place for their management as the land is developed into the future. If land is too encumbered with values and/or risks, then it should not be rezoned to an urban zone.

The Bill’s exemptions could either refer directly to the standard zones in the new State Planning Scheme Template that are deemed to be ‘urban zones’, or it could refer to ‘urban zones’ as defined by a regulation. (The latter would enable regulation to specify zones in current planning schemes in the event the Bill becomes law before all of Tasmania’s assorted planning schemes have been replaced with standard Template planning schemes).

3. The Bill will result in a significant rise in uncertainty. The current draft provides that certain kinds of development are exempt. However it then provides that such development becomes un-exempt if Aboriginal heritage is discovered after works commence.

This runs counter to a major objective of the current planning reform agenda in Tasmania, which is to rid the Tasmanian planning system of its pockets of high levels of uncertainty. The Regional Land Use Strategies have been written with

this in mind. The new State Template has been specifically written with this in mind. The Southern Regional Model Planning Scheme has been specifically written with this in mind. This Bill would potentially, in a single stroke, wipe away the certainty that the State's planning reform agenda is trying to achieve.

It will mean that any development that was nominally exempt will need to stop work for some months if Aboriginal Heritage is discovered during works. A discretionary planning application will need to be created and lodged with the local Council, and a formal referral subsequently made to the Minister. As well as totally disrupting the work program for the development, the developer will not know whether the project will ultimately be allowed to proceed.

Instead, the Bill should adopt the principle that: *if a development is exempt, then it is exempt absolutely.*

If Aboriginal heritage is discovered during works for an exempt development, there should be a non-threatening light-handed process. This could be similar to that set out in Section 22-24 of the Act dealing with the discovery of Aboriginal heritage. If discovered during works, the developer would be required to report the find to the appropriate authority, the authority would have the option of visiting the site to record details (within a defined limited timeframe) and would have the option of accepting ownership of the found artefacts for proper storage and study.

The current Bill is no better than the existing Aboriginal Relics Act in this regard. If the same flaw carries over into the new Act, a high incentive will continue to exist for developers to 'not notice' Aboriginal artefacts, and the vast majority will continue to be destroyed, lost and go un-recorded.

The timeframes and coordination of planning application processes between the Bill and the Land Use Planning & Approvals Act 1993 (LUPAA) should align with those currently being arranged between the Historic Cultural Heritage Act and LUPAA. Dates for referral, comment, determination and stop-clock provisions should be aligned with those of the HCHA for the sake of simplicity. There does not appear to be any reason why there should be differences.

### **CARRIED**

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

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

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

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

*File Ref: 03/082*

AUTHORS NRM PROGRAMS MANAGER – (M WEEDING)  
DATE 3<sup>RD</sup> DECEMBER 2012

**ISSUE**

Southern Midlands Landcare Unit and GIS Monthly Report

**DETAIL**

- Rod Bowerman has almost finished spraying for horehound, gorse and broome on the the Dulverton Walking Track.
- Work on the Bushlinks 500 project continues. Detailed monitoring and base line data prior to site works occurring has been completed for two properties.
- The CEEP (Community Energy Efficiency Program) Project to retrofit the Town Hall for energy efficiency is progressing. It is anticipated that works to improve the energy efficiency of the Town Hall building will commence later in December (this month).
- A meeting of the Little Swanport Catchment Committee was held on Thursday 15<sup>th</sup> November at 7.00 p.m. Approximately 25 attended. An overview of current NRM works being undertaken in the Southern Midlands was provided to the meeting by Helen Geard. Dr Christine Crawford launched her publication *The Value of Water in a Drying Climate*. At the meeting the future continuation of the committee was discussed, although no decision was made.
- Work continues in relation to Lake Dulverton foreshore. The shelter hut was erected on Tuesday 4<sup>th</sup> December. M Weeding and H Geard have been repairing the womens ‘glass quilt’ that hangs on the foreshore just off High Street. The 55 panels all need rejoining as the former brass wire connections linking each panel have become brittle and are continuing to break. Stainless steel wire and swage links are now being used.

- Graham Green has been to a GIS forum looking at the latest programs available to assist organisations with the management and access to GIS data. Graham has also updated the Councils' flora and fauna data with the latest files available from DPIPWE.
- The draft Macquarie River Catchment Water Management Plan was publicly released on Saturday, 24 November 2012. The period of public exhibition and consultation will conclude on 8 February 2012 during which time written representations can be made on the draft Plan.

The draft Plan has taken more than three years to develop and included discussion with members of the consultative committee (which included representation from Southern Midlands Council) and other relevant parties including the Hydro and TFGA. Initially there was concern between consultative committee members and Department of Primary Industries, Parks, Water and Environment representatives over the issue of 'summer allocations'. This however appears to be resolved in the final draft, with landholders now being able to take a level of summer water for irrigation purposes subject to flow levels. It is unclear at this stage what environmental benefits will result from the Plan.

It would appear that the consultation process took longer than anticipated because members on the consultative committee felt that their input was not always fully considered and had to lobby extensively on issues to ensure a positive outcome.

## **RECOMMENDATION**

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

### **C/12/12/026/19210 DECISION**

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

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

**CARRIED.**

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

*Mr D Mackey (Manager – Strategic Projects) and Mr B Williams (Manager Heritage Projects) left the meeting at 3.45 p.m.*

*Representatives from the Southern Midlands Arts Group attended the meeting.*

*The Group was acknowledged for the work that they have undertaken to prepare the following strategy and associated documents.*

### **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.   |

#### **14.3.1 Development of the Southern Midlands Arts Strategy**

AUTHOR                      MANAGER COMMUNITY & CORPORATE DEVELOPMENT  
(A BENSON)

DATE                              6<sup>TH</sup> DECEMBER 2012

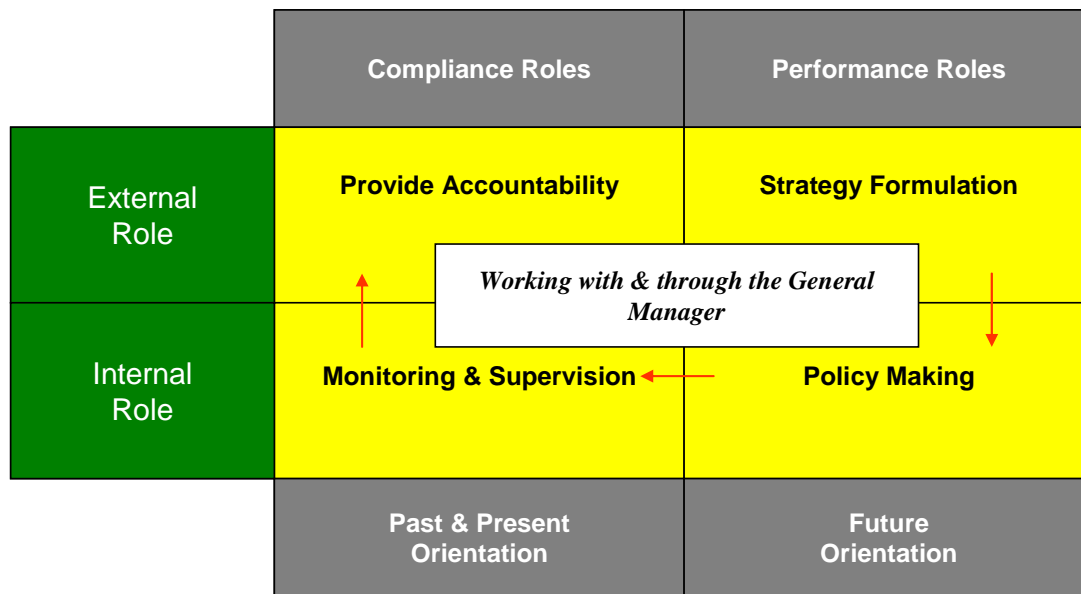
ENCLOSURE:                      1. Creative Communities Report  
    2. Draft Southern Midlands Arts Strategy  
    3. Draft Terms of Reference - Proposed Arts Advisory Committee

#### **ISSUE**

Development of an Arts Strategy for the Southern Midlands, along with its associated governance functions.

#### **FRAMEWORK FOR ANALYSING COUNCIL'S GOVERNANCE FUNCTION**

The diagram below along with its explanation has been the subject of previous presentations to Council and whilst Councillors are fully aware of the governance framework in which Southern Midlands Council operates, it is important to reflect upon this framework with every new *strategy* and/or *policy* being considered by Council.



*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.*

**BACKGROUND**

Council advertised in the Council Newsletter for interested parties to nominate for a Working Group (called the Southern Midlands Arts Strategy Working Group) to develop an Arts Strategy for the Southern Midlands. A number of persons nominated and the first meeting was held on the 2<sup>nd</sup> May 2012.

A report was provided to the May 2012 Council meeting by the Manager Community & Corporate Development on the progress of the Southern Midlands Arts Strategy Working Group.

A further report was provided to August 2012 Council meeting, advising that there had been a number of meetings of the Southern Midlands Arts Strategy Working Group over recent months and that the Working Group had requested that an *Introduction* and *Draft Southern Midlands Arts Strategy* be tabled at the Council meeting for consideration and endorsement. The Working Group believed that this would clearly articulate Council's commitment during the early stages of the process. The Working Group had also requested that the Mayor participate in the Working Group, as a gesture to further consolidate Council's commitment to the process. The draft Arts Strategy was unanimously endorsed at the August meeting and the proposed consultation framework articulated at the meeting was seen as a tremendous opportunity for the Community to be further engaged in the development process.

Councillors would also recall the presentation at the October Council meeting where colleagues from the Working Group, ie Lisa Rudd, Edwin Batt and Malcolm Hamilton provided a brief overview and an animated slide presentation for Council, of the theme of the consultation along with the participation at the forum.

## **CURRENT**

The attached document titled the “Creative Communities Report” provides a comprehensive chronological exposé of the development of the Arts Strategy from its initial concept to its current form and it would be inappropriate to replicate that information in the body of this report.

Whilst the draft Arts Strategy that was endorsed by Council in the August meeting was a really meaningful starting point, the Community development process undertaken by the Working Group built upon and modified that document through the process. The “Creative Communities Report” is the precursor to the current draft Arts Strategy document and then subsequently the Terms of Reference for the proposed Arts Advisory Group.

The three documents, ie the “Creative Communities Report”, the draft Southern Midlands Arts Strategy and the draft Terms of Reference for the proposed Arts Advisory Committee are presented for Council’s consideration.

This has been an amazing journey of discovery and wonderment, both seeing first hand and hearing of the passion and talents of a wide spectrum of our Southern Midlands Community. It has been an extremely humbling experience.

