

COUNCIL MEETING

AGENDA

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ENCLOSED

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

- Item 15.9.2 Dog Management Policy 2011
- Item 17.2.2 DRAFT - SMC Business Continuity Plan
- Item 17.2.3 DRAFT - SMC Computer Use Policy

20th July 2012

Dear Sir/Madam,

NOTICE OF MEETING

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

**Kempton Office
Wednesday 25th July 2012
10.00 a.m.**

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

COUNCILLORS PLEASE NOTE:

- **Public Question Time has been scheduled for 12.30 p.m.**

Yours faithfully,



**Mr T F Kirkwood
General Manager**

OPEN COUNCIL AGENDA

1. PRAYERS

Councillors to recite the Lords Prayer.

2. ATTENDANCE

3. APOLOGIES

Clr M Connors (previously granted leave of absence) and Clr J L Jones OAM

4. APPLICATION FOR LEAVE OF ABSENCE

Nil.

5. MINUTES

5.1 ORDINARY COUNCIL MINUTES

The Minutes of the previous meeting of Council held on the 27th June 2012, as circulated, are submitted for confirmation.

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

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 21st June 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.

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

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.

A Workshop was held on 10th July 2012 at the Council Offices, Kempton commencing at 1.00 p.m.

ISSUE

Consideration of matters informing the new Southern Midlands Planning Scheme Heritage Code.

PRESENT

Mayor AE Bisdee OAM, Deputy Mayor M Jones OAM, Clr A Bantick, Clr C Beven, Clr R Campbell, Clr D Fish, Clr A Green, Clr J Jones OAM.

Council officers: Tim Kirkwood; Damian Mackey, David Cundall, L Cartledge.

ISSUE No.1 THE STATE'S PLANNING SCHEME TEMPLATE AND THE PROPOSED REGIONAL HERITAGE CODE

- Council officers are currently drafting a new planning scheme for the municipality, within the cooperative framework of the Regional Planning project with the other eleven Southern Tasmanian Councils.
- The new Southern Midlands Planning Scheme will be based on the State's new standard template for planning schemes.
- Much of the content, however, will be 'regionally agreed' common provisions within the Southern region.
- The format of the new Heritage Code (formally referred to as a 'schedule') is one aspect of the new planning schemes that will be common across the region.
- However the actual content of the Code will need to be provided by each Council. This includes:
 - the list of heritage places;
 - heritage precincts, their statements of significance and design criteria.
 - cultural landscape precincts, their statements of significance and design criteria;
 - the list of places of archaeological potential;

ISSUE No.2: ADDITIONS TO LISTED PLACES

- The list in the new Code will contain approximately 300 listed places. These will be places already listed – either on the current planning scheme list, on the Tasmanian Heritage Register, or both.
- In 2007 a joint Council / Heritage Tasmania study of the municipality undertaken by consultants GHD was completed. This report recommended an additional 300 places be considered by Council for adding to the planning scheme list.
- The workshop noted that:
 - a significant proportion of the recommended places in the GHD report do not appear to be accompanied by sufficient information that would substantiate their ‘local heritage significance’;
 - nevertheless Council should not dismiss such recommendations out of hand;
 - it is therefore appropriate to endeavour to obtain more information.
- Council is therefore to research further information, both written and oral, over the next two months.
- Additionally, letters are to be sent to all owners of properties under investigation for possible heritage listing to:
 - advise that their property is currently being considered for heritage listing in the new planning scheme;
 - provide information on the pros and cons of owning a listed property;
 - seek any information the owner may have that would inform Council’s decision on whether to list the property;
 - seek their position in regard to potential listing.
- It was noted that it is intended that the new planning scheme contain a number of benefits to owning a heritage-listed property, such as flexible use rights and subdivision options.
- Council determined to hold a second Heritage Code workshop on 4 September to:
 - collate the information of potential new heritage listings;
 - consider any feedback from property owners;
 - determine which properties to propose be added to the heritage list in the new planning scheme.

ISSUE No.3 NEW AND EXPANDED HERITAGE PRECINCTS

- In 2010 Council resolved to:
 - expand existing heritage precincts at Oatlands, Kempton and Campania, and add a new precinct at Colebrook;
 - split the Oatlands precinct so as to create a specific Callington Mill Precinct;
 - create a ‘landscape protection’ precinct covering the open rural land between the Highway and Oatlands.
- These resolutions are now being incorporated into the new draft Southern Midlands Planning Scheme.

- The existing ‘Heritage Mile’ cultural heritage landscape precinct will also be translated into the new planning scheme.
- In 2011 Council also resolved to investigate, with Brighton Council, the creation of a new cultural heritage landscape precinct straddling the municipal boundary in the Mangalore/Pontville area. This investigation process is currently underway, with the joint working group due to report back to both Councils later in 2012. It is envisaged that any subsequent decision by each Council to create of a new landscape precinct will be pursued in their new draft planning schemes.

ISSUE No.4 HERITAGE CODE PROVISIONS

- In 2010 Council also determined a number of amendments and additions to the heritage controls within its heritage precincts.
- These changes are now being incorporated into the new draft Southern Midlands Planning Scheme.
- In translating these new principles into the State template / regional code format, a number of changes has had to be made.
- The workshop did not have sufficient time to consider these changes.
- It was determined to consider this at the beginning of the next planning scheme workshop on the 26th of July.

RECOMMENDATION

THAT the information be received.

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

7. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

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

RECOMMENDATION

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

DECISION

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

8. DECLARATIONS OF PECUNIARY INTEREST

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

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

9. PUBLIC QUESTION TIME (SCHEDULED FOR 12.30 PM)

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

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

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

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

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

9.1 PERMISSION TO ADDRESS COUNCIL

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

- Brighton / Green Ponds RSL Kempton Branch Committee Members (4) will be attending the meeting at 12.30p.m.

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

Clr B Campbell has submitted the following motion:

10.1 ROCHE HALL – EXISTING SITE WHERE ARCH IS LOCATED

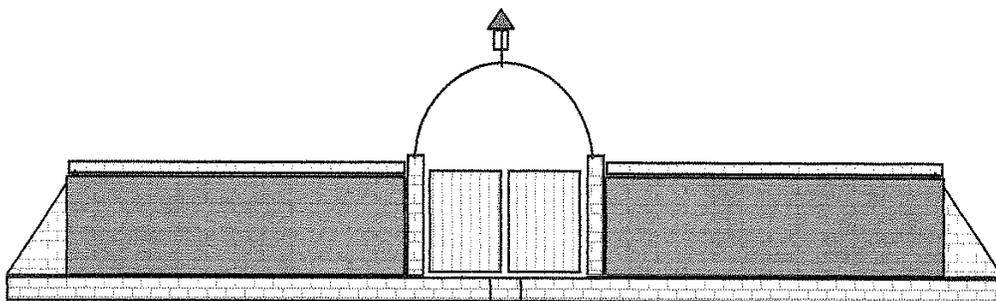
“THAT the following proposal be put to the people through public consultation meetings and via Southern Midlands News, Community Radio etc.”

Proposal:

Due to the restoration of the old goal it is understandable that the arch be returned to the goal that means a blank space in front of Roche Hall, if this space is left with no replacement of interest to the people Council will have to face the people and their comments may well be fiery.

“When the arch is returned to the goal it be replaced with a “Pioneer (or settlers) Memorial Wall” (or arch) built with genuine sandstone. A large percentage of the stones would carry the name of a pioneer (this would include free settlers, convicts, military etc that settled in the area (before 1899) this area became known as the Oatlands Municipality.

Each stone carrying a name would be paid for by descendants of the “Pioneer” and would carry name / date of settlement in the area and place of living. (Thus reducing the cost to Council to build the wall.) The gates of the current arch can be retained and installed in the wall.



DECISION

| 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 D F Fish | |
| | Clr A O Green | |

Mayor A E Bisdee OAM has submitted the following motion

10.2 REVIEW NUMBER OF ELECTED MEMBER

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

General Managers’ Comments:

Councillors would be aware that the Local Government Board has recently concluded a review of Councillor numbers for the Central Coast, Devonport City, Glamorgan-Spring Bay, Glenorchy City, Kingborough and Tasman Councils. A copy of the Board’s report and recommendations is provided as an enclosure.

As part of the above review process, the Board developed a Framework for the Assessment of Councillor Numbers and recommended to the Minister that the Framework be used in any future review of Councillor numbers. This document was provided to the April 2012 Council Meeting.

In reference to the Framework, the Southern Midlands Council is classified as ‘Rural Agricultural Large (Population 5001 – 10000)’. Whilst there are other considerations, the recommended target population per Councillor for this classification is 840. The present population of the Southern Midlands Council area is 6,146 which equates to 683 people per Councillor. A direct application of the Board’s formula would indicate that the desired number is 7.3 Councillors.

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

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)

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

Nil Report.

11.4 PLANNING (OTHER)

Nil.

12. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)

12.1 ROADS

Strategic Plan Reference – Page 13

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

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 Southern Water – Election for Appointment of Owners Representatives

File Ref:

AUTHOR GENERAL MANAGER
DATE 17th JULY 2012

ATTACHMENT: Candidates Statements

ISSUE

Council to determine its preferences for the appointment of Owner representatives for Southern Water.

BACKGROUND

Nil.

DETAIL

Nominations have now closed for the positions of three Owners Representatives for Southern Water whose 3 year appointment was due to take effect from 1st July 2012.

Please note that this concerns Owners' Representatives for the current regional corporation and is not related to the proposed Statewide Corporation.

Five nominations (G Bury, D Chapman, T Foster, J Freeman & S Slade) have been received for the three positions and an election is therefore required. A copy of the Candidates Statements are included as an enclosure.

Human Resources & Financial Implications – Nil.

Community Consultation & Public Relations Implications – N/A.

Policy Implications – N/A.

Priority - Implementation Time Frame – Ballot papers must be returned by Thursday 23rd August 2012.

RECOMMENDATION

THAT Council determine its preference by marking 1 to 5 on the Ballot Paper.

DECISION

| 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 D F Fish | |
| | Clr A O Green | |



BALLOT FOR OWNERS REPRESENTATIVES FOR SOUTHERN WATER

CANDIDATES' STATEMENTS

Dr R G Bury

The following comments address the Selection Criteria

(a) Have a knowledge of water and waste issues relevant to the Councils

I have been an elected Councillor for Kingborough since the year 2000. Councils had responsibility for Water and Sewerage prior to 2008 when the Regional Water and Sewerage Authorities were established. I became particularly interested in water and sewerage issues when Kingborough Council undertook an extensive strategic review of the status of our assets and in particular planning was done to manage these assets during a time of rapid population growth. This involved first hand visits to all our waste water treatment plants and participation in the community consultation involved. I was for 3 years Kingborough Council representative on Hobart Water Authority prior to this organization being wound up when the 3 regional Authorities were established.

I was one of the 3 Owner Representatives elected from the southern region when the regional Authorities were established in 2008 and have continued to serve in that position.

I consider that these activities and experiences address selection criterion (a)

(b) Be prepared to take a regional rather than a municipal perspective

A regional rather than a municipal focus became obligatory once the regional authorities were established. I took a particular interest at the outset in ensuring that a transparent and equitable process was developed with regard to capital expenditure (Capex).

In addressing this selection criterion (b) I am conscious of the need to maintain regional focus and avoid narrow sectional interests, although evidence to support such a point of view would I suggest, be difficult to establish.

(c) Have an understanding of the responsibilities that they would take on as defined in the Water and sewerage Corporations Act 2008 and other relevant legislation: etc.

I do not claim to have an extensive knowledge of the Water and Sewerage Corporations Act 2008 but have a copy available for consideration if necessary.

- An understanding of Corporate Governance.

I have not undertaken a Company Director's course but my experience as a representative on Hobart Water, as an Owner representative for Southern Water and a representative on the Copping Authority have provided me with a substantial experience and understanding of the importance of Corporate Governance in any organisation.

- An ability to understand and critique the performance of the corporation.

Analysis of balance sheets is not my strong suit. The basic fundamental economics of a business (I have had a small business of my own) are easily understandable. I have sought informed opinion in the past for a more detailed analysis.

- An ability to understand and critique the Corporation's corporate Plan. Again my experience as an owner representative for the past 3 ½ years has provided me with the necessary experience. Owner representatives have been assisted in this process by the Joint CEO's of STCA.
- The capacity to provide an effective communication channel between the Corporation and the Councils.

I have done my best as an owner representative to communicate with all the 4 Councils I represent. This has not always been an easy task. Most of the problems have arisen when a decision taken by the owner representatives on behalf of all Councils, has not been agreed to by an individual owner Council.

This is in the long standing folk lore of communication by Councils, usually of course with the community, that if a decision is not agreed to, then the communication strategy must have been inadequate or faulty in some way.

This issue has been dealt with in the new proposed governance arrangements for a single Water and Sewerage Authority where all 29 councils have a voice.

I am not sure that the proposed arrangements will satisfy all, as there will be inevitably be some decisions made that do not have unanimous approval, but an enhanced opportunity to voice opinions will be available.

Ald Doug Chipman.

As Clarence Council's nominee, I am pleased to put my name forward for election as an Owners' Representative for Southern Water. I was first elected to Clarence City Council, Southern water's largest shareholder, in 2000 and since then I have served as Alderman, Deputy Mayor and currently as Mayor. I was also Chair of the award-winning Coal Valley Recycled Water Authority, before it was handed over to Southern Water and have taken a particular interest in the creation of Southern Water and its operations to date. I am committed to regularly consulting with other member Councils and ensuring that Southern Water is a successful enterprise, meeting or exceeding its stated corporate outcomes and that any transition of Southern Water into

a Statewide corporation protects the interests of Southern Councils, I aim to bring to this role the same philosophy I bring to my work in Local Government; that to effectively cope with future challenges, and to implement Southern Water's program, we need the confidence and trust of other levels of government as well as the residents of the southern region. To achieve this, a fair, open and accountable approach in all that we do is essential.

