



Brighton Council

**MINUTES OF THE ORDINARY COUNCIL MEETING
OF THE BRIGHTON COUNCIL HELD
IN THE COUNCIL CHAMBER, COUNCIL OFFICES
GAGEBROOK AT 5.30 P.M. ON TUESDAY,
21st JUNE 2011**

PRESENT: Cr Foster (Mayor); Cr Taylor (Deputy Mayor); Cr Garlick;
Cr Geard Cr Gray; Cr Jeffries; Cr Owen and Cr Williams.

IN ATTENDANCE: Mr R Sanderson (General Manager); Mr G Davoren
(Deputy General Manager); Mr H Macpherson (Municipal
Engineer) and Mr J Dryburgh (Senior Planner).

1. CONFIRMATION OF MINUTES:

1.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING
OF 17th MAY 2011.

*Cr Geard moved, Cr Garlick seconded that the Minutes of the Ordinary Council Meeting
of the 17th May 2011, be confirmed.*

CARRIED

VOTING RECORD

In favour	Against
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

1.2 CONFIRMATION OF MINUTES OF THE FINANCE COMMITTEE MEETING
OF 14TH JUNE 2011.

Cr Gray moved, Cr Jefferies seconded that the Minutes of the Finance Committee Meeting of the 14th June 2011, be confirmed.

CARRIED

VOTING RECORD

In favour	Against
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

1.3 CONFIRMATION OF MINUTES OF THE PLANNING COMMITTEE MEETING OF 14th JUNE 2011.

Cr Gray moved, Cr Geard seconded that the Minutes of the Planning Committee Meeting of the 14th June 2011, be confirmed.

CARRIED

VOTING RECORD

In favour	Against
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

2. APPLICATIONS FOR LEAVE OF ABSENCE:

Cr Garlick moved, Cr Jefferies seconded that an apology be received from Cr Curran.

CARRIED

VOTING RECORD

In favour	Against
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	
Cr Jeffries	

Cr Owen
Cr Taylor
Cr Williams

3. PUBLIC QUESTION TIME AND DEPUTATIONS:

There was no requirement for question time.

4. DECLARATION OF INTEREST:

In accordance with Part 5, Section 48 of the *Local Government Act 1993*, the Chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have an interest in any item on the agenda; and

Part 2 Regulation 8 (7) 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 any interest they may have in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2005*.

There were no declarations of interest.

5. REPORTS FROM COUNCILLORS:

5.1 MAYOR'S COMMUNICATIONS:

FILE REFERENCE: 0205-6

AUTHOR: Mayor
(Cr T Foster)

The Mayor's communications were as follows:-

- May 19 Brighton Primary School.
Official Opening of the new Gymnasium.
- May 19 Brighton Council
Meeting with a University of Tas Student re refugees.
- May 19 Brighton Council
Meeting with Heather Kirkpatrick re refugees.

Ordinary Council Meeting

21/6/11

- May 23 Brighton Council
Meeting with MLC for Murchison Ruth Forrest re our rate model.
- May 25 Legislative Council
Addressed Legislative Councillors on our rate policy then along with DGM Greg Davoren and Tony Harrison of Corporate Communications watched the days proceedings in the House on the Rate Amendment Bill before Parliament.
- May 26 Glenorchy.
Meeting with Able Australia, Australia Drug Foundation and Jordan River Learning Federation on “ Best you can be” Scholarships for the School.
- May 26 Brighton Council
Meeting with DGM and Scott Smith re rating policies.
- May 30 Brighton Council
Meeting with General Manager.
- May 31 Able Australia, Moonah.
Attended the Official Opening of new offices in Moonah.
- June 02 Hobart.
GM Ron Sanderson and I met with Malcolm and Madelane Lovell owners of the Brighton Doctor Practice re their proposal to close the business on the 17th of June.
- June 02 Corporate Communications Office, Hobart.
GM, DGM and I met with Tony Harrison to discuss a range of issues which included our Rate Policy and the foreshadowed closure of the Brighton Doctors Practice.
- June 02 Hobart
Meeting of the Southern Water Owners.
- June 06 Hobart
Meeting of the Southern Water Owners Representatives- Quarterly Report and Regional Director appointment discussed.
- June 07 Bellerive Oval.
Invited to attend the official announcement by the Premier on the North Melbourne Football Club decision.
- June 07 Hobart.
Meeting with Andrew Wilkie, Federal Member for Denison.

