



Central Highlands Council

AGENDA – ORDINARY MEETING – 20th March 2012

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Hamilton Council Chambers, on Tuesday 20th March 2012, commencing at 9.00am and be closed to the public until 10.00am.

I certify under S65(2) of the Local Government Act 1993 that the matters to be discussed under this agenda have been, where necessary, the subject of advice from a suitably qualified person and that such advice has been taken into account in providing any general advice to the Council.

Lyn Eyles
General Manager

1.0 OPENING

2.0 PRESENT

3.0 APOLOGIES

4.0 PECUNIARY INTEREST DECLARATIONS

In accordance with Regulation 8 of the Local Government (Meeting Procedures) Regulations 2005, the Mayor requests Councillors to indicate whether they or a close associate have, or are likely to have a pecuniary interest (any pecuniary or pecuniary detriment) in any item of the Agenda.

5.0 COMMITTEE

Regulation 15 of the Local Government (Meeting Procedures) regulations 2005 provides that Council may consider certain sensitive matters is Closed Agenda which relate to:

- Personnel matters, including complaints against an employee of the Council;
- Industrial matters relating to a person;
- Contracts for the supply and purchase of goods and services;
- The security of property of the Council
- Proposals for the Council to acquire land or an interest in the land or for the disposal of land;
- Information provided to the Council on the condition it is kept confidential;
- Trade secrets of private bodies;
- Matters relating to actual or possible litigations taken by or involving the Council or an employee of the Council;
- Applications by Councillors for leave of absence;
- The personal affairs of any person.

The decision to move in Closed Council requires an absolute majority of Council.



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5.1 MOTION INTO COMMITTEE

Moved **Clr**

Seconded **Clr**

THAT Council move into Committee to discuss confidential matters in accordance with Section 15 of the Local Government (Meeting Procedures) Regulations 2005.

Carried

5.2 MATTERS DISCUSSED IN COMMITTEE

5.3 MOTION OUT OF COMMITTEE

Moved **Clr**

Seconded **Clr**

THAT Council move out of Committee and resume the Ordinary Meeting.

Carried

6.0 OPEN MEETING TO PUBLIC

The Meeting will be open to the public at 10.00am.

7.0 IN ATTENDANCE

10.15 am NRM Officer Steven Joyce to attend

10.30 am - Tasmania Fire Service will be attending to provide an update to Councillors on the recent fires.

11.00 am - Nathaniel Jeanneret from Onetonne Graphic will attend to present design concepts (branding project)

7.1 PUBLIC QUESTION TIME

8.0 NRM REPORT

Moved **Clr**

Seconded **Clr**

THAT the **NRM Report** be received.

Carried



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9.0 MAYORAL COMMITMENTS

Tues 21 st Feb	Council Meeting - Bothwell
Thurs 23 rd Feb	Water & Sewerage Meeting Southern Tasmanian Councils Authority Meeting
Sat 25 th Feb	Jonah Bay camping residents BBQ lunch
Thurs 1 st March	Ellendale Community Hall Committee Meeting Kathrine Broderick & Kathy Limb - NRM South with General Manager Funeral Angie Pearce with General Manager at Ouse Tourism Taskforce Meeting
Sat 3 rd March	Attended meeting at Bushy Park - Fire Controller, update of Meadowbank fire Sheep Dog Trials - Bothwell
Wed 7 th March	Ashley Edmonds Funeral - Ellendale
Thurs 8 th March	Southern Tasmanian Council Authority Meeting with General Manager International Women's Day Event Ouse
Fri 9 th March	Meeting with the Premier, Federal Health Minister, Minister Michelle O'Byrne
Sat 10 th March	Southern Highlands Progress Assoc (Shackowners Meeting) Bronte
Sun 11 th March	Central Highlands Shackowners Assoc Annual General Meeting
Mon 12 th March	Hon Adriana Taylor - Community Function
Tues 13 th March	Southern Tasmanian Councils Authority - Infrastructure Priorities Bio Diversity Workshop – Bothwell Australasian Golf Museum Meeting

