

**MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS  
COUNCIL HELD ON WEDNESDAY 22<sup>ND</sup> AUGUST 2012 AT THE MUNICIPAL  
OFFICES, 85 MAIN STREET KEMPTON COMMENCING AT 9:00 A.M.**

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**ENCLOSED**

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

**MINUTES OF AN ORDINARY MEETING OF THE SOUTHERN MIDLANDS  
COUNCIL HELD ON WEDNESDAY 22<sup>ND</sup> AUGUST 2012 AT THE MUNICIPAL  
OFFICES, 85 MAIN STREET KEMPTON COMMENCING AT 9:00 A.M.**

## OPEN COUNCIL MINUTES

### 1. PRAYERS

Rev Meg Evans conducted Prayers.

### 2. ATTENDANCE

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

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

### 3. APOLOGIES

Clr M Connors (previously granted leave of absence)

### 4. APPLICATION FOR LEAVE OF ABSENCE

Nil.

#### **C/12/08/004/19117 DECISION**

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

THAT the meeting be suspended at 9.25 a.m.

**CARRIED.**

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

**C/12/08/005/19118 DECISION**

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

THAT the meeting be resumed at 9.35 a.m.

**CARRIED.**

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

**5. MINUTES****5.1 ORDINARY COUNCIL MINUTES**

The Minutes of the previous meeting of Council held on the 25<sup>th</sup> July 2012, as circulated, are submitted for confirmation.

**C/12/08/005/19119 DECISION**

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

THAT the Minutes of the previous meeting of Council held on the 25<sup>th</sup> July 2012, as circulated, be confirmed.

**CARRIED.**

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

**5.2 SPECIAL COUNCIL MINUTES**

Nil.

**5.3 SPECIAL COMMITTEES OF COUNCIL MINUTES**

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

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

- **Lake Dulverton & Callington Park Management Committee** – Meeting held 17<sup>th</sup> July 2012

**RECOMMENDATION**

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

**C/12/08/006/19120 DECISION**

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

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

**CARRIED.**

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

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

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

- **Lake Dulverton & Callington Park Management Committee** – Meeting held 17<sup>th</sup> July 2012

#### RECOMMENDATION

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

#### **C/12/08/007/19121 DECISION**

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

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

**CARRIED.**

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

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

**5.4.1 Joint Authorities - Receipt of Minutes**

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

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

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

**RECOMMENDATION**

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

**DECISION NOT REQUIRED**



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **RECOMMENDATION**

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

#### **DECISION 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.

Two Workshops, relating to the development of a Draft Southern Midlands Planning Scheme 2012, were held on 26<sup>th</sup> July 2012 and 9<sup>th</sup> August 2012.

### **WORKSHOP: 26 JULY 2012**

#### **PRESENT**

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

Council officers: Damian Mackey, Andrew Benson, David Cundall, Linda Cartledge.

#### **Issue No.1 Draft Heritage Code**

- This part of the workshop was a continuation of the workshop held on 10 July, but now focussing on proposed code provisions rather than the proposed new listings.
- Damian Mackey provided a presentation on the structure and content of the draft Southern Tasmania Regional Heritage Code, with subsequent discussion by Councillors:
  - 4 types of listed places:
    - Local Heritage Places
    - Heritage Precincts
    - Cultural Landscape Precincts
    - Places of Archaeological Potential
  - For the precincts, statements of cultural heritage significance need to be provided within the code.
  - For the places, it is considered not possible to provide statements of cultural heritage significance, and the code needs to recognise that this information resides outside the planning scheme.
  - The definitions within the draft Code are based on the definitions within Tasmania's Cultural Heritage Act. The alternative of aligning definitions with the Burra Charter was considered but not proceeded with on the basis that it is good administrative practice to align Tasmanian planning schemes with Tasmanian legislation.
  - The Code lists the additional information requirements that might be required with a development application, such as a 'heritage impact statement' and a 'statement of compliance'. Additional information requirements are proposed to be a matter for officer judgment upon initial assessment of applications, and are not automatically mandatory for all cases.

- The draft Code applies to ‘development’ only. It does not apply to ‘use’ (i.e. if the ‘use’ involves no actual physical change, the code would not apply).
- Development controls are divided into the following broad categories:
  - Demolition
  - Buildings and Works
  - Subdivision
- The Tables in which places and precincts are listed provide for specific things to be excluded. For example, a colorbond shed that impinges on the heritage values of a certain place might be identified and specifically excluded from ‘the listed place’. This would then facilitate an owner wishing to remove the shed in the future.
- The code is arranged so that the extent of ‘the listed place’ is the extent of the title, unless otherwise specified. Being able to specify the extent of a listed place in this way will be particularly useful in the Southern Midlands where many farm homesteads are listed and exist on titles that are hundreds of hectares in size. In these cases the Code can specify that the extent of the listed place is limited to a certain distance around the main house, or could include an actual plan that sets out the boundaries of ‘the listed place’.

The Code provides for ‘design criteria’ in the Precincts Table. This is real ‘engine room’ of the code for development proposals within heritage precincts and landscape precincts. This where many of the existing and proposed heritage provisions for the Southern Midlands precincts will be placed. They will have to be re-phrased to some degree to fit with the state-wide and region-wide general planning scheme drafting guidelines.
- Signs at heritage places are controlled in a special section of the proposed Southern Tasmania Regional Signs Code.
- Places of Archaeological Potential would be used to identify and protect sites where research strongly suggests that archaeological remains lie hidden beneath the surface.
- Accompanying the draft Regional Heritage Code is a recommendation for a mechanism in the planning scheme that allows for more flexible use options for heritage listed places than would otherwise be allowed by Zone provisions – especially where such a use would assist in helping to restore and maintain the heritage values of a place.
- It was noted that Council has previously determined to investigate adding new places to the heritage list – largely in line with the recommendations of the GHD Heritage Survey undertaken for the municipality several years ago. Council also noted that it has put in place a process to consult with the landowners of proposed new listings prior to finalising the draft planning scheme.

**Issue No.2: Draft Zones**

- The new planning scheme must be based on the new state-wide template for planning schemes.
- This sets down the zones from which Council must choose to use in the new scheme.
- However, the State Template only provides the name of each Zone, the first one or two Purpose statements and the way the Use Table and Use & Development Standards must be laid out. It does not actually provide the Use Table or the Use & Development Standards.
- The Regional Planning Project has provided draft Use Tables and draft Use & Development Standards as part of the proposed ‘regional model planning scheme’.
- Damian Mackey presented the proposed regional model planning scheme provisions.
- The proposed draft southern midlands scheme will not use all of the proposed State Template Zones – only those necessary to provide a reasonable match with the current Southern Midlands Planning Scheme.
- General Residential Zone:
  - Planning scheme provisions relating to ‘single dwellings’ in the General Residential Zone will be required (by the State) to be the state-wide standard provisions that it has recently developed.
  - The State is now also developing standard provisions for multiple dwellings in the General Residential Zone. If these are locked in place with a Planning Directive from the Minister, these will also have to be included in our General Residential Zone.
  - As in the current Southern Midlands Planning Scheme, the only areas of ‘General Residential Zone’ will be the residential areas of Oatlands. All of our other towns are generally zoned ‘Village’.
- Zoning of Oatlands:
  - Discussion occurred about whether Oatlands should also be generally zoned ‘Village’.
  - Under the current scheme it is divided into separate commercial / residential / industrial / etc. zones.
  - This is because Oatlands is arranged in reasonably distinct districts, with a strong business and community-use focused High Street, strong residential areas, and fairly distinct industrial areas. Kempton, on the other hand, has a real mix of uses along its main street, for example.
  - It was generally agreed that, whichever way the scheme is arranged, it needs to retain and strengthen the vision of High Street as the single

business and community-use activity centre. This will continue to increase the ‘agglomeration affect’ over time through which all business and community uses will benefit. Unfortunate examples in other towns have shown that allowing business and major community uses to splinter and spread away from a single activity centre significantly weakens the whole town, and once this mistake has occurred it is usually impossible to put in right.

- It is not necessarily the case that the above vision needs separate zones to be achieved. It would be possible to achieve it with a single Village Zone, however the development and use controls within it would need to be carefully crafted. A simple example of this is the current Village Zone in Kempton in which the Use Table provides for certain commercial uses to be permitted if located on the main street but are discretionary elsewhere in the town.
- Significant Agriculture Zone:
  - Substantially more area is proposed to be zoned ‘Significant Agriculture’ than in the current scheme. This is due to:
    - The pending expansion of State irrigation schemes in the area.
    - The availability of better agricultural land capability mapping.
    - The strategic position which recognises that protecting significant areas of significant agricultural land from fettering from neighbouring residential use is an important foundation for the future economic prosperity of the region.
- Rural Resource Zone:
  - As in the current scheme’s Rural Agriculture and Rural Forest Zones, the rural resource zone will generally prevent subdivision of new titles.
  - Boundary adjustments will be permitted.
  - It is also proposed to provide for ‘boundary reorganisation’ – subject to a range of detailed performance criteria.
  - Subdivision of a heritage-listed house is also proposed - where the subdivision will lead to the ongoing restoration and maintenance of heritage values and where its residential use will not fetter agricultural activities on neighbouring land.
- Settlements:
  - The JLUPI work previously undertaken has confirmed that Southern Midlands settlements do not need to be expanded. There is sufficient land for development within the existing villages and towns.
  - The most significant changes are proposed to be in the Bagdad-Mangalore Valley. The Bagdad-Mangalore Structure Plan determined the following:

- Overall there is a sufficient area of land available for future development, in terms of size.
- However, most of the existing undeveloped rural-residential zoned land is in the wrong place. It is on land with very good agricultural soil, has access to bulk irrigation water, is within the possible gravity-reticulation area from the future expansion of the South East Irrigation Scheme, is in the centre of view of the valley's rural landscape and/or is directly adjacent to the currently recognised cultural landscape precinct.
- This land is proposed to be rezoned to Significant Agriculture or Rural Resource.
- To cover the subsequent shortfall in new rural-residential opportunities ('rural living' under the new State Template terminology) sites have been identified in the Bagdad-Mangalore Structure Plan. These areas are:
  - Located on the relatively poorer quality, steeper sloping soil.
  - Located to expanding existing rural residential areas – not creating new rural residential areas.
  - Accessed via existing side roads – not accessed directly from the Midlands Highway or requiring new side road junctions to be built.
  - On the periphery of the rural landscape of the valley – not in the centre.
  - Located to reinforce the clustering of development in defined nodes along the valley – not spreading out along the entire valley.