The process that Council and the Working Group have undertaken has been well considered, thorough, engaging, high-spirited, productive and most of all fun. Regional Development Officer for Tasmanian Regional Arts, Kylie Eastley has made a significant contribution that has been pivotal in the delivery of the Strategy Document, through Kylie being the facilitator of the Community forum and the author of the “Creative Communities Report”, all of which provides a solid foundation for all of Council’s work in this space. Council acknowledges and appreciates the valuable contribution that Kylie and Tasmanian Regional Arts has played in the development process.

The Southern Midlands Arts Strategy Working Group, the architects of the Strategy document have been amazing. It is interesting to note that in some local government areas Councils establish working groups for defined term projects, after only a short period of time many tend to flounder a little, enthusiasm wanes and then numbers tend to fall away, with the project at hand nowhere near completion. This project, with the Southern Midlands Arts Strategy Working Group on the other hand was completely the opposite, enthusiasm has never waned participant numbers in the Working Group have in fact increased rather than decreased and everyone that is with the Working Group at the

end of this journey is extremely committed to the outcomes of the rigorous process that was embarked upon. Images of the Working Group and recognition of their contribution have been included in the “Creative Communities Report”

It is noted that all policy documents presented for adoption by Council are required be tabled at a Council meeting, they then “lay on the table for a month” and are subsequently considered for adoption at the following meeting.

## **RECOMMENDATION**

### **THAT Council**

- 1. Receive and note the report;**
- 2. Receive the “Creative Communities Report” by author Kylie Eastley;**
- 3. Receive the draft Southern Midlands Arts Strategy for consideration at the January 2013 Council meeting;**
- 4. Receive the draft Terms of Reference for the proposed Arts Advisory Committee for consideration at the January 2013 Council meeting;**
- 5. Endorse the Community consultation process that was undertaken for the development of the draft Southern Midlands Arts Strategy**
- 6. Acknowledge the significant Community contribution of the Arts Strategy Working Group members; and**
- 7. Acknowledge the significant contribution of Tasmanian Regional Arts, through Kylie Eastley’s energetic participation in the Arts Strategy Working Group and the process**

### **C/12/12/028/19210 DECISION**

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

### **THAT Council:**

1. Receive and note the report;
2. Receive the “Creative Communities Report” by author Kylie Eastley;
3. Receive the draft Southern Midlands Arts Strategy for consideration at the January 2013 Council meeting;
4. Receive the draft Terms of Reference for the proposed Arts Advisory Committee for consideration at the January 2013 Council meeting;
5. Endorse the Community consultation process that was undertaken for the development of the draft Southern Midlands Arts Strategy
6. Acknowledge the significant Community contribution of the Arts Strategy Working Group members; and



7. Acknowledge the significant contribution of Tasmanian Regional Arts, through Kylie Eastley's energetic participation in the Arts Strategy Working Group and the process

**CARRIED.**

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

**14.4 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.

**15.2.1 January 2013 School Holiday Program**

AUTHOR COMMUNITY RECREATION OFFICER (G HUNT)  
DATE 6<sup>TH</sup> DECEMBER 2012

ATTACHMENTS 1. School Holiday Program – January 2013 Flyer  
2. Estimated Costing Summary

**BACKGROUND**

Council has provided a School Holiday program for the young people of the municipality since May 2008. The varied program has received very positive feedback and is run at a very cost effective outlay from Council funds.

**CURRENT SITUATION**

Please refer to Attachments 1 & 2 which outlines this January 2013 activities and an estimated cost Summary. As can be seen, considerable human and financial support has been obtained from external sources such as the Rural Primary Health Services and Communities for Children [via the “Connecting Families and School Communities” program] which lessens the burden on Council’s staff and financial resource.

**FINANCIAL IMPLICATIONS**

On current costing, Council’s financial contribution to the two days of activities should be very minimal, in the order of \$600.00. A considerable amount of human resources in the administration, accounting and organisational roles of putting this program together is handled by several Council officers and would equate to well in excess of the dollar contribution by the other two partner organisations. These outcomes have worked very favourably for all concerned over previous programs.

**RECOMMENDATION**

**THAT the information be received**

**C/12/12/032/19210 DECISION**

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

THAT the information be received.

**CARRIED.**

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

## YOUTH SCHOOL HOLIDAY PROGRAM – JANUARY 2013

Southern Midlands Council, in conjunction with Rural Primary Health Service - Oatlands, and the “Connecting Families and School Communities” Program are once again pleased to announce an exciting array of excursions being held during the upcoming January 2013 school holiday period .

### Day 1

#### **Tuesday 8<sup>th</sup> January 2013**

A fun filled day to be had by all starting with a visit to the Richmond Maze , where participants will be tested by two tricky mazes and much more. Lunch will be catered for at the Campana Hall on the way to Bellerive Beach for some sandcastle making , flag races and novelty events.

**Cost is \$10.00 per child**

### Day 2

#### **Wednesday 16<sup>th</sup> January 2013**

A coach trip to Launceston where we will enjoy a visit to two of the Queen Victoria Museum and Art Gallery's most popular activities. Firstly a tour of the Art Gallery's 'dungeon' to discover extinct animals and all sorts of prehistoric things – then a quick trip to the Inveresk Phenomena Factory for some scientific fun and games . BYO lunch will be eaten nearby then it's off to our perennial favorite – the Launceston Aquatic Centre for some awesome waterslide rides, water bucket dunks and inflatable slides.

**Cost is \$10.00 per child**

### Day 3

#### **Wednesday 23<sup>rd</sup> January 2013**

A really interesting and fun day out. Firstly we'll head to the picturesque Tasmanian Royal Botanical Gardens and catch a live and local performance of “Treasure Island” . Then it's BYO lunch on the TRBG lawns before we head to the Hobart hills for the “Go Wild , Go Solo” adventure excursion where we'll discover all about the unique features of our local animals and try and show our artistic side by drawing them too .

**Cost is \$10.00 per child**

**Bookings are essential and open on Tuesday 11<sup>th</sup> December 2012 . Get in early as spots fill quickly.**

Age limits of 9 – 16 apply and numbers are limited. Please dress appropriately for the relevant activities. BYO snacks, drinks, sun hat and sunscreen for all days. If you have any special dietary needs please bring own food with you. Don't forget – BYO lunches on Days 2 & 3 **Any participants with significant medical conditions should provide a full emergency plan and appropriate medication/treatment – Failure to do so will result in exclusion from program/s.**

Bookings can be made through Council's Kempton office on 6259 3011 during office hours [please note opening date on page one], and will be on a “first come – first served” basis. Parent permission forms are required for all excursions and medical history forms are also required for all children. NB. Current medical forms held expire after 6 months. Payment is to be made at the time of booking. If you find that your child is unable to attend prior to the day's excursion, please let us know immediately as we invariably have waiting lists for each day.

Come along and join the fun.

**BUDGET ESTIMATE SCHOOL HOLIDAY PROGRAM - JANUARY 2013****INCOME**

|                                       |                        |                    |
|---------------------------------------|------------------------|--------------------|
| Day 1                                 | 45 attendees @ \$10.00 | \$ 450.00          |
| Day 2                                 | 45 attendees @ \$10.00 | \$ 450.00          |
| Day 3                                 | 45 attendees @ \$10.00 | \$ 450.00          |
| RPHS Contribution                     |                        | \$ 600.00          |
| Communities for Children contribution |                        | <u>\$ 1,000.00</u> |

**TOTAL INCOME** **\$ 2,950.00**

**EXPENDITURE** – based on 45 attendees per day**Day 1 8<sup>th</sup> January 2013**

|                  |                      |                   |
|------------------|----------------------|-------------------|
| Entry Fees       | Richmond Maze        | \$ 182.00         |
| Lunch            | – Campana Hall C'tee | \$ 225.00         |
| Misc Items       | – Beach              | \$ 50.00          |
| <u>Transport</u> | <u>- Bus hire</u>    | <u>\$ 600.00</u>  |
| <b>Sub Total</b> |                      | <b>\$1,057.00</b> |

**Day 2 16<sup>th</sup> January 2013**

|                  |                   |                    |
|------------------|-------------------|--------------------|
| Entry Fees       | QVMAG &           | \$ )               |
|                  | Phenomena Factory | \$ 180.00)         |
|                  | Aquatic Centre    | \$ 202.00          |
| <u>Transport</u> | <u>– Bus hire</u> | <u>\$ 700.00</u>   |
| <b>Sub Total</b> |                   | <b>\$ 1,082.00</b> |

**Day 3 23<sup>rd</sup> January 2013**

|                  |                   |                   |
|------------------|-------------------|-------------------|
| Entry Fees       | Treasure Island   | \$ 486.00         |
|                  | Go Wild Go Solo   | \$ 328.00         |
| <u>Transport</u> | <u>– Bus hire</u> | <u>\$ 600.00</u>  |
| <b>Sub total</b> |                   | <b>\$1,414.00</b> |

**TOTAL EXPENDITURE** **\$ 3,553.00**

Financial Contribution [shortfall borne by Council] \$ 603.00

Council's Human Resources / Admin contribution to the program is extensive and at least on a par in dollar terms of other organizations financial contributions.

NB. Transport costs are estimates based on previous excursions using Blyth's Bus Service in Oatlands. All other costings are as per bookings made.

Council's contribution will be funded from its allocated Youth program budget.

**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***File Ref:*

**AUTHOR** MANAGER, COMMUNITY & CORPORATE DEVELOPMENT (A BENSON)  
**DATE** 6<sup>th</sup> DECEMBER 2012

**ATTACHMENT** (The draft Disability Access & Inclusion Policy and the draft Disability Access & Inclusion Plan (DAIP) 2012 – 2017 has not been included in this report as it was provided in the previous October 2012 report, however copies are available upon request)

**ISSUE**

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

**CURRENT**

The draft Disability Access & Inclusion Policy, along with an accompanying document, the Disability Access & Inclusion Plan (DAIP) 2012 – 2017 was tabled at the October 2012 Council meeting for Council’s consideration. As Councillors are aware, the process for any policy document is, that it is tabled at one meeting and then “lays on the table” until the next meeting, to enable Councillors sufficient time to work through and consider all of the ramifications of the policy, before the document is finally considered for adoption at the following meeting.