Ordinary Council Meeting

21/6/11

Attended by GM, DGM and Mr and Mrs Lovell.
Re the situation with the Brighton Doctors Practice

- June 14 Brighton Council
Finance and Planning Committee meetings.
- June 16 Glenorchy
Meeting with Able Australia, Australia Drug Foundation and Jordan River Learning Federation on "Best you can be" Scholarships for the School.
- June 16 Hobart
Southern Tasmanian Council's Authority Board Meeting.
- June 17 Hobart
At the invitation of Toll Transport and Tas Rail the GM and I attended the TCCI Budget breakfast with the Premier.
- June 21 Brighton Council
June ordinary Council Meeting.

RECOMMENDATION:

That the Mayor's communications be received.

DECISION:

Cr Taylor moved, Cr Jefferies seconded that the report be received.

CARRIED

VOTING RECORD

In favour	Against
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

5.2 REPORTS FROM COUNCIL REPRESENTATIVES WITH OTHER ORGANISATIONS:

FILE REFERENCE: 0205-6

Bridgewater Library + On-line Access Centre Advisory Committee – Cr Garlick representative - New advisory board as part of the linc and on-line centre to move into the link building. Mayor to look into having a rep on the advisory board.

Cr Jefferies moved, Cr Gray seconded that the report be received.

CARRIED

VOTING RECORD

In favour	Against
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

5.3 CORRESPONDENCE FROM SOUTHERN TASMANIAN COUNCILS ASSOCIATION (STCA) AND JOINT AUTHORITIES:

Correspondence and reports from the STCA and Joint Authorities e.g. Southern Waste Authority are received periodically by Council. If any Councillor wishes to view documents received contact should either be made with the Manager Governance and Human Services or General Manager.

6. NOTIFICATION OF COUNCIL WORKSHOPS:

In accordance with the requirements of the Local Government (Meeting Procedures) Regulations 2005, it was reported that there were no workshops held since the last Council meeting.

(This includes workshop, seminar or meeting, other than a meeting that is conducted by or on behalf of the council for the councillors.)

7. NOTICE OF MOTION:

There are no notices of motion.

8. 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 approve the consideration of a matter not appearing on the agenda, where 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 *Local Government Act 1993*.

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 requested that Item 11.7 - Appointment of Owners' representatives for Southern Water be discussed. He advised that this information was discussed at the Southern Tasmanian Councils Association Board meeting on 16th June 2011, with member councils being advised that this matter had to be resolved in order to comply with the Act. As this is effective from 1st July, the matter had to be considered by Council at this June meeting and was not available at the time of compiling the agenda.

DECISION:

Cr Owen moved, Cr Gray seconded that supplementary Item 11.7 requested by the General Manager be discussed.

CARRIED

VOTING RECORD

In favour	Against
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

9. REPORTS FROM COMMITTEES:

9.1 FINANCE COMMITTEE MEETING – 14/6/11:

The recommendations of the Finance Committee Meeting of 14th June 2011 were submitted to Council for adoption.

Cr Gray moved, Cr Owen seconded that the recommendations be adopted except Item 4.3.

CARRIED

VOTING RECORD

In favour	Against
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

Item 4.3 was discussed:

That the following be included in the recommendation of Item 4.3:-

After “property”, “and Hurst Street properties owned by the Kalis Group”.

Cr Owen moved, Cr Gray seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

9.2 PLANNING COMMITTEE MEETING – 14/6/11:

The recommendations of the Planning Committee Meeting of 14th June 2011 were submitted to Council for adoption.