### **Issue No.3      Public Consultation**

- Council has previously determined that it will put the draft interim planning scheme out for informal public consultation once a reasonable draft has been prepared.
- Holding an informal public consultation process is particularly important given that:
  - The State Government expects the new schemes to go through the 'interim planning scheme' pathway – using the new parts of the *Land Use Planning & Approvals Act 1993* that it inserted in 2010 for this purpose.
  - The 'interim planning scheme' pathway means that draft planning schemes come into force before the statutory public notification process, statutory TPC public hearings, final determination by the TPC and final declaration by the Minister, not after, as has been the case for new

planning schemes since the legislation was completely overhauled in 1993.

- In short, the new planning schemes will become ‘law’ before the public have had a formal chance to have their say at a statutorily convened hearing.
  - It is very appropriate, therefore, that Council provides the community with the opportunity for input and change before submitting the draft scheme to the Minister.
- Council anticipates the draft scheme will be ready for informal public consultation in November 2012.

### **WORKSHOP: 9 AUGUST 2012**

#### **PRESENT**

Mayor A E Bisdee OAM, Clr J Jones OAM, Clr A Bantick.

Council officers: Damian Mackey, Andrew Benson, David Cundall.

#### **Issue No.1 TPC Advice - Solicitor General's Opinion**

- Damian Mackey advised that the Tasmanian Planning Commission (TPC) has written to the Regional Planning Project to explain that the Solicitor General has identified an issue with the interim planning scheme legislation that may require Councils to undertake amendments to their draft planning schemes.
- The TPC has proposed that its officers review all planning schemes to identify any such issues and advise Councils to redraw their schemes accordingly.
- If this occurs, it will not be able to be undertaken in time for the schemes to be put out for informal public consultation in November, as currently planned.
- The STCA is going to consider the matter at its next Board meeting. It may decide to seek its own legal advice – to clarify the issue from a local government perspective.
- The workshop noted that it would be very unfortunate if Council has to alter its draft scheme – after so much work and community consultation has been undertaken over the last three years, including:
  - The Joint Land Use Planning Initiative work, which included extensive community consultation - both locally and across the four-council sub-region – and detailed elements such as the Bagdad-Mangalore Structure Plan.
  - The Oatlands Integrated Development Strategy.
  - The Southern Midlands Heritage Project.
  - The current investigation into the possible creation of a new heritage landscape precinct at Mangalore/Pontville.
- The workshop considered that it is appropriate to address this issue collectively in the first instance through the STCA Board.

**Issue No.2: Zoning Map**

- The workshop examined the draft zone mapping produced by officers for the municipality.
- It was generally agreed that the mapping is a reasonable first cut and appropriate to put out to the community for its comments.
- The majority of the land area of the municipality is proposed to be zoned into one of the new State Template zones that more or less approximates the current zoning.
- There will be at least some differences for all properties in all zones, however, because:
  - We are moving to a state-wide and region-wide system of standardisation - with as few differences between councils as is reasonably possible.
  - The new Regional Strategy is now a statutory document and all new schemes must be consistent with its objectives and outcomes.
  - Council has undertaken various local and sub-regional strategic planning work with the intention of identifying improvements and desired new directions for various areas and issues dealt with by the planning scheme.
  - There will be new codes (previously referred to as ‘schedules’) dealing with issues that the current scheme does not deal with.

**Issue No.3: Length of the Draft Regional Model Planning Scheme**

- Councillors commented on the length of the draft regional model planning scheme, which mean that the new Southern Midlands scheme will be significantly longer than the current planning scheme.
- Damian provided the following explanation:
  - The new State Template, and indeed the entire State planning reform agenda, is focussed on the new schemes providing certainty and clarity.
  - This means that issues that are dealt with in current schemes through short vague statements (which require ‘planning judgement’ to interpret and implement) have to be replaced with significantly more words.
    - For example, many current schemes have around 2 pages of short ‘general consideration’ statements. This is expressly not allowed under the new State Template. Therefore, each of these short statements has to be replaced with much longer zone standards (often repeated in multiple zones) or in some cases, entire new codes.
    - The principle behind this is actually a good one. It will mean that a lot of interpretation, judgement and argument is taken out of the development application process – which should result in more certainty for the community and for developers, and less appeals.



- However, it comes at a cost: a lot of extra words.
- All current schemes in the region each deal with various matters, but none deal with all matters appropriate to be dealt with by schemes.
- The new collective approach means that all these issues have been identified and will now be addressed.
- It is planned that the new schemes will be stored and accessed over the internet via new and clever software on a central ‘cloud’ server.
  - Users will have the option of automatically bring forward only those parts of the scheme that relate to the particular property of interest.
  - Therefore, in practice, users will actually have to deal with much less than they currently do – wading through entire schemes trying to identify which provisions are relevant.
  - In a sense, it won’t actually matter how long the new schemes are.

**RECOMMENDATION**

**THAT the information be received.**

**C/12/08/017/19122 DECISION**

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

THAT the information be received.

**CARRIED.**

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

## 7. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

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

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

### RECOMMENDATION

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

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

- Petition – Midlands Aquatic & Recreation Centre (Item 20.1)
- Southern Water – Election of Owners’ Representatives (Item 20.2)
- State Water & Sewerage Corporation - Briefing Session (Item 20.3)

### C/12/08/018/19123 DECISION

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

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

**CARRIED.**

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

## **8. DECLARATIONS OF PECUNIARY INTEREST**

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

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

The following declarations of pecuniary interest were recorded:

- Clr D F Fish – Item 19.1 – Renewal of Mining Lease (1490 P/M – B J & L Fish, Interlaken Road, Oatlands)
- Clr A R Bantick – Item 21.1 - Closed Session

**9. PUBLIC QUESTION TIME (SCHEDULED FOR 10.30 AM)**

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 advised the meeting that no formal questions on notice had been received for the meeting.***

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

## **9.1 PERMISSION TO ADDRESS COUNCIL**

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

- Mrs Monica Kean will address Council at 10.00 a.m.

*Mr D Cundall (Planning Officer) attended the meeting at 9.42 a.m.*

*Mr J Lyall (Manager – Works and Technical Services) attended the meeting at 9.45 a.m.*

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

Mayor A E Bisdee OAM has submitted the following motion

### **10.1 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 Boards’ formula would indicate that the desired number is 7.3 Councillors.

**C/12/08/022/19124 DECISION**

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

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.

**CARRIED.**

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

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

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

### **11.1 DEVELOPMENT APPLICATIONS**

Nil.

### **11.2 SUBDIVISIONS**

Nil.

*Deputy Mayor M Jones OAM left the meeting at 9.51 a.m.*

**11.3 MUNICIPAL SEAL (PLANNING AUTHORITY)****11.3.1 COUNCILLOR INFORMATION:- MUNICIPAL SEAL APPLIED UNDER DELEGATED AUTHORITY TO SUBDIVISION FINAL PLANS & RELATED DOCUMENTS**

*File Ref: (Refer PID numbers in table below)*

**AUTHOR** PLANNING OFFICER (D CUNDALL)  
**DATE** 16<sup>TH</sup> AUGUST 2012

**APPLICATION OF MUNICIPAL SEAL**

The following Final Plans and related documents, pertaining to subdivisions, boundary adjustments and adhesion orders, etc. within Southern Midlands have had the Municipal Seal applied by the Manager Development & Environmental Services in the period 17<sup>th</sup> November 2011 to 16<sup>th</sup> August 2012.

<b>Owner</b>	<b>PID</b>	<b>Address</b>	<b>Description</b>	<b>Date</b>
J A Burleigh	5051800	Midland Hwy, Mangalore	3 Lots plus Balance	12 <sup>th</sup> February 2012
Dysart Park Properties	5461375	Clifton Vale Rd, Mauriceton Lane	Boundary Adjustment	6 <sup>th</sup> March 2012
C F Thomsen	2878685	Cockatoo Gully Rd, Elderslie	Boundary Adjustment	8 <sup>th</sup> May 2012
L M Howard	5891949	8 Lee St, Campania	1 Lot plus Balance	8 <sup>th</sup> May 2012
SJ & KL Thomas	1948733	Springhill Bottom Rd	Boundary Adjustment	10 <sup>th</sup> May 2012
Richard Jones	2072198	Bluff Rd, Elderslie	Boundary Adjustment	26 <sup>th</sup> June 2012
R Fox	1752044	Tea Tree Rd, Rekuna	Boundary Adjustment	22 <sup>nd</sup> June 2012
Simon Fergusson	7882130	Eldon Rd, Colebrook	Boundary Adjustment	13 <sup>th</sup> July 2012
J McConnon	2700852	Cutting Grass Rd, Levendale	Boundary Adjustment	14 <sup>th</sup> August 2012

**RECOMMENDATION**

**THAT the information be received.**

**C/12/08/024/19125 DECISION**

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

THAT the information be received.