9.1 COUNCILLORS COMMITMENTS

Clr A J Downie

23 rd Feb 2012	Southern Waste Authority Board
13 th Mar 2012	Planning Committee Meeting - Bothwell Bio Diversity Workshop - Bothwell

Clr G L Herbert

21 st Feb 2012	Council Meeting - Bothwell
13 th Mar 2012	Planning Committee Meeting - Bothwell Bio Diversity Workshop – Bothwell Australasian Golf Museum Meeting

Clr I V McMichael

23 rd Feb 2012	Rural Alive & Well Board Meeting Hobart
24 th Feb 2012	CHCHCC Meeting with Bruce Edwards. Ouse
29 th Feb 2012	Inspection of Independent Living Units with General Manager.
13 th Mar 2012	Planning Committee Meeting & Workshop



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Clr L M Triffitt

21 st Feb 2012	Council Meeting - Bothwell
7 th Mar 2012	Bothwell Cemetery Meeting
13 th Mar 2012	Planning Committee Meeting - Bothwell Bio Diversity Workshop - Bothwell

9.2 GENERAL MANAGER'S COMMITMENTS

21 st Feb 2012	Council Meeting – Bothwell
23 rd Feb 2012	Southern Water Owner's Meeting
29 th Feb 2012	Inspection Ouse Units with Clr McMichael
1 st March 2012	Meeting with Cathy Limb & Kathy Broderick NRM South
5 th March 2012	Health Initiatives Steering Committee Meeting
6 th March 2012	Local Government Financial & Asset Management Project Assessment
7 th March 2012	Cemetery Committee Meeting
8 th March 2012	STCA Meeting
10 th March 2012	Southern Highlands Progress Assoc Meeting – Bronte
11 th March 2012	Central Highlands Shackowners Meeting – Miena
13 th March 2012	Planning Committee Meeting Council Workshop - Bothwell

9.3 COMMUNITY & ECONOMIC DEVELOPMENT OFFICER'S COMMITMENTS

22 nd Feb 2012	Rivers Run Tourism Association Meeting, Bothwell
23 rd Feb 2012	Helen Jappe, Seniors Program, Ouse Greg Hunt, Youth Week Project, Bothwell
1 st March 2012	Seniors Program, Hamilton Tourism Action Committee Meeting, Hamilton
5 th March 2012	Healthy Communities Initiative Steering Committee and Working Group Meetings, Bothwell
6 th March 2012	Ellen Clark re: ANZAC Day, Hamilton Bob Sharpe, DIER, Hamilton

10.0 NOTIFICATION OF COUNCIL WORKSHOPS



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10.1 FUTURE WORKSHOPS

11.0 MAYORAL ANNOUNCEMENTS

12.0 MINUTES

12.1 RECEIVAL MINUTES ORDINARY MEETING

Moved **Clr**

Seconded **Clr**

THAT the Minutes of the **Ordinary Meeting** of **Council** held on **Tuesday 21st February 2012** be **received**.

Carried

12.2 CONFIRMATION OF MINUTES ORDINARY MEETING

Moved **Clr**

Seconded **Clr**

THAT the Minutes of the **Ordinary Meeting** of **Council** held on **Tuesday 21st February 2012** be **confirmed**.

Carried

12.3 RECEIVAL MINUTES PLANNING COMMITTEE MEETING

Moved **Clr**

Seconded **Clr**

THAT the Minutes of the **Planning Committee Meeting** of **Council** held on **Tuesday 13th March 2012** be **received**.

Carried

12.4 RECEIVAL MINUTES CEMETERY COMMITTEE MEETING

Moved **Clr**

Seconded **Clr**

THAT the Minutes of the **Cemetery Committee Meeting** of **Council** held on **Wednesday 7th March 2012** be **received**.

Carried

13.0 BUSINESS ARISING



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14.0 DEVELOPMENT & ENVIRONMENTAL SERVICES

In accordance with Regulation 25(1) of the Local Government (Meeting Procedures) Regulations 2005, the Mayor advises that the Council intends to act as a Planning Authority under the Land Use Planning and Approvals Act 1993, to deal with the following items:

Moved C/r

Seconded C/r

THAT the **Development & Environmental Services Report** be received.