Cr Geard moved, Cr Gray seconded that the recommendations be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

10. COUNCIL ACTING AS PLANNING AUTHORITY:

In accordance with the provisions of Part 2 Regulation 25 of the Local Government (Meeting Procedures) Regulations 2005, the intention of the Council to act as a planning authority pursuant to the *Land Use Planning and Approvals Act 1993* is to be noted. In accordance with Regulation 25, the Council will act as a planning authority in respect to those matters appearing under Item 10. on this agenda, inclusive of any supplementary items.

There were no Planning reports to be submitted to the Ordinary Council Meeting.

11. REPORTS FROM OFFICERS:

11.1 BUDGET 2011/12:

FILE REFERENCE: 0592
AUTHOR: Deputy General Manager
(Mr G Davoren)

Background:

The Budget (Estimates) had been prepared in accordance with the Local Government Act 1993 and has already been adopted in principal by Council during May 2011.

Consultation:

Councillors, Senior Management, Ratepayers and other stakeholders.

Risk Implications:

Nil

Financial Implications:

As per the budget.

Other Issues:

Nil

Assessment:

In accordance with the *Local Government Act 1993*, the budget may be adopted one month before the start of that financial year.

Options:

1. As per the recommendation.
2. Review the budget and make further changes prior to adoption

RECOMMENDATION:

Approve the budget that was adopted in principle during May 2011.

Approve the 2011 - 2012 Rate Resolution as follows:

COUNCIL RATES RESOLUTION

July 2011/June 2012

1. Pursuant to Section 90 of the *Local Government Act 1993* (here referred to as the "Act"), Council hereby make the following **General Rate** for all rateable land within the municipal area for the financial year commencing 1 July 2011 and ending 30 June 2012:
 - (a) Pursuant to section 90(3)(c) of the Act, a general rate of 2.303789 cents in the dollar of the assessed annual value (here referred to as the "AAV") of the rateable land; and
 - (b) Pursuant to section 90(4) of the Act, a minimum amount payable in respect of the General Rate of \$780.80.
- 1.1 Pursuant to section 107 of the Act, Council hereby varies the General Rate (as previously made) in the following way:
 - (a) For land within the locality of Bridgewater, Gagebrook and Herdsmans Cove and which is used or predominantly used for residential purposes, the minimum amount payable in respect of the General Rate is varied by reducing that amount from \$780.80 to an amount of \$665.80;

- (b) For land within the municipality which is used or predominantly used for commercial purposes, the General Rate is varied by increasing the amount of 2.303789 cents in the dollar of AAV to 7.665579 cents in the dollar of AAV;
- (c) For land within the municipality which is used or predominantly used for industrial purposes, the General Rate is varied by increasing the amount of 2.303789 cents in the dollar of AAV to 6.432824 cents in the dollar of AAV;
- (d) For land within the municipality which is used or predominantly used for public purposes, the General Rate is varied by increasing the amount of 2.303789 cents in the dollar of AAV to 8.600281 cents in the dollar of AAV;
- (e) For land within the municipality which is used or predominantly used for primary production purposes, the General Rate is varied by increasing the amount of 2.303789 cents in the dollar of AAV to 5.074554 cents in the dollar of AAV;
- (f) For land within the municipality which is used or predominantly used for sporting or recreation purposes, the General Rate is varied by increasing the amount of 2.303789 cents in the dollar of AAV to 7.368443 cents in the dollar of AAV;
- (g) For land within the municipality which is not used and is zoned as Residential within the Brighton Planning Scheme 2000, the minimum amount payable in respect of the General Rate is varied by reducing that amount from \$780.80 to an amount of \$206.00;
- (h) For land within the municipality which is not used and is zoned as Rural within the Brighton Planning Scheme 2000, the minimum amount payable in respect of the General Rate is varied by reducing that amount from \$780.80 to an amount of \$206.00;
- (i) For land within the municipality which is not used and is zoned as Rural Residential within the Brighton Planning Scheme 2000, the minimum amount payable in respect of the General Rate is varied by reducing that amount from \$780.80 to an amount of \$206.00;
- (j) For land within the municipality which is not used and is zoned as Commercial within the Brighton Planning Scheme 2000, the General Rate is varied by increasing the amount of 2.303789 cents in the dollar of AAV to 4.808494 cents in the dollar of AAV and decreasing the minimum amount payable in respect of the General Rate from \$780.80 to an amount of \$206.00.