**CARRIED.**

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



## **11.4 PLANNING (OTHER)**

Nil.

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

### **12.1 ROADS**

#### **Strategic Plan Reference – Page 13**

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

Nil

### **12.2 BRIDGES**

#### **Strategic Plan Reference – Page 14**

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

Nil.

### **12.3 WALKWAYS, CYCLE WAYS AND TRAILS**

#### **Strategic Plan Reference – Page 14**

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

Nil.

### **12.4 LIGHTING**

#### **Strategic Plan Reference – Page 14**

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

Nil.

### **12.5 SEWERS**

#### **Strategic Plan Reference – Page 15**

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

Nil.

**12.6 WATER**

**Strategic Plan Reference – Page 15**

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

Nil.

**12.7 IRRIGATION**

**Strategic Plan Reference – Page 15**

1.7.1 Increase access to irrigation water within the municipality.

Nil.

**12.8 DRAINAGE**

**Strategic Plan Reference – Page 16**

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

Nil.

**12.9 WASTE**

**Strategic Plan Reference – Page 16**

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

Nil.

**12.10 INFORMATION, COMMUNICATION TECHNOLOGY**

**Strategic Plan Reference – Page 16**

1.10.1 Improve access to modern communications infrastructure.

Nil.

**12.11 SIGNAGE**

**Strategic Plan Reference – Page 16**

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

Nil.

*Deputy Mayor M Jones OAM returned to the meeting at 9.53 a.m.*

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

### **12.12.1 Manager - Works & Technical Services Report**

*File Ref:* 3/075

AUTHOR MANAGER – WORKS & SERVICES

DATE 17<sup>TH</sup> AUGUST 2012

#### **ROADS PROGRAM**

Maintenance Grading - Tunnack and Campania areas  
Potholing works and bitumen works being conducted as required and as weather permits.

#### **BRIDGE PROGRAM**

Eldon Road Bridge By-Pass has been installed to enable Bridge replacement works to proceed - will commence within the next fortnight.

#### **WASTE MANAGEMENT PROGRAM**

All Operating without any issues.

#### **TOWN FACILITIES PROGRAM**

On-going maintenance as required.

#### **WORKS SERVICES PROGRAM**

##### **Staff Leave/Resignations/Appointments**

- Mr S Lincoln Sick Leave & Mr L Scott Long Service Leave

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

Roads Program – Maintenance Grading - Dysart area. Woodsdale Road (lower end) – inundated for a brief period due to heavy rain on 18<sup>th</sup>/19<sup>th</sup> August 2012. Inglewood Road – vicinity of Viaduct – potholing required. York Plains Road – maintenance required. Chauncy Vale Road – recently inspected after grading and slippery surface signs placed.

Signs – Howletts Road sign – needs to be replaced (apparently stolen).

Bridge Program – Elderslie Road Bridge – Aurora commenced works to relocate Pole – this will enable road works to recommence.

Waste Management Program – Oatlands Waste Transfer Station – bunding for waste oil collection being constructed (as required by the EPA).

Town Facilities – Alexander Circle – Public Open Space - Snow Pair Trees planted. Tunbridge Township – feedback received that no more trees are required to be planted in Tunbridge Park.

Oatlands School – Pedestrian Crossing – issues to be addressed.

Crown Reserve Roads – Parattah (Reserved Road leading to old School House) – need to address safety / fire hazard(s).

### **RECOMMENDATION**

**THAT the information be received.**

### **C/12/08/028/19126 DECISION**

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

THAT the information be received.

**CARRIED.**

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

### **COUNCIL ADDRESS – MIDLANDS AQUATIC & RECREATION CENTRE - PETITION**

Mrs Monika Kean, accompanied by Ms Rowena McDougall Mrs E Bjorksten, attended the meeting at 10.06 a.m.

A Petition was presented by Mrs Kean, a copy of which had been previously circulated to Councillors.

Mrs Kean raised the issues referred to in the Petition, including concerns relating to traffic, noise, site layout etc. She also provided comment based on her involvement with a similar type of development interstate.

The Address concluded at 10.21 a.m.

The meeting was suspended at 10.25 a.m. and resumed at 10.40 a.m.

**13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)**

**13.1 RESIDENTIAL**

**Strategic Plan Reference – Page 17**

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

Nil.

**13.2 TOURISM**

**Strategic Plan Reference – Page 18**

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

Nil.

**13.3 BUSINESS**

**Strategic Plan Reference – Page 19**

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

Nil.

**13.4 INDUSTRY**

**Strategic Plan Reference – Page 20**

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

Nil.

**13.5 INTEGRATION**

**Strategic Plan Reference – Page 21**

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

Nil.

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

### 14.1 HERITAGE

#### Strategic Plan Reference – Page 22

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

#### 14.1.1 Heritage Project Officer's Report

AUTHOR      MANAGER HERITAGE PROJECTS (B WILLIAMS)

DATE         22<sup>ND</sup> AUGUST 2012

#### ISSUE

Southern Midlands Heritage Projects – report from Manager Heritage Projects

#### DETAIL

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

- Heritage and planning approvals have been gained for the gaol arch relocation project. Awaiting certificate of likely compliance from building surveyor, so that a building application can be lodged.
- Stabilisation and capping works to the Oatlands Gaol walls have commenced.
- Progress is being made on the *Southern Midlands Convict Sites Project* (Alan Townsend) and the *Southern Midlands Community Heritage Archive Project* (Rowena McDougall).
- Fitout of the Gaoler's Residence interpretation is underway.
- Conservation Management Planning is underway for the Oatlands Commissariat and 79 High Street. It is expected that a presentation will be made to the September council meeting to seek broad direction into use-planning for the site.
- Audit of council's heritage collection is progressing (Karen Bramich).
- The SMC Heritage Program Annual Report 2011-12 is being written.
- Brad Williams attended a Philanthropy Australia grant writing workshop.

- Jesse Eynon is currently undertaking an Artist in Residence program at the Oatlands Gaoler’s Residence. Under scholarship from Arts Tasmania, she is painting the midlands cultural landscape in preparation for an exhibition.
- Plans for next year’s archaeology summer program are being developed with assistance from Jen Jones (volunteer).

**RECOMMENDATION**

**THAT the information be received.**

**C/12/08/031/19127 DECISION**

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

THAT the information be received.

**CARRIED.**

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

**14.2 NATURAL**

**Strategic Plan Reference – Page 23**

3.2.1 Identify and protect areas that are of high conservation value

3.2.2 Encourage the adoption of best practice land care techniques.

**14.2.1 Landcare Unit – General Report**

*File Ref: 03/082*

AUTHORS NRM PROGRAMS MANAGER – M WEEDING

DATE 14<sup>th</sup> August 2012

**ISSUE**

Southern Midlands Landcare Unit Monthly Report

**DETAIL**

- The Lake Dulverton corridor walkway has seen further works undertaken with the placement of purchased seats. Two days of tree planting and general maintenance occurred and further works are planned, as this is the time of the year for such works.
- Maria attended a day long meeting that was organised by DPIPW. This was to consider co-ordination of environmental works that are presently occurring in the Midlands. There is close to \$7 million in funded activity that will be rolled out over the next five years in the northern and southern midlands and central highlands areas.
- Work on the Biodiversity Bushlinks 500 Project continues. A very detailed project plan has been submitted to the Australian Government and we are awaiting confirmation that it has been approved.
- Helen has been away from work for part of July and August.
- Graham Green has been away from work for a month, having returned on 13<sup>th</sup> August. A report outlining Council's 2011 -2012 energy efficiency program results will be provided by Graham to the next Council meeting.



**RECOMMENDATION**

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

**C/12/08/033/19128 DECISION**

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

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

**CARRIED.**

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	
√	Clr J L Jones OAM	

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

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

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

**AUTHOR** MANAGER COMMUNITY & CORPORATE DEVELOPMENT  
(A BENSON)

**DATE** 22<sup>ND</sup> AUGUST 2012

**ATTACHMENTS:** draft Flyer for Community Consultation Event

**BACKGROUND**

Council advertised in the Council Newsletter for interested parties to nominate for the Working Group to develop an Arts Strategy for the Southern Midlands. A number of persons nominated and the first meeting was held on the 2<sup>nd</sup> May 2012. A report was provided to the May 2012 Council meeting by the Manager Community & Corporate Development on the progress of the Southern Midlands Arts Strategy Working Group.

**CURRENT**

There have been a number of meetings of the Southern Midlands Arts Strategy Working Group over recent months and the Working Group have requested that the following *Introduction* and *Draft Southern Midlands Arts Strategy* be tabled at the next Council meeting for consideration and endorsement. The Working Group believes that this would clearly articulate Council's commitment to the process. The Working Group have also asked that the Mayor participate in the Working Group, as a firm gesture to further consolidate Council's commitment to the process and in the delivery of tangible and enduring benefits to the Community through this process.

**Development of the Southern Midlands Arts Strategy****Introduction**

The process of developing an Arts Strategy owned and driven by a diversity of partners has been initiated by the Southern Midlands Council through an invitation to the Community to participate in its development via a program of consultation, events and meetings with the voluntary and professional arts sector.

The Arts Strategy Working Group is now seeking to achieve Council approval for this, the draft of the Southern Midlands Arts Strategy. This Strategy will be further developed and “polished” to reflect the Working Group’s findings through its “discoveries”, along with the changes and developments in the arts.