**REPORT TO THE PREVIOUS COUNCIL MEETING****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.

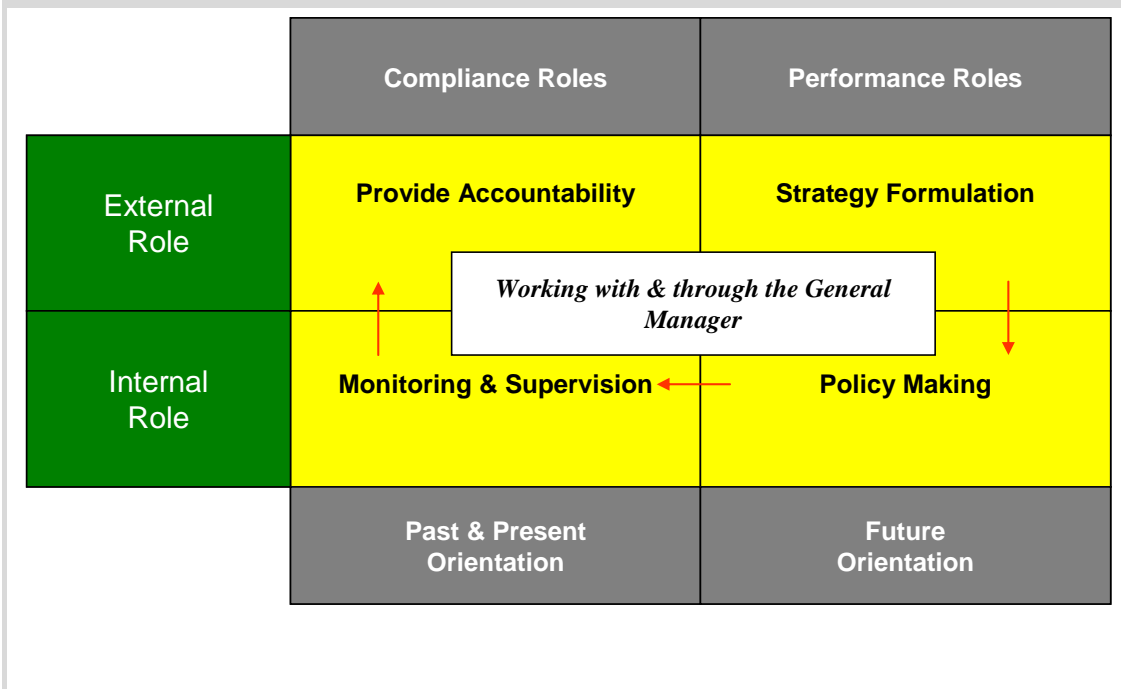
The Southern Midlands Council has made steady progress in improving access since the Access Survey and Assessment undertaken by council in 1997. As well as the 2009



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 an 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;**
- 3. Receive the draft Disability Access & Inclusion Plan (DAIP) 2012 – 2017 for consideration at the November 2012 Council meeting;**

**C/12/10/058/19191 DECISION**

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

THAT Council

- 1 receive and noted 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.

**CARRIED.**

Given the report and associated draft Disability Access & Inclusion Policy along with the draft Disability Access & Inclusion Plan (DAIP) 2012 – 2017 have been available for review by Councillors since the October Council meeting it is recommended that final input be sought, amendments be considered, the document be amended if required and then the draft Disability Access & Inclusion Policy including amendments if agreed, be adopted as policy.

Likewise the draft Disability Access & Inclusion Plan (DAIP) 2012 – 2017 will be the base document for consultation by the Deputy General Manager (Andrew Benson) with the Community, along with Council owned Hall Committees as well as Community owned Hall Committees. Recommendations from those consultations, will be considered by Council's Facilities & Recreation Committee for inclusion in the Disability Access & Inclusion Plan (DAIP) 2012 – 2017, along with a proposed Implementation/Action Plan, and budget recommendation for 2013/2014. A report from the Facilities & Recreation Committee will then be presented to the Council for consideration and adoption.

This current document, the draft Disability Access & Inclusion Plan (DAIP) 2012 – 2017 is before Council at this point in time for consideration in accordance with Council's Community Consultation Policy, where the basis and scope of the consultation is to be approved by Council before the consultation takes place. This ensures that Council has considered the matter prior to seeking Community views and that it does not conflict with other issues and/or policies, there-in providing a solid framework for the development of the Plan.

[EXTRACT]

***Southern Midlands Council Community Consultation Policy***

***Policy Aims***

*The Council is committed to engaging the Community in consultative processes that actively seek the views of the Community and to using the knowledge gained to make well informed decisions about major developments and strategic directions for the municipal area.*

*This is in addition to the Council's existing formal obligations and mechanisms for public involvement:*

- statutory requirements; and*
- formal meetings of the Council along with any committees.*

*When engaging the Community in a consultation process the Council will:*

- set out the scope for the process in a consultation plan*
- state the purpose and means of the consultation*
- allow adequate time and resources for the process to take place*
- promote access to the process for everyone*
- thoroughly consider all contributions before making a decision*
- report to the Community on the findings and recommendations of the process*
- provide reasons for the decision*
- have regard to the content and the intent of this Policy.*

**RECOMMENDATION**

**THAT Council**

- 1 Receive and note the report;**
- 2 Receive the draft Disability Access & Inclusion Policy, including any subsequent amendments, for adoption as Council's Disability Access & Inclusion Policy; and**
- 3 Receive the draft Disability Access & Inclusion Plan (DAIP) 2012 – 2017, including any subsequent amendments, for adoption as Council's document to be approved for the Community consultation process that will be undertaken in the first two quarters of 2013**

**C/12/12/043/19210 DECISION**

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

THAT Council:

- 1 Receive and note the report;
- 2 Receive the draft Disability Access & Inclusion Policy, including any subsequent amendments, for adoption as Council's Disability Access & Inclusion Policy; and
- 3 Receive the draft Disability Access & Inclusion Plan (DAIP) 2012 – 2017, including any subsequent amendments, for adoption as Council's document to be approved for the Community consultation process that will be undertaken in the first two quarters of 2013

**CARRIED.**

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

## 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 Kempton Recreation Ground**

AUTHORS COMMUNITY RECREATION OFFICER – (G HUNT)  
DATE 3<sup>RD</sup> DECEMBER 2012

**ISSUE**

1. External painting of Clubroom / Change room facility, Grandstand and Gatekeepers shed; and
2. External painting of ‘Carriage Shed’ on adjacent block.

**DETAIL**

As per Committee’s Road Trip excursion in February 2012, quotes have been obtained for the above works to be undertaken as follows:

## Project 1 Clubrooms etc

- |                                  |                |
|----------------------------------|----------------|
| 1. Scott Pelham Painters Pty Ltd | \$12,500 + GST |
| 2. Top Coat Painters             | \$ 8,750 + GST |

## Project 2 Carriage Shed

- |                                 |                |
|---------------------------------|----------------|
| 1 Scott Pelham Painters Pty Ltd | \$ 8,950 + GST |
| 2 Top Coat Painters             | \$4,000 + GST  |

Both quotations have been based on works outlined in attached Scope of Works memo dated 17 / 10 / 2012 attached.

Top Coat Painters have undertaken two recent painting jobs for Council [namely internal painting at Kempton Memorial Hall and external painting at Mangalore Hall] and have been professional in their work and finish on both occasions.

Two local painters [small operators] were asked to quote as well, but given new Workplace arrangements coming into effect shortly, they declined to quote due to likely incapacity to meet the new regulations re height levels.

In view of Top Coat Painters' previous good work performance and very competitive quotation price. I recommend acceptance of their two quotes as above at a total cost of \$12,750 + GST.

NB If approved, works will be completed by the 12<sup>th</sup> February 2013 (in time for the Kempton Festival of 2013).

### **RECOMMENDATION**

**THAT the Quote obtained from Top Coat Painters be accepted.**

### **C/12/12/028/19210 DECISION**

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

THAT the Quote obtained from Top Coat Painters be accepted, and allocated from the Facilities and Recreation Committee Budget.

**CARRIED.**

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

SCOPE - Kempton Recreation Ground – Painting Works

Council is seeking 2 separate quotes from reputable painting contractors to provide the following services

1/ A] Quote on painting [in same colour as existing paint ] of the exterior block walls of the recent clubrooms extension - ie all three sides plus 'entry' section – including barge boards and downpipes

B] Include in this quote external painting [ in same colour as existing paint ]of the Grandstand plus internal poles and beams [ those previously painted ] , small entry wall and door to side 'office' area , and rear back board along the back row of the grandstand. Also include the step 'risers ' only in the grandstand in matching brown colour

C] Include external painting of small gatekeepers shed near entrance to the ground[ in same colour as existing paint .

Please specify separate amounts for these three jobs

2/ A] External painting of the Carriage House situated next to the Recreation Ground.

All as discussed and inspected with Council's Community Recreation officer Greg Hunt on the 17<sup>th</sup> October 2012.

17/12/12



# ***TOP COAT PAINTERS***

**ABN 18 336 314 822**

35 River Street  
Bellerive Tas 7018  
Fax 03 6245 1133

Email: [topcoat.painters@bigpond.com](mailto:topcoat.painters@bigpond.com)

|                   |          |              |
|-------------------|----------|--------------|
| Chris Bird        | Mobile : | 0409 128 811 |
| Paul Engels       | Mobile : | 0428 138 716 |
| Steven Chatterton | Mobile : | 0417 512 362 |

Date : 30 October 2012

TO : Southern Midlands Council  
Attention : Greg Hunt

**Description of Works : Kempton Recreation Ground – Painting Works**

Quotation to paint the following, allowing for necessary preparation including washing down etc. as discussed on site (17/10/12).

Items 1 A,B & C \$8,750 +10% GST

Items 2 A \$4,000 + 10% GST

Regards,

Paul Engels

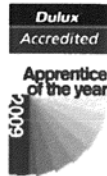
Quotes/Kempton Recreation Ground



*Painting Quotation*  
*Scott Pelham Painters Pty Ltd*

*As trustee for*  
*Scott Pelham Family Trust*  
ABN: 26 771 072 389  
ACN: 114 812 261

Painters and Decorators  
Commercial Industrial Domestic  
21 Montagu Street Lenah Valley Tasmania 7008  
Phone 03 6278 1774  
Mobile 0417 125 231  
Fax 6278 7713  
[www.pelhampainters.com.au](http://www.pelhampainters.com.au)  
[scott@pelhampainters.com.au](mailto:scott@pelhampainters.com.au)





|  |
|--|
| Client Name: Greg Hunt – Southern Midlands Council |
| Project Address: Kempton Recreation Ground         |
| Email: ghunt@southernmidlands.tas.gov.au           |

Date: 09/11/12

Quote No: 2110

- Project Description:** Exterior painting as follows:
- Prepare and repaint the exterior block walls of the recent clubroom extension – 3 sides plus entry section, including barge boards and downpipes
  - Prepare and repaint the external (previously painted) areas of the Grandstand plus internal poles and beams (previously painted). Small entry wall and door to side office area and rear backboard along the back row of the grandstand. Also included are the step 'risers' only in the grandstand in matching brown colour
  - Prepare and repaint small gatekeepers shed near entrance to the ground

|       |             |
|-------|-------------|
| Quote | \$12 500.00 |
| GST   | \$ 1 250.00 |

**Total price inclusive of GST** \$13 750.00

**Preparation:** Sand painted surface, scratch out cracks and spot prime bare areas - *does not include no more gapping on bottom side of weatherboards*. Fill holes and imperfections. Sand and seal filler. Caulk cracks using **Polyfilla Professional M40**.