- (k) For land within the municipality which is not used and is zoned as Industry within the Brighton Planning Scheme 2000, the General Rate is varied by increasing the amount of 2.303789 cents in the dollar of AAV to 4.285819 cents in the dollar of AAV and decreasing the minimum amount payable in respect of the General Rate from \$780.80 to an amount of \$206.00.
- (l) For land within the municipality which is not used and is zoned as Intensive Agriculture within the Brighton Planning Scheme 2000, the General Rate is varied by increasing the amount of 2.303789 cents in the dollar of AAV to 5.045088 cents in the dollar of AAV and decreasing the minimum amount payable in respect of the General Rate from \$780.80 to an amount of \$206.00.
- (m) For land within the municipality which is not used and is zoned as Infrastructure within the Brighton Planning Scheme 2000, the General Rate is varied by increasing the amount of 2.303789 cents in the dollar of AAV to 6.176303 cents in the dollar of AAV and decreasing the minimum amount payable in respect of the General Rate from \$780.80 to an amount of \$206.00.
- (n) For land within the municipality which is not used and is zoned as Landscape and Skyline Conservation within the Brighton Planning Scheme 2000, the General Rate is varied by increasing the amount of 2.303789 cents in the dollar of AAV to 5.398139 cents in the dollar of AAV and decreasing the minimum amount payable in respect of the General Rate from \$780.80 to an amount of \$206.00.
- (o) For land within the municipality which is not used and is zoned as Recreation within the Brighton Planning Scheme 2000, the General Rate is varied by increasing the amount of 2.303789 cents in the dollar of AAV to 4.695387 cents in the dollar of AAV and decreasing the minimum amount payable in respect of the General Rate from \$780.80 to an amount of \$206.00.

2. *Garbage Service Charge*

Pursuant to section 94(1) of the Act, Council hereby make a service charge for waste management for the financial year commencing 1 July 2011 and ending 30 June 2012 of \$144.00 for each premises, tenement, flat, unit, apartment, single stratum section or portion of land set aside for separate occupation in respect of which a regular garbage and recycling removal service is available.

3. *Fire Service Rate*

Pursuant to Section 93A of the Act and the Fire Service Act 1979 the following fire service rates apply for the financial year commencing 1 July 2011 and ending 30 June 2012:

- a) A Separate Urban Fire Rate of 1.315430 cents in the dollar of Assessed Annual Value in respect of all lands in the proclaimed district with a minimum amount of \$35.

- b) A Separate Brighton Rural Fire Rate of 0.336447 cents in the dollar of Assessed Annual Value in respect of all lands in the proclaimed district with a minimum amount of \$35.
- c) A Separate Rural Fire Rate of 0.288363 cents in the dollar of Assessed Annual Value in respect of all lands in the proclaimed district with a minimum amount of \$35.

All Rates and Charges shall be paid by four (4) instalments, the first to be made on or before 8 August 2011, and then by 30 September 2011, 31 January 2012 and 30 March 2012 respectively.

INTEREST

Pursuant to Section 128(1) (b) interest shall apply to any amount of rates and charges and water rates and charges which remains unpaid after the date on which it is to be paid. The rate for 2011/2012 is 11.47% per annum calculated on a daily basis.

DISCOUNT

That Council applies a discount in accordance with Section 130 of the *Local Government Act 1993*. The applicable discount being 1.3% applied to any annual rates paid in full by the due date of the first instalment.