Cr. Tony Foster.

Knowledge and experience relevant to water and sewerage for Councils.

Current: Member of the Implementation Committee being formed by the LGAT to represent the interests of councils as the three corporations are merged into one state wide corporation.

June 2008 – June 2012 : Appointed an Owner Representative for the 12 Councils that own Southern Water.

Current and only Chairman of the Statewide Owner's Representatives (9 Owner Representatives, three from each regional corporation).

December 1996 – December 2005 : Brighton Council's representative on the Hobart Regional Water Authority. Deputy Chairman for a number of years.

June 1996 – December 1996 : Appointed to the Local Government Task Force charged with negotiating with the State Government the transfer of the Hobart Regional Water Board to Local Government ownership and the establishment of a Joint Authority to own and manage its assets.

Prior to the establishment of the Hobart Regional Water Authority and under the Water Act of the Hobart Regional Water Board (formerly the Metropolitan Water Board) Councils such as Brighton, Southern Midlands, Sorell and Derwent Valley did not have representation on the Board but we were afforded " Observer" status , a role I fulfilled for Brighton for some considerable time.

As an Owner's Representative for the past four years I believe I have the knowledge and experience required to satisfy the criteria summarised in the CEO's letter to Councils dated the 22nd of June 2012.

I enjoy the role and feel privileged to have been given the opportunity to represent our owners along with Mayor Graham Bury and Henry Edgell for the past four years.

I look forward to your support to continue in the role.
Tony Foster OAM JP
Brighton Mayor.

Ald John Freeman

Alderman John Freeman has extensive experience in local government and water and waste water issues. He was elected as an Alderman to the Hobart City Council in 1988 and served 2 years as an Alderman before he was elected as Deputy Lord Mayor of the City of Hobart; a position he held from 1990 to 1994. Alderman Freeman served as Lord Mayor between 1996 and 1999.

Alderman Freeman was a long time member and Chairman of the Hobart Regional Water Authority and was Chairman of Hobart Water from 2000 to 2009. He also has

served on many of the Council's Committees including the Finance and Corporate Services Committee as Chairman and the Infrastructure Services Committee.

Ald Stuart Slade

As being an elected member for over 21 years, I have over that period acquired extensive knowledge and skills in the area of water and waste water issues relevant to Councils. I have always been cognizant of reflecting a regional rather than a single Council approach. My background includes:

- Being a director (many as Chairman) of a diverse array of companies since 1987;
- Currently the Chairman of RACT Limited and Director of RACT Insurance;
- Being the Founder and Principal Consultant of the Business Continuity Institute of Australia (undertaking corporate governance services for clients throughout Australia ;
- Obtaining a Company Directors' Diploma;
- Being appointed a Fellow of the AICD;
- Obtaining postgraduate qualifications in health science and risk management; and
- A comprehensive board background including having served on audit and risk committees, governance committees, participating in strategic and corporate planning sessions and obtaining sound communication skills.

12.5.2 Single Water and Sewerage Corporation – Appointment of Owners Representatives

AUTHOR GENERAL MANAGER
DATE 17th JULY 2012

ATTACHMENT: Draft Role Statement – Owners Representatives
Schedule – Actions and Timelines

ISSUE

1. Council to confirm the draft Role Statement (prepared by the Local Government Association of Tasmania) for Owners Representatives under the proposed state-wide Water and Sewerage Corporation.
2. Council to appoint (or confirm) it's Representative for the single state-wide Corporation.

Note: At this stage it is unclear whether a Deputy Representative is actually required, however it would be appropriate to appoint a Deputy recognising the limited timeframe proposed.

BACKGROUND

The preparation of a draft Role Statement for Owners Representatives follows decisions made at a Special Meeting of the Local Government Association of Tasmania meeting held 5th June 2012.

Councils continued to support in principle a move to a single corporation subject to changes to legislation, regulations and the constitution of the single entity reflecting the governance arrangements proposed by the LGAT Working Group.

Prior to the appointment of representatives from each of the 29 Councils, it is necessary that all regions agree to the draft Role Statement. The final version will however depend on final legislation, Constitution, other governance documents and approvals of all Councils.

DETAIL

Essentially, three (3) key roles are proposed:

- 1 Make and implement decisions on behalf of owner Councils; within the scope of enabling legislation and Constitution;
2. Be the statewide body for formal liaison between owner councils and the Board; and
3. Monitor the performance of the Board against the SLE and Corporate Plan.

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

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

Community Consultation & Public Relations Implications – N/A.

Policy Implications – Policy position.

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

THAT Council:

- a) confirm the draft Role Statement (prepared by the Local Government Association of Tasmania) for Owners Representatives under the proposed state-wide Water and Sewerage Corporation; and
- b) Council appoint as it’s Representative for the single state-wide Corporation, and as its Deputy Representative.

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

DRAFT ROLE STATEMENT

OWNERS' REPRESENTATIVES

SINGLE WATER AND SEWERAGE CORPORATION

(final version dependent on final legislation, Constitution, other governance documents and approval by council owners)

Section 1: Key roles

The key roles of the Corporation's Owners' Representatives *Body* (ORB) are to:

1. Make and implement decisions on behalf of owner councils within the scope of the enabling legislation, the Corporation's constitution and the agreed scope of the role, including the establishment of the Selection Committee for the appointment of the Board Chairman and Directors.
 - *Appointment, Dismissal and Remuneration of Directors*
 - owners' representatives to elect members from their region to the Board Selection Committee (see below) in accordance with the legislation and Corporation's Constitution;
 - approve the Charter of the Selection Committee;
 - receive reports from the Selection Committee regarding the appointment, performance and rotation of the Board as a whole and individual directors;
 - dismiss the Board or any director within the requirements of the enabling legislation and Corporation's Constitution;
 - approve the remuneration framework of Directors on the recommendation of the Selection Committee
 - *Approve governance documents*
 - cast respective owner council's vote for the adoption of, or amendment to, the annual Corporate Plans;
 - cast respective owner council's vote for the amendment of the Corporation's Constitution;
 - cast respective owner council's vote regarding amendments to the Shareholders' Letter of Expectations (SLE) or any other governance documents.
 - *Approve end of year processes*
 - cast respective owner council's vote for the adoption of the Annual Report and confirm the appointment of the auditor;
 - cast respective owner council's vote for the declaration of dividends at the Annual General Meeting, based on the recommendation of the Board, noting that the dividend amount and cannot exceed the Board's recommendation;

- *Actions at general meetings*
 - cast respective owner council's vote for and any other formal resolutions at any properly convened general meeting of shareholders;
- *Other actions*
 - provide input on policy and procedural matters when requested by the Board.

- *Role of the Board Selection Committee*
 - recruit and appoint candidates to the positions of Board Chairman and directors in accordance with the legislation and the Corporation's Constitution;
 - develop and recommend to the ORB a framework for the remuneration of the Board Chairman and directors;
 - set the remuneration of the Board Chairman and directors in accordance with the agreed remuneration framework;
 - set the term of appointment for the Board Chairman and each director, within the limits established by the enabling legislation;
 - discuss with the Board Chairman the annual performance evaluation of the Board, its Committees and directors;
 - review the Board composition from time to time and establish Board rotations to balance continuity of the Board with periodic refreshment;
 - act promptly to fill a vacancy in a position of Board Chairman or director.

- 2. Be the statewide Body for formal liaison between owner councils, to whom the body is collectively responsible, and the Board of the Corporation;
 - discuss with the Board Chairman and the CEO any matters regarding the Corporation that may be raised by or of concern to the collective owner councils;
 - seek advice from or request the Board to consider, investigate or report on any matters

- 3. Monitor the performance of the Board against the approved Shareholders' Letter of Expectations (SLE) and Corporate Plan.
 - ensure owner councils are kept informed about the performance of the Corporation against the SLE and approved Corporate Plan and other relevant matters in a timely manner and distribute the formal performance reports.

Section 2: Expert advice

- The ORB can request the Board to source external advice at the Corporation's expense. However, the Board has the right to decline the request if the matter is considered contrary to the best interests of the Corporation as a whole.

Section 3: ORB structure and procedures (subject to enabling legislation or the Corporation's Constitution)

- Within the scope of its role, the ORB will prepare a Charter explaining its guiding principles and operating procedures, and disseminate to owner councils and the Board.
- The ORB may agree to appoint one of its members as a Chief Representative and one of its members as a Deputy Chief Representative.
- The term and role for the Chief and Deputy Chief Representatives will be determined by the ORB and detailed in its Charter.
- The removal of incumbents to these positions by the ORB will be by special majority (within the scope of the enabling legislation and Corporation's Constitution if necessary).
- Minutes of meetings of the ORB and any of its sub-committees will be prepared and retained in perpetuity.
- The ORB may arrange appropriate secretariat/executive support to assist in fulfilling its roles.

Section 4: Formal representation of owner councils

- In the event that owner councils are required to formally attend or address a committee of the Parliament or State Government, in its role representative of the collective shareholders of the Corporation, the ORB will determine who of its membership will attend on behalf of the shareholders, unless another relevant authority or direction dictates otherwise.

Section 5: Board independence

- In keeping with the independence criteria in the *ASX Corporate Governance Principles and Recommendations*, Owners' Representatives may not be appointed to the Board of the Corporation.

Section 6: Other responsibilities

- The ORB will undertake any other duties specified in the enabling legislation or the Corporation's Constitution.

Single Corporation Project Plan – Establishment and governance tasks (v2.0) July 2012

| Latest date | Tasks | Who leads/ is involved | Comments |
|---|---|------------------------|---|
| Week 1 July – Week 4 August 2012 | <p>Councils agree role of Owners' Water Representatives** (<i>in anticipation of legislation etc passing</i>)</p> <p>Council s appoint Water Representatives (<i>in anticipation of legislation etc passing</i>):</p> <ul style="list-style-type: none"> • appointment mechanisms according to agreed council governance arrangements and draft amended WSCA and Constitution • Representatives to be appointed with the expectation they will be empowered to act within the scope of the legislation, Constitution and agreed role. <p><i>Note: Role Statement and appointment mechanics may need further ratification once legislation & Constitution finalised.</i></p> | Councils | |
| Week 1 September 2012 | <p>Water Representatives meet.</p> <p>Appoint Chief Representative/Deputy Chief Representative of Water Representatives</p> | Representatives | Cradle Coast Authority uses this terminology. This would eliminate confusion between Reps Chairman and Board/Corp Chairman. |
| Week 1-2 September 2012 | <p>Representatives draft and approve Charter/standing rules/procedures/meeting schedules for operation <i>in anticipation of legislation passing.</i></p> <p><i>Based on agree role statement, but extended to include necessary administrative procedures</i></p> | Representatives | |
| Weeks 1-2 September 2012 | <p>SLE drafted/current SLE revised:</p> <ul style="list-style-type: none"> • in accordance with councils' preferred governance arrangements • needs to consider draft WSCA and Constitution | Representatives | |

| Latest date | Tasks | Who leads/ is involved | Comments |
|-------------------------------------|---|--|--|
| week 3 Sept - Week 4 Oct 2012 | Councils approve SLE in anticipation of amended legislation passing | Councils | |
| Aug -Sept 2012 (WHEN?) | Consultation occurs re Legislation and Constitution with Councils/other stakeholders | Treasury/LGAT/ Councils/ TWSCs? | |
| Weeks 1-2 Oct 2012 | Water Representatives appoint Board Selection Committee in anticipation of legislation passing: (4+2+2 & [who to provide advice re Board's needs?]): <ul style="list-style-type: none"> • appointment mechanisms as per agreed governance arrangements, and eventually, according to draft amended WSCA and Constitution | Representatives | |
| Week 3 Oct 2012 | Board Selection Committee meets: <ul style="list-style-type: none"> • draft Charter**/standing rules/procedures for operation in anticipation of commencement • develop broad recruitment process (SEE ADDITIONAL INFO Page 7) | Selection Committee | Note: processes to be based on ASX Corporate Governance Principles & Recommendations |
| Weeks 3 - 4 Oct 2012 | Prepare for appointment of Board Chairman in anticipation of legislation passing: <ul style="list-style-type: none"> • determine selection criteria, skills required for Board Chairman** and Board** • prepare role description for Board Chairman** and directors** • determine criteria to commence EOI for recruitment firm and issue EOI • determine remuneration policy/framework** and \$ for Chairman and Directors • prepare advertisement **for Chairman & Director positions (maybe via recruitment firm) • prepare recruitment pack for applicants** • prepare templates for Chairman and Directors' appointment letters** • prepare Induction Pack for Chairman and Directors** | Selection Committee (Chairman's letter to be signed by Chief Rep?) | Note: processes to be based on ASX Corporate Governance Principles & Recommendations |

| Latest date | Tasks | Who leads/ is involved | Comments |
|--------------------|--|---------------------------------------|-----------------------------|
| Week 1 Nov 2012 | Water Representatives to approve: <ul style="list-style-type: none"> • draft Charter/standing rules/procedures for operation of Selection Committee • remuneration framework and \$ for Chairman and Directors • broad recruitment process | Representatives | |
| Week 2 Nov 2012 | Appoint recruitment firm: <ul style="list-style-type: none"> • finalise recruitment process • finalise recruitment pack for applicants • finalise advertisements | Selection Committee | |
| Mid Nov 2012 | Amended/new legislation [& Constitution] passed | Both Houses of Parliament | Final sitting days: 22 Nov? |
| Week 3 Nov 2012 | Confirm approved legislation and constitution requirements align with: <ul style="list-style-type: none"> • Proposed SLE • Proposed appointment process for Water Reps • Proposed appointment of Selection Committee • Proposed authority of Water Reps (ie role of Reps) • Proposed authority of Selection Committee • Proposed Board composition etc • Any other requirements | Water Reps/ Councils | |
| Week 4 Nov 2012 | Seek amendments to governance documents urgently amongst councils/Reps if required | Representatives /Councils | |
| Week 4 Nov 2012 | Councils to sign new Constitution (if not done so previously) and SLE (Note: incorporation of any new corporation can't occur until Constitution signed and ready to submit to ASIC) | Water Representatives /Councils | |