**Finish:** Apply two coats of **Dulux Weathershield X10** to the required specifications.

- Project Description:** Exterior painting as follows:
- Prepare and repaint the external of the Carriage House situated next to the Recreation Ground

|       |           |
|-------|-----------|
| Quote | \$8950.00 |
| GST   | \$ 895.00 |

**Total price inclusive of GST** \$9845.00

The price includes the following:

- The use of Dulux premium paints;
- All labour costs and materials;
- Hire of all scaffolding;
- A 5 year warranty on our workmanship;
- Public liability insurance to the value of \$20Million;
- All staff properly trained in OH & S practices.



(3% surcharge)

Pelham Painters has been trading for over 50 years. We pride ourselves on being a professional painting company committed to the highest quality standards and our Dulux Accredited membership is evidence of that commitment.

Our services can also include the use of Dulux special effects including texture products, heritage colours, roof restoration, and timber coatings and oils to decking and pergolas.

We promise to be on time and to complete the job within the agreed time frame. The only element outside our control is the weather.

For further information about us, please go to [www.pelhampainters.com.au](http://www.pelhampainters.com.au) and to find out more about Dulux Accredited and Dulux Paints go to [www.duluxaccredited.com.au](http://www.duluxaccredited.com.au) and [www.dulux.com.au](http://www.dulux.com.au)

Our quotation may not be the cheapest you obtain. The reasons for this are:

- high levels of preparation;
- the use of quality paints;
- experienced professional painters completing the work.

We aim to delight our customers through personalized service and by going the extra mile. Our recent client testimonials indicate how happy our customers were with our service – we hope we can add you to our list of satisfied clients.

When you ask us to undertake your painting project you can be assured of a quality job with a quality outcome.

Scott Pelham



## 15.8.2 Proposed Southern Midlands Council Play Space Strategy & Public Open Space Policy

*File Ref:*

**AUTHOR** MANAGER, COMMUNITY & CORPORATE DEVELOPMENT (Andrew Benson)  
**DATE** 6<sup>TH</sup> DECEMBER 2012

**ATTACHMENT** (The draft Southern Midlands Play Place Strategy has not been included in this report as it was provided in the previous October 2012 report, however copies are available upon request)

### 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.

### CURRENT

The draft SM Play Place Strategy was tabled at the October 2012 Council meeting for Council's consideration. As Councillors are aware, the process for any policy document is, that it is tabled at one meeting and then "lays on the table" until the next meeting, to enable Councillors sufficient time to work through and consider all of the ramifications of the policy, before the document is finally considered for adoption at the following meeting.

### REPORT TO THE PREVIOUS COUNCIL MEETING

#### 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 facilities

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**

- 1. Receive and note the report;**
- 2. 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;**

#### **C/12/10/060/19192 DECISION**

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

THAT Council:

- 1) Receive and note the report;
- 2) 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;

**CARRIED.**

Given the report and associated draft strategy along with the draft policy have been available for review by Councillors since the October Council meeting it is recommended that final input be sought, amendments be considered, the document be amended if

required and then the draft document including amendments if agreed, be adopted as policy.

**RECOMMENDATION**

**THAT Council**

- 1. Receive and note the report;**
- 2. Receive the draft Play Space Strategy, including any subsequent amendments, for adoption as Council’s Play Space Strategy; and**
- 3. Receive the draft Staged Development of Subdivision Open Space Policy, including any subsequent amendments, for adoption as Council’s Staged Development of Subdivision Open Space Policy**

**C/12/11/028/19210 DECISION**

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

**THAT Council:**

1. Receive and note the report;
2. Receive the draft Play Space Strategy, including any subsequent amendments, for adoption as Council’s Play Space Strategy; and
3. Receive the draft Staged Development of Subdivision Open Space Policy, including any subsequent amendments, for adoption as Council’s Staged Development of Subdivision Open Space Policy.

**CARRIED.**

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

**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** 20<sup>TH</sup> NOVEMBER 2012

**ISSUE**

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

**DETAIL**

Refer Monthly Statement on Animal Control for period ending 29<sup>th</sup> November 2012.

DYSART: Two Staffordshire Terriers escaped from one of the cottages at Woodfield Lodge, and attacked a neighbour's goat, killing it.

I am currently mediating between the two parties in an endeavour to reach a fair and reasonable solution to this matter. Having said that an infringement notice has been issued to the dogs owners.

**RECOMMENDATION**

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

**C/12/12/028/19210 DECISION**

Moved by Clr C J Beven, seconded by Deputy Mayor M Jones OAM

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

**CARRIED.**

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



**SOUTHERN MIDLANDS COUNCIL  
MONTHLY STATEMENT ON ANIMAL CONTROL  
FOR PERIOD ENDING 29/11/2012**

**Total of Dogs Impounded:** 2  
**Dogs still in the Pound:** -

**Breakdown Being:**

| ADOPTED | RECLAIMED | LETHALISED | ESCAPED |
|---------|-----------|------------|---------|
|         | 2         |            |         |

**MONEY RECEIVED**

**Being For:**

|                                |                 |
|--------------------------------|-----------------|
| <b>Pound</b>                   |                 |
| <b>Reclaims</b>                |                 |
| <b>Dog Registrations</b>       | <b>\$792.74</b> |
| <b>Kennel Licence Fee</b>      |                 |
| <b>Infringement Notices</b>    |                 |
| <b>Complaint Lodgement Fee</b> |                 |
| <b>TOTAL</b>                   | <b>\$792.74</b> |

**COMPLAINTS RECEIVED FOR PERIOD ENDING 29/12/2012**

**Dog at Large:** 4  
**Dog Attacks:** 1  
**Request Pick-ups:** 2  
**After Hours Calls:** 5  
**TOTAL** 12

**Number of Formal Complaints Received:** -  
**Number of Infringement Notices Issued:** 1

**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.

### 16.2.1 Colebrook Progress Association Incorporated (Colebrook Online Access Centre) – 22 Richmond Road, Colebrook (PID 7194354)

AUTHOR GENERAL MANAGER (T KIRKWOOD)  
DATE 5<sup>th</sup> DECEMBER 2012

#### ISSUE

Council to consider the level of financial support to be provided to the Colebrook Progress Association Incorporated as the occupant of the property situated at 22 Richmond Street, Colebrook (ownership recently transferred to Council) which operates the Online Access Centre.

#### BACKGROUND

Council, at its meeting held in November 2011, resolved to take ownership of the Colebrook Online Access Centre at 22 Richmond Road, Colebrook (PID 7194354) and initiate the process through the Department of Health and Human Services.

Subsequent to that decision, the Department of Primary Industries, Water and Environment wrote to Council confirming that the property will transfer to Council under section 12 of the *Crown Lands Act 1976* on the same basis as properties that transferred to Council under the Crown Land Assessment and Classification (CLAC) project.

In recognition that no consideration would be payable, a “determinable” interest was to transfer containing conditions that require Council to use the property only for “community” (Including Online Access Centre) purposes. Council also must not sell the property, or any part of it, without prior written approval of the Minister.

#### DETAIL

Transfer of ownership has now been finalised.

This now raises the following issues:

- a) who will be responsible for the annual rates and charges levied on the property (including charges levied by Southern Water)?

- b) will a rental amount be applied?
- c) Who is responsible for operational costs and ‘day-to-day’ maintenance?

It has been confirmed with the Progress Association Secretary that no rental agreement existed with the Department of Health and Human Services (as the responsible government agency). They were responsible for payment of the Aurora accounts but were not required to reimburse any other outlays such as rates and charges etc.

For information, Rates and Charges (which total \$385.00 for 2012/13 - Minimum General Rate of \$275 and Waste Management Charge \$110) have previously been paid by the State Government.

The Colebrook Online Access Centre has written to Council seeking a remission of this amount as they have not incurred this cost in the past.

*Note: For information, the two other Online Access Centres located within the municipal area are located on Education Department property (Oatlands) and therefore rates and charges are levied on the Department; and the Bagdad Centre is located within the Bagdad Community Club premises – no remission is provided, other than the annual amount allocated under the Partnership Agreement (MOU) with the State.*

In addition, the Colebrook Online Access Centre has written to Council seeking a financial contribution to offset the total cost of its Public Liability Insurance.

As a permanent tenant of the building (and being a separate Incorporated body), it is (and will be) a requirement that they maintain their own public liability insurance.

In this regard, Councillors would be aware of an existing Policy whereby Council will reimburse Community owned Hall Committees fifty percent (50%) of their total public liability insurance premium. This applies to facilities such as the Broadmarsh, Levendale, Tunbridge and Tunnack community owned Halls.

Whilst this is focussed on assisting community owned facilities, in this case we have Council owned facility, but a separate legal entity occupying the facility.

In terms of establishing a precedent, the only other permanent occupants of Council owned facilities are:

- a) the Green Ponds RSLA (Kempton Memorial Hall). No contribution is made to that organisation’s liability insurance; rental is based on a 50% reimbursement of all aurora charges; and the RSL is expected to invest surplus funds in the maintenance and upgrade of the facilities;
- b) MILE Inc. (Midlands Memorial Community Centre) – a rental amount is charged to offset rates and charges; they pay all operating costs etc. Council provides an annual operating subsidy to the organisation.

**Human Resources & Financial Implications** – The Progress Association has provided evidence that the cost of their Public Liability Insurance for 2012/13 (Dec 2011 to Nov 2013) is \$726.

**Community Consultation & Public Relations Implications** – To be discussed.

**Policy Implications** – Policy Position.

**Priority - Implementation Time Frame** – To apply for the 2012/13 Rates and Charges and any reimbursement for Public Liability Insurance to apply from December 2012 renewal.

## **RECOMMENDATION**

- 1. THAT Council enter into a basic rental agreement with the Colebrook Progress Association Incorporated, which is to include the following terms and conditions:**
  - a) An annual rental amount of \$10.00 per year (if demanded);**
  - b) Colebrook Progress Association to be responsible for all operational and minor maintenance costs associated with the premises (e.g. Aurora, Telstra, cleaning etc.); and**
  - c) Council is responsible for annual rates and charges; Southern Water connection fees (but not consumption costs); land tax and any other statutory charges payable.**

*Note: Draft Rental Agreement will be submitted for final approval.*

- 2. THAT Council reimburse 50% of the cost of the premium to maintain Public Liability cover for the property upon production of a payment receipt (i.e. similar to Community owned Halls).**

## **C/12/11/028/19210 DECISION**

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

1. THAT Council enter into a basic rental agreement with the Colebrook Progress Association Incorporated, which is to include the following terms and conditions:
  - a) An annual rental amount of \$10.00 per year (if demanded);
  - b) Colebrook Progress Association to be responsible for all operational and minor maintenance costs associated with the premises (e.g. Aurora, Telstra, cleaning etc.); and
  - c) Council is responsible for annual rates and charges; Southern Water connection fees (but not consumption costs); land tax and any other statutory charges payable.