## **DRAFT SOUTHERN MIDLANDS ARTS STRATEGY**

### **Statement of Intent**

The Southern Midlands Council through its Arts Strategy values the arts and the benefits which they bring to the social, economic and environmental life of the Community of the Southern Midlands and wishes to encourage the development of the arts & associated activities, recognising that the sector has the potential to play a significant role in providing social enterprise and related benefits to the Southern Midlands local government area.

### **Definition**

*The Arts* - Arts refers to the full range of creative expression, such as, but not limited to, visual arts, performance, puppetry, dance, circus, film, music, video, crafts, literature, photography and digital technology.

### **The Aim of the Arts Strategy**

The aim of the Southern Midlands Arts Strategy is to enable groups, organisations and individuals involved in the arts to work effectively and creatively with each other in developing diverse opportunities for involving local people in quality arts activities and creative expression. This Strategy recognises the important role the arts play in enabling people to celebrate their cultures and share them with the wider Community.

The aim of the Arts Strategy will be achieved through;

1. Building appreciation and expression of the Arts;
2. Identifying and building the capacity of the Arts;
3. Improving advocacy, informing policy and identifying strategic priorities for the Arts;
4. Providing a forum to support the Arts;
5. Identifying and responding to emerging issues in the Arts space;
6. Facilitating partnerships with social and private opportunities; and
7. Recognising, celebrating and promoting the uniqueness of the Southern Midlands.

The reason for seeking Council’s strong commitment for this the draft Strategy is that a broader Community Consultation is scheduled for mid to late October 2012 (refer to

attached draft flyer) and at that forum the Working Group will be seeking a broad based input to the Strategy to ensure that it encompasses the widest possible sphere of influence for the final document and further galvanise greater participation in the arts in Southern Midlands. This forum will be facilitated by Kylie Eastly from Tas Regional Arts.

## RECOMMENDATION

### THAT Council

1. Received and note the information;
2. Endorse the draft Arts Strategy as developed by the Arts Strategy Working Group
3. Endorse the Mayor's participation in the Arts Strategy Working Group;
4. Endorse the broad Consultation process that the Working Group are planning; and
5. Write to the Members of the Arts Strategy Working Group and express Council's appreciation for the energy and commitment that they have contributed to the process so far.

### C/12/08/036/19129 DECISION

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

### THAT Council

1. Received and note the information;
2. Endorse the draft Arts Strategy as developed by the Arts Strategy Working Group
3. Endorse the Mayor's participation in the Arts Strategy Working Group;
4. Endorse the broad Consultation process that the Working Group are planning; and
5. Write to the Members of the Arts Strategy Working Group and express Council's appreciation for the energy and commitment that they have contributed to the process so far.

**CARRIED.**

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

√	Clr A O Green	
√	Clr J L Jones OAM	

Southern midlands logo

# Arts Strategy Plan

For the Southern  
Midlands

The aim of the Southern Midlands Arts Strategy working group is to develop a plan which considers ways to effectively identify and build the capacity of arts in the area.

*Arts* refers to the full range of creative expression. Art can touch everyone's lives and be an important part of our work, education, environment, play and leisure.

What do we mean by *Arts*?

The term 'arts' includes but is not limited to music, dance, drama, folk art, creative writing, architecture, painting, sculpture, photography, graphic art, crafts, costume and fashion design, fabric art, motion pictures etc.

*Arts* is related to the presentation, performance, execution and exhibition of such art forms.

Arts create a common ground for people from diverse backgrounds and different ages to connect with each other and build a sense of pride within our community

Launch of the plan with exhibition booths and celebratory refreshments.



Friday 19<sup>th</sup>  
October from  
2pm to 9pm.

Gay Street  
Hall  
Oatlands.

RSVP Andrew  
Benson

If you would like to share your skills and your thoughts about the Strategy and participate in the launch please contact **Andrew Benson**  
Southern Midlands Council  
Ph: 03 6259 3011 Fax: 03 6259 1327  
Mobile: 0429 852730  
Email: [abenson@southernmidlands.tas.gov.au](mailto:abenson@southernmidlands.tas.gov.au)  
Web: [www.southernmidlands.tas.gov.au](http://www.southernmidlands.tas.gov.au)

**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.

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

4.2.1 Increase the retention of young people in the municipality.

**15.2.1 SEPTEMBER 2012 SCHOOL HOLIDAY PROGRAM**

AUTHOR COMMUNITY RECREATION OFFICER (G HUNT)  
DATE 14<sup>TH</sup> AUGUST 2012

ATTACHMENTS 1. School Holiday Program – September 2012 Flyer  
2. Estimated Costings Summary

**BACKGROUND**

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

**CURRENT SITUATION**

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

**FINANCIAL IMPLICATIONS**

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

**RECOMMENDATION**

**THAT the information be received**

**C/12/08/040/19130 DECISION**

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

THAT:

- a) the information be received; and
- b) Council formally record its appreciation to Mr Greg Hunt (Youth and Community Development Officer) and the School Holiday Program sponsors for ensuring the success of this program.

**CARRIED.**

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





## YOUTH SCHOOL HOLIDAY PROGRAM – SEPTEMBER 2012

Southern Midlands Council, in conjunction with Rural Primary Health Service - Oatlands, and the "Connecting Families and School Communities" Program are once again pleased to announce an exciting array of excursions being held during the upcoming September 2012 school holiday period .

### Day 1

#### **Tuesday 11<sup>th</sup> September 2012**

A fun filled day to be had by all starting with a visit to Zoo Doo at Richmond, where participants will be wowed by the array of exotic animals on display at this popular venue. Lunch will be catered for at the Campania Hall on the way to the Grote Reber Museum of Science and the Giant Telescope at Cambridge where we'll check out the Telescope control room, tour the Museum and watch a 3D film on outer space .Maybe even a quick stop in at the Richmond lolly and ice cream shop if time permits [bring own funds for any purchases here].

**Cost is \$10.00 per child**

### Day 2

#### **Wednesday 19<sup>th</sup> September 2012**

A coach trip to Launceston where we will enjoy the Cataract Gorge [ including a return Chairlift ride if desired – please note this on permission form] and its many interesting sights . BYO lunch will be eaten at the Gorge while we enjoy the picturesque view. Then we move up to the Launceston Aquatic Centre for plenty of water activities and fun and games.

**Cost is \$10.00 per child**

**Bookings are essential and open on Monday 20<sup>th</sup> August 2012 . Get in early as spots fill quickly.**

Age limits of 9 – 16 apply and numbers are limited. Please dress appropriately for the relevant activities. BYO snacks, drinks, sun hat and sunscreen for both days. If you have any special dietary needs please bring own food with you. **Any participants with significant medical conditions should provide a full emergency plan and appropriate medication/treatment – Failure to do so will result in exclusion from program/s.**

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

Come along and join the fun.

Greg Hunt  
SMC

Kelly Woodward  
FCaSC

Karla , Corina & Kristina  
RPHS

## ESTIMATED COSTINGS SUMMARY - SCHOOL HOLIDAY PROGRAM SEPTEMBER 2012

### Day 1

Tuesday 11<sup>TH</sup> September 2012

ZooDoo and Grote Reber Science Museum

Entry Fees - Zoodoo	\$ 360.00
Entry Fees – Museum	\$ 160.00
Transport	\$ 660.00
Catering	\$ 200.00
<b>Total</b>	<b>\$1380.00</b>

### Day 2

Wednesday 19<sup>th</sup> September 2012

Cataract Gorge [inc chairlift ride] and Launceston Aquatic Centre

Entry Fees - Gorge	\$ 320.00
Entry Fees - Pool	\$ 160.00
Transport	\$ 770.00
<b>Total</b>	<b>\$ 1250.00</b>

<b>TOTAL for 2 days excursions</b>	<b>\$2630.00</b>
<b>LESS GST COMPONENT - SAY \$240.00</b>	<b>\$2390.00</b>

Inputs from external organisations [ exc GST ]

Rural Primary Health Service	\$ 600.00
Connecting Families & School Comm's	\$ 1000.00
Attendees payments	\$ 800.00
<b>Southern Midlands Council</b>	<b>\$ nil</b>
<b>Total</b>	<b>\$2400.00</b>

Attendees payments are based on an average of 40 per excursion . Contributions from RPHS and CfC have been confirmed .

A copy of the flyer outlining excursion content is attached

Greg Hunt  
Community & Corporate Development Dept  
14<sup>th</sup> August 2012

**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** 16<sup>TH</sup> AUGUST 2012

**ISSUE**

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

**DETAIL**

Refer Monthly Statement on Animal Control for period ending 31<sup>st</sup> July 2012.

NATIVE CORNERS - Over a period of time Mr Max Harris has had a large number of sheep killed on two of his properties. I am in regular contact with Mr Harris and his wife, and have patrolled the area on constantly. Also I have doorknocked the surrounding and nearby neighbours, all to no effect with no dogs being sighted by anyone. Council's dog trap has been set on site, and there are two other dog traps set as well.

It's fair to say there is a lot of suspicion and finger pointing surrounding this matter, however without any specific evidence or descriptions of the animals involved there is little else I can do other than to continue as above. Councillors should be aware that two dogs were killed by poison, which has not helped my investigations from a cooperation point of view.

BAGDAD - Eight chooks were killed in Green Valley Road, a young black and tan dog was shot and wounded by a property owner. The dog escaped and has not been seen since.

ELDERSLIE - An unknown number of sheep were injured/ killed on a property adjacent to the Elderslie Golf Course. One dog which was microchipped was found near where the attack occurred and I was able to identify the owner. After interviewing the said owner, that dog, and another dog from the same property were euthanased by a vet.