Carried

14.1 PUBLIC OPEN SPACE POLICY

Recommendation

Moved C/r

Seconded C/r

THAT Council resolve to adopt the Public Open Space Policy.

Carried

14.2 DA 2011/50 : SWANSTON RURAL : 1-3 DALRYMPLE STREET, BOTHWELL : APPEAL

For Information

14.3 DOG MANAGEMENT PLAN

For Discussion

14.4 REQUEST FOR REMISSION OF FEE

For Discussion & Recommendation

14.5 DES STATUS REPORT

15.0 COMMUNITY & ECONOMIC DEVELOPMENT REPORT

Moved C/r

Seconded C/r

THAT the **Community & Economic Development Report** be received.

Carried



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16.1 TREES – NORTH ST, HAMILTON

There are 9 Gum Trees in North St Hamilton. Of these 9 trees 7 are in need of heavy pruning to remove all the dead wood. 3 Gum Trees and 1 wattle tree are completely dead and need to be removed for safety reasons for residents and Council Staff when mowing under the trees as limbs are falling from them. The Works Manager has spoken to Michael Madden in regards to the trees and to see if he knew when they might have been planted. In response, Mr Madden said he spoke to Tiger Hills (previous Works Manager) who said that Council had planted the trees. The Works Manager has spoken to 1 resident that resides next to the trees, who also has great concerns that they may fall, damaging her and/or her property.

Recommendation

Moved **Clr**

Seconded **Clr**

THAT the Works Manager to be able to remove the 3 gums and 1 wattle and to be able to remove the dead wood from remaining trees and that the Works Manager be able to hire a cherry picker on the slight chance that Council Staff may need some assistance to reach some dead limbs to make the work safer and that Council purchase 3 new small suitable trees to replace the removed gum trees.

Carried

16.2 LETTER RECEIVED FROM DPIWE

For Discussion

16.3 RECEIVAL OF STATUS REPORT

Moved **Clr**

Seconded **Clr**

THAT the **Status Report** be **received**.

Carried

16.3.1 STATUS REPORT DISCUSSIONS

17.0 FINANCE REPORT

Moved **Clr**

Seconded **Clr**

THAT the **Finance Report** be **received**.

Carried



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17.1 DISCUSSION

17.2 REMISSION OF PLACE OF ASSEMBLY

A \$90.00 remission on Place of Assembly Licence renewal has been requested by the Ellendale Hall Committee Inc, and suggested that this be extended to the Gretna Hall Committee for 2011/2012.

Next year's fees are scheduled to be discussed at Council's April Meeting, including treatment for both Hall Committees for 2012/2013, and consideration being requested for a separate fee structure for Community Organisations.

Reference:

Motion passed in 2006:

Licence Fee Exemptions from Community Organisations (Food Premises and Place of Assembly)

Licence fee of \$80.00 was remitted by \$60.00 and only \$20.00 paid, but this appeared only to have occurred for that Financial Year.

For Discussion

18.0 ADMINISTRATION

18.1 CLOSURE OF LIAWENEE PWS FIELD CENTRE

(PAGES 1 - 5)

Attached is a copy of a letter from the Southern Highlands Progress Association to the Minister for Environment, Parks and Heritage regarding the future decommissioning of the PWS Field Centre at Liawenee. The correspondence quotes from a letter forwarded to an Association Member from Rebecca White MP and points out that this correspondence contradicts what the Progress Association has been briefed on from stakeholder meetings attended by the Vice President and also what the Secretary has been told by staff at Liawenee.

For Discussion



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18.2 LGAT GENERAL MEETING AGENDA 28TH MARCH 2012

(PAGES 6 - 113)

The next LGAT General Meeting will be held at Riverside on 28 March, 2012. The Mayor will be required to vote on the following matters:

Item 8 – Waste Levy

“That the meeting note the progress of this matter, and the proposal to enter into discussions with the State Government on implementing a state wide waste levy.”

Item 9 - Water & Sewerage

“That the meeting resolved a position on whether to support a single water and sewerage corporation and any applicable governance features that should be accommodated in the preferred future structure for water and sewerage operations in the state.”