*Note: Draft Rental Agreement will be submitted for final approval.*

2. THAT Council reimburse 50% of the cost of the premium to maintain Public Liability cover for the property upon production of a payment receipt (i.e. similar to Community owned Halls).

**CARRIED.**

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

### 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.

#### 16.3.1 State Fire Commission – Parattah Fire Station – Lease Agreement

AUTHOR GENERAL MANAGER (T KIRKWOOD)  
DATE 5<sup>th</sup> DECEMBER 2012

#### ISSUE

Council to endorse signing a new Lease Agreement with the State Fire Commission for a further term of ten (10) years.

#### BACKGROUND

The Parattah Fire Station Lease agreement falls due for renewal on 1<sup>st</sup> December 2012. The leased area basically covers only the area upon which the Fire Station building is located (approx.. 90 m2), including access.

#### DETAIL

A new lease Agreement has been drafted by the State Fire Commission, with the following key terms and conditions:

- a) An annual rental amount of \$50 per annum (if demanded);
- b) Commission to be responsible for all power and telephone costs;
- c) Pay all rates and other statutory charges levied in respect of the said land (not separately assessed for rating purposes. No water and sewerage services).

**Human Resources & Financial Implications** – Nil. No change to the previous lease arrangements.

**Community Consultation & Public Relations Implications** – It is pleasing to note that the State Fire Commission (Tasmania Fire Service) has shown its commitment to maintaining services in rural communities through the recent construction of a new fire station.

**Policy Implications** – Policy Position.

**Priority - Implementation Time Frame** – New lease to commence from 1<sup>st</sup> December 2012.

**RECOMMENDATION**

**THAT Council approve the basic terms and conditions of the Lease (as detailed) and endorse signing the new Lease Agreement for a further ten year period.**

**C/12/11/028/19210 DECISION**

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

THAT Council approve the basic terms and conditions of the Lease (as detailed) and endorse signing the new Lease Agreement for a further ten year period.

**CARRIED.**

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



#### **16.4 CONSULTATION**

**Strategic Plan Reference – Page 30**

5.4.1 Improve the effectiveness of consultation with the Community.

Nil.

#### **16.5 COMMUNICATION**

**Strategic Plan Reference – Page 30**

5.5.1 Improve the effectiveness of communication with the Community.

Nil.

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

#### **17.1 IMPROVEMENT**

**Strategic Plan Reference – Page 31**

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

Nil.

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

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

**17.2.1 Audit and Risk Committee – Appointment of Committee Members**

AUTHOR                      GENERAL MANAGER (T KIRKWOOD)  
 DATE                         6<sup>th</sup> DECEMBER 2012

**ISSUE**

Council to appoint members of the Audit and Risk Committee, established under Section 24 of the *Local Government Act 1993*.

**BACKGROUND**

Council, at its meeting held 28<sup>th</sup> November 2012, resolved to establish an Audit and Risk Committee under section 24 of the *Local Government Act 1993*.

In summary, the key purposes of the proposed ‘Audit and Risk Committee’ are:

- 1) To ensure that Councils’ accounts fairly represent its performance and that adequate safeguards are in place to prevent fraud; and
- 2) To provide assistance to Council on its overall risk, control and compliance framework.

**DETAIL**

In reference to the Terms of Reference endorsed at the previous meeting, the Committee is to consist of two (2) elected members and an external representative that has expertise in financial/risk management.

Mr David Sales, current CEO of the Southern Waste Strategy Authority, was identified as a person that had the necessary skills and expertise, and also considerable experience with the operation of Audit and Risk Committees.

Subsequent to Council’s decision, Mr Sales has been formally approached and consent has been given to submit his name for appointment. As mentioned in the Terms of

Reference, the external representative is to be appointed through to the 2015 local government election.

**Human Resources & Financial Implications** – The Committee is to meet at least three times per annum, with the ability to convene special meetings as required.

The Committee will be serviced internally, with associated human resource and financial implications. Councillors are to be reimbursed travelling expenses (as per Council Policy).

The external representative is to be paid a sitting fee of \$200 per meeting, and be reimbursed travel expenses from Hobart to Oatlands (or Kempton) at the standard rate per kilometre (as per Councillors allowances).

**Community Consultation & Public Relations Implications** – Establishment of an ‘Audit and Risk Committee’ has the capability to improve the community’s confidence in terms of overall governance and financial management. An increased focus on risk management can only achieve a positive outcome for the community generally.

**Policy Implications** – N/A.

**Priority - Implementation Time Frame** – It is envisaged that the first meeting of the Audit and Risk Committee will be held early in the new calendar year.

**RECOMMENDATION**

**THAT Council appoint the following persons to the Audit and Risk Committee:**

- a) two Councillors, being .....; and
- b) Mr David Sales as the external representative.

**C/12/11/028/19210 DECISION**

Moved by Deputy Mayor M Jones OAM, seconded by Clr A R Bantick

THAT Council appoint the following persons to the Audit and Risk Committee:

- a) Mayor A E Bisdee OAM and Clr A O Green; and
- b) Mr David Sales as the external representative.

**CARRIED.**

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

**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 (November 2012)**

*File Ref: 3/024*

AUTHOR FINANCE OFFICER  
DATE 6<sup>th</sup> DECEMBER 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 2<sup>nd</sup> December 2012
- d) Cash Flow Statement – July to November 2012.

*Note: Expenditure figures provided are for the period 1<sup>st</sup> July to 30<sup>th</sup> November 2012 – approximately 42% of the period.*

**Comments**

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

**Strategic Theme – Infrastructure**

- **Sub-Program – Drainage** - expenditure to date (\$25,093 – 75.75%). General maintenance of drainage systems across various towns in municipal area. Budget to be monitored.

**Strategic Theme – Community**

- **Sub-Program – Consultation** - expenditure to date (\$4,809 – 94.85%). Includes approx. \$3,000 of 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.

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

Nil.

**RECOMMENDATION**

**THAT the information be received.**

**C/12/12/028/19210 DECISION**

Moved by Clr C J Beven, seconded by Clr A O Green

THAT the information be received.

**CARRIED.**

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

## SOUTHERN MIDLANDS COUNCIL : CURRENT EXPENDITURE 2012/13

## SUMMARY SHEET

| PROGRAM                      | TOTAL          | REVISED BUDGET<br>(GRANTS & OTHER<br>REIMBURSEMENTS) | ACTUAL AS AT 30<br>NOV 2012 42% | VARIANCE<br>(+/-) | % BASED ON<br>REVISED BUDGET<br>100% |
|------------------------------|----------------|--|---------------------------------|-------------------|--------------------------------------|
| <b>INFRASTRUCTURE</b>        |                |  |                                 |                   |                                      |
| Roads                        | 1291666        | 1291666  | 528205                          | 763461            | 40.89%                               |
| Bridges                      | 81313          | 81313  | 10814                           | 70499             | 13.30%                               |
| Walkways                     | 167192         | 167192   | 58927                           | 108265            | 35.25%                               |
| Lighting                     | 82035          | 82035  | 21361                           | 60674             | 26.04%                               |
| Irrigation                   | 2450           | 2450   | 0                               | 2450              | 0.00%                                |
| Drainage                     | 33128          | 33128  | 25093                           | 8035              | 75.75%                               |
| Waste                        | 507046         | 507046   | 178452                          | 328594            | 35.19%                               |
| Public Toilets               | 49580          | 49580  | 22576                           | 27004             | 45.54%                               |
| Communications               | 0              | 0  | 0                               | 0                 | 0.00%                                |
| Signage                      | 12300          | 12300  | 3328                            | 8972              | 27.06%                               |
| <b>INFRASTRUCTURE TOTAL:</b> | <b>2226710</b> | <b>2226710</b>                                       | <b>848758</b>                   | <b>1377952</b>    | <b>38.12%</b>                        |
| <b>GROWTH</b>                |                |  |                                 |                   |                                      |
| Residential                  | 2900           | 2900   | 0                               | 2900              | 0.00%                                |
| Mill Operations              | 759628         | 759628   | 274953                          | 484675            | 36.20%                               |
| Tourism                      | 34110          | 34110  | 12884                           | 21226             | 37.77%                               |
| Business                     | 66250          | 66250  | 19319                           | 46931             | 29.16%                               |
| Agriculture                  | 5256           | 5256   | 108                             | 5148              | 2.06%                                |
| Integration                  | 27600          | 27600  | 0                               | 27600             | 0.00%                                |
| <b>GROWTH TOTAL:</b>         | <b>895744</b>  | <b>895744</b>  | <b>307264</b>                   | <b>588480</b>     | <b>34.30%</b>                        |
| <b>LANDSCAPES</b>            |                |  |                                 |                   |                                      |
| Heritage                     | 293347         | 293347   | 107715                          | 185632            | 36.72%                               |
| Natural                      | 132062         | 132062   | 60883                           | 71179             | 46.10%                               |
| Cultural                     | 0              | 0  | 0                               | 0                 | 0.00%                                |
| Regulatory                   | 759930         | 759930   | 267742                          | 492188            | 35.23%                               |
| Climate Change               | 39418          | 39418  | 10621                           | 28797             | 26.94%                               |
| <b>LANDSCAPES TOTAL:</b>     | <b>1224757</b> | <b>1224757</b>                                       | <b>446961</b>                   | <b>777796</b>     | <b>36.49%</b>                        |
| <b>LIFESTYLE</b>             |                |  |                                 |                   |                                      |
| Youth                        | 177469         | 177469   | 48990                           | 128479            | 27.60%                               |
| Aged                         | 1500           | 1500   | 717                             | 783               | 47.83%                               |
| Childcare                    | 16535          | 16535  | 5261                            | 11274             | 31.82%                               |
| Volunteers                   | 41311          | 41311  | 10896                           | 30415             | 26.37%                               |
| Access                       | 6405           | 6405   | 0                               | 6405              | 0.00%                                |
| Public Health                | 7665           | 7665   | 585                             | 7080              | 7.83%                                |
| Recreation                   | 348300         | 348300   | 171410                          | 176890            | 49.21%                               |
| Animals                      | 67690          | 67690  | 29181                           | 38509             | 43.11%                               |
| Education                    | 0              | 0  | 0                               | 0                 | 0.00%                                |
| <b>LIFESTYLE TOTAL:</b>      | <b>666875</b>  | <b>666875</b>  | <b>267041</b>                   | <b>399834</b>     | <b>40.04%</b>                        |
| <b>COMMUNITY</b>             |                |  |                                 |                   |                                      |
| Retention                    | 0              | 0  | 0                               | 0                 | 0.00%                                |
| Capacity                     | 26025          | 26025  | 9278                            | 16747             | 35.65%                               |
| Safety                       | 51400          | 51400  | 16245                           | 35155             | 31.61%                               |
| Consultation                 | 5070           | 5070   | 4809                            | 261               | 94.85%                               |
| Communication                | 15125          | 15125  | 3563                            | 11562             | 23.56%                               |
| <b>COMMUNITY TOTAL:</b>      | <b>97620</b>   | <b>97620</b>   | <b>33895</b>                    | <b>63725</b>      | <b>34.72%</b>                        |
| <b>ORGANISATION</b>          |                |  |                                 |                   |                                      |
| Improvement                  | 5850           | 5850   | 392                             | 5458              | 6.70%                                |
| Sustainability               | 1326000        | 1326000  | 595975                          | 730025            | 44.95%                               |
| Finances                     | 227585         | 227585   | 64235                           | 163350            | 28.22%                               |
| <b>ORGANISATION TOTAL:</b>   | <b>1559435</b> | <b>1559435</b>                                       | <b>660602</b>                   | <b>898833</b>     | <b>42.36%</b>                        |
| <b>TOTALS</b>                | <b>6671141</b> | <b>6671141</b>                                       | <b>2564521</b>                  | <b>4106620</b>    | <b>38.44%</b>                        |