Further mediation resulted in both parties negotiating on compensation for the sheep.

OATLANDS - One ewe was injured by a Rottwieler, the dog was microchipped and its owner traced. The dog was destroyed, and the owner of the ewe is satisfied with the outcome.

**RECOMMENDATION**

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

**C/12/08/045/19131 DECISION**

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

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

**CARRIED.**

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



**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 Proposed Southern Midlands Council Business Continuity Plan**

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

**DATE** 22<sup>ND</sup> AUGUST 2012

**ATTACHMENT** Ref to the attachment provided at last month's meeting

**BACKGROUND**

A document titled the Southern Midlands Council Business Continuity Plan was tabled at the last Council meeting. As Councillors are aware, the process for any policy document is, that it is tabled at one meeting and then “lays on the table” until the next meeting, to enable Councillors sufficient time to work through and consider all of the ramifications of the policy, before the document is finally considered for adoption at the second meeting.

**REPORT TO THE PREVIOUS COUNCIL MEETING**

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.

### **RECOMMENDATION**

**THAT the 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.**

### **C/12/08/050/19132 DECISION**

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

THAT the 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.

**CARRIED.**

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

**17.2.2 Proposed Southern Midlands Council Computer Use Policy**

**AUTHOR** MANAGER, COMMUNITY & CORPORATE DEVELOPMENT (A  
BENSON) and INFORMATION TECHNOLOGY OFFICER (N  
WILSON)  
**DATE** 22<sup>ND</sup> AUGUST 2012

**ATTACHMENT** Ref to the attachment provided at last month's meeting

**BACKGROUND**

A document titled the Southern Midlands Council Computer Use was tabled at the last Council meeting. As Councillors are aware, the process for any policy document is, that it is tabled at one meeting and then "lays on the table" until the next meeting, to enable Councillors sufficient time to work through and consider all of the ramifications of the policy, before the document is finally considered for adoption at the second meeting.

**REPORT TO THE PREVIOUS COUNCIL MEETING**

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 Computer Use Policy be adopted.**

**C/12/08/052/19133 DECISION**

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

THAT the Computer Use Policy be adopted.

**CARRIED.**

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

**17.2.3 Local Government Act 1993 – Rates and Charges Policy (Final Adoption)**

*File Ref:*

AUTHOR GENERAL MANAGER  
DATE 16<sup>th</sup> AUGUST 2012

**ISSUE**

Council to formally adopt the Rates and Charges Policy (August 2012).

**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 Rates and Charges Policy, developed in accordance with section 86B of the *Local Government Act 1993*, was tabled at the previous meeting and is now submitted for formal adoption.

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

**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 the Rates and Charges Policy (August 2012) be formally adopted.**

**C/12/08/055/19134 DECISION**

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

THAT the Rates and Charges Policy (August 2012) be formally adopted.

**CARRIED.**

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

**17.2.4 Review of Council’s Strategic Plan 2010 – 2015 and the Creation of the 2012 – 2017 Strategic Plan**

*File Ref:* 16-2.2

**AUTHOR** MANAGER COMMUNITY & CORPORATE DEVELOPMENT  
(A BENSON)  
**DATE** 22<sup>ND</sup> AUGUST 2012

**ATTACHMENTS:** To be provided at the meeting

**BACKGROUND**

The Southern Midlands Council Strategic Plan was tabled at the May 2012 Council meeting. The amended draft Strategic Plan that was a product of that Council meeting was advertised on Council’s web site and in the Mercury. Submissions were sought on the document, with a closing date of 1<sup>st</sup> August 2012, in accordance with the *Local Government Act 1993*

**REPORT TO THE PREVIOUS COUNCIL MEETING**

Council’s Strategic Plan in its current format was adopted prior to the commencement of the 2006/07 financial year and it is acknowledged that a review of the Plan every two years is necessary in accordance with the Local Government Act 1993

Council at its meeting in January 2012 endorsed the review of the 2010 – 2015 Strategic Plan along with the proposed consultation process. The attached draft Strategic Plan 2012 – 2017 is the outcome of two Councillor and senior Manager workshops.

There were three Community consultation sessions facilitated by the Mayor and the Manager Community & Corporate Development, they were at Oatlands, Bagdad and Campania. The attached submissions are included in their entirety and Councillors are asked to form a view as to the inclusion of items that have been suggested within the Strategic Plan. In general terms the feedback from the Community sessions was very positive.

It should be noted that the Australian Bureau of Statistic will not be releasing their census data until after June, therefore it is not included at this stage in the document, be it will be when the data is available, however due consideration from other sources have informed the plan, but they would be too cumbersome to included in what is already a substantial document.



Following this Council meeting, the amended draft Strategic Plan will be advertised for sixty days and then tabled at the July Council meeting for further consideration of submissions and final endorsement by Council.

### **CURRENT POSITON**

Council's Records Management Officer (Elizabeth Green) advised the Manager Community & Corporate Development (Andrew Benson) on the 2<sup>nd</sup> August 2012, following the closing date for submissions, that no submissions had been received.

### **RECOMMENDATION**

#### **THAT Council**

- 1. received the information;**
- 2. adopt the Strategic Plan 2012 - 2017, and**
- 3. endorse the process of the review of the Strategic Plan**

### **C/12/08/057/19135 DECISION**

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

#### **THAT Council:**

1. receive the information;
2. adopt the Strategic Plan 2012 - 2017, and
3. endorse the process of the review of the Strategic Plan

### **CARRIED.**

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

### 17.3 FINANCES

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

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

#### 17.3.1 Monthly Financial Statement (July 2012)

*File Ref: 3/024*

AUTHOR FINANCE OFFICER  
DATE 17<sup>th</sup> AUGUST 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 – 29<sup>th</sup> June 2012
- d) Cash Flow Statement – July to June 2012.

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

**Comments**

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

**Strategic Theme – Infrastructure**

- **Sub-Program – Public Toilets** - expenditure to date (\$6,480 – 13.07%). The annual insurance premium has been paid for this program.

**Strategic Theme – Lifestyle**

- **Sub-Program – Animal Control** - expenditure to date (\$7,196 – 10.63%). Three pay periods within the month which will increase the percentage to date.

**Strategic Theme – Community**

- **Sub-Program – Consultation** - expenditure to date (\$1,912 – 37.72%). Aurora expenses associated with the operation of the Radio Station. Part-reimbursement from Management Committee. The Station is awaiting an electrician to investigate and confirm separate metered connection.

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

Nil.

**RECOMMENDATION**

**THAT the information be received.**

**C/12/08/059/19136 DECISION**

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

THAT the information be received.

**CARRIED.**

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

SOUTHERN MIDLANDS COUNCIL : CURRENT EXPENDITURE 2012/13  
SUMMARY SHEET

PROGRAM	TOTAL	REVISED BUDGET (GRANTS & OTHER REIMBURSEMENTS)	ACTUAL AS AT 31 JULY 2012 8%	VARIANCE (+/-)	% BASED ON REVISED BUDGET 100%
<b>INFRASTRUCTURE</b>					
Roads	1291666	1291666	143704	1147962	11.13%
Bridges	81313	81313	526	80787	0.65%
Walkways	167192	167192	12221	154971	7.31%
Lighting	82035	82035	0	82035	0.00%
Irrigation	2450	2450	0	2450	0.00%
Drainage	33128	33128	3167	29961	9.56%
Waste	507046	507046	13882	493164	2.74%
Public Toilets	49580	49580	6480	43100	13.07%
Communications	0	0	0	0	0.00%
Signage	12300	12300	505	11795	4.10%
<b>INFRASTRUCTURE TOTAL:</b>	<b>2226710</b>	<b>2226710</b>	<b>180485</b>	<b>2046225</b>	<b>8.11%</b>
<b>GROWTH</b>					
Residential	2900	2900	0	2900	0.00%
Mill Operations	759628	759628	66654	693974	8.64%
Tourism	34110	34110	0	34110	0.00%
Business	66250	66250	4865	61385	7.34%
Agriculture	5256	5256	0	5256	0.00%
Integration	27600	27600	0	27600	0.00%
<b>GROWTH TOTAL:</b>	<b>895744</b>	<b>895744</b>	<b>70519</b>	<b>825225</b>	<b>7.87%</b>
<b>LANDSCAPES</b>					
Heritage	293347	293347	22766	270581	7.76%
Natural	132062	132062	12331	119731	9.34%
Cultural	0	0	0	0	0.00%
Regulatory	759930	759930	56905	703025	7.49%
Climate Change	39418	39418	429	38989	1.09%
<b>LANDSCAPES TOTAL:</b>	<b>1224757</b>	<b>1224757</b>	<b>92431</b>	<b>1132326</b>	<b>7.55%</b>
<b>LIFESTYLE</b>					
Youth	177469	177469	13507	163962	7.61%
Aged	1500	1500	0	1500	0.00%
Childcare	16535	16535	236	16299	1.43%
Volunteers	41311	41311	0	41311	0.00%
Access	6405	6405	0	6405	0.00%
Public Health	7665	7665	19	7646	0.25%
Recreation	348300	348300	32744	315556	9.40%
Animals	67690	67690	7196	60494	10.63%
Education	0	0	0	0	0.00%
<b>LIFESTYLE TOTAL:</b>	<b>666875</b>	<b>666875</b>	<b>53702</b>	<b>613173</b>	<b>8.05%</b>
<b>COMMUNITY</b>					
Retention	0	0	0	0	0.00%
Capacity	26025	26025	180	25845	0.69%
Safety	51400	51400	4336	47064	8.44%
Consultation	5070	5070	1912	3158	37.72%
Communication	15125	15125	0	15125	0.00%
<b>COMMUNITY TOTAL:</b>	<b>97620</b>	<b>97620</b>	<b>6429</b>	<b>91191</b>	<b>6.59%</b>
<b>ORGANISATION</b>					
Improvement	5850	5850	0	5850	0.00%
Sustainability	1326000	1326000	125624	1200376	9.47%
Finances	227585	227585	595	226990	0.26%
<b>ORGANISATION TOTAL:</b>	<b>1559435</b>	<b>1559435</b>	<b>126219</b>	<b>1433216</b>	<b>8.09%</b>
<b>TOTALS</b>	<b>6671141</b>	<b>6671141</b>	<b>529785</b>	<b>6141356</b>	<b>7.94%</b>