DECISION:

Cr Garlick moved, Cr Gray seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

11.2 POLICY – HIRE FEES – COUNCIL BUILDINGS:

FILE REFERENCE:

AUTHOR: Manager Governance & Human Services
(Mrs J Banks)

Background:

Councillors may recall that at the April 2011 Finance Committee meeting a report was submitted regarding regular hall hire users and the inconsistencies in charges.

In March/April the Council Services Officer wrote to all current regular users requesting their updated insurance and contact details, that letter also included reference to Council's annual fees and charges and if there were any inconsistencies this was emphasised to them as well.

Since then a number of other organisations have written seeking a reduction or waiver of their current hire charges.

Consultation:

Regular hall hire users, Council Services Officer, Manager Governance & Human Services.

Risk Implications:

May set a precedent for other users of Council's facilities.

No clear guidelines for Council officers.

Financial Implications:

Revenue not received to cover costs associated with the use of Council facilities.

Other Issues:

Council has a Policy (8.1 – Ovals booking arrangements) for ground hire users whereby Junior sporting associations are not charged for the use of our ovals, provided that the grounds, change-rooms and surrounding areas are left in a neat and tidy state. There is no such policy for Council owned buildings.

There are a number of current users who had not been charged according to Council's annual fees and charges register.

A number of community and service providers continually request a reduction or a waiver of hire fees particularly for the Brighton Civic Centre.

Assessment:

There are currently groups such as the Bugeido (martial arts), GKR Karate and boxing groups that have junior and senior memberships therefore they may not be considered to be a Junior Sports association although there are health benefits to individuals participating.

Research into what other local governments charge has indicated that a 50% discount apply for organisations/groups who are fundraising or are a charity, however this 50% only applies for a full day hire event.

Other Councils have reduced hire fees for hirers for the purpose of conducting classes that contribute to either the health and wellbeing of the community or are a not-for-profit organisation.

Options:

1. As per the recommendation.
2. That all hirers be charged as per Council's adopted Annual Fees & Charges register.
3. That a different % be applied to fundraising or charity groups.

RECOMMENDATION:

That from 1st July 2011, the following applies:-

- Junior organisations from within the municipality i.e. Playgroup, Scouts, Guides that contribute to the health and wellbeing of the community not be charged for the use of Council's public buildings.
- Other groups that contribute to the health and wellbeing of the community i.e. martial arts, exercise groups etc be charged 50% of the normal hire fee.
- Organisations or groups who are fundraising or are a charity be charged 50% of the normal hire fee.
- Not-for-profit organisations or Service Providers within the municipality be charged 50% of the normal hire fee if they demonstrate that the hire of the building is to be used for the benefit of our residents i.e. encouraging community participation e.g. training course, workshop/forum
- The General Manager or his delegate retains the right to determine what is to be classified as contributing to the health and wellbeing of the community

DECISION:

Cr Gray moved, Cr Geard seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	
Cr Jeffries	
Cr Owen	

Cr Taylor
Cr Williams

11.3 BRIDGEWATER COMMUNITY SPECIAL ADVISORY COMMITTEE:

FILE REFERENCE: 1039

AUTHOR: Manager Governance & Human Services
(Mrs J Banks)

Background:

Councillors will recall at the June 2010 Council meeting the following was resolved:-

It was resolved that Council:

- (1) Establishes a Bridgewater Community Special Advisory Committee comprising three Council members and three community representatives.
- (2) Adopts the terms of reference as outlined in the above report for the operation of the committee.
- (3) Appoints Cr Gray, Cr Garlick and the General Manager (or his delegate) be the council members of the committee with Cr Gray appointed as Chair and that these council members select the three community representatives of the committee.

Expressions of interest were sought from the community via the Brighton Community News. Four nominations were received, 2 of these were from people living outside of the Brighton municipality.

Consultation:

Brighton Community.

Risk Implications:

Nil

Financial Implications:

Nil

Other Issues:

N/A

Assessment:

Over the past year the consultation processes for the Bridgewater Local Area Structure plan had involved the community in such a way that the Special Advisory Committee was structured to operate.