| | Week 4 Nov [??] 2012 | Incorporate new corporation under Corporations Act 2001 (Cth)(if required) • Requires signed Constitution etc • Needs an inaugural public officer- who? | LGAT on behalf of Councils?/ Current Boards? | After Royal Assent |
|--|---|---|--|--|
| Latest date | Tasks | Who leads/ is involved | Comments | |
| Jan 2013 Week 1 Week 2 Week 3 Week 4 | Chairman position – • Evaluate and short list applicants • First round interviews and further short list prepared • Second round interviews and final recommendations prepared • Selection Committee selects candidate(s) • Decide and negotiate with preferred candidate • Appoint according to legislation, Constitution & agreed procedures - immediate effect | | | |
| Feb 2013 Week 1 Week 2 Week 3 Week 4 | Chairman joins Selection Committee Recruit all other directors: • First round interviews and further short list prepared • Second round interviews and final recommendations prepared • Selection Committee selects candidate(s) • Decide and negotiate with preferred candidate • Appoint according to legislation, Constitution & agreed procedures Board meets for first time: • Meeting with Water Representatives • Prepares to recruit CEO • Commences transition plan in conjunction with current Boards • Establishes own governance procedures and arrangements • Takes over management of statutory registers etc | Board Selection Committee including new Board Chairman | | Potentially 12 weeks or so depending on availability |
| Weeks 1-2 March 2013 | | | New Board/ Current Boards | |

| End March? | Finalise Corporate Plan 2013-2015, OPEX Budgets and CAPEX Budgets | New Board (via current Boards & Management Teams) | Comments |
|--------------------|--|---|-----------------|
| | <ul style="list-style-type: none"> Present to Water Representatives Approval processes – according to new legislation | | |
| April 2013 | Finalise borrowing arrangements for new corporation with Tascorp | New Board (via current Boards & Management Teams) | |
| latest date | Tasks | Who leads/ is involved | Comments |
| 1 July 2013 | New corporation operational | New Board and management | |
| | Usual end of financial year processes – current corps: <ul style="list-style-type: none"> Financial statements prepared Statutory audit Annual Reports prepared Audit Committee and Board meetings AGMs Final dividends declared | Current Boards | |
| Mid Nov 2012 | Wind up existing corporations if required | | |
| | <i>Much of this may depend on how the current corps are dealt with in amended legislation.</i> | Current Boards | |

KEY:

** Guidance available from ASX Corporate Governance Principles and/or current examples exist to provide assistance to Representatives

For information – Current Owners Representatives and Current Corporations

| | | |
|--------------------|---|------------------|
| Mid-late Aug 2012 | Quarterly Owners Reps meeting – current Corps | Reps, Chair, CEO |
| Early-mid Nov 2012 | Quarterly Owners Reps meeting – current Corps | Reps, Chair, CEO |
| | AGMs for current Corporations to occur as in previous years | Current Boards |
| Mid-late Feb | Quarterly Owners Reps meeting – current Corps | Reps, Chair, CEO |
| Mid-late May 2013 | Quarterly Owners Reps meeting – current Corps | Reps, Chair, CEO |

12.6 WATER

Strategic Plan Reference – Page 15

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

Nil.

12.7 IRRIGATION

Strategic Plan Reference – Page 15

1.7.1 Increase access to irrigation water within the municipality.

Nil.

12.8 DRAINAGE

Strategic Plan Reference – Page 16

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

Nil.

12.9 WASTE

Strategic Plan Reference – Page 16

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

Nil.

12.10 INFORMATION, COMMUNICATION TECHNOLOGY

Strategic Plan Reference – Page 16

1.10.1 Improve access to modern communications infrastructure.

Nil.

12.11 SIGNAGE

Strategic Plan Reference – Page 16

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

Nil.

12.12 OFFICER REPORTS – WORKS & TECHNICAL SERVICES (ENGINEERING)

12.12.1 Manager - Works & Technical Services Report

File Ref: 3/075

AUTHOR ACTING MANAGER – WORKS & SERVICES (C WHATLEY)

DATE 20TH JULY 2012

ROADS PROGRAM

Maintenance Grading – York Plain / Lemont and Mangalore areas.

Road Edge Grading has been completed in the Woodsdale / Stonor / Rhyndaston areas moving to York Plains then Campania area.

Potholes have been attended to at this stage.

BRIDGE PROGRAM

Minor bridge works are being attended to as required.

WASTE MANAGEMENT PROGRAM

Campania Waste Transfer Station – Cardboard container was recently burnt out, floor repairs have been undertaken.

TOWN FACILITIES PROGRAM

Hall Lane, Bagdad – Drainage works to be commenced within upcoming week.

Vandalism – Campania Flour Mill Park hoons in vehicles

Staff Leave/Resignations/Appointments

- Mr Jack Lyall & Mr Lyndon Scott

RECOMMENDATION

THAT the information be received.

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

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.

13.4.1 Forest Industry (Brighton Council)

File Ref:

AUTHOR GENERAL MANAGER
DATE 20th JULY 2012

ISSUE

Council to consider participation in an advertising campaign aimed at supporting the forest industry from an economic development and employment perspective.

BACKGROUND

Nil.

DETAIL

The Brighton Council has circulated an Email to all Councils advising that they wish to enter the public debate about the forest industry.

A number of reasons are provided, including the following:

- The local community is being ignored and has no one speaking on its behalf.
- The forest industry is an important employer in most parts of the state.
- Forestry Tasmania is also a major ratepayer in many councils (whilst Brighton Council receives no rates from Forestry Tasmania, it does have many forest industry related businesses that do pay rates and employ many local residents).
- It is Brighton's understanding that if land is taken from Forestry Tasmania and "locked up" under the control of the Department of Parks and Wildlife, it will not be rateable and councils would lose this source of rate revenue.

Human Resources & Financial Implications – The Brighton Council is appealing for Councils to join together and contribute to an advertising campaign. Corporate Communications has advised that such a campaign could be mounted for \$25,000. No indication is given as to how this amount may be apportioned between the participating Councils.

No specific budget allocation is available.

Community Consultation & Public Relations Implications – To be considered.

Policy Implications – N/A

Priority - Implementation Time Frame – Comment to be provided.

RECOMMENDATION

Submitted for consideration.

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

13.5 INTEGRATION

Strategic Plan Reference – Page 21

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

Nil.

14 OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)

14.1 HERITAGE

Strategic Plan Reference – Page 22

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

14.1.1 Heritage Project Officer's Report

File Ref: 3/097

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

ISSUE

Southern Midlands Heritage Projects – report from Manager Heritage Projects

DETAIL

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

- Finalising the implementation of the Oatlands Gaol Interpretation Project.
- Preparing building application documentation for the Oatlands Gaol Arch relocation.
- Heritage collections audit and procedures manual development continuing.
- Input into the processing of the Southern Midlands Heritage Project, including the preparation of a list of archaeological areas.

- Preparation for implementation of the Federal Government grant for restoration of the Oatlands Gaol walls.
- Rowena McDougall has commenced the Southern Midlands Community Heritage Archive Project, as funded by the Federal Government.
- Alan Townsend is continuing research towards the Oatlands Commissariat Conservation Management Plan.

RECOMMENDATION

THAT the information be received.

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

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

AUTHORS NRM PROGRAMS MANAGER (M WEEDING)

DATE 16TH JULY 2012**ISSUE**

Southern Midlands Landcare Unit Monthly Report

DETAIL

- Graham has finalised the project plan for the Climate Change (CEEP) project that has been funded, called *Implementing and promoting energy efficiency solutions in heritage buildings through retrofitting the 1880's Southern Midlands Town Hall*.
- The Lake Dulverton corridor walkway has seen further works undertaken with the placement of two bush style seats that were donated to the committee by J Lyall. Plans are underway to place the purchased seats on Wednesday 18th July. A day of tree planting and general maintenance is also planned.
- The draft Water Management Plan for the Macquarie Catchment was to be formally distributed and available for public consultation in early May and then rescheduled, has been delayed again. We have been notified by DPIPW that at this stage there is no firm date set to release the plan.
- In early July, Helen and Maria distributed a total of 3600 plants to 23 landholders that had expressed an interest to the landcare unit in undertaking some revegetation works should plants become available. The plants, bags, stakes and mulch mats were purchased through funding that had been secured by the Midlands Tree Committee.
- Helen has been away from work for part of June.
- Work on the Biodiversity 2012-14 Project continues. The project has been renamed and will now be referred to as the Bushlinks 500 Project. This is because there is a target of 500 Ha to be protected / restored through the project.
- Graham Green has taken annual leave and will be away for the next month – returning mid August.

RECOMMENDATION

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

DECISION

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

14.3 CULTURAL

Strategic Plan Reference – Page 23

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

Nil.

14.4 REGULATORY (OTHER THAN PLANNING AUTHORITY AGENDA ITEMS)

Strategic Plan Reference – Page 24

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

Nil.

14.5 CLIMATE CHANGE

Strategic Plan Reference – Page 24

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

Nil

15 OPERATIONAL MATTERS ARISING LIFESTYLE

15.1 COMMUNITY HEALTH AND WELLBEING

Strategic Plan Reference – Page 25

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

Nil

15.2 YOUTH**Strategic Plan Reference – Page 25**

4.2.1 Increase the retention of young people in the municipality.

15.2.1 June 2012 – School Holiday Program

AUTHOR: COMMUNITY RECREATION OFFICER (G HUNT)

DATE: 2ND JULY 2012

ATTACHMENTS: School Holiday Program - June 2012 Flyer
School Holiday Program – June 2012 Budget

Background

Council has provided a School Holiday program for the young people of the municipality [age range 9 – 16 years] since May 2008. A varied and stimulating program is provided, and feedback from both participant children and parents is very positive.

Current Situation

Please refer to attached flyer outlining the June 2012 activities. Two days of various activities were provided, with first time experiences at several activities being encountered by participants.

Financial Implications

Attached budget demonstrates that our partnerships with the local Rural Primary Health Service and Communities for Children through their “Connecting Families and School Communities” program provides a very cost effective holiday program for our young people. Council’s actual ‘cash’ contribution was zero for the June 2012 program- please refer to comments on the Budget paper.

Council staff however do provide an enormous amount of time and energy into all human resource sections of the activities, ie take all bookings [including medical and permission forms], organise all activities / venues and transport, provide at least one adult supervisor per day of the program, as well as conducting research and debriefing sessions post activities.

Participation

As can be seen from the flyer, a diverse and interesting program was provided in June 2012 – bearing in mind restraints due to winter weather conditions negating the option of outdoor activities to an extent. We noticed that the average age of participants [11.8 years] was again reduced, with a large proportion in the 9-12 age bracket. No real evidence why this trend has evolved, but we will continue to monitor this trend on an ongoing basis.

This reduction does auger well for sustainability of the program inasmuch as the younger ones are eligible to continue attending the program for several years.

Numbers attending the days were 87 - as follows:-

Day 1 46 Day 2 41

Eleven different townships were represented over the two days as follows;

Bagdad, Jericho, Kempton, Lemont, Levendale, Melton Mowbray, Mt Seymour, Oatlands, Tea Tree, Tunnack, and York Plains.

Conduct of the children was very good, and supervisor numbers [SMC, RPHS, and CfC staff on a rostered basis] were in accordance with regulations at all times.

For information purposes, Communities for Children and Rural Primary Health Services have indicated their continuing support for this successful program – albeit with budget restraints prevalent in the next twelve months.

RECOMMENDATION

That the information be received.

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

YOUTH SCHOOL HOLIDAY PROGRAM JUNE 2012

Southern Midlands Council, in conjunction with Rural Primary Health - 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 June 2012 School Holiday Period.

Cost is \$10 per Day.





WEDNESDAY 06 JUNE 2012

An action packed fun filled day to be had by all!! Starting with a bus trip to Hobart, kids will be highly entertained by a Block out Super session at Zone 3 and Intencity (exclusive for our holiday program) followed by lunch (BYO) and 18 holes at Putters Adventure Golf




TUESDAY 12 JUNE 2012

A coach trip to Glenorchy where we will enjoy Woody's Skate and Play. Kids are to bring their own lunch or purchase from Woody's skate and Play which will be followed by a session at Glenorchy Village Cinema's to see a hot new release. A special small coke and popcorn combo can be purchased from the cinema for an additional \$5.00. Please complete slip and return with permission form upon booking if you would like to purchase this.

Bookings are essential and to be made prior to close of Business on **Tuesday 22nd May 2012**. Age limits of 9 - 16 apply and numbers are limited. Please dress appropriately for the relevant activities. BYO lunch, snacks, drinks for all days or purchase at the venues. **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 the program/s.**

Bookings can be made through Council's Kempton Office on 6259 3011 during office hours, 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. Payment should 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 in the fun!!!

Greg Hunt
SMC



Kelly Woodward
CFaSC



Karla Otten & Corina McCarthy
RPHS



BUDGET – SCHOOL HOLIDAY PROGRAM JUNE 2012

INCOME

| | | | |
|-------|---------------------------------------|------------------|-----------|
| Day 1 | 46 attendees @ \$10.00 | \$ 460.00 | |
| Day 2 | 41 attendees @ \$10.00 | \$ 410.00 | |
| | RPHS Contribution | \$1200.00 | |
| | Communities for Children contribution | <u>\$ 909.09</u> | |
| | TOTAL INCOME | \$2,979.09 | \$2979.09 |

EXPENDITURE

Day 1 6th June 2012

| | | | |
|------------|-----------------------|------------------|--|
| Entry Fees | Zone 3 / Intencity | \$ 772.73 | |
| | Putters Golf – Moonah | \$ 353.82 | |
| | Transport Bus hire | <u>\$ 454.55</u> | |
| | Sub Total | \$1581.10 | |

Day 2 12th June 2012

| | | | |
|------------|----------------------|------------------|--|
| Entry Fees | Woody's Skate & Play | \$ 298.18 | |
| | Village Cinemas | \$ 381.82 | |
| | Transport – Bus hire | <u>\$ 454.55</u> | |
| | Sub Total | \$ 1134.55 | |

| | |
|-------------------|-----------|
| TOTAL EXPENDITURE | \$2715.65 |
|-------------------|-----------|

Financial Contribution by Council \$ nil

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.