SOUTHERN MIDLANDS COUNCIL  
CAPITAL EXPENDITURE PROGRAM 2012-13  
AS AT 31 JULY 2012

INFRASTRUCTURE	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
<b>ROAD ASSETS</b>				
Resealing Program	\$ 700,000	\$ 10,323	\$ 689,677	Roads Resealing (40.00 kms x 5.5 x 150mm x \$20 m <sup>3</sup> )
Reseal Program	\$ 350,000	\$ -	\$ 350,000	Roads Resealing (as per agreed program)
Reconstruct & Seal	\$ 20,000	\$ -	\$ 20,000	<b>Bagdud</b> Green Valley Road - from Kenners to Bridge (approx. 100m)
	\$ 80,000	\$ -	\$ 80,000	<b>Dysart</b> Cliftonvale Road
	\$ 45,000	\$ -	\$ 45,000	<b>Mangalore</b> Ballynooky Road - Road improvements
	\$ 80,000	\$ -	\$ 80,000	<b>Oxlands</b> Ingleswood Road
	\$ 45,000	\$ -	\$ 45,000	Stanley Street (William St i.e. Thunderstone to Nelson - 380 metres x 6 metres)
Minor Seals (New)	\$ 10,000	\$ -	\$ 10,000	Church Road
	\$ 15,000	\$ -	\$ 15,000	Hasting Street Junction
	\$ 10,000	\$ -	\$ 10,000	Pelham Road (end of Elderslie Rd)
	\$ 5,000	\$ -	\$ 5,000	Turbridge Main Road Verge (part - vicinity of Lodge)
Unscaled - Road Widening	\$ 20,000	\$ -	\$ 20,000	Church Road (Corner widening)
	\$ 15,000	\$ -	\$ 15,000	Estate Road (Survey Investigation Only - \$5,000)
	\$ 5,000	\$ -	\$ 5,000	Green Valley Road - Vicinity of Ercston Gully (Survey Investigation)
	\$ 15,000	\$ -	\$ 15,000	Hill Lane, Bagdad - widening
	\$ 6,637	\$ -	\$ 6,637	Nichols Road, Elderslie (Widen & Realign)
	\$ 50,000	\$ -	\$ 50,000	Rhyndaston Road (vicinity of Bevens)
Other	\$ 6,000	\$ -	\$ 6,000	Church Road (Intersection with Elberslie Road) - Survey only
	\$ 25,600	\$ -	\$ 25,600	Campania - Reeve St / Clima Street
	\$ 5,000	\$ -	\$ 5,000	Campania - Reeve St / Hill Street
	\$ 10,000	\$ -	\$ 10,000	Green Valley Road - complete Guard Rail
	\$ 8,000	\$ -	\$ 8,000	Huntington Tier (Road to Tip - Guard Rail)
	\$ 8,000	\$ -	\$ 8,000	Ingleswood Road - Sight Improvements
	\$ 5,200	\$ -	\$ 5,200	Native Corners Road / Armistongs Rd - Drainage (Budget - 50% Project Cost)
	\$ 10,000	\$ -	\$ 10,000	Woodsdale Road - Landslip Area(s) - Engineering Assessment
	\$ 15,000	\$ -	\$ 15,000	Woodsdale Road - Landslip Area (vicinity Scotts Quarry)
	\$ 20,000	\$ -	\$ 20,000	Development Infrastructure Roads
<b>Works In Progress (30/6/12):</b>				
Eldon Road - Slip Repairs (incl. Guard Rail)	\$ 35,000	\$ 12,646	\$ 22,354	
Ingleswood Road (Reconstruct & Seal)	\$ 110,000	\$ 32,061	\$ 77,939	
Nichols Road (Realign)	\$ 60,000	\$ 58,680	\$ 1,320	
Woodsdale Rd & Stonehenge Road (Junction)	\$ 10,000	\$ 300	\$ 9,700	
	<b>\$ 1,795,437</b>	<b>\$ 114,010</b>	<b>\$ 1,681,427</b>	

SOUTHERN MIDLANDS COUNCIL  
CAPITAL EXPENDITURE PROGRAM 2012-13  
AS AT 31 JULY 2012

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
<b>BRIDGE ASSETS</b>				
Chantry Vale Road (Browns Cave Creek B3783)	\$ 51,320	\$ -	\$ 51,320	
Daniells Road - Marshalls Ck	\$ 26,440	\$ -	\$ 26,440	
Swanton Road - Little Swanton Rv (B 1716)	\$ 40,000	\$ -	\$ 40,000	Design Only
Edcon Road - Burns Creek (B436)	\$ 87,340	\$ 23,651	\$ 63,689	
<b>Works In Progress (30/6/12):</b>				
Elderslie Rd (Grahams Creek Bridge)	\$ -	\$ 1,231	\$ 1,231	
Elderslie Rd (Jordan River Bridge)	\$ 804,150	\$ 704,993	\$ 99,157	
Fields Road (No. 1851)	\$ -	\$ 1,469	\$ 1,469	
Rotherwood Road Bridge (No. 1137)	\$ 57,000	\$ 1,653	\$ 55,347	
	<b>\$ 1,066,260</b>	<b>\$ 796,987</b>	<b>\$ 273,253</b>	
<b>WALKWAYS</b>				
Footpaths - General (Program to be confirmed)	\$ 130,000	\$ -	\$ 130,000	
Bagdad Township	\$ 50,000	\$ 3,869	\$ 46,131	
- East Bagdad Road (Le Compté to Highway)	\$ 25,000	\$ -	\$ 25,000	
- Swain Street	\$ -	\$ -	\$ -	
Campina Township	\$ 10,000	\$ -	\$ 10,000	
- Reeve Street (Vicinity of Store)	\$ 5,000	\$ -	\$ 5,000	
- Review Management Plan (Site Plan) / Walking Tracks (Eush Reserve)	\$ -	\$ -	\$ -	
Kempton Township	\$ 5,500	\$ -	\$ 5,500	
- Huntingwood Road (to School)	\$ 4,000	\$ -	\$ 4,000	
- Kempton Hall (rear of Hall)	\$ 1,500	\$ -	\$ 1,500	
- Main Street - Elizabeth St to Shop (east front of Hotel)	\$ -	\$ -	\$ -	
Mangalore Township	\$ 14,445	\$ -	\$ 14,445	
- Blackbush Road (Mountford Drive down - 300 mm pipe - 110 metres)	\$ 14,445	\$ -	\$ 14,445	
Oatlands Township	\$ 16,500	\$ -	\$ 16,500	
- High Street (Tree Planting)	\$ 7,000	\$ -	\$ 7,000	
Tunaseck Township	\$ 7,000	\$ -	\$ 7,000	
- Variator (to be confirmed)	\$ -	\$ -	\$ -	
	<b>\$ 274,445</b>	<b>\$ 3,869</b>	<b>\$ 270,576</b>	
<b>LIGHTING</b>				
Nil Projects	\$ -	\$ -	\$ -	
<b>DRAINAGE</b>				
Bagdad	\$ 18,000	\$ 2,981	\$ 15,019	Carry Forward
- Hall Lane (opp Community Club)	\$ -	\$ -	\$ -	
- Swain Street - Kerb & Gutter (eastern side - 250 metres)	\$ 21,882	\$ -	\$ 21,882	
- Swain Street - Kerb & Gutter (western side - 400 metres)	\$ 39,386	\$ -	\$ 39,386	
- North of Le Compté Place Subdivision	\$ 10,000	\$ -	\$ 10,000	
Kempton	\$ 21,740	\$ -	\$ 21,740	
- Louisa Street	\$ -	\$ -	\$ -	
Oatlands	\$ 5,000	\$ -	\$ 5,000	
- High SW/Wellington Street Junction	\$ -	\$ -	\$ -	
<b>Works In Progress (30/6/12):</b>				
Reeve St (Open Drain - north of Telephone Box)	\$ 28,000	\$ 3,750	\$ 24,250	
Stanley Street, Oatlands (Albert Terrace)	\$ 6,140	\$ 4,317	\$ 1,823	
	<b>\$ 150,150</b>	<b>\$ 11,048</b>	<b>\$ 139,102</b>	
<b>WASTE</b>				
Whinslie Bins & Crates	\$ 5,000	\$ -	\$ 5,000	
Rubbish Receptacles (Heritage) - 15 @ \$700	\$ 10,500	\$ -	\$ 10,500	
	<b>\$ 15,500</b>	<b>\$ -</b>	<b>\$ 15,500</b>	