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

| INFRASTRUCTURE | ROAD ASSETS        | BUDGET       | EXPENDITURE | VARIANCE     | COMMENTS                     |
|----------------|--------------------|--------------|-------------|--------------|------------------------------|
|                | Resheeting Program | \$ 700,000   | \$ 280,262  | \$ 419,738   |                              |
|                | 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    | \$ 3,563    | \$ 16,437    |                              |
|                |                    | \$ 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    | \$ 12,546   | \$ 22,354    |                              |
|                |                    | \$ 110,000   | \$ 32,061   | \$ 77,939    |                              |
|                |                    | \$ 60,000    | \$ 60,710   | \$ 710       |                              |
|                |                    | \$ 10,000    | \$ 300      | \$ 9,700     |                              |
|                |                    | \$ 1,799,437 | \$ 429,420  | \$ 1,370,017 |                              |

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

|   | BUDGET              | EXPENDITURE       | VARIANCE          | COMMENTS      |
|---|---------------------|-------------------|-------------------|---------------|
| <b>BRIDGE ASSETS</b>  |                     |                   |                   |               |
| Chauncy Vale Road (Browns Cave Creek B3763)                           | \$ 51,320           | \$ -              | \$ 51,320         |               |
| Dartels Road - Marshalls Crk  | \$ 26,440           | \$ -              | \$ 26,440         |               |
| Swanston Road - Little Swanport Rv (B 1716)                           | \$ 40,000           | \$ 460            | \$ 39,540         | Design Only   |
| Elkon Road - Burns Creek (B436)                                       | \$ 87,340           | \$ 82,351         | \$ 4,989          |               |
| <b>Works In Progress (30/6/12):</b>                                   |                     |                   |                   |               |
| Elderslie Rd (Grahams Creek Bridge)                                   | \$ -                | \$ 1,231          | \$ 1,231          |               |
| Edensie Rd (Jordan River Bridge)                                      | \$ 604,160          | \$ 841,488        | \$ 37,328         |               |
| Fields Road (No. 1851)  | \$ -                | \$ 1,469          | \$ 1,469          |               |
| Rotherwood Road Bridge (No. 1137)                                     | \$ 57,000           | \$ 1,653          | \$ 55,347         |               |
|   | <b>\$ 1,086,260</b> | <b>\$ 928,653</b> | <b>\$ 137,607</b> |               |
| <b>WALKWAYS</b>   |                     |                   |                   |               |
| Footpaths - General (Program to be confirmed)                         | \$ 130,000          | \$ -              | \$ 130,000        |               |
| Bagdad Township   |                     |                   |                   |               |
| - East Bagdad Road (Le Compté to Highway)                             | \$ 50,000           | \$ 4,969          | \$ 45,031         |               |
| - Swan Street   | \$ 25,000           | \$ -              | \$ 25,000         |               |
| Campania Township   |                     |                   |                   |               |
| - Reeve Street (Vicinity of Store)                                    | \$ 10,000           | \$ -              | \$ 10,000         |               |
| - Review Management Plan (Site Plant) / Walking Tracks (Bush Reserve) | \$ 5,000            | \$ -              | \$ 5,000          |               |
| Kempston Township   |                     |                   |                   |               |
| - Huntingground Road (to School)                                      | \$ 5,500            | \$ -              | \$ 5,500          |               |
| - Kempston Hall (rear of Hall)  | \$ 4,000            | \$ -              | \$ 4,000          |               |
| - Main Street - Elizabeth St to Shop (east front of Hotel)            | \$ 14,445           | \$ -              | \$ 14,445         |               |
| Mangalore Township  |                     |                   |                   |               |
| - Blackbrush Road (Mountford Drive down - 300 mm pipe - 110 metres)   | \$ 16,500           | \$ -              | \$ 16,500         |               |
| Oatlands Township   |                     |                   |                   |               |
| - High Street (Tree Planting)   | \$ 7,000            | \$ -              | \$ 7,000          |               |
| Tunmuck Township  |                     |                   |                   |               |
| - Various (to be confirmed)   | \$ 7,000            | \$ -              | \$ 7,000          |               |
|   | <b>\$ 274,445</b>   | <b>\$ 4,969</b>   | <b>\$ 269,476</b> |               |
| Nil Projects  | \$ -                | \$ -              | \$ -              |               |
|   | <b>\$ -</b>         | <b>\$ -</b>       | <b>\$ -</b>       |               |
| <b>DRAINAGE</b>   |                     |                   |                   |               |
| Bagdad  |                     |                   |                   |               |
| - Hill Lane (opp Community Club)                                      | \$ 18,000           | \$ 6,869          | \$ 11,101         | Carry Forward |
| - Swan Street - Kerb & Gutter (eastern side - 250 metres)             | \$ 21,862           | \$ -              | \$ 21,862         |               |
| - Swan Street - Kerb & Gutter (western side - 400 metres)             | \$ 39,368           | \$ -              | \$ 39,368         |               |
| - North of Le Compté Place Subdivision                                | \$ 10,000           | \$ -              | \$ 10,000         |               |
| Kempston  |                     |                   |                   |               |
| - Louisa Street   | \$ 21,740           | \$ -              | \$ 21,740         |               |
| Oatlands  |                     |                   |                   |               |
| - High St/Wellington Street Junction                                  | \$ 5,000            | \$ -              | \$ 5,000          |               |
| <b>Works In Progress (30/6/12):</b>                                   |                     |                   |                   |               |
| Reeve St (Open Drain - north of Telephone Box)                        | \$ 28,000           | \$ 3,750          | \$ 24,250         |               |
| Stanley Street, Oatlands (Albert Terrace)                             | \$ 6,140            | \$ 5,312          | \$ 828            |               |
|   | <b>\$ 150,160</b>   | <b>\$ 15,961</b>  | <b>\$ 134,199</b> |               |
| <b>WASTE</b>  |                     |                   |                   |               |
| Wheeble Bins & Crates   | \$ 5,000            | \$ -              | \$ 5,000          |               |
| Rubbish Receptacles (Heritage) - 15 @ \$700                           | \$ 10,500           | \$ 5,051          | \$ 5,439          |               |
|   | <b>\$ 15,500</b>    | <b>\$ 5,051</b>   | <b>\$ 10,439</b>  |               |



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

|   | BUDGET            | EXPENDITURE      | VARIANCE          | COMMENTS      |
|---|-------------------|------------------|-------------------|---------------|
| <b>PUBLIC TOILETS</b>                                     |                   |                  |                   |               |
| Colebrook - Power Connection & Lighting                   | \$ 5,000          | \$ -             | \$ 5,000          | Carry Forward |
|   | <u>\$ 5,000</u>   | <u>\$ -</u>      | <u>\$ 5,000</u>   |               |
| <b>SIGNAGE</b>  |                   |                  |                   |               |
| Oatlands Signage  | \$ 25,000         | \$ -             | \$ 25,000         | Carry Forward |
|   | <u>\$ 25,000</u>  | <u>\$ -</u>      | <u>\$ 25,000</u>  |               |
| <b>RESIDENTIAL</b>  |                   |                  |                   |               |
| Nil Projects  | \$ -              | \$ -             | \$ -              |               |
|   | <u>\$ -</u>       | <u>\$ -</u>      | <u>\$ -</u>       |               |
| <b>TOURISM</b>  |                   |                  |                   |               |
| Avenues of Honour   | \$ 4,000          | \$ -             | \$ 4,000          | Carry Forward |
|   | <u>\$ 4,000</u>   | <u>\$ -</u>      | <u>\$ 4,000</u>   |               |
| <b>HERITAGE</b>   |                   |                  |                   |               |
| Court House (Restoration - Toilet & Kitchenttte Fac's)    | \$ 22,767         | \$ 2,030         | \$ 20,737         |               |
| Kempton Watch House (Fitout)                              | \$ 15,000         | \$ 10,865        | \$ 4,135          |               |
| Caillington Mill (Master Precinct Plan)                   | \$ 22,000         | \$ 6,066         | \$ 15,934         |               |
| Goal (Community Heritage Program)                         | \$ 96,000         | \$ 50,413        | \$ 45,587         | Grant Funded  |
| Gaol (Furnishings & Fitout)                               | \$ 8,000          | \$ 1,786         | \$ 6,214          |               |
| Purchase - 79 High Street Oatlands (Purchase & \$40K)     | \$ 166,000        | \$ -             | \$ 166,000        | Loan Funded   |
|   | <u>\$ 329,767</u> | <u>\$ 71,160</u> | <u>\$ 258,606</u> |               |
| <b>NATURAL</b>  |                   |                  |                   |               |
| Jericho Trees   | \$ 4,000          | \$ -             | \$ 4,000          | Carry Forward |
|   | <u>\$ 4,000</u>   | <u>\$ -</u>      | <u>\$ 4,000</u>   |               |
| <b>REGULATORY</b>   |                   |                  |                   |               |
| Kempton Council Chambers - Building & Office Improvements | \$ 20,000         | \$ 7,486         | \$ 12,514         |               |
| Kempton Council Chambers - Office Equipment               | \$ 3,500          | \$ 1,467         | \$ 2,033          |               |
|   | <u>\$ 23,500</u>  | <u>\$ 8,954</u>  | <u>\$ 14,546</u>  |               |