Nett surplus has mainly arisen from transport costs being discounted by around \$200 by Blyth's Bus Service – which was not factored into original draft budget considerations.

15.3 SENIORS

Strategic Plan Reference – Page 26

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

Nil.

15.4 CHILDREN AND FAMILIES

Strategic Plan Reference – Page 26

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

Nil.

15.5 VOLUNTEERS

Strategic Plan Reference – Page 26

4.5.1 Encourage community members to volunteer.

Nil.

15.6 ACCESS

Strategic Plan Reference – Page 27

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

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

Nil.

15.7 PUBLIC HEALTH

Strategic Plan Reference – Page 27

4.7.1 Monitor and maintain a safe and healthy public environment.

Nil.

15.8 RECREATION

Strategic Plan Reference – Page 28

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

Nil.

15.9 ANIMALS

Strategic Plan Reference – Page 28

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

15.9.1 Animal Control Officers Report

File Ref: 3/027

AUTHOR ANIMAL CONTROL OFFICER (G DENNE)

DATE 18TH JUNE 2012

ISSUE

Consideration of Animal Control Officer’s monthly report.

DETAIL

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

Reclaims: 1 – Owners were identified immediately as a result of the dogs being micro chipped.

RECOMMENDATION

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

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

15.9.2 Dog Management Policy 2011 - Review

AUTHOR MANAGER, DEVELOPMENT & ENVIRONMENTAL SERVICES (A BENSON)

DATE 19TH JULY 2012

ENCLOSURE Dog Management Policy 2011

BACKGROUND

In 2011 Council Officers undertook a major review of the Southern Midlands Council Dog Management Policy 2009 across the April, May and June 2011 Council meetings. The policy was formally adopted at the July 2011 meeting of Council. The following resolution in respect of the policy was adopted at the May 2011 meeting, namely

C/11/05/118/10567 DECISION

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

THAT:

- a) Council endorse the draft Dog Management Policy May 2011, with it being brought back to the June Council meeting for final approval after public notification during the period between the May and June Council meetings; and
- b) A basic review be undertaken in twelve months to identify any need for further amendment(s).

CARRIED

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

CURRENT

In response to Item b) of the June resolution, Council are advised that the Dog Management Policy 2011 has served the Community and Council Officer “needs” in a manner that is consistent with good governance and good policy therefore it is recommended that the policy remain unaltered from its current content.

The *Dog Control Act 2000 p1 s7* states;

7. Dog Management Policy

- (1) *A council is to develop and implement a policy relating to dog management in its municipal area.*
- (2) *A dog management policy is to include the following:*
 - (a) *a code relating to responsible ownership of dogs;*
 - (b) *the provision of declared areas;*
 - (c) *a fee structure;*
 - (d) *any other relevant matter.*
- (3) *A council is to –*
 - (a) *invite public submissions relating to a proposed dog management policy; and*
 - (b) *consult with any appropriate body or organisation; and*
 - (c) *consider any submissions and results of any consultation before finalising the policy.*
- (4) *A council is to review its dog management policy at least once every 5 years.*
- (5) *In reviewing its dog management policy, a council is to take the actions referred to in subsection (3).*

It is therefore recommended that the Southern Midlands Council Dog Management Policy 2011 be reviewed in 2016 in accordance with the Act, unless a significant reason brings about an earlier review.

RECOMMENDATION

That the Southern Midlands Council Dog Management Policy be reviewed in 2016 in accordance with the Dog Control Act 2000, unless a significant reason brings about an earlier review.

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

15.9.3 Cat Management Act

AUTHOR MANAGER, DEVELOPMENT & ENVIRONMENTAL SERVICES (A BENSON)

DATE 19TH JULY 2012

- ATTACHMENT 1. Letter from the Invasive Species Branch of DPIPWE
2. Web Page Invasive Species Branch
3. Feral Cats Information Sheet from DPIPWE web site
4. Cat Management Act Information Sheet from DPIPWE web site
5. Australian Broadcasting Commission article of the Cat Management Act

Councillors would be aware that the Cat Management Act 2009 came into effect on the 1st July 2012. The attachments to this Item, apart from the DPIPWE letter from the Manager of the Invasive Species Branch, were included on Council's website under NEWS on the Home Page during the first week in July 2012. A copy of the Cat Management Act 2009 is also available as a download from Council's website and can be made available to Councillors upon request to the General Manager's Executive Assistant.

RECOMMENDATION

THAT the information be received

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

Department of Primary Industries, Parks, Water & Environment
INVASIVE SPECIES BRANCH

Hobart GPO Box 44, Hobart, Tasmania, 7001
Launceston PO Box 46, Kings Meadows, Tasmania, 7249
Devonport PO Box 303, Devonport, Tasmania, 7310
Ph 1300 368 550
Web www.dpipwe.tas.gov.au



SOUTHERN MIDLANDS COUNCIL

Rec'd 25 JUN 2012
File no _____
Doc. Id. _____

21 June 2012

Mayor Anthony Bisdee
Southern Midlands Council
PO Box 21
OATLANDS TAS 7120

Dear Mayor Anthony Bisdee

The Tasmanian Government has announced the commencement date of the *Cat Management Act 2009* as 1 July 2012. This will see an important step towards ensuring responsible cat ownership and breeding in the State as well as strengthening the rights of some land owners and managers to control feral and stray cats found on their land.

Cats are believed to have played a key role in the population decline or extinction of a range of mainland native species and are considered a vector in the possible transmission of toxoplasmosis to native species and livestock. As you'd be aware, the management and control of cats can be a contentious issue and community opinions and expectations of State and Local Governments' response to the issue can be polarised.

The new Invasive Species Branch (ISB) in the Department of Primary Industries, Parks, Water and Environment will lead the implementation of the Act and I'm seeking your support in this regard. This letter outlines the approach of the department in administering this Act and the role of Councils can play in this area.

Controlling Feral and Stray Cats

The new Act clarifies the right of land owners and managers to control cats in rural and remote areas. The Act outlines the authority for land owners, and those working on their behalf, to control stray and feral cats on remote and rural land. The definition of these types of land and the methods of control are outlined in section 17 of the Act. Some parts of the State; including National Parks, reserve land managed by Councils, and private land subject of conversation covenants under Part 5 of the *Nature Conservation Act 2002*; will be declared 'prohibited areas'. Councils can declare additional areas to be 'prohibited areas' or 'cat management areas' under sections 19 and 20 of the Act. This will enable your Council to respond to local concerns about the impact and prevalence of feral and stray cats in specific areas.

DPIPWE will be developing a state-wide strategy to address the impacts of cats on the environment and livestock. This will be a multi-faceted approach with the goal of reducing the 'immigration of additional cats into the feral cat population' by encouraging responsible cat ownership and identifying and targeting the impacts of feral and stray cats in collaboration with the community. We are currently identifying priority areas where targeted cat control to reduce the impact of feral cats on conservation values can be achieved. In good news, preparatory work on one of the identified areas in the initial target list - Wedge Island - indicates that the last feral cats on the island may now have been eradicated as a result of past control work reducing the population to an unsustainable level but further monitoring will be conducted to ensure this is the case.

DPIPWE is also keen to continue supporting research by the University of Tasmania and the Invasive Animals Cooperative Research Centre to develop better knowledge on the impacts of feral cats and on the best

methods to reduce those impacts. My goal is to ensure this information is then available to land owners and managers through the ISB as well as other organisations such as Councils and the NRM regional bodies. Whilst the issue has a high degree of public interest, reliable data on the distribution and abundance of feral cats in Tasmania is not well-developed and we'll be working to improve the systems available to capture this data and develop a better picture of the problem. This will of course take time but it will build upon work done in the Fox Eradication Program and provide an important baseline to monitor this issue and specific projects.

One activity that the department will not be undertaking will be collecting feral or stray cats on an ad hoc basis for individual landowners. Whilst this is an expectation of some in the community, we must be clear in promoting the concept of land owners being responsible for invasive species on their land. I expect that this may be a source of criticism towards the government from some individuals but it is not realistic to expect that any level of government can address many of these types of issues unless individuals take responsibility for managing their land. This must be a joint effort. The focus of DPIPWE is on providing the tools - whether through the provisions of the Act, advice and information on cats and control methods, or undertaking or supporting targeted control activities in conjunction with local communities - to have the most effect.

Encouraging Responsible Cat Ownership

Registration of pet cats is not required under the Act. Microchipping and desexing of cats, whilst encouraged, is not specifically compulsory under the Act. Cat owners who microchip and desex their cats will have the safeguard of greater certainty of being able to retrieve their cats if it strays and is trapped. Cats that are trapped and transferred to a Cat Management Facility (CMF) may be asked to microchip and desex their cats. Section 24 of the Act does introduce a requirement to microchip and desex cats transferred to CMF but it has been decided to delay commencement of that Section to reduce the impact of that section's obligations on those organisations. As noted below, cats sold or given away after the commencement of the Act must be desexed and microchipped.

Regulating the Breeding and Sale of Cats

Whilst the Act does not specifically require compulsory desexing and microchipping of pet cats, cats that are sold or given away must be desexed and microchipped if they are older than 6 months unless exempted by a veterinarian or subject to a 'Care Agreement' to ensure this occurs later.

Breeders of cats, whether operating on a commercial basis or not, must be registered with DPIPWE. Where possible, conditions will be imposed on breeders which will include required compliance with any Council by-laws relating to the keeping of animals as well as record-keeping obligations. DPIPWE will operate a targeted audit program focusing on these requirements.

Role of Councils

The Act has been specifically designed to provide Councils with an 'opt in' role based on the level of community concern and scale of local problems with feral and stray cats in your area.

Councils may make by-laws relating to cats; including the requirement to register, desex or microchip pet cats or otherwise control cats; within their jurisdiction. The Act also enables Councils to declare 'cat management areas', where control activities can be undertaken for specific periods, or additional 'prohibited areas' to address local problems. Council facilities may be recognised as 'Cat Management Facilities' under the Act if they are capable of holding and handling cats and I encourage you to make contact with the ISB if your Council intends to operate a CMF so we can provide guidance on the relevant provisions on the Act.

The Act automatically makes Council staff appointed under the *Dog Control Act 2000* to be Authorised Persons under the *Cat Management Act 2009*. A number of DPIPWE staff will also be appointed under the Act. There is not an expectation that Council staff undertake a lead role in enforcing the Act but I hope that the availability of the statutory powers benefit your staff in undertaking their duties.

My staff and I are available to provide assistance to any Council interested in applying these provisions and support your staff wherever possible. I appreciate that some excellent work is already occurring in a number of areas by Councils in relation to cat management and I'd welcome the opportunity to provide support to those measures wherever possible. I do want to make it clear that DPIPWE is not expecting Councils to be required to undertake any enforcement work in this area nor compel compulsory registration of cats by Councils.

A new training package will be developed for Council staff, focusing on the *Weed Management Act 1999* and *Cat Management Act 2009*, and will be rolled out during the next 12 months and ensure staff understand the powers and provisions of this legislation. Specific training material on the Cat Management Act's provisions is available at www.dpipwe.tas.gov.au/invasivespecies in the coming weeks. Your staff can also receive updates directly on the ISB via the quarterly 'Eradicate' bulletin and the "Tasmanian Invasive Species" Facebook page.

Finally, staff from the Invasive Species Branch will be providing a display at the 2012 LGAT Conference. Please call into that display to discuss any issues you have - I'll be present at various times on both days of the Conference and would welcome the opportunity to discuss the new Invasive Species Branch and this Act or any other issue with you there. Please don't hesitate to contact me separately however on 03 6336 5229 or at craig.elliott@dpipwe.tas.gov.au if there are any other issues or questions you have.



Craig Elliott
Manager, Invasive Species
Department of Primary Industries, Parks, Water and Environment



Cat Management in Tasmania

[Cat Management in Tasmania](#) | [Information for Cat Owners](#) | [Breeding and Selling Cats in Tasmania](#) | [Councils and Cat Management Facilities](#) | [Controlling Stray and Feral Cats](#)

From 1 July 2012, new legislation relating to owning, breeding and controlling cats comes into effect in Tasmania.

Domestic cats are a part of many households and are a valued companion pet to many people. The Tasmanian Government promotes responsible pet ownership and the [Cat Management Act 2009](#)  encourages owners to have their pets desexed and microchipped.

Under the Act only registered breeders are permitted to breed cats. Cats sold or given away must be more than eight weeks old, desexed and microchipped. The Act also introduces powers to trap, seize or destroy stray and feral cats in certain circumstances and gives land owners and managers the statutory power to control cats found on their land.

Over many years, a feral cat population has become established in Tasmania. DPIPW is responsible for coordinating efforts to better understand and reduce these impacts. A statewide plan is being developed to support these efforts. As part of this, the Invasive Species Branch (ISB) is consulting with key industry and community groups.

The following fact sheets are available for download:



Cat Ownership in Tasmania - Fact Sheet

[\(PDF: 281 KB / 1 page\)](#)

This is a Portable Document Format (PDF) file and requires the use of Adobe Acrobat Reader. The Reader is easy to [download](#) and is free of charge.



Feral Cats in Tasmania - Fact Sheet

[\(PDF: 281 KB / 1 page\)](#)

This is a Portable Document Format (PDF) file and requires the use of Adobe Acrobat Reader. The Reader is easy to [download](#) and is free of charge.



Register

For more information:

Register now to receive updates on invasive species management

Join us on Facebook and keep informed about the invasive species management in Tasmania.