SOUTHERN MIDLANDS COUNCIL  
CAPITAL EXPENDITURE PROGRAM 2012-13  
AS AT 31 JULY 2012

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
<b>PUBLIC TOILETS</b>				
	\$ 5,000	\$ -	\$ 5,000	Carry Forward
	<u>\$ 5,000</u>	<u>\$ -</u>	<u>\$ 5,000</u>	
<b>SIGNAGE</b>				
Oatlands Signage	\$ 25,000	\$ -	\$ 25,000	Carry Forward
	<u>\$ 25,000</u>	<u>\$ -</u>	<u>\$ 25,000</u>	
<b>GROWTH</b>				
<b>RESIDENTIAL</b>				
Nil Projects	\$ -	\$ -	\$ -	
	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	
<b>TOURISM</b>				
Avenues of Honour	\$ 4,000	\$ -	\$ 4,000	Carry Forward
	<u>\$ 4,000</u>	<u>\$ -</u>	<u>\$ 4,000</u>	
<b>HERITAGE</b>				
Court House (Restoration - Toilet & Kitchenette Facs)	\$ 22,767	\$ 1,330	\$ 21,437	
Kempton Watch House (Flood)	\$ 15,000	\$ -	\$ 15,000	
Callington Mill (Master Preschool Plan)	\$ 22,000	\$ -	\$ 22,000	
Goat (Community Heritage Program)	\$ 96,000	\$ -	\$ 96,000	Grant Funded
Gaoli (Furnishings & Flood)	\$ 8,000	\$ -	\$ 8,000	
Purchase - 79 High Street Oatlands (Purchase & \$40K)	\$ 168,000	\$ -	\$ 168,000	Loan Funded
	<u>\$ 329,767</u>	<u>\$ 1,330</u>	<u>\$ 328,437</u>	
<b>LANDSCAPES</b>				
<b>NATURAL</b>				
Jericho Trees	\$ 4,000	\$ -	\$ 4,000	Carry Forward
	<u>\$ 4,000</u>	<u>\$ -</u>	<u>\$ 4,000</u>	
<b>REGULATORY</b>				
Kempton Council Chambers - Building & Office Improvements	\$ 20,000	\$ -	\$ 20,000	
Kempton Council Chambers - Office Equipment	\$ 3,500	\$ -	\$ 3,500	
	<u>\$ 23,500</u>	<u>\$ -</u>	<u>\$ 23,500</u>	

SOUTHERN MIDLANDS COUNCIL  
CAPITAL EXPENDITURE PROGRAM 2012-13  
AS AT 31 JULY 2012

	BUDGET	EXPENDITURE	VARIANCE	COMMENTS
<b>LIFESTYLE</b>				
<b>RECREATION</b>				
Recreation Committee	\$ 30,000	\$ -	\$ 30,000	
Bagdad Iden Park - Tables / Chairs	\$ 2,500	\$ -	\$ 2,500	
Kempson Memorial Hall	\$ 10,000	\$ -	\$ 10,000	
Carnegie Recreation Ground - Cricket Nets	\$ 36,430	\$ -	\$ 36,430	
Carnegie Hall - Footpath (adjacent to Hall)	\$ 3,900	\$ -	\$ 3,900	
Carnegie Hall - Car Park Imp's (incl. part seal)	\$ 35,000	\$ -	\$ 35,000	
Colebrook Recreation Ground (Armentilles)	\$ 16,367	\$ -	\$ 16,367	
Midlands Aquatic & Recreation Centre	\$ 75,000	\$ -	\$ 75,000	
Parrettah Recreation Ground	\$ 2,600	\$ -	\$ 2,600	
	<b>\$ 211,797</b>	<b>\$ -</b>	<b>\$ 211,797</b>	
<b>COMMUNITY</b>				
<b>SAFETY</b>				
Road Accident Rescue Unit	\$ 3,000	\$ -	\$ 3,000	
	<b>\$ 3,000</b>	<b>\$ -</b>	<b>\$ 3,000</b>	
<b>ORGANISATION</b>				
<b>SUSTAINABILITY</b>				
<b>ADMINISTRATION</b>				
Council Chambers - Building Improvements (\$ for \$)	\$ 15,000	\$ -	\$ 15,000	
Council Chambers - Damp Issues & Stonemasonry	\$ 15,000	\$ -	\$ 15,000	
Council Chambers (External Windows - Repair)	\$ 5,000	\$ -	\$ 5,000	Carry Forward
Computer Systems (Hardware / Software)	\$ 22,000	\$ -	\$ 22,000	
Town Hall (Chairs)	\$ 5,000	\$ -	\$ 5,000	
Parkings (ref Mayor)	\$ 2,000	\$ -	\$ 2,000	
Town Hall (General)	\$ 8,286	\$ -	\$ 8,286	
Town Hall (Upstairs) - Rewiring	\$ 5,000	\$ -	\$ 5,000	
Asset Management - Computer Software	\$ 5,000	\$ -	\$ 5,000	
Web Site - Capital Development	\$ -	\$ 2,011	\$ (2,011)	
Minor Plant Purchases	\$ 13,500	\$ -	\$ 13,500	
<b>WORKS</b>				
Radio System	\$ 2,000	\$ -	\$ 2,000	
Security Key System	\$ 6,000	\$ -	\$ 6,000	
Depot - Queens Street (Security Fencing)	\$ 3,000	\$ -	\$ 3,000	
Plant Replacement Program	\$ 484,152	\$ -	\$ 484,152	
Refer separate Schedule (Net Changeover)	\$ 144,000	\$ 31,709	\$ 112,291	
Light Vehicles	\$ -	\$ -	\$ -	
(Trade Allowance - \$240K)	\$ -	\$ -	\$ -	
Excavator (Approx. 2.70 tonne)	\$ 60,000	\$ -	\$ 60,000	
	<b>\$ 804,938</b>	<b>\$ 33,720</b>	<b>\$ 771,218</b>	
<b>GRAND TOTALS</b>	<b>\$ 4,716,794</b>	<b>\$ 956,974</b>	<b>\$ 3,759,819</b>	



	INFLOWS (OUTFLOWS) (July 2012)	INFLOWS (OUTFLOWS) (August 2012)	INFLOWS (OUTFLOWS) (Sept 2012)	INFLOWS (OUTFLOWS) (Oct 2012)	INFLOWS (OUTFLOWS) (Year to Date)
<b>Cash flows from operating activities</b>					
Payments					
Employee costs	- 357,728.80	-	-	- -	357,728.80
Materials and contracts	- 332,549.49	-	-	- -	332,549.49
Interest	- 888.14	-	-	- -	888.14
Other	- 9,340.53	-	-	- -	9,340.53
	<u>- 700,506.96</u>	-	-	- -	<u>700,506.96</u>
Receipts					
Rates	57,360.96	-	-	-	57,360.96
User charges	91,304.92	-	-	-	91,304.92
Interest received	19,147.65	-	-	-	19,147.65
Subsidies	-	-	-	-	-
Other revenue grants	-	-	-	-	-
GST Refunds from ATO	-	-	-	-	-
Other	67,895.17	-	-	-	67,895.17
	<u>235,708.70</u>	-	-	-	<u>235,708.70</u>
<b>Net cash from operating activities</b>	<u>- 464,798.26</u>	-	-	- -	<u>464,798.26</u>
<b>Cash flows from investing activities</b>					
Payments for property, plant & equipment	- 48,552.43	-	-	- -	48,552.43
Proceeds from sale of property, plant & equipment	12,357.27	-	-	-	12,357.27
Proceeds from Capital grants	-	-	-	-	-
Proceeds from Investments	-	-	-	-	-
Payment for Investments	-	-	-	-	-
<b>Net cash used in investing activities</b>	<u>- 36,195.16</u>	-	-	- -	<u>36,195.16</u>
<b>Cash flows from financing activities</b>					
Repayment of borrowings	- 4,443.64	-	-	- -	4,443.64
Proceeds from borrowings	-	-	-	-	-
<b>Net cash from (used in) financing activities</b>	<u>- 4,443.64</u>	-	-	- -	<u>4,443.64</u>
<b>Net increase/(decrease) in cash held</b>	- 505,437.06	-	-	- -	505,437.06
Cash at beginning of reporting year	7,993,200.13	7,487,763.07	7,487,763.07	7,487,763.07	8,457,080.00
<b>Cash at end of reporting year</b>	<u>7,487,763.07</u>	<u>7,487,763.07</u>	<u>7,487,763.07</u>	<u>7,487,763.07</u>	<u>7,951,642.94</u>

**18. INFORMATION BULLETINS**

Refer enclosed Bulletin dated 16<sup>th</sup> August 2012.

**RECOMMENDATION**

**THAT the Information Bulletin dated 16<sup>th</sup> August 2012 be received and the contents noted.**

**C/12/08/066/19137 DECISION**

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

THAT the Information Bulletin dated 16<sup>th</sup> August 2012 be received and the contents noted.

**CARRIED.**

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

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

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

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

1. ‘Mood Food’ Bennett’s Petroleum – briefing provided in relation to the status of the development. Formal application has been withdrawn as it has been determined that the extent of works planned at this stage does not require development approval.
2. Clr J L Jones – discussion relating to Tourism brochures. Clr A O Green provided comment in respect to the HHTRA’s activities and the broader advertising / marketing opportunities.
3. Biodiversity Offset Guidelines – general discussion relating to the current position of the State Government.
4. Southern Midlands Council Access Plan – being developed with the aim of submitting a draft to the October 2012 meeting.
5. Positive Ageing Strategy – invite representative from the Council on the Ageing to address Council Meeting (Contact Margaret Bird)

*Clr D F Fish declared an interest and left the meeting at 11.40 a.m.*

## **19. MUNICIPAL SEAL**

### **19.1 RENEWAL OF MINING LEASE (1490P/M – BJ & L FISH, INTERLAKEN ROAD, OATLANDS) – SEAL COMPENSATION AGREEMENT**

*File Ref: 21/041*

**AUTHOR** GENERAL MANAGER

**DATE** 16<sup>th</sup> AUGUST 2012

**ATTACHMENT:** Compensation Agreement

#### **ISSUE**

**Council to sign and seal the Compensation Agreement relating to the renewal of Mining Lease 1490 P/M – BJ & L Fish, Interlaken Road, Oatlands.**

#### **BACKGROUND**

Nil.