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

| LIFESTYLE    | RECREATION   | BUDGET              | EXPENDITURE         | VARIANCE            | COMMENTS      |
|--------------|--|---------------------|---------------------|---------------------|---------------|
|              | Recreation Committee                                 | \$ 30,000           | \$ 8,274            | \$ 21,726           |               |
|              | Bagdad Iden Park - Table / Chairs                    | \$ 2,500            | \$ -                | \$ 2,500            |               |
|              | Kempston Memorial Hall                               | \$ 10,000           | \$ -                | \$ 10,000           |               |
|              | Campania Recreation Ground - Cricket Nets            | \$ 36,430           | \$ 32,212           | \$ 4,218            |               |
|              | Campania Hall - Footpath (adjacent to Hall)          | \$ 3,900            | \$ -                | \$ 3,900            |               |
|              | Campania Hall - Car Park Imp's (incl. part seal)     | \$ 35,000           | \$ -                | \$ 35,000           |               |
|              | Colebrook Recreation Ground (Amenities)              | \$ 16,367           | \$ -                | \$ 16,367           |               |
|              | Midlands Aquatic & Recreation Centre                 | \$ 75,000           | \$ 178,370          | \$ (103,370)        |               |
|              | Paratiah Recreation Ground                           | \$ 2,800            | \$ 2,272            | \$ 328              |               |
|              | Healthy Communities Projects                         | \$ -                | \$ 6,609            | \$ (6,609)          | Grant Funded  |
|              |  | <b>\$ 211,797</b>   | <b>\$ 227,736</b>   | <b>\$ (15,939)</b>  |               |
| COMMUNITY    | Road Accident Rescue Unit                            | \$ 3,000            | \$ -                | \$ 3,000            |               |
|              |  | <b>\$ 3,000</b>     | <b>\$ -</b>         | <b>\$ 3,000</b>     |               |
| ORGANISATION | SUSTAINABILITY ADMINISTRATION                        | \$ 15,000           | \$ -                | \$ 15,000           |               |
|              | Council Chambers - Building Improvements (\$ for \$) | \$ 15,000           | \$ -                | \$ 15,000           |               |
|              | Council Chambers - Damp Issues & Stonemasonry        | \$ 5,000            | \$ -                | \$ 5,000            | Carry Forward |
|              | Council Chambers (External Windows - Repaint)        | \$ 22,000           | \$ 22,018           | \$ (18)             |               |
|              | Computer System (Hardware / Software)                | \$ 5,000            | \$ -                | \$ 5,000            |               |
|              | Town Hall (Chairs)                                   | \$ 2,000            | \$ -                | \$ 2,000            |               |
|              | Paintings (ref Mayor)                                | \$ 8,286            | \$ 299              | \$ 7,987            |               |
|              | Town Hall (General)                                  | \$ 5,000            | \$ 1,560            | \$ 3,450            |               |
|              | Town Hall (Upstairs) - Rewiring                      | \$ 5,000            | \$ -                | \$ 5,000            |               |
|              | Asset Management - Computer Software                 | \$ -                | \$ 9,664            | \$ (9,664)          |               |
|              | Web Site - Capital Development                       | \$ -                | \$ -                | \$ -                |               |
| WORKS        | Minor Plant Purchases                                | \$ 13,500           | \$ 890              | \$ 12,610           |               |
|              | Radio System   | \$ 2,000            | \$ -                | \$ 2,000            |               |
|              | Security Key System                                  | \$ 6,000            | \$ -                | \$ 6,000            |               |
|              | Depot - Glenelg Street (Security Fencing)            | \$ 3,000            | \$ -                | \$ 3,000            |               |
|              | Plant Replacement Program                            | \$ 494,152          | \$ 4,536            | \$ 489,616          |               |
|              | Refer separate Schedule (Net Changeover)             | \$ 144,000          | \$ 88,048           | \$ 55,952           |               |
|              | Light Vehicles                                       | \$ -                | \$ -                | \$ -                |               |
|              | (Trade Allowance - \$240K)                           | \$ -                | \$ -                | \$ -                |               |
|              | Excavator (Approx. 2.70 tonne)                       | \$ 60,000           | \$ -                | \$ 60,000           |               |
|              |  | <b>\$ 804,938</b>   | <b>\$ 127,005</b>   | <b>\$ 677,933</b>   |               |
|              | <b>GRAND TOTALS</b>                                  | <b>\$ 4,716,794</b> | <b>\$ 1,818,920</b> | <b>\$ 2,897,873</b> |               |

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

|   | 2/12/2012             | 2/12/2011             |
|---|-----------------------|-----------------------|
| Arrears Brought Forward                               | \$251,900.24          | \$212,537.06          |
| ADD Current Rates and Charges Levied                  | \$3,936,078.68        | \$3,743,108.63        |
| ADD Current Interest                                  | \$20,582.86           | \$19,452.26           |
| <b>TOTAL Rates and Charges Demanded</b>               | <b>\$4,208,561.78</b> | <b>\$3,975,097.95</b> |
| LESS Rates and Charges Collected                      | \$2,076,495.54        | \$2,160,419.51        |
| LESS Pensioner Remissions                             | \$200,249.15          | \$183,670.92          |
| LESS Other Remissions                                 | -\$3,556.06           | -\$6,492.66           |
| LESS Discounts  | \$12,778.60           | \$13,009.28           |
| <b>TOTAL Rates and Charges Collected and Remitted</b> | <b>\$2,285,967.23</b> | <b>\$2,350,607.05</b> |
| <b>UNPAID RATES AND CHARGES</b>                       | <b>\$1,922,594.55</b> | <b>\$1,624,490.90</b> |
|   | <b>45.68%</b>         | <b>40.87%</b>         |
|   | <b>54.32%</b>         | <b>59.13%</b>         |
|   | <b>100%</b>           | <b>100%</b>           |
|   | <b>49.34%</b>         | <b>54.35%</b>         |
|   | <b>4.76%</b>          | <b>4.62%</b>          |
|   | <b>-0.08%</b>         | <b>-0.16%</b>         |
|   | <b>0.30%</b>          | <b>0.33%</b>          |

**18. INFORMATION BULLETINS**

Refer enclosed Bulletin dated 6<sup>th</sup> December 2012.

Information Bulletin dated 30<sup>th</sup> November 2012 circulated since previous meeting.

**RECOMMENDATION**

**THAT the Information Bulletins dated 30<sup>th</sup> November 2012 and 6<sup>th</sup> December 2012 be received and the contents noted.**

**C/12/12/028/19210 DECISION**

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

THAT the Information Bulletins dated 30<sup>th</sup> November 2012 and 6<sup>th</sup> December 2012 be received and the contents noted.

**CARRIED.**

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

**18.1 QUESTION TIME (COUNCILLORS)**

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

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

1. Broadmarsh Council Meeting for 2013- Current locations are as follows  
23/1/2013 – Campania, **27/2/2013 – Broadmarsh**, 27/3/2013 – Tunbridge,  
24/4/2013 - Levendale

**C/12/12/075/19210 DECISION**

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

THAT the February 2013 Meeting, initially scheduled for Tunnack, be held at Broadmarsh to enable Council to consult the community in relation to the proposed road junction realignment at Church Road, Broadmarsh.

**CARRIED.**

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

**2. Woodsdale Road – Tree Trimmings (Road hazard)**

Confirmed that Aurora contractors were responsible for leaving tree trimmings adjacent to the road. To be removed at the earliest opportunity.

**3. Police House – Barrack Street, Oatlands**

Confirmed that no approach has been made to Tasmania Police regarding the above property.

**4. Streetlight – Church Street, Oatlands**

Outstanding installation to be followed up.

**5. High Street, Oatlands – Angle Parking (opposite Kentish Hotel)**

Angle parking in this location is not consistent with the present signage. Monitor accordingly and advise vehicle owners.

**19. MUNICIPAL SEAL****19.1 CONTRACT FOR TRANSFER OF OWNERSHIP OF LAND TO COUNCIL FOR PUBLIC ROAD.**

*File Ref:* 75022559 & 25/079

AUTHOR MANAGER STRATEGIC PROJECTS (D MACKEY)  
DATE 5<sup>TH</sup> DECEMBER 2012

ATTACHMENTS: 1. Contract

**CLARIFICATION**

Several years ago Council reconstructed the Invercarrow Road Bridge at Broadmarsh. In the process it was moved approximately 50 metres. This was done with the consent of the landowner and with agreement that the new alignment of the road would be subject to a new road reservation, which would be transferred to Council at no cost.

Council is now receipt of the contract for the transfer of ownership of the 1117 m2 parcel of land to Council for public road purposes for a nominal sum of \$1.00, signed by the landowners.

It is recommended that Council sign and seal the document.

**RECOMMENDATION**

**THAT the contract for the transfer of ownership of a 1117 m2 parcel of land to Council for public road purposes at Invercarrow Road, Broadmarsh, be signed and sealed.**

**C/12/12/028/19210 DECISION**

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

THAT the contract for the transfer of ownership of a 1117 m2 parcel of land to Council for public road purposes at Invercarrow Road, Broadmarsh, be signed and sealed.

**CARRIED.**

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

10/12/2012  
7590007  
93370

**Contract for Sale of Real Estate**

THIS CONTRACT is made the.....day of.....2009

**BETWEEN:** PAUL ADRIAN GEARD and ELIZABETH JANE GEARD both of "Springfield"  
1330 Elderslie Road, Broadmarsh in Tasmania  
(called "the Vendor")

**AND:** Southern Midlands Council of 71 High Street, Oatlands in Tasmania  
(called "the Purchaser")

**1. Agreement to Sell and Buy**

The Vendor agrees to sell, and the Purchaser agrees to buy, free from encumbrances that part of the Vendor's property at 1330 Elderslie Road, Broadmarsh in Tasmania comprised in folio of the Register Volume 53664 Folio 1 comprising an area of approximately 1,117 square metres and shown as Lot 1 "ROAD" on the attached plan of survey (called "the Property").

**2. Price**

2.1 The price is ONE DOLLAR (\$1.00) and is payable either in cash or by a cheque drawn by a bank, on completion.

**3. Completion**

3.1 This Contract will be completed on or before 30 days after the issue of title to the Property by the Recorder of Titles in accordance with clause 4.

3.2 On completion the Vendor must ensure that the Purchaser obtains vacant possession of the Property.

**4. Conditions Precedent**

It is a condition precedent to completion of this Contract that the Recorder of Titles issues a separate title to the Property within 90 days of the date of this Contract.