It is proposed that for similar matters requiring major community input that these be treated in a similar fashion.

Options:

1. As per the recommendation.
2. No disband the Advisory Committee and request further expressions of interest from the community

RECOMMENDATION:

That Council does not establish the Bridgewater Community Special Advisory Committee at this time and that Council Officers write to the four applicants notifying them of Council's decision.

DECISION:

Cr Owen moved, Cr Jefferies seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

11.4 DRAFT RESOLUTION – COUNCIL OWNERS OF SOUTHERN WATER:

FILE REFERENCE:

AUTHOR: General Manager
(Mr R Sanderson)

Background:

The recent resignation of two Regional Directors of the Southern Water Corporation has led to a recruitment process being undertaken by the government appointed selection panel. One new member has been appointed by the Owners Representative (of which Mayor Foster is the Chair).

However, even after an exhaustive search by KPMG and the Southern Water Board of Directors, a suitable candidate has not been put forward to fill the second vacancy.

One option put by the Board was to delay the appointment until after the release of the finding of the Parliamentary Select Committee that is reviewing the operation and structure of the water and sewerage corporations.

At a meeting of the owner councils representatives it was decided to push proceed with filling the vacancy without waiting for the committee's report.

The recommendation below has been sent to each owner council for consideration.

Consultation:

Southern Water Corporation owner council representatives.

Risk Implications:

None identified

Financial Implications:

None.

Other Issues:

The recommendations from the Parliamentary Committee may require a different board structure and make-up.

Assessment:

Waiting for the results of the Parliamentary Committee will leave a vacancy of a Regional Director for a considerable period of time as a change in legislation will be required to implement any recommendations for a change in the governance of Southern Water.

Options:

1. As per the recommendation.
2. Do nothing.

RECOMMENDATION:

That Council advise the Southern Tasmanian Council's Association that:-

1. the appointment of a second Regional Director should not be further delayed;
2. the Selection Committee forward the names of at least three alternative appointees to the Owners' Representatives for their decision; and
3. the Selection Committee invites the STCA to undertake a process to provide a list of potential candidates to the Selection Committee to consider subject to it being understood:
 - that the STCA will convene a small group of senior Council-employed Human Resource Management employees to undertake this task; and

- that the STCA will ensure that this activity will be at arm’s length from the role it performs in providing management and administrative assistance to the Owners' Representatives of Southern Water.

DECISION:

Cr Gray moved, Cr Garlick seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

11.5 BRIGHTON DOCTORS CLOSURE – UPDATE:

AUTHOR: General Manager
(Mr R Sanderson)

Background:

Councillors will be aware of the closure of the Brighton Doctors surgery in Brighton.

The Mayor and senior staff have been working closely with Brighton Doctors management to try to resolve the issues that have forced them to close.

The attached fact sheets were given to Andrew Wilkie at a meeting to seek his assistance. Following is the official government response from the Minister’s office.

“The issues at Brighton clinic are complex and the current claims of the Clinic closing because of the requirements of one their doctors (Dr. Armini) and their geographical ASGC status do not appear, on careful examination, to be barriers to the Clinic's continued operation.

First, some background re the geographical classifications system:

- The RRMA system was actually replaced by a new system, the ASGC-RA system, in July 2010. ASGC is based on the most recent ABS data (in contrast to RRMA, which used 1991 population statistics). Under the new incentives scheme using ASGC-RA, the Minister does not have the power to exercise discretion in relation to specific communities.

In relation to the status of the Brighton Clinic itself:

- Brighton, is located in the ASGC-RA 2 area, which qualifies GPs for a \$15,000 relocation grant (if moving from an RA1 area) and up to \$12,000 in retention payments each year (after 5 years). In contrast, GPs in RA3 communities receive \$18,000 a year (after 5 years).
- Of the other communities mentioned, New Norfolk and Richmond **are also in the RA2 category** so GPs there receive exactly the same incentives as Brighton. Southern Midlands is in the RA3 category so GPs receive higher relocation and retention incentives, due to its greater relative distance from the main urban centre (Hobart).
- As noted above, the Minister does not have any discretion to modify the ASGC status of a particular area.