Item 22 – Local Government Asset Reform Project

“That members note the report and a requirement to commit staff for the production or improvement of asset management plans over the next five months.”

Item 23 – Council Careers Project

- a) “That the progress report on the 2010-2012 project be received and noted;
- b) That the funding proposal for 2012-2014 be considered with an in principle decision made ahead of budgeting for 2012-2014.”

Item 24 – Nuisance Provisions

“That LGAT request the State Government to amend the respective legislation (the Local Government Act, 1993 and the Resource Management and Planning Appeal Tribunal Act 1993) to confer jurisdiction for the nuisance provisions (Sections 199-204 of the LGA 1993) to RMPAT rather than the Magistrates Court.”

Item 25 – Siting of Telecommunication Towers

“That the Association undertakes strong advocacy to the Federal Member for Broadband Communications and the Digital Economy and Federal Members of Parliament expressing the following concerns of Local Government:

- a) The current provisions of the Telecommunications Act 1997 exclude the community from objecting to the proposed development of telecommunications towers, even when they are proposed in inappropriate locations;
- b) That whilst Local Government is the responsible legislative body to administer planning regulation, the Council has no authority to regulate siting of telecommunications towers, even when the proposed site may have a detrimental impact on sensitive land uses.”



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18.3 TASMANIAN LOCAL GOVERNMENT ASSET MANAGEMENT POLICY (PAGES 114 - 123)

Attached is the State Government's Tasmanian Local Government Asset Management Policy which has been prepared to assist Councils in developing their asset management policies. The policy is an integral component to the long-term financial and asset management project being conducted by LGAT with Councils.

For Information

18.4 TAS FIRE SERVICE – LOCATION FOR HAMILTON FIRE SHED

Due to site distance problems with the site selected at Hamilton for the new Hamilton Fire Shed, TFS needs to look at other options. Gerald Crawford has asked if Council has any other land available for the siting of the new fire shed. If no suitable options are available, Gerald advises that the TFS may have to rebuild on the existing site.

For Discussion

18.5 ESTABLISHMENT OF A NEW REGIONAL TOURISM ORGANISATION FOR SOUTHERN TASMANIA (PAGES 124 - 127)

A letter has been forwarded (attached) to the Mayor from Vincent Barron, Chairman of the Southern Regional Tourism Steering Committee providing a report on the progress in establishing a new Regional Tourism Organisation (RTO) for Southern Tasmania and foreshadowing the participation being sought from Councils to enable Southern Tasmania to become the State's premier visitor destination, characterised by a sustainable and vibrant tourism industry. The report outlines the structure and participation and governance arrangements.

It is expected that the new organisation will be operational during April, 2012 at which time a formal approach will be made to invite membership of Council from 1 July, 2012 and to seek cooperative marketing or development projects under a partnership Agreement. The membership subscription and other cooperative contributions will become due in the 2012-2013 financial year and the Steering Committee is asking for consideration during budget deliberations.

For Discussion

18.6 REQUEST FOR USE OF RECREATION GROUND AND WAIVER OF FEE (PAGE 128)

The Bothwell Licensed Anglers Club are seeking Council permission to use the Bothwell Recreation Ground to hold a BBQ after the Club's Fun Fish Day on Saturday, 21 April, 2012. As the Club is a non-profit organisation focusing on junior anglers, a request has been made to waive the ground hire fee.

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT permission be granted to the Bothwell Licensed Anglers Club to use the Bothwell Recreation Ground for a BBQ on Saturday, 21 April, 2012 and that the ground hire fee be waived in recognition of the Club's contribution to developing junior anglers.

Carried



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18.7 BOTHWELL INTERNATIONAL HIGHLAND SPIN-IN (PAGE 129)

The Spin-In in 2013 will be a 35th year reunion celebration and will be an opportunity to showcase what we have to the World. The 2013 committee recognises that the Spin-In is not just about Bothwell, but the whole Central Highlands and will be endeavouring to make everybody in the community feel that it is their event.