**5. Easements and Covenants**

The Property is sold:

- (a) together with all easements and covenants benefiting it;
- (b) subject to all easements which are:
  - (i) registered; or
  - (ii) apparent from an inspection of the Property; and
- (c) subject to all easements and covenants disclosed in this Contract.

**6. Title**

The Vendor warrants to the Purchaser that, at completion:

- (a) the Vendor will provide a good marketable documentary title to the Property;
- (b) the Property will be the absolute property of the Vendor, or the Vendor will have the power to require a transfer of title to the Purchaser; and

2

- (c) the Property will be free from charges payable to any authority either now or in the future for anything which has occurred before this date. The Vendor indemnifies the Purchaser against all liability of that kind.

**7. Purchaser's Default**

If the Purchaser fails to complete the purchase as provided in this Contract, then, unless the failure is due to the Vendor's wilful default, in addition to any other remedies available, the Vendor may claim any loss on resale from the Purchaser as liquidated damages and any profit on resale will belong to the Vendor.

**8. Nominee**

- 9.1 The Purchaser may nominate, in writing, other persons or corporations to complete this Contract.  
9.2 If the Purchaser makes a nomination, then the Purchaser remains personally liable to the Vendor for the performance of all of the Purchaser's obligations under this Contract.

**9. Joint and Several Liability**

Any liability of a party to this Contract attaches jointly and severally to each person or corporation named as comprising that party.

**10. Rights after Completion**

After completion each party retains the benefit of all provisions requiring or contemplating that the other party do something after completion.

**11. Notices**

- 11.1 A notice given by one party to the other will be properly given if signed by any one or more persons or companies constituting the party giving the notice and it is given either:  
(a) by letter:  
(i) to the receiving party personally; or  
(ii) posted to or left at the address of the receiving party shown on this Contract; or  
(iii) posted to or left at the office of the receiving party's solicitor;  
or  
(b) by facsimile transmission:  
(i) to the receiving party's facsimile number shown in this Contract; or  
(ii) to the office of the receiving party's solicitor.
- 11.2 A notice may be signed on behalf of the giver of the notice by the giver's solicitor.  
11.3 A notice may be given to any one or more of the persons or companies constituting the receiving party on behalf of all of them.  
11.4 A posted notice will be taken to have been delivered when it would have been delivered in the ordinary course of post.

**12. Costs**

The Purchaser will pay the survey and subdivision costs, registration costs, valuation fees and the Vendor's mortgagee's costs for consent and production of the Vendor's title (if relevant).



**13. GST**

13.1 In this clause:

“GST” refers to goods and services tax under *A New Tax System (Goods and Services Tax) Act 1999* (“GST Act”) and the terms used have the meanings as defined in the GST Act.

13.1 It is agreed that the consideration for the supply expressed in this agreement is exclusive of the Vendor’s liability for GST.

13.2 On completion:

- (a) The Purchaser will pay to the Vendor, in addition to the total purchase price, the amount payable by the Vendor as GST on the taxable supply made by the Vendor under this agreement;
- (b) The Vendor shall deliver to the Purchaser a tax invoice for the supply in a form which complies with the GST Act and the regulations.

13.3 The Vendor agrees not to utilise the margin scheme in paying GST in respect of the taxable supply under this agreement.

SIGNED by the Vendors )  
in the presence of: )

*P. A. Geard*  
.....

Paul Adrian Geard

*E. J. Geard*  
.....

Elizabeth Jane Geard

Witness: *Donna Nowlett*  
Name: *Donna Nowlett*  
Address: *576 Elderslie Rd*  
Occupation: *Home Duties*

*BROADMARS L*

The Common Seal of the Purchaser )  
was affixed in the presence of: )

.....

Name:

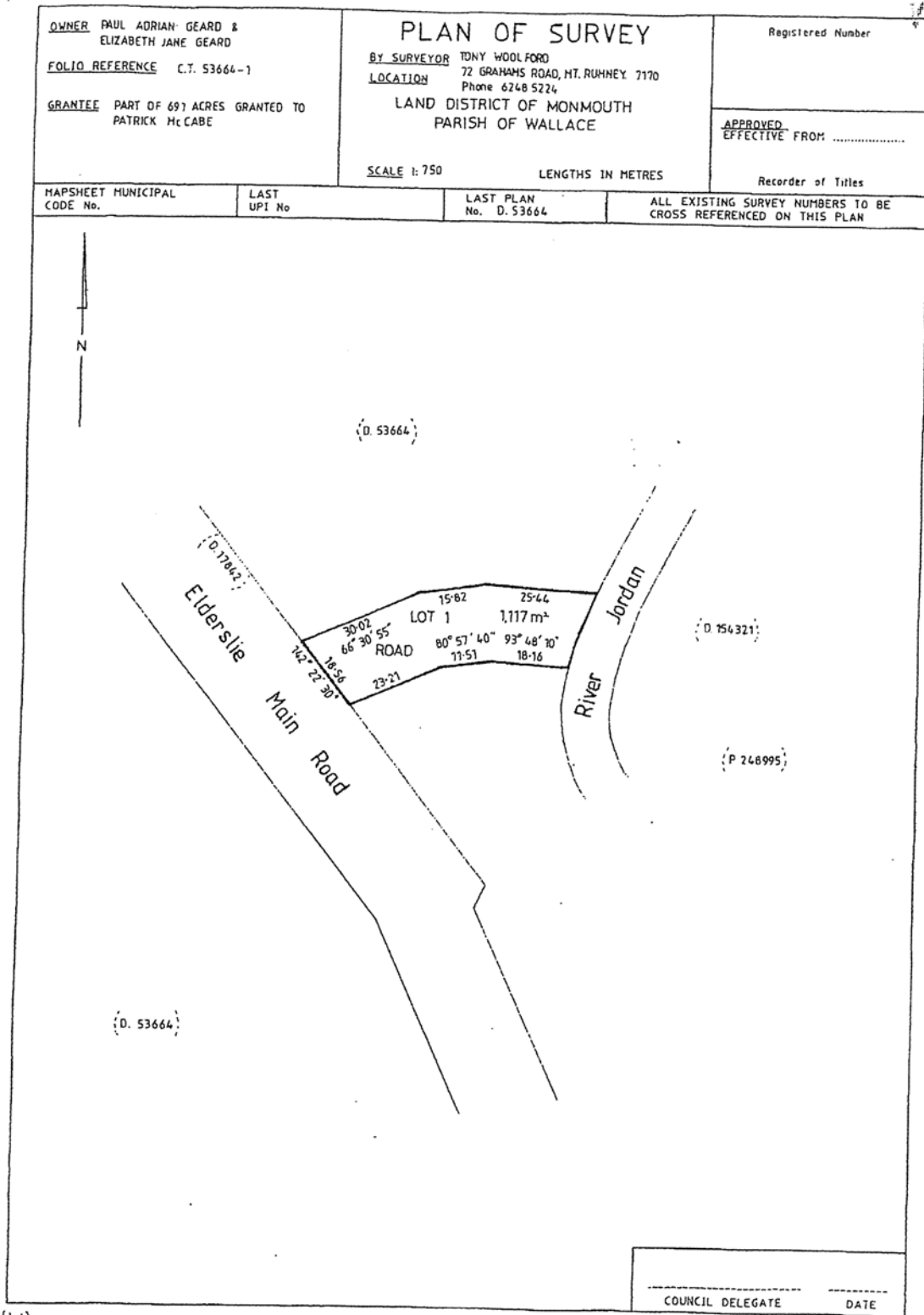
Position Held;

Either party may be at risk if the property is damaged before completion.  
Each party should protect their interest by insurance.

This printed form is approved by the Real Estate Institute of Tasmania, the Auctioneers and Real Estate Agents’ Council of Tasmania and the Law Society of Tasmania. The approval does not extend to alterations additions or deletions, upon which parties should seek advice.

|                      |         |                                      |
|----------------------|---------|--------------------------------------|
| Contact Numbers:     | Vendor: | Purchaser:                           |
| Nominated Solicitor: | Vendor: | Purchaser: James Ramsay – 62 10 0000 |
| Solicitor Address:   | Vendor: | Purchaser: Dobson Mitchell & Allport |

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(1-1)

\_\_\_\_\_  
 COUNCIL DELEGATE                      DATE

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

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

**20.1 REGIONAL COUNCILS CAMPAIGN**

Correspondence has been received from the Brighton Council, acting as the coordinating Council, which seeks an additional funding commitment of \$1,250 to continue the campaign in support of regional growth and development.

A total amount of \$15,000 is required (shared between the 12 participating Councils) to proceed with the proposal prepared by Bright Company Pty Ltd (Tony Harrison) for the next stage of the strategy to highlight the impact of resource security issues on regional Tasmanian and seek more balanced outcomes for the future.

Essentially, the future emphasis will be on broad support and development for regional communities and reinforce that our Councils and communities are consulted on important development and public policy issues.

**C/12/12/028/19210 DECISION**

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

THAT Council allocate \$1,250 to maintain its involvement in the campaign to support regional growth and development.

**CARRIED.**

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

**20.2 MILE INC. – FESTIVAL ADVERTISING**

MILE Inc. has submitted an additional request for funding to assist with the media promotion of the Oatlands Festival scheduled for 24<sup>th</sup> March 2012.

An amount of \$2,850 (includes production costs) is required to proceed with a proposal submitted by Radar Promotions – refer Email dated 10<sup>th</sup> December 2012 (attached).

**C/12/12/028/19210 DECISION**

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

THAT, due to budgetary constraints, the request for additional funding be refused and Council maintain its existing level of commitment of \$1,000.

**CARRIED.**

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

### **20.3 STORAGE FACILITY – PUSH BIKES (AVAILABLE FOR HIRE – CALLINGTON MILL)**

#### **C/12/12/028/19210 DECISION**

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

THAT Council allocate the unexpended monies of approximately \$1,100 to enable the installation of external doors on the proposed storage facility for the push bikes.

**CARRIED.**

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

**RECOMMENDATION**

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

**C/12/12/028/19210 DECISION**

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

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

**CARRIED.**

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

## **CLOSED COUNCIL MINUTES**

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

#### **21.1 BLACKMAN WATER PTY LTD – REQUEST FOR RATE REMISSION (PID 2946924)**

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

**T F KIRKWOOD  
GENERAL MANAGER**

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

**T F KIRKWOOD  
GENERAL MANAGER**

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

**T F KIRKWOOD  
GENERAL MANAGER**



**RECOMMENDATION**

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

**C/12/12/028/19210 DECISION**

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

THAT Council move out of “Closed Session”.

**CARRIED.**

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

**RECOMMENDATION**

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

**C/12/12/028/19210 DECISION**

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

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

**CARRIED.**

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

**22. CLOSURE 4.55 P.M.**