In relation to Dr. Armini:

- Circumstances changed for Dr Armini on 5th May 2011 when he became a permanent resident. Because of this he is subject to the requirements of 19AB and 19AA of the Health Insurance Act. This requires Dr. Armini to work toward getting Australian qualifications as a specialist - i.e. he needs to work towards becoming a Fellow of the College of General Practitioners. Medicare notified him earlier this year of the new requirements under 19AA and what he needed to do to continue accessing Medicare rebates for his patients.
- In light of this change, Dr. Armini can do one of two things.
 - A. He can apply for a position in an approved training program to get his specialist GP qualifications. If he was enrolled in this program he could charge the higher A1 medicare rebates. He may or may not be able to get a training position at his current practice based on whether it is an approved training facility - if he was interested in pursuing this we would need to check it out.
 - B. He can accept one of the Commonwealth assistance programs that will allow him to stay at Brighton. These programs will allow him to continue to charge the same A2 medicare rebates that he currently charges at his Brighton clinic.
- However, when Dr Armini was contacted by the Commonwealth Dept of Health and Ageing, he declined the offer of the Special Assistance Program to stay at Brighton saying that he had signed a contract at the Norfolk Clinic where his wife works.
- In addition, Dr Armini's residency status has no bearing on the geographical classification of the Brighton Clinic and the eligibility of doctors working at the Clinic to receive benefits under the Rural Doctors Incentives Program.

Trust this assists. Let us know if you need any further information."

Consultation:

Brighton Doctors, Andrew Wilkie and Dick Adams.

Risk Implications:

That Brighton will not be able to attract a doctor's surgery.

Financial Implications:

Brighton residents will have to travel to doctors in other areas.

Other Issues:

Brighton with the least healthy community is disadvantaged compared to its neighbours in New Norfolk and Richmond.

Assessment:

The Mayor and author will address the meeting to provide an update and plans for further action.

Options:

1. As per the recommendation.
2. That the report not be received.

RECOMMENDATION:

That the report be received.

DECISION:

Cr Jefferies moved, Cr Williams seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

11.6 MICROWISE - UPDATE REPORT:

FILE REFERENCE: 0838-3

AUTHOR: General Manager
(Mr R Sanderson)

The General Manager and Deputy General Manager provided an update on the progress of Microwise at the Council meeting.

Options:

1. As per the recommendation.
 2. Not receive the report.
-

RECOMMENDATION:

That the report be received.

DECISION:

Cr Garlick moved, Cr Gray seconded that the report be received.

CARRIED

VOTING RECORD

In favour	Against
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	
Cr Jeffries	
Cr Owen	
Cr Taylor	
Cr Williams	

11.7 APPOINTMENT OF OWNERS' REPRESENTATIVES FOR SOUTHERN WATER:

FILE REFERENCE:

AUTHOR: General Manager
(Mr R Sanderson)

The General Manager addressed Council in relation to this matter.

RECOMMENDATION:

That Council:-

- a) Agrees that new appointments for a three year term be deferred until 31st December 2011 to allow time for the findings of the House of Assembly Select Committee Inquiry into the Tasmanian Water and Sewerage Corporations to be finalised and considered by Parliament; and
- b) Agrees to the reappointment of the existing Owners' Representatives for a six month period commencing 1st July 2011.

DECISION:

Cr Geard moved, Cr Jefferies seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Foster	
Cr Garlick	
Cr Gray	
Cr Geard	
Cr Jefferies	
Cr Owen	
Cr Taylor	
Cr Williams	

12. QUESTION ON NOTICE:

There were no questions on notice.

Meeting closed: 6:45 pm

Confirmed:

(Mayor)

Date:

19th July 2011