Contact: Invasive Species Enquiries

Invasive Species

171 Westbury Road

PROSPECT TAS 7250

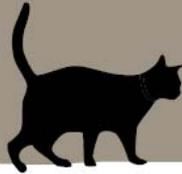
Phone: 03 6336 5320

Fax: 03 6336 5453

Email: invasivespecies@dpiwwe.tas.gov.au

Cat Management Act 2009

Feral cats in Tasmania



Protecting wildlife and agriculture

Feral and stray cats are believed to have a significant impact on wildlife and livestock through predation, competition, and disease transmission. The *Cat Management Act 2009* allows land owners and managers to take action to protect wildlife and livestock on their land.

Cat control on private land

Primary producers, and people working on their behalf, may trap, seize or humanely destroy any cat found on rural land where livestock are grazed.

On other private land that is more than 1 km from a place of residence, a person can trap, seize or humanely destroy a cat. Cats found on any private land, including rural and remote areas, may be returned to their owners or taken to a Cat Management Facility so that the owner can be contacted.

Cat control on public land

Prohibited areas for cats include:

- All reserved lands under the *Nature Conservation Act 2002*, including national parks and conservation areas, as well as land subject to conservation covenants;
- Public reserves under the *Crown Lands Act 1976*; and
- Private timber reserves, forest reserves and state forest under the *Forestry Act 1920*.

Local Government may, after consulting with its local community, also declare council-controlled land as a prohibited area or cat management area. Trapping and other control measures may be undertaken by the land managers of these areas.

Responsible cat ownership

Cat owners should consider keeping cats inside or having an outside cat enclosure, especially if living near a prohibited area declared under the Act or in rural or remote areas. Desexing your cat may also deter it from wandering from your property. Microchip your cat so it can be returned to you.

From 1 July 2012, cat management laws will apply throughout Tasmania. Under the *Cat Management Act 2009* cats found in a prohibited, rural or remote area may be trapped and returned to their owners, seized or humanely destroyed.



For more information visit
www.dpipwe.tas.gov.au/invasivespecies

Copies of the *Cat Management Act 2009* and the *Cat Management Regulations 2012* are available from
www.thelaw.tas.gov.au



Tasmanian Invasive Species

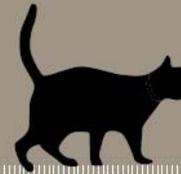
02/12/12

Invasive Species Branch
Department of Primary Industries, Parks, Water and Environment



Cat Management Act 2009

Cat ownership in Tasmania



From 1 July 2012, cat management laws will apply throughout Tasmania.
If you own, acquire, breed or sell a cat these new measures will affect you.

The Cat Management Act 2009 and the Cat Management Regulations 2012:

- Promote the welfare and responsible ownership, including the desexing and microchipping, of domestic cats;
- Allow for the humane handling and control of unidentified, stray and feral cats; and
- Reduce the negative effects of cats on the environment and agriculture.

If you are no longer able to care for your cat, or you have found a stray cat, contact your local cat management facility.

Cats are not permitted in 'prohibited areas', such as national parks and areas under conservation covenants, and Councils may declare other areas to be 'cat management areas' and control cats found in those areas.

Cat registration

Registration of cats is not required, unless introduced by your local council.

Breeding, selling or giving away cats

As a first step to reduce the number of unwanted cats that are euthanased each year, it will be an offence to breed cats unless you are a registered breeder.

Anyone can sell or give away a cat but the animal must be at least 8 weeks of age, microchipped and desexed (unless a care agreement has been entered into), wormed and vaccinated. Cat sales between registered breeders and genuine show cats will be exempt.

Cat management facilities

Cat management facilities will receive stray cats. Cats in their care will be scanned for microchips to establish ownership. They will be required to hold microchipped cats for at least five days and unmicrochipped cats for three days, to provide cat owners with time to look for lost pets. After this time, the cat management facility may rehome, sell or euthanise the animal.

Cat owners

Owners of cats over six months of age are encouraged to have their cat microchipped and desexed. A compulsory microchipping and desexing requirement will be phased in. After this time it will be necessary for cats being reclaimed from a cat management facility to be desexed and microchipped before being released to the owner.



For more information on becoming a registered breeder, your obligations as a cat owner or details of your local cat management facility, visit

www.dpipwe.tas.gov.au/invasivespecies

Copies of the *Cat Management Act 2009* and the *Cat Management Regulations 2012* are available from www.thelaw.tas.gov.au



Tasmanian Invasive Species

10671/02

Invasive Species Branch
Department of Primary Industries, Parks, Water and Environment



29 June, 2012 11:32AM AEST

Tasmania sharpens its cat laws

By Carol Raabus and Leon Compton

We've worshipped them as gods, used them as pest control, put millions of photos of them with funny captions on the Internet and many of us enjoy a furry snuggle with one or two of them each night. Cats are an entrenched part of our lives, but how responsible a cat owner are you?

New laws in Tasmania regarding cat ownership might make you stop and think about whether you're really doing the right thing, or if you need to change your thinking when it comes to your moggy companion.

From Saturday 1 July new rules regarding cat ownership come into law in Tasmania.

The biggest change is you will now need to be registered to have kittens.

If you let your cat have kittens without being registered, you could face a fine and maybe lose your cats as well.

"The aim is to reduce the number of unwanted cats that are euthanased each year," says Craig Elliott, manager of the Invasive Species Branch in the Department of Primary Industries, Parks, Water and Environment.

"Anyone can sell or give away a cat, but they must ensure the animal is at least eight weeks of age and is wormed, vaccinated, microchipped and desexed.

"Only sales of genuine show cats and between registered breeders will be exempt."

Cat owners are also being encouraged to have their cats microchipped.

Microchipping your cat means that if it strays and someone picks it up, they can track the owner and return the cat to you.

From 1 July, microchipped cats found wondering from home will be held for at least five days and unmicrochipped cats for three days to give owners an opportunity to look for lost pets.

After that time, the cat management facility could re-home, sell or euthanise the animal.

"The Cat Management Act 2009 allows land owners and managers to trap or seize cats and return them to their owners or to take them to a cat management facility," says Mr Elliott.



DPIW Cat Management in
Tas info

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"The animals may also be humanely destroyed.

"Cat owners should consider keeping cats inside or having an outside cat enclosure, especially those living near a prohibited area declared under the Act or in rural or remote areas.

"Desexing may also deter a cat from wandering."

The new rules do not make it compulsory to register your cat unless you plan to breed from it, but this is a move the department may consider in the future.

For more information on the rules relating to owning cats in Tasmania, see the Department of Primary Industries, Parks, Water and Environment website.



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15.10 EDUCATION

Strategic Plan Reference – Page 28

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

Nil.

16 OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

16.1 RETENTION

Strategic Plan Reference – Page 29

5.1.1 Maintain and strengthen communities in the Southern Midlands.

Nil.

16.2 CAPACITY AND SUSTAINABILITY

Strategic Plan Reference – Page 29

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

Nil.

16.3 SAFETY

Strategic Plan Reference – Page 30

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

Nil.

16.4 CONSULTATION

Strategic Plan Reference – Page 30

5.4.1 Improve the effectiveness of consultation with the Community.

Nil.

16.5 COMMUNICATION

Strategic Plan Reference – Page 30

5.5.1 Improve the effectiveness of communication with the Community.

Nil.

17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

17.1 IMPROVEMENT

Strategic Plan Reference – Page 31

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

Nil.

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

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

17.2.1 Local Government Act 1993 – Rates and Charges Policy*File Ref:*

AUTHOR GENERAL MANAGER

DATE 20th JULY 2012**ISSUE**

Council to consider the draft Rates and Charges Policy, developed in accordance with section 86B of the *Local Government Act 1993*.

BACKGROUND

The *Local Government Amendment Act (No 2) 2011* received Royal Assent in December 2011. The *Amendment Act* amended the *Local Government Act 1993* by:

- Introducing new powers to allow councils to use an “averaged area rate” that will apply to a defined locality of residential properties, as an alternative to applying the general rate to individual properties;
- Clarifying that rates are a form of taxation incorporating the principle of capacity to pay;
- Requiring all Councils to adopt written rates and charges policies, which are reviewable at least every four years;
- Allowing the minimum amount payable in respect of the general rate to be varied;
- Limiting the number of properties that can be on the minimum payable in respect of the general rate;
- Introducing new powers that will allow errors within rates resolutions to be remedied;
- Allowing Councils to set a service rate or charge that includes provision for the establishment, provision or rehabilitation of waste management facilities;
- Validating past rates resolutions for all Councils.

Section 86B of the Local Government Act 1993 provides the following:

“86B. Rating and charging policies to be made available to public

(1) A council must adopt a rates and charges policy by 31 August 2012.

(2) A council's rates and charges policy must contain –

(a) a statement of the policy that the council intends to apply in exercising its powers, or performing its functions, under this Part; and

(b) a statement of policy in respect of prescribed matters, if any.

(3) A council's rates and charges policy in relation to the making or varying of a rate must take into account the principles referred to in section 86A(1).

(4) A council must review its rates and charges policy –

(a) by the end of each successive 4-year period after 31 August 2012; and

(b) at the same time as, or before, making a type of rate, charge or averaged area rate in respect of a financial year, if a rate, charge or averaged area rate of that type was not made in respect of the previous financial year; and

(c) at the same time as, or before, making under section 107 a variation of a rate or charge in respect of a financial year, if such a variation of that rate or charge was not made in respect of the previous financial year; and

(d) at the same time as, or before, setting a minimum amount under this Part; and

(e) at the same time as, or before, altering the circumstances in which a rate, charge or averaged area rate, or a variation of a rate or charge, is to apply to rateable land.

(5) A council, as soon as reasonably practicable after adopting or altering its rates and charges policy, must make copies of the policy as so adopted or altered available to the public –

(a) in paper form, on payment of a reasonable charge; and

(b) in electronic form, at a website of the council, free of charge.

(6) A rate, averaged area rate or charge is not invalid by reason only that it does not conform to the council's rates and charges policy.

DETAIL

The draft Policy is being finalised and will be circulated prior to the meeting.

The intention is to seek formal adoption at the August 2012 Council Meeting.

Human Resources & Financial Implications – To be addressed.

Community Consultation & Public Relations Implications – Council must make copies of the policy available to the public in paper form, on payment of a reasonable charge. It is also to be made available in electronic form, at a website of the council, free of charge.

Policy Implications – Policy document.

Priority - Implementation Time Frame – Council must adopt a rates and charges policy by 31 August 2012.

RECOMMENDATION**THAT:**

- a) **the draft Policy be reviewed, and amended as necessary; and**
- b) **submitted for formal adoption at the August 2012 Council Meeting.**

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

17.2.2 Proposed Southern Midlands Council Business Continuity Plan

AUTHOR GENERAL MANAGER (T KIRKWOOD) &
MANAGER, COMMUNITY & CORPORATE
DEVELOPMENT (A BENSON)

DATE 19TH JULY 2012

ENCLOSURE: DRAFT - SMC Business Continuity Plan

The policy framework of risk management requires that Council have a Business Continuity Plan in place as a policy document. The objective of a Business Continuity Plan is to provide guidance to Southern Midlands Council management for the restoration of Council services during and after an emergency disruption. Where appropriate, the Business Continuity Plan should be activated in conjunction with the organisation's Municipal Emergency Management Plan.

The major goals of the Business Continuity Plan are:

- To minimize interruptions to the normal operations.
- To limit the extent of disruption and damage.
- To minimize the economic impact of the interruption
- To establish alternative means of operation in advance
- To train personnel with emergency procedures
- To provide for rapid restoration of service

The attached document is the proposed basis for the SMC BCP, which is required to be updated and reviewed by Council on an annual basis and also in the event of any structural reform of the organisation. It should be noted that the resource components have not been included in this document as yet, but the final proposed BCP will be provided at the Council meeting.

RECOMMENDATION

That the proposed Business Continuity Plan be adopted as a policy document and that it be updated with relevant personnel and resources on an annual basis for review by Council in July of each year, or in the advent of any structural reform within the Council.

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

17.2.3 Proposed Southern Midlands Council Computer Use Policy

AUTHOR MANAGER, COMMUNITY & CORPORATE
DEVELOPMENT (A BENSON) and
INFORMATION TECHNOLOGY OFFICER (N WILSON)

DATE 19TH JULY 2012

ENCLOSURE DRAFT - SMC Computer Use Policy

PURPOSE

The purpose of this Policy is to ensure the proper use of Southern Midlands Council's electronic communication systems by Council staff and Elected Members for its intended purposes without infringing legal requirements, Council policies or creating unnecessary business risk.

The policy framework of risk management requires that Council have a Computer Use Policy in place as a policy document. Council is also required to regulate use of Internet and E-mail so that Council staff and Elected Members have a safe working environment and the Council is protected from commercial harm and exposure to liability. To achieve this, electronic messages sent, received, forwarded or transmitted may from time to time be subject to monitoring or retrieval.

All users should be aware that, although there are access passwords and the like, there is general "insecurity" for communications via Internet and E-mail. Electronic communications, even if expressed to be confidential, may have to be disclosed in court proceedings or in investigations by competition authorities and regulatory bodies or in response to a Right to Information application.

It is intended that this Policy applies to all Council staff and Elected Members.

RECOMMENDATION

THAT the proposed Computer Use Policy be adopted

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

17.3 FINANCES

Strategic Plan Reference – Page 33 & 34

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

17.3.1 Monthly Financial Statement (June 2012)

File Ref: 3/024

AUTHOR FINANCE OFFICER (B PORTER)
DATE 20th JULY 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 – 29th June 2012
- d) Cash Flow Statement – July to June 2012.

Note: Expenditure figures provided are for the period 1st July to 30th June 2012 – full year period. Figures may change as a result of end-of-year adjustments.

Comments

A. Current Expenditure Estimates (Operating Budget)

Nil.