The Committee has appreciated Council's support for previous Spin-Ins (\$3,500 per Spin-In). Due to ever increasing costs, the Committee is hoping that Council will deem this event worthy of an increase in funding to \$5,000.

An amount of \$20,000 was budgeted for event sponsorship this financial year with a current balance of \$6,250.00. In an earlier email, the President of the Committee advised that the Committee has a number of expenses leading up to the 2013 Spin-In where the allocation can be put to good use.

For Discussion

18.8 REGIONAL PURCHASING SOUTHERN TASMANIAN COUNCILS AUTHORITY

At the meeting of the STCA Board held on 23 February, 2012 the following resolution was passed in respect to a report on the establishment of a purchasing committee:

1. The STCA Chair write to each Council and seeks their commitment, or otherwise, to the establishment of a regional purchasing function.
2. Once the council responses have been received a report be prepared for the STCA Board on the options for regional purchasing.

The STCA has already undertaken a number of regional purchasing projects, specifically for:

1. Stationary purchasing
2. Aerial photography

In both instances the outcome has led to better outcomes for the councils at a lower cost.

1. In the stationary example the cost savings are greater in the rural areas as the urban areas were already subject to greater competitive pressures and lower delivery costs.
2. In the aerial photography example, all councils who were involved (11 of the 12) benefited equally from significantly lower cost and the willingness of a new entrant into the market to use newer technology to deliver a better product.

At the direction of the General Managers, the STCA is currently looking at options for regional purchasing in the areas of:

1. Street lighting
2. Telephony



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There appears to be a general community expectation that councils should work together, especially in areas such as purchasing.

The report into improved local government structures highlighted in its recommendations the benefits that could be gained through strategic procurement.

At a broader level, the recent report into Regional Organisations of Councils undertaken in NSW “A Comparative Analysis of Regional Organisations of Councils in NSW and Western Australia” indicated that a significant number of ROCs were involved, or becoming more heavily involved, in regional purchasing activities, including purchasing of such things as:

- Line marking and road signage
- General signage
- General hardware
- Asphalt, bitumen and other road laying materials and services
- Electricity
- Street lighting
- Small plant
- Vehicle, tyres and fuel
- Bulk chemicals insecticides
- Banking and waste oil collection
- Work clothing
- GIS and planning software
- IT
- GPS equipment
- CCTV
- Ready-mix concrete
- Stationary and office products
- Hygiene services
- Library materials and RFID
- Traffic control
- Management systems (e.g. carbon management, tendering)

There is no question that regional purchasing provides advantages to councils in both a cost and efficiency sense.

Barriers to Regional Procurement

As with many proposals for councils to operate at a regional level, regional purchasing has the potential to reduce the autonomy of councils to pursue their own, local outcomes. Those outcomes may include such things as:

- Supporting local business and local employment
- Supporting different processes or having different standards to which a council operates

In addition, regional purchasing can be a threat to key tasks of an individual council employee's job.



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An additional concern often put forward is that of the timing of regional purchasing activities and alignment with existing contracts and council commitments.

Recommendation:

Moved **Clr**

Seconded **Clr**

That Council support the proposal for the establishment of a regional purchasing function by the Southern Tasmanian Councils Authority.

Carried

**18.9 PROPOSAL TO
FORM A SINGLE
STATEWIDE
CORPORATION –
GOVERNANCE
ISSUES
(PAGES 130 - 136)**

At the Southern Water Owners Meeting held on 9th February 2012, it was resolved as follows:

- That the General Managers meet and draft a Position Paper on governance issues for circulation to the Owners.
- That the representatives of the Owners meet again at 1 p.m. on Thursday 23rd February 2012 to discuss the draft Position Paper, resolve outstanding issues and submit a final version of the Position Paper to all Owner Councils with a request that it be discussed and adopted by each Council; and
- That each Owner Council considers adopting the Position Paper before the March meeting of the LGAT.

The draft of the Position paper was discussed at the Southern Water Owners meeting held on 23 February, 2012 and a number of changes were made to the position paper.