#### **DETAIL**

The current Mining Lease expires on 1<sup>st</sup> October 2012. As part of the renewal process, it is necessary to prepare a new Compensation Agreement between the landowners and Council, as the quarry operator.

**Human Resources & Financial Implications** – The amount of royalty payable at the time of removing material from the quarry has been maintained at \$1.00 per cubic metre (excl. GST).

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

**Council Web Site Implications:** N/A

**Policy Implications** – N/A.

**Priority - Implementation Time Frame** – Renewal comes into effect on 1<sup>st</sup> October 2012.

**RECOMMENDATION**

**THAT the Compensation Agreement between BJ & L Fish and the Southern Midlands Council be signed and sealed.**

**C/12/08/069/19138 DECISION**

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

THAT the Compensation Agreement between BJ & L Fish and the Southern Midlands Council be signed and sealed.

**CARRIED.**

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

*Clr D F Fish returned to the meeting at 11.42 a.m.*

## COMPENSATION AGREEMENT

---

AN AGREEMENT made the 22<sup>nd</sup> day of August 2012

between BJ & L FISH, ABN 70 579 624 238 of Interlaken Road, Oatlands 7120 (hereinafter called 'the owner and occupier' which expression shall include the legal representatives and assigns of the owner and occupier) of the one part and SOUTHERN MIDLANDS COUNCIL ABN 68 653 459 589 of 71 High Street, Oatlands in Tasmania (hereinafter called 'the Applicants' which expression shall include the assigns of the applicants) of the other part.

WHEREAS the applicants are desirous of obtaining under the *Mineral Resources Development Act 1995* a mining lease of the land described in the schedule hereto, **AND WHEREAS** the owner is the owner and occupier of the said land.

**NOW IS HEREBY AGREED AND DECLARED** as follows:

1. **Amount of compensation:** The amount of compensation to be paid in money to the owner and occupier shall be a royalty of \$1.00 per cubic metre of gravel quarried and removed by the applicants such amount to be reviewed by the parties at the expiration of twelve months from the granting of the lease and at the end of every subsequent twelve month period.
2. **Licence to take possession and consent to lease:** The owner and occupier hereby grants to the applicants full licence and authority to take possession of the said land for mining purposes for the duration of a period of    years from the issuance of the said lease with a further term to be negotiated between the parties at the expiration of such period of time and hereby consents to any such lease being granted to the applicants under the *Mineral Resources Development Act 1995*.
3. **Consequence of Breach:** If the applicants fail to comply with any of the terms of this agreement then (without prejudice to any other rights of the owner) the applicants shall be deemed to have wholly ceased operations within the meaning of the *Mineral Resources Development Act 1995*.

- 4. **Transfer of rights:** Upon a transfer of the applicants to any other person of their right title and interest in and to any application for mining lease or in and to any such lease said land and upon such persons undertaking all liability on the part of the applicants under this agreement the liability of the parties hereto of the second part shall cease and determine.

**THE SCHEDULE**

<p><b>"BJ &amp; L Fish"</b>  <b>Reference (Tasmap 1:100.000) –</b>  <b>525540mE &amp; 5318750mN</b></p>	
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IN WITNESS WHEREOF the parties hereto have hereunto set their and seal the day and the first hereinbefore written.

EXECUTED in.

Signed by Mr BJ & Mrs L Fish

In the presence of:

*Lynette Fish*  
 Name *Lynette Fish*

\_\_\_\_\_  
 Name *C. Howland*

*CASIE ROSENWATLEY*  
 Name

THE COMMON SEAL of the SOUTHERN )  
 MIDLANDS COUNCIL has been fixed pursuant )  
 To a resolution of the said Sothern Midlands Council )  
 Passed the    day of                    2012. )

In the presence of: )

\_\_\_\_\_  
General Manager

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Councillor

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

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

Consideration of Supplementary Items deferred until later in the meeting.

**RECOMMENDATION**

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

**C/12/08/072/19139 DECISION**

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

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

**CARRIED.**

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



## **CLOSED COUNCIL MINUTES**

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

**T F KIRKWOOD  
GENERAL MANAGER**

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

**T F KIRKWOOD  
GENERAL MANAGER**

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

**T F KIRKWOOD  
GENERAL MANAGER**

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

**T F KIRKWOOD  
GENERAL MANAGER**

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

**T F KIRKWOOD  
GENERAL MANAGER**

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

**T F KIRKWOOD  
GENERAL MANAGER**

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**T F KIRKWOOD  
GENERAL MANAGER**

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**T F KIRKWOOD  
GENERAL MANAGER**



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

**T F KIRKWOOD  
GENERAL MANAGER**

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

**T F KIRKWOOD  
GENERAL MANAGER**

**RECOMMENDATION**

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

**C/12/08/083/19143 DECISION**

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

THAT Council move out of “Closed Session”.

**CARRIED.**

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

**RECOMMENDATION**

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

**C/12/08/083/19144 DECISION**

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

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

**CARRIED.**

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

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

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

### **20.1 PETITION – MIDLANDS AQUATIC & RECREATION CENTRE**

**AUTHOR** GENERAL MANAGER (T KIRKWOOD)

**DATE** 16<sup>th</sup> AUGUST 2012

#### **ISSUE**

Tabling of petition relating to the development of the Midlands Aquatic & Recreation Centre.

#### **BACKGROUND**

The following extract from the Local Government Act 1993, relating to Petitions, is submitted for information;

#### ***57. Petitions***

*(1) A person may lodge a petition with a council by presenting it to a councillor or the general manager.*

*(2) A person lodging a petition is to ensure that the petition contains –*

*(a) a clear and concise statement identifying the subject matter; and*

*(b) a heading on each page indicating the subject matter; and*

*(c) a brief statement on each page of the subject matter and the action requested; and*

*(d) a statement specifying the number of signatories; and*

*(e) the full printed name, address and signature of the person lodging the petition at the end of the petition.*

#### ***58. Tabling petition***

*(1) A councillor who has been presented with a petition is to –*

*(a) table the petition at the next ordinary meeting of the council; or*

*(b) forward it to the general manager within 7 days after receiving it.*

*(2) A general manager who has been presented with a petition or receives a petition under subsection (1)(b) is to table the petition at the next ordinary meeting of the council.*

*(3) A petition is not to be tabled if –*

*(a) it does not comply with section 57; or*

*(b) it is defamatory; or*

*(c) any action it proposes is unlawful.*

*(4) The general manager is to advise the lodger of a petition that is not tabled the reason for not tabling it within 21 days after lodgment.*

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*(3) A petition is not to be tabled if –*

*(a) it does not comply with section 57; or*

*(b) it is defamatory; or*

*(c) any action it proposes is unlawful.*

*(4) The general manager is to advise the lodger of a petition that is not tabled the reason for not tabling it within 21 days after lodgment.*

**DETAIL**

The enclosed petition was hand delivered to the General Manager on 17<sup>th</sup> August 2012.

The petition contains 100 signatures, however since lodgement, two persons have requested that their names be withdrawn – K Carnes and A Hildebrand.

In reference to section 59 of the Act, from a legislative perspective, the Petition does not contain a sufficient number of signatures to require Council to hold a public meeting.

**RECOMMENDATION****THAT:**

- a) **The Petition be received; and**
- b) **Council determine appropriate action.**

**C/12/08/086/19145 DECISION**

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

THAT Council receive the Petition.

**CARRIED.**

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

**C/12/08/087/19146 DECISION**

Moved by Clr A O Green, seconded by Clr D F Fish

THAT:

- a) A copy of the Petition be provided to the community based Midlands Aquatic & Recreation Centre Steering Committee with a request that it consider the issues and provide specific recommendations to Council;
- b) The Steering Committee, as part of this process, be requested to write and consult with the signatories to the Petition and
- c) Council write to Mrs M Kean, being the nominated key contact person, to formally acknowledge receipt of the Petition and advise what action is to be taken by Council.

**CARRIED.**

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

**20.2 SOUTHERN WATER – ELECTION OF OWNERS’ REPRESENTATIVES**

Refer Report and background information provided to the Council Meeting held 25<sup>th</sup> July 2012.

STCA Joint CEO (David Lovell) has issued a further request for Council(s) to include the following clause as part of its decision relating to the election of Owners’ Representatives.

**C/12/08/088/19147 DECISION**

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

THAT those three persons who will have been preferred by members of the Corporation participating in the current ballot, that is due to be determined on Friday 24<sup>th</sup> August, be appointed Owners’ Representatives of the Tasmanian Water and Sewerage Corporation (Southern Region) Pty Limited (Southern Water) for a period of three years from 1<sup>st</sup> July 2012.”

**CARRIED.**

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

*Clr J L Jones OAM left the meeting at 3.32 p.m.*



**20.3 STATE WATER & SEWERAGE CORPORATION – BRIEFING SESSION**

General Manager advised that a briefing session is to be held in Hobart on 28<sup>th</sup> August 2012 (5.30 p.m. to 7.30 p.m.) to discuss the draft legislation relating to the establishment of the state-wide Water and Sewerage Corporation. A package of documents, as supplied by the Local Government Association of Tasmania, has been circulated to all Councillors.

**C/12/08/089/19148 DECISION**

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

THAT the information be received.

**CARRIED.**

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

**22. CLOSURE 3.40 P.M.**