B. Capital Expenditure Estimates (Capital Budget)

Nil.

RECOMMENDATION

THAT the information be received.

DECISION

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

SOUTHERN MIDLANDS COUNCIL : CURRENT EXPENDITURE 2011/12
SUMMARY SHEET

| PROGRAM | TOTAL | REVISED BUDGET (GRANTS & OTHER REIMBURSEMENTS) | ACTUAL AS AT 30 JUNE 2012 100% | VARIANCE (+/-) | % BASED ON REVISED BUDGET 100% |
|------------------------------|----------------|--|-----------------------------------|-------------------|--------------------------------------|
| INFRASTRUCTURE | | | | | |
| Roads | 1177492 | 1177492 | 1390137 | -212645 | 118.06% |
| Bridges | 103225 | 103225 | 56967 | 46257 | 55.19% |
| Walkways | 164055 | 164055 | 159709 | 4347 | 97.35% |
| Lighting | 77792 | 77792 | 82269 | -4477 | 105.76% |
| Irrigation | 2450 | 2450 | 0 | 2450 | 0.00% |
| Drainage | 32090 | 32090 | 19063 | 13026 | 59.41% |
| Waste | 472642 | 472642 | 426079 | 46564 | 90.15% |
| Public Toilets | 49710 | 49710 | 48859 | -149 | 100.30% |
| Communications | 0 | 0 | 0 | 0 | 0.00% |
| Signage | 12300 | 12300 | 12995 | -695 | 105.65% |
| INFRASTRUCTURE TOTAL: | 2091765 | 2091765 | 2197078 | -105323 | 105.04% |
| GROWTH | | | | | |
| Residential | 2900 | 2900 | 25 | 2875 | 0.85% |
| Mill Operations | 910348 | 910348 | 787537 | 122812 | 86.51% |
| Tourism | 33610 | 33610 | 16391 | 18219 | 45.79% |
| Business | 51750 | 51750 | 95800 | -44050 | 185.12% |
| Agriculture | 11548 | 11548 | 1055 | 10493 | 9.13% |
| Integration | 11548 | 11548 | 326 | 11222 | 2.82% |
| GROWTH TOTAL: | 1021704 | 1021704 | 900134 | 121570 | 88.10% |
| LANDSCAPES | | | | | |
| Heritage | 167308 | 167308 | 202743 | -35436 | 121.18% |
| Natural | 101107 | 119657 | 121216 | -1559 | 101.30% |
| Cultural | 0 | 0 | 0 | 0 | 0.00% |
| Regulatory | 696156 | 696156 | 693119 | 3038 | 99.56% |
| Climate Change | 35754 | 56687 | 36476 | 20211 | 64.35% |
| LANDSCAPES TOTAL: | 1000324 | 1039807 | 1053554 | -13766 | 101.32% |
| LIFESTYLE | | | | | |
| Youth | 176541 | 176541 | 93843 | 82698 | 53.16% |
| Aged | 0 | 0 | 0 | 0 | 0.00% |
| Childcare | 16535 | 16535 | 15237 | 1298 | 92.15% |
| Volunteers | 41757 | 47945 | 30024 | 17921 | 62.62% |
| Access | 1405 | 1405 | 0 | 1405 | 0.00% |
| Public Health | 7258 | 7258 | 7629 | -372 | 105.12% |
| Recreation | 334317 | 334317 | 396897 | -62580 | 118.72% |
| Animals | 66375 | 66375 | 54706 | 11670 | 82.42% |
| Education | 0 | 0 | 106 | -106 | 0.00% |
| LIFESTYLE TOTAL: | 644188 | 650376 | 598442 | 51934 | 92.01% |
| COMMUNITY | | | | | |
| Retention | 0 | 0 | 0 | 0 | 0.00% |
| Capacity | 27025 | 27025 | 17487 | 9538 | 64.71% |
| Safety | 51400 | 51400 | 41342 | 10058 | 80.43% |
| Consultation | 5070 | 5070 | 26494 | -23424 | 562.00% |
| Communication | 21125 | 21125 | 8340 | 12785 | 39.48% |
| COMMUNITY TOTAL: | 104620 | 104620 | 95663 | 8957 | 91.44% |
| ORGANISATION | | | | | |
| Improvement | 5850 | 5850 | 1268 | 4582 | 21.68% |
| Sustainability | 1317109 | 1317109 | 1333155 | -16046 | 101.22% |
| Finances | 227529 | 227529 | 220511 | 7018 | 96.92% |
| ORGANISATION TOTAL: | 1650488 | 1650488 | 1554934 | 4446 | 100.29% |
| TOTALS | 6413080 | 6468751 | 6399805 | 58946 | 99.09% |

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2011-12
AS AT 30 JUNE 2012

| | BUDGET | EXPENDITURE | VARIANCE | COMMENTS |
|--|-------------------|-------------------|--------------------|---------------------------------|
| WALKWAYS | | | | |
| Footpaths - General (Program to be confirmed) | | | | |
| Bagdad Township | \$ 130,000 | - | \$ 130,000 | |
| - School Rd Bagdad | | | | |
| Campania Township | \$ - | - | \$ - | |
| - Nil | | | | |
| Collebrook Township | \$ - | - | \$ - | |
| - Nil | | | | |
| Kempston Township | \$ - | - | \$ - | |
| - Nil | | | | |
| Oatlands Township | \$ - | - | \$ - | |
| - Nil | | | | |
| Tunbridge Township | \$ - | - | \$ - | |
| - Nil | | | | |
| Tunnack Township | \$ - | - | \$ - | |
| - Nil | | | | |
| Carried Forward: | | | | |
| Bagdad Township | \$ 25,000 | - | \$ 25,000 | |
| - Swan Street | | | | |
| Campania Township | \$ - | - | \$ - | |
| - Reeve Street (Vicinity of Store) | | | | |
| - Review Management Plan (Site Plan) / Volving Tracks (Bush Reserve) | | | | |
| Oatlands Township | \$ 5,000 | - | \$ 5,000 | |
| - High Street (Tree Planting) | | | | |
| - Street Furniture (2 Heritage Seats) | | | | |
| Tunnack Township | \$ 7,000 | 2,635.00 | \$ 7,000 | |
| - | \$ 7,000 | - | \$ 7,000 | |
| | \$ 184,000 | 2,635.00 | \$ 181,365 | |
| LIGHTING | | | | |
| Nil Projects | \$ 270,000 | 336,502.97 | \$ (66,503) | \$270K Grant Funded Final Costs |
| | \$ 270,000 | 336,502.97 | \$ (66,503) | |
| DRAINAGE | | | | |
| Bagdad | | | | |
| - Hill Lane Junction with Adelaide Highway - Pipe Open Drain | \$ 18,000 | - | \$ 18,000 | |
| - Swan Street - Reno & Gutter | \$ 25,000 | - | \$ 25,000 | |
| - Winslead Road - SW Drainage Imp's | \$ 12,000 | - | \$ 12,000 | |
| Campania | | | | |
| - Reeve Street (Open Drain - north of Telephone Box) | \$ 26,000 | 3,750.47 | \$ 24,250 | |
| - Jones Substation - check with AB (requirements?) | \$ 7,000 | 5,460.00 | \$ 1,540 | |
| Collebrook | | | | |
| - Franklin Street - Stormwater | \$ - | 10,588.32 | \$ (10,589) | |
| Kempston | | | | |
| - Louisa Street | \$ - | 21,738.01 | \$ (21,739) | |
| Oatlands | | | | |
| - Stanley S/LHS - between Alfred Terrace & Nelson St - Pipe Open Drain | \$ 6,140 | 4,316.80 | \$ 1,823 | |
| - High SW/Wallington Street Junction | \$ 5,000 | - | \$ 5,000 | |
| | \$ 101,140 | 45,864.60 | \$ 55,275 | |
| Oatlands WTS - Capital Improvements | \$ 7,500 | 2,030.00 | \$ 5,470 | Carried Forward. |
| | \$ 7,500 | 2,030.00 | \$ 5,470 | |
| PUBLIC TOILETS | | | | |
| Collebrook - Power Connection & Lighting | \$ 5,000 | - | \$ 5,000 | |
| | \$ 5,000 | - | \$ 5,000 | |

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2011-12
AS AT 30 JUNE 2012

| | BUDGET | EXPENDITURE | VARIANCE | COMMENTS |
|--|------------|---------------|--------------|------------------------------------|
| SIGNAGE | \$ 25,000 | \$ - | \$ 25,000 | |
| Oatlands Signage | \$ 25,000 | \$ - | \$ 25,000 | |
| GROWTH | | | | |
| RESIDENTIAL | | | | |
| Kandara Court - Stage 1 | \$ - | \$ 34,585.78 | \$ (34,586) | |
| Kandara Court - Stage 2 | \$ - | \$ 3,941.82 | \$ (3,942) | Prelim Survey & Engineering Design |
| | \$ - | \$ 38,527.60 | \$ (38,528) | |
| TOURISM | | | | |
| Avenue of Honour | \$ 4,000 | \$ - | \$ 4,000 | |
| History of Southern Midlands | \$ - | \$ 45,313.69 | \$ (45,314) | Grant Funded |
| | \$ 4,000 | \$ 45,313.69 | \$ (41,314) | |
| HERITAGE | | | | |
| Court House (Restoration - Toilet & Kitchentile Fac's) | \$ 22,767 | \$ 1,329.04 | \$ 21,437 | |
| Court House (Landscaping) | \$ - | \$ - | \$ - | |
| Kempston Watch House (Fitout) | \$ 45,000 | \$ 51,511.17 | \$ (6,511) | Includes \$80K Budget 2010/11 |
| Callington Mill (Master Precinct Plan) | \$ 10,000 | \$ 8,590.94 | \$ 1,409 | |
| Gate (Interiors & Landscaping) - commitment to TCF application | \$ 25,000 | \$ 106,049.46 | \$ (81,049) | Balance Grant Funded |
| Gate (Furnishings & Fitout) | \$ 8,000 | \$ - | \$ 8,000 | |
| Collections Management - Equip / Supplies / Labour Component | \$ - | \$ - | \$ - | |
| Paratiah Railway Station | \$ - | \$ 831.00 | \$ (831) | |
| Building Purchase - 79 High Street | \$ - | \$ 120,461.56 | \$ (120,462) | |
| | \$ 110,767 | \$ 289,573.77 | \$ (178,807) | |
| LANDSCAPES | | | | |
| NATURAL | | | | |
| Jericho Trees | \$ 4,000 | \$ - | \$ 4,000 | |
| | \$ 4,000 | \$ - | \$ 4,000 | |
| REGULATORY | | | | |
| Kempston Council Chambers - Building & Office Improvements | \$ 10,000 | \$ - | \$ 10,000 | |
| Kempston Council Chambers - Office Equipment | \$ 2,000 | \$ 1,161.62 | \$ 838 | |
| | \$ 12,000 | \$ 1,161.62 | \$ 10,838 | |

SOUTHERN MIDLANDS COUNCIL
CAPITAL EXPENDITURE PROGRAM 2011-12
AS AT 30 JUNE 2012

| | BUDGET | EXPENDITURE | VARIANCE | COMMENTS |
|--|---------------------|---------------------|--------------------|---|
| LIFESTYLE | | | | |
| RECREATION | | | | |
| Recreation Committee | \$ 35,000 | 13,962.91 | \$ 21,037 | |
| Playground Equipment | \$ - | - | \$ - | |
| Kempson Memorial Hall | \$ 10,000 | - | \$ 10,000 | |
| Campasia - Dirt Track | \$ 5,000 | 39,210.30 | \$ (34,210) | Balance Grant Funded |
| Colebrook Recreation Ground (Amenities) | \$ 16,367 | - | \$ 16,367 | |
| Crafts/Aquatics Centre | \$ - | 10,000.00 | \$ (10,000) | |
| | \$ 66,367 | 63,173.21 | \$ 2,594 | |
| RLCIP Projects | | | | |
| Community Library Extension | \$ 290,000 | 279,145.42 | \$ 10,855 | Includes \$45K RLCIP2 Funds & \$95K Grant |
| Melton Minshay Roadside Park | \$ - | 750.00 | \$ 750 | RLCIP Round 3 |
| Bagdad Walking & Riding Path | \$ - | 285.47 | \$ 285 | |
| Turnbridge Coach Restoration | \$ - | 10,000.00 | \$ 10,000 | |
| Dunrobin Corridor Walkway | \$ - | 43,134.84 | \$ 43,135 | |
| | \$ 290,000 | 333,366.73 | \$ (43,366) | |
| COMMUNITY | | | | |
| SAFETY | | | | |
| Road Accident Rescue Unit | \$ 3,000 | 1,450.91 | \$ 1,549 | |
| | \$ 3,000 | 1,450.91 | \$ 1,549 | |
| ORGANISATION | | | | |
| SUSTAINABILITY | | | | |
| ADMINISTRATION | | | | |
| Computer System (Hardware / Software) | \$ 20,000 | 24,661.15 | \$ (4,661) | |
| Town Hall (External Windows - Repaint) | \$ 5,000 | - | \$ 5,000 | |
| Town Hall (Chairs) | \$ 5,000 | - | \$ 5,000 | |
| Town Hall (General) | \$ 10,000 | 1,713.64 | \$ 8,286 | |
| Town Hall (Upstairs) - Rewiring | \$ 5,000 | - | \$ 5,000 | |
| Asset Management - Computer Software | \$ 25,000 | 34,242.40 | \$ (9,242) | |
| Web site Development | \$ - | 8,572.05 | \$ (8,572) | |
| WORKS | | | | |
| Depot - Church Street - paling fence - South Parade boundary | \$ 4,550 | - | \$ 4,550 | |
| Minor Plant Purchases | \$ 6,500 | 6,210.91 | \$ 289 | |
| Radio System | \$ 2,000 | - | \$ 2,000 | |
| Security Key System | \$ 8,000 | - | \$ 8,000 | |
| Depot - Glenally Street (Security Fencing) | \$ 3,000 | - | \$ 3,000 | |
| Land Acquisition (General disposal / storage area) | \$ - | - | \$ - | |
| Refer separate Schedule (Net Chargeover) | \$ 734,152 | 602,829.00 | \$ 131,323 | |
| Light Vehicles | \$ 180,000 | 268,876.58 | \$ (88,877) | |
| Excavator (Approx. 2.70 tonne) | \$ 60,000 | - | \$ 60,000 | |
| Water Tank Replacement (Truck) | \$ - | - | \$ - | |
| | \$ 1,066,202 | 948,005.72 | \$ 118,196 | |
| GRAND TOTALS | \$ 5,121,836 | 4,264,783.00 | \$ 857,053 | |