The agreed positions of the owners were as follows:

2. Corporations Law will provide the basis on which the Corporations are formed and the governance guidance should come from the ASX Corporate Governance Principles
3. That shareholding be based on equity shareholding
4. Equity shareholding should be based on the Chairman's proposal which give the south 50.56% of the equity shareholding.
5. The Board should be skills based
6. The Board will be a 7 member Board with a quorum of 4.
7. The Chair will have a single vote.
8. In respect to the ratification of recommendations made by the selection panel established to select the Chair and Directors of the Corporation, the councils will have the power of veto over any name the list provided by the selection panel.



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9. The selection panel will comprise the Chair (Once appointed) and regional representatives based on equity considerations (i.e. 2 south, 1 north, 1 north-west)
10. There must be predetermined and agreed selection criteria established and it will be the first task of the selection panel to develop the selection criteria.
11. There will be two meetings of all (29) owners per year - one of which will be the Annual General Meeting.
12. There will be four regional meetings per year (in each region) to review performance.
13. The Statewide meetings will include discussion of:
 - a) Corporate Plan
 - b) Shareholders letter of expectation
 - c) Progress
 - d) Any matters required to meet legal obligations.
14. Each Council will provide a nominated Council Owners Representative.
15. All voting will be based on equity shareholding.
16. Observers will be permitted to attend meetings of the owners and the corporation - whether they are statewide or regional meetings.
17. Distributions will be based on equity and not varied unless equity is contributed or withdrawn
18. GBE scrutiny will be removed.
19. The Corporations constitutions will be reviewed to ensure consistency with new arrangements
20. If it is a Statewide Corporation then the Shareholders Letter of Expectations should be for the one entity.
21. The Shareholders letter of expectation should be coupled with a high level statement of Corporate Intent.
22. The Chair will be an independent person and will be the best person for the position.

The one issue that was not resolved at the meeting was the issue of who will have power of veto over the recommended names put forward for appointment as Chair and Directors. Two options were put forward:



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The power of veto will be vested in:

The Owners Representatives (The 29 individuals nominated by the Councils)

or

The 29 Councils (The nominations would go to 29 full Council Meetings)

The objective of the Southern Water Owners was to get Council support for this position prior to the LGAT General Meeting being held on 28 March, 2012 where this matter is listed on the agenda.

For Discussion

18.10 DRAFT HISTORIC CULTURAL HERITAGE ACT AMENDMENT BILL 2012 (SEPARATE ATTACHMENT)

A confidential copy of the Historic Cultural Heritage Amendment Bill 2012 has been provided to Council for information and comment. State Cabinet has endorsed the release of a draft Bill to ensure that all Tasmanians and those with a particular interest in Tasmania's historic heritage have a chance to provide their feedback before the Bill is presented in Parliament later this year.

To assist Local Government a forum has been arranged for Wednesday 4 April 2012 from 10.30 am – 4.00 pm in Campbell Town. The forum has been organized by Heritage Tasmania with the Local Government Association of Tasmania to provide an opportunity to discuss the most critical areas of interest for local government – the assessment of works applications for heritage listed places.

RSVP for the forum is required by 30 March, 2012.

Feedback on the Draft Bill should be received by Heritage Tasmania on or before Friday, 13 April, 2012.

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT relevant Development & Environmental staff attend the forum at Campbell Town on 4 April, 2012 along with any interested Councillors; and any comments on the Draft Bill be forwarded to Council's Manager Development and Environmental Services by 10 April, 2012 for collation and response to Heritage Tasmania by Friday, 13 April, 2012.

Carried

18.11 ANZAC DAY FUNDING

Mayor Flint requested this be placed on the Agenda

The Central Highlands has 3 Anzac Day Services, 1 at Bothwell, Gretna & Hamilton. Hamilton does not have a memorial for our fallen service people, and I would like us to discuss at the Council Meeting to make an application for funding from the Federal Government for a structure to be erected in Hamilton ie. It could be near the sandstone arch in the recreation reserve adjacent to the public facilities.



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**19.0
SUPPLEMENTARY
AGENDA ITEMS**

Moved **Clr**

Seconded **Clr**

THAT Council consider the matters on the Supplementary Agenda.

Carried

**20.0 COMMITTEE
REPORTS**

21.0 CLOSURE