SUMMARY OF RATES AND CHARGES LEVIED, REMITTED AND COLLECTED

| | 29/06/2012 | 29/06/2011 |
|---|-----------------------|-----------------------|
| Arrears Brought Forward | \$212,537.06 | \$244,859.30 |
| ADD Current Rates and Charges Levied | \$3,748,196.74 | \$3,533,004.77 |
| ADD Current Interest | \$64,490.91 | \$63,036.12 |
| TOTAL Rates and Charges Demanded | \$4,025,224.71 | \$3,840,900.19 |
| | 100% | 100% |
| LESS Rates and Charges Collected | \$3,563,270.97 | \$3,445,315.79 |
| LESS Pensioner Remissions | \$185,871.41 | \$172,760.10 |
| LESS Other Remissions | -\$9,526.90 | -\$12,803.87 |
| LESS Discounts | \$13,009.28 | \$11,655.19 |
| TOTAL Rates and Charges Collected and Remitted | \$3,772,624.76 | \$3,616,927.21 |
| | 93.72% | 94.17% |
| UNPAID RATES AND CHARGES | \$252,599.95 | \$223,972.98 |
| | 6.28% | 5.83% |

| | INFEWS (OUTFEWS) (July 2011) | INFEWS (OUTFEWS) (August 2011) | INFEWS (OUTFEWS) (Sept 2011) | INFEWS (OUTFEWS) (Oct 2011) | INFEWS (OUTFEWS) (Nov 2011) | INFEWS (OUTFEWS) (Dec 2011) | INFEWS (OUTFEWS) (Jan 2012) | INFEWS (OUTFEWS) (Feb 2012) | INFEWS (OUTFEWS) (March 2012) | INFEWS (OUTFEWS) (April 2012) | INFEWS (OUTFEWS) (May 2012) | INFEWS (OUTFEWS) (June 2012) | INFEWS (OUTFEWS) (Year to Date) |
|---|------------------------------|--------------------------------|------------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-------------------------------|-------------------------------|-----------------------------|------------------------------|---------------------------------|
| Cash flows from operating activities | | | | | | | | | | | | | |
| Payments: | | | | | | | | | | | | | |
| Furnish cost | 361,812.26 | 240,410.63 | 239,666.71 | 235,416.16 | 240,288.52 | 264,770.30 | 269,445.83 | 230,684.09 | 226,933.44 | 205,147.66 | 334,823.66 | -51,676.56 | 2,097,914.83 |
| Materials and contracts | - | 406,661.77 | 261,532.09 | 320,246.90 | 261,426.83 | 315,836.31 | 190,945.43 | 396,680.41 | 132,657.54 | 243,966.00 | -23,971.82 | -608,467.90 | 3,259,818.33 |
| Interest | - | 1,134.37 | - | - | 19,451.74 | 18,312.57 | - | - | - | - | -101.11 | -158,267.56 | 35,906.23 |
| Other | 9,030.87 | 18,960.94 | 70,236.25 | 16,757.49 | 19,110.10 | 56,521.94 | 34,800.33 | 17,676.45 | 62,684.12 | 8,784.01 | -52,920.88 | -105,482.71 | 469,186.92 |
| Receipts | 794,380.83 | 560,033.34 | 571,473.35 | 572,414.55 | 531,336.19 | 653,261.12 | 561,110.81 | 651,421.98 | 922,273.70 | 461,338.56 | -33,470.73 | -3,980,191.53 | 6,772,826.31 |
| Rates | 42,056.70 | 385,831.55 | 1,341,089.15 | 148,102.79 | 483,455.78 | 178,030.81 | 568,200.25 | 174,551.47 | 392,398.94 | 146,973.22 | 150,110.80 | 498,671.00 | 5,779,657.16 |
| User charges | 124,241.49 | 48,334.90 | 79,680.31 | 71,022.83 | 52,463.96 | 45,554.43 | 72,194.50 | 82,890.46 | 61,333.12 | 36,111.45 | 54,699.65 | 93,952.12 | 829,351.25 |
| Interest received | 23,169.29 | 42,113.25 | 28,758.03 | 34,799.63 | 35,699.50 | 22,908.31 | 21,730.30 | 16,775.30 | 22,895.80 | 17,599.53 | 9,847.90 | 16,837.56 | 296,001.98 |
| Subsidies | - | - | - | - | - | - | - | 19,694.00 | - | - | 0.00 | - | 19,694.00 |
| Other revenue grants | 3,148.00 | 840,882.72 | 4,506.00 | 6,656.36 | 532,245.70 | - | 9,374.25 | 543,671.45 | 2,300.00 | 4,200.00 | 54,071.65 | 1,285,984.46 | 3,976,514.90 |
| GST Refunds from ATO | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Other | 64,206.37 | 92,801.90 | 37,253.54 | 32,156.20 | 43,286.05 | 4,264.12 | 13,342.97 | 108,107.22 | 18,138.99 | 125,451.66 | 44,861.31 | -135,113.43 | 27,265.84 |
| Net cash from operating activities | 238,071.55 | 1,149,760.41 | 1,012,263.62 | 287,337.79 | 952,377.81 | 248,127.87 | 439,867.12 | 945,634.90 | 498,006.82 | 85,432.24 | 897,161.33 | 38,310,923.41 | 5,926,549.27 |
| | 354,308.98 | 443,703.07 | 932,865.58 | 284,316.76 | 451,671.44 | 607,113.45 | 61,324.68 | 281,492.92 | 75,931.75 | 375,420.32 | 272,651.76 | 142,170.88 | 2,265,743.01 |
| Cash flows from investing activities | | | | | | | | | | | | | |
| Payments for property, plant & equipment | 61,243.46 | 156,497.10 | 25,981.10 | 149,224.56 | 162,779.09 | 319,265.10 | 372,836.34 | 411,948.83 | 293,331.84 | 583,658.61 | 3,158,172.30 | 45,071.41 | 3,346,585.41 |
| Proceeds from sale of property, plant & equipment | - | 14,275.45 | - | 25,642.00 | 343.48 | - | 172,977.70 | 94,744.35 | - | 31,811.82 | 18.18 | 75,200.00 | 420,073.01 |
| Proceeds from Capital grants | - | 41,006.25 | - | - | 47,100.00 | - | - | - | 317,325.00 | - | 1,781.82 | - | 421,263.07 |
| Payment for investments | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Net cash used to investing activities | 61,243.46 | 105,178.40 | 25,981.10 | 123,582.56 | 114,778.61 | 319,265.10 | 375,858.57 | 316,904.08 | 25,991.84 | 548,276.79 | -2,979,673.50 | -3,788,114.41 | 2,463,227.33 |
| Cash flows from financing activities | | | | | | | | | | | | | |
| Repayment of borrowings | 4,197.41 | - | - | - | 8,973.19 | 41,214.71 | - | - | - | - | 924.74 | -3,800,649.99 | 191,556.04 |
| Proceeds from borrowings | - | - | - | - | - | - | - | - | - | - | 0.00 | 15,006.00 | 150,000.00 |
| Net cash from (used in) financing activities | 4,197.41 | - | - | - | 8,973.19 | 41,214.71 | - | - | - | - | 924.74 | -3,800,649.99 | 191,556.04 |
| Net increase/(decrease) in cash held | 601,649.79 | 338,531.67 | 801,424.28 | 406,098.32 | 327,962.64 | 767,611.26 | 257,183.29 | 34,711.16 | 99,724.81 | 923,703.11 | -34,917.28 | 115,832.45 | 209,140.36 |
| Cash at beginning of reporting year | 8,132,371.81 | 7,530,721.82 | 7,889,253.49 | 8,278,107.77 | 8,374,979.45 | 8,702,842.09 | 7,935,328.83 | 7,678,145.54 | 7,643,454.38 | 7,241,139.19 | 6,814,566.08 | 6,782,737.60 | 8,132,371.81 |
| Cash at end of reporting year | 7,734,021.82 | 7,869,253.49 | 8,690,677.77 | 8,684,206.09 | 8,702,842.09 | 7,935,328.83 | 7,628,145.34 | 7,643,454.38 | 7,743,179.19 | 8,164,842.30 | 6,779,648.80 | 6,898,570.05 | 7,943,312.15 |

17.3.2 Lara Wishart – Victorian State Solo Championships and Australian Irish Dancing National Championships – Request for Donation

File Ref: Financial Management/Sponsorship

AUTHOR EXECUTIVE ASSISTANT (K BRAZENDALE)

DATE 16TH JULY 2012

ISSUE

To consider a request for a donation to Lara Wishart for her participation in the Victorian State Solo Championships and Australian Irish Dancing National Championships.

BACKGROUND

Refer request attached.

DETAIL

This request must be considered on merit as it is not eligible under Council’s policy for donations relating to State Representation.

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

Community Consultation & Public Relations Implications - N/A.

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

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

Priority - Implementation Time Frame – Dancing events being held in August 2012.

RECOMMENDATION

Submitted for discussion

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

Mark & Susy Wishart
30 Alexander Circle
CAMPANIA TAS 7026

SOUTHERN MIDLANDS COUNCIL

Rec'd 27 JUN 2012

22 June 2012

File no _____
Doc. ID _____

Tim Kirkwood
General Manager
Southern Midlands Council
Po Box 21
OATLANDS TAS 7120



Dear Tim

RE: Request for Financial Assistance

We are a family living in Campania and our daughter Lara Wishart who is 8 years old will be competing at both the Victorian State Solo Irish Dancing Championships over the 25th to 26th of August 2012 and also at the National Irish Dancing Championships in Adelaide over the 25 to 30th September 2012. Lara began Irish dancing in 2010 with the Lahl Irish Dancing school in Hobart which has now been taken over by Bronwyn Kelly and is now called Scoil Rince Ni Kelly. Lara has only been dancing for a few years but has showed a lot of potential, determination and enthusiasm for Irish dancing. Lara practices every day at home and also trains three days per week in Hobart with her dance school, on Wednesday, Friday and Saturday's. As you can appreciate it becomes very expensive to fund the costs for Lara to compete at such a high level and so we were wondering if we may qualify for any financial assistance from Council. Of course any amount of support to assist us with those costs in sending Lara to compete would be greatly appreciated.

If Lara is eligible for any financial assistance I would be more than happy to provide any further supporting documentation you require from her dancing school.

Yours sincerely

Mark & Susy Wishart

SOUTHERN MIDLANDS COUNCIL

Rec'd _____
File no. _____
Doc id _____

Mark & Susy Wishart
30 Alexander Circle
CAMPANIA TAS 7026

4 July 2012

Katrina Brazendale
Executive Assistant
Southern Midlands Council
PO Box 21
OATLANDS TAS 7120

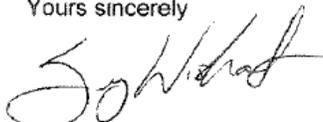
Dear Katrina

RE: Request for Financial Assistance

Thank you for your letter dated 28 June 2012. I would like to advise that Lara has not been selected to represent Tasmania but that we have nominated her (along with her younger sister Olivia who is 5 ½ years) to participate at both the Victorian State Solo Championships and Australian Irish Dancing National Championships. We have nominated Lara for these events as she has done very well at local competitions over the last two years in Tasmania and has shown much dedication, enthusiasm and potential for Irish dance. Bronwyn Kelly is her dance teacher and also owner of the Irish dancing school in Hobart Scoil Rince Ni Kelly and I have attached an email from her advising that she has entered Lara in the Victorian Solo Championships and is currently in the process of entering her in the National Championships. If you need any more information to verify this could you please contact Bronwyn on 0406 872 425. We hope Council will consider our request for financial assistance as any amount would be greatly appreciated. We wanted to point out that Lara at 8 years is going to be the youngest competitor from Hobart attending these events.

I also wanted to ask if Council would consider allowing Lara to practice her Irish dancing at the Campania Hall as she is keen to practice every day but as you can imagine it is very difficult to practice Irish dancing at home. We would appreciate it if we could get free use of the Campania Hall on a Sunday and Monday. We would be happy to use the hall any time it is available for an hour, we could even use the hall later in the evening if it is booked through the day.

Yours sincerely



Mark & Susy Wishart

18. INFORMATION BULLETINS

Refer enclosed Bulletin dated 20th July 2012.

RECOMMENDATION

THAT the Information Bulletin dated 20th July 2012 be received and the contents noted.

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

18.1 QUESTION TIME (COUNCILLORS)

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

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

1.

2.

3.

4.

19. MUNICIPAL SEAL**19.1 OATLANDS SUPREME COURT HOUSE – VOLUNTEER STAFF AND VISITOR FACILITIES - FORMAL SIGNING /SEALING OF THE DEED OF AGREEMENT***File Ref: Grants/Subsidies- Applications*

AUTHOR EXECTIVE ASSISTANT (K BRAZENDEALE)
DATE 19TH JULY 2012

ATTACHMENTS: Deed of Agreement**DETAIL**

Council is in receipt of a Grant Deed from the Tasmanian Community Fund which relates to successful grant application for an amount of \$35,900.00 to construct an equal-access toilet and kitchenette facility for volunteer staff and community users of the Oatlands Supreme Court House. This project is to be completed by 31st December 2012.

Human Resources & Financial Implications – Council will contribute \$18,000 which is committed in the 2012/2013 Budget.

Community Consultation & Public Relations Implications – N/A

Web site Implications – N/A

Policy Implications – NA

RECOMMENDATION

THAT Council sign and seal the Grant Deed of Agreement for the Oatlands Supreme Court House – Volunteer Staff and Visitor Facilities.

DECISION

| 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 D F Fish | |
| | Clr A O Green | |



CROWN IN RIGHT OF TASMANIA

AND

SOUTHERN MIDLANDS COUNCIL

D E E D

Tasmanian Community Fund Board

GPO Box 1350 Hobart 7001
Phone: (03) 6233 2800
Email: admin@tascomfund.org

THIS DEED is made the 4th day of July 2012.

BETWEEN: THE CROWN IN RIGHT OF TASMANIA (REPRESENTED BY THE CHAIRPERSON OF THE TASMANIAN COMMUNITY FUND BOARD ("the Board") continued under the *Tasmanian Community Fund Act 2005*

AND: SOUTHERN MIDLANDS COUNCIL ("the Recipient")

RECITALS

- A. The Recipient has applied to the Board for a grant.
- B. The Board has agreed to provide the Grant to the Recipient.
- C. The Recipient agrees to accept the Grant upon the terms and conditions set out in this Deed.

1. INTERPRETATION

"Body Corporate" means a corporation including a company and an incorporated association.

"Deed" means this deed and all schedules and annexures hereto.

"Grant" means the grant made pursuant to Clause 2 of this Deed.

"Grant Application" means the application lodged by the Recipient for funding with respect to the Project.

"Project" means:

To construct an equal-access toilet and kitchenette for volunteer staff and community users of the Oatlands Supreme Court House.

"Project Budget" means the itemised Project Budget detailed in the First Schedule.

"Special Conditions" means any condition set out in the first Schedule.

"Recipient" includes successors and permitted assigns.

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The Board/The Organisation

[Handwritten Signature]

“Registered Auditor” means an auditor registered under the *Corporations Act 2001* or a person approved to act as such by the Commissioner for Corporate Affairs.

2. GRANT

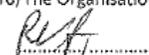
Subject to the terms of this Deed the Board will provide the Recipient with a grant of \$35 900 for the Project.

3. CONDITIONS OF GRANT

3.1 The Recipient agrees:

- (a) the Grant will only be used for prospective expenditure for the Project as detailed in the Project Budget and not for reimbursement of expenditure already incurred by the Recipient as at the date of this Deed;
- (b) to supply the Board within three (3) months of the funds being expended or at another time notified by the Board with the following:
 - (i) for grants of less than \$50 000:
 - a full report on the Project, signed by the Recipient or if the Recipient is a body corporate by an authorised officer; and
 - financial statements, showing how the grant was used, duly signed by the recipient or if the Recipient is a body corporate by an authorised officer.
 - (ii) for grants of \$50 000 or more:
 - a full report on the Project, signed by the Recipient or if the Recipient is a body corporate by an authorised officer; and
 - financial statements, showing how the grant was used, duly signed by a Registered Auditor nominated and paid for by the Tasmanian Community Fund Board.
 - (iii) the Board may require financial statements, showing how the grant was used, to be duly signed by a Registered Auditor nominated and paid for by the Tasmanian Community Fund Board, for nominated projects where the grant is less than \$50 000.
 - (iv) the Board may require financial statements showing how the grant was used, duly signed by the recipient or if the recipient is a body corporate by an authorised officer, for nominated projects where the grants is more than \$50 000.
 - (v) the Grants should be disclosed in the financial statements as a separate and identifiable item; and

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- (vi) statistical information on attendance / participants / employees and other distribution details on the Project.
- (c) to provide within fourteen (14) days any information relating to the Project requested in writing by the Board;
- (d) to obtain the prior written approval of the Board to any changes to the Project including material changes to the budget, or any changes to this Deed;
- (e) to acknowledge that the Recipient is assisted through a grant from the Tasmanian Community Fund Board in promotional material, publications or products relating to the Project;
- (f) that the acceptance of the Grant does not commit the Board to any future financial assistance to the Recipient;
- (g) a Registered Auditor nominated by the Board, the Auditor-General or his nominee shall have access to all financial statements and records relating to the use and expenditure of the Grant upon reasonable notice in writing first being given to the Recipient by the Board;
- (h) the Recipient shall maintain proper books and records in respect of the use and expenditure of the Grant in particular the Recipient must retain all invoices, payroll records and bank statements for audit purposes and must retain those records for at least three years from completion of the Project;
- (i) the Recipient must return to the Board any unspent Grant funds upon completion of the Project, unless otherwise agreed by the Board in writing;
- (j) the Recipient must advise the Board immediately of a change in the Recipient's organisational structure, management or operations that impact on:
 - the Project; or
 - its capacity to meet its obligations under this Deed;
- (k) the Recipient must advise the Board immediately in the event that it is unable to complete the Project;
- (l) the Recipient must secure and maintain all assets purchased using the Grant and to use the assets solely for the Project;

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- (m) if the Recipient sells any assets that have been purchased with the Grant, funds received from the sale must be used to further the objectives of the Recipient; and
- (n) the Grant is subject to the Special Conditions in the Schedule to this Deed.

3.2 In addition to any report required in Clause 3.1, where a Project is of more than one year, the Recipient must provide to the Board an annual progress report against the stated objectives of the Project.

4. WARRANTY

- (a) If the Recipient is a body corporate it warrants that it is financially solvent as at the date of this Deed and empowered to enter into this Deed.
- (b) The Recipient warrants that all information contained in and with its Grant Application lodged with the Board for funding of the Project is true and correct.

5. GOODS AND SERVICE TAX

- (a) Subject to Clause 5(d) if the Recipient becomes liable to pay GST in respect of the Grant the Board agrees to increase the Grant in accordance with Clause 5(b).
- (b) The amount of the increase in the Grant will be limited to the lesser of:
 - (i) 10 per cent of the initial Grant sum; or
 - (ii) the input tax credit allowed or allowable to the Board in respect of the initial grant and increase in the Grant.
- (c) Clause 5(a) shall not apply if the Recipient has allowed for the payment of the GST in the application for the Grant and the Grant is the amount applied for in the application.
- (d) The Board will issue a recipient created tax invoice for each taxable supply that the Recipient makes or will make, to the Board.
- (e) The Recipient will not issue a tax invoice for a taxable supply if the Board has issued a recipient created tax invoice for that taxable supply.
- (f) The Recipient:
 - (i) acknowledges that the Recipient is registered for GST; and
 - (ii) shall notify the Board if the Recipient ceases to be registered.
- (g) The Board:
 - (i) acknowledges that the Board is registered for GST; and
 - (ii) shall notify the Recipient if it ceased to be so registered.

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- (h) The parties acknowledge that they will comply with any requirements of any Australian Taxation Office ruling relating to the issue of the Recipient Created Tax Invoice and any amendment thereto.
- (i) Expressions and words defined in the GST Law and used in this Clause 5 have the meanings defined in the GST Law. "GST Law" means *A New Tax System (Goods and Services Tax) Act 1999* as amended from time to time or any act or acts passed in substitution for or replacement of that Act or those Acts, and includes regulations made for the Project of that Act or Acts.

6. EXPIRATION OF OBLIGATION TO ADVANCE GRANT MONEY

The Board's obligation to advance any part of the Grant expires, at the Board's option:

- (a) if the Recipient fails to comply with any of the terms of this Deed; or
- (b) if the Project has not commenced within one year from the date of notification by letter that the grant has been approved.

7. INCONSISTENCY

In the event of inconsistency between this Deed and any document incorporated as part of this Deed the former will prevail over the latter to the extent of the inconsistency.

8. INDEMNITY AND INSURANCE

8.1 The Recipient indemnifies the Board against all claims, expenses, losses, damages and costs (on a solicitor and own client basis and whether incurred by or awarded against the Board) that the Board sustains or incurs as a result, directly or indirectly, of:

- (a) a breach of this Deed by the Recipient including a breach in respect of which the Board exercises an express right to terminate this Deed; or
- (b) any loss of or damage to any property or injury to or death of any person caused by a negligent act or omission or wilful misconduct of the Recipient or its officers and employees.

8.2 The operation of Clause 8.1 survives the expiration or termination of this Deed and does not limit any other right of the Board at law or in equity.

9. GRANT REPAYMENT

If the Recipient fails to comply with the terms of this Deed including a breach of any warranty, then the Grant will, at the option of the Board, become immediately repayable to the Board within seven (7) days of the Recipient receiving a written notice of demand from the Board with interest at the rate

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R/S.....

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of the most recently published Reserve Bank of Australia Cash Rate, with the option of an additional two per cent interest at the Board's discretion, and the Board may take action to immediately recover that money.

10. GRANT REPAYMENT CLAUSE FOR EQUIPMENT

10.1 Repayment obligation

- (a) This clause only applies if the value of any Funded Equipment (inclusive of GST) exceeds \$20,000.
- (b) The Grantee must repay to the Grantor on demand the Specified Amount of the Grant if a Defined Event occurs. For the purposes of this clause, a **Defined Event** occurs if, without the prior written consent of the Grantor:
- (i) any Funded Equipment is disposed of by the Grantee during the Specified Period; or
 - (ii) any Funded Equipment ceases to be used by the Grantee for the purpose of the Project during the Specified Period, including because of the Grantee being dissolved or becoming insolvent.
- (c) For the purposes of this clause 1, unless the context otherwise requires:

Balance Period means the period commencing on the date on which a Defined Event occurs and ending on the expiry of the Specified Period.

Funded Equipment means equipment that was funded, wholly or in part, by the use of the Grant (or any part of the Grant).

Specified Amount means:

- (i) if the Grant was wholly used to fund, or to contribute to the funding of, the Funded Equipment, the amount which bears the same proportion to the Grant as the Balance Period bears to the Specified Period; and
- (ii) if the only part of the Grant was used to fund, whether wholly or in part, Funded Equipment, the amount bears the same proportion to that part of the Grant as the Balance Period bears to the Specified Period.

Specified Period means, in relation to any Funded Equipment, the period of two years commencing on the date that any part of the Grant was applied to fund that Funded Equipment.

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R. J. J.
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11. REPAYMENT CLAUSE IN RELATION TO A GRANT FOR THE PURCHASE

CONSTRUCTION OF REAL PROPERTY

11.1 Repayment obligation

(a) The Grantee must repay the Grant to the Grantor on demand if a Defined Event occurs during the Specified Period. For the purposes of this clause, a **Defined Event** occurs if, without the prior written consent of the Grantor:

- (i) any Relevant Property is disposed of by the Grantee during the Specified Period; or
- (ii) any Relevant Property ceases to be used by the Grantee for the purpose of the Project during the Specified Period, including because of the Grantee being dissolved or becoming insolvent.

(b) For the purposes of this clause 2, unless the context otherwise requires:

Relevant Property means:

- (i) any land (including buildings on land) owned by the Grantee that was funded, wholly or in part, by the use of the Grant (or any part of the Grant); or
- (ii) any building work, on land owned by the Grantee, that was funded, wholly or in part, by the Grant (or any part of the Grant).

Specified Period means, in relation to any Relevant Property, the period of five years following the use of the Grant (or any part of the Grant) for the purposes of funding, whether wholly or in part, that Relevant Property.

EXECUTED as a Deed.

SIGNED SEALED AND DELIVERED by

.....

(sign on dotted line)

(print name here)

as an authorised person for and on behalf of

SOUTHERN MIDLANDS COUNCIL

in the presence of:-

Signature of witness:.....

Name:

Occupation:.....

Address:

SIGNED SEALED AND DELIVERED by


.....

(sign on dotted line)

RONALD VICTOR SANDERSON

as an authorised person for and on behalf of

THE CROWN IN THE RIGHT OF TASMANIA

in the presence of:-

Signature of witness: 
.....

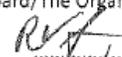
Name: Lola Cowle

Occupation: Senior Executive Officer

Address: Ground Floor, 144 Macquarie Street, Hobart

Initials:

The Board/The Organisation


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FIRST SCHEDULE

ORGANISATION:

SOUTHERN MIDLANDS COUNCIL

PROJECT SUMMARY:

To construct an equal-access toilet and kitchenette for volunteer staff and community users of the Oatlands Supreme Court House.

PROJECT TIMEFRAME:

To be completed by 31 December 2012

PROJECT REPORT:

The final project report is due on 31 March 2013

(Please ensure all receipts are included)

PROJECT BUDGET:

(Important note: any changes to the budget must be approved in writing by the TCF. Please use the change request form located at www.tascomfund.org)

The grant provided by the Tasmanian Community Fund is to be expended only on the items outlined in the following project budget:

| Item or Service | Cost | Funding Source |
|--|-----------------|---------------------------|
| Construct building | \$35 900 | TCF |
| Sewer and water connection and plumbing fixtures | \$8 000 | Southern Midlands Council |
| Electrical works and connection | \$3 000 | Southern Midlands Council |
| Benches, floor coverings, door and window hardware | \$5 000 | Southern Midlands Council |
| Painting | \$2 000 | Southern Midlands Council |
| TOTAL PROJECT COST | \$53 900 | |
| TOTAL TCF CONTRIBUTION | \$35 900 | |

SPECIAL CONDITIONS:

Funding will be provided on receipt of written notification on a *notification of commencement form* that work has commenced on the project.

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The Board/The Organisation

R.S.T.

20. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

RECOMMENDATION

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

DECISION

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

CLOSED COUNCIL AGENDA

21. BUSINESS IN “CLOSED SESSION “

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

**T F KIRKWOOD
GENERAL MANAGER**

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

**T F KIRKWOOD
GENERAL MANAGER**

RECOMMENDATION

THAT Council move out of “Closed Session”.

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

RECOMMENDATION

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

DECISION

| 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 D F Fish | |
| | Clr A O Green | |

22. CLOSURE