



Central Highlands Council

AGENDA – ORDINARY MEETING – 17TH JANUARY 2012

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Hamilton Council Chambers, on Tuesday 17th January 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 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

8.0 PUBLIC QUESTION TIME

9.0 MAYORAL COMMITMENTS

| | |
|---------------------------------|---|
| Mon 12 th Dec 2011 | Council AGM Meeting Council General Meeting Presentation, Bothwell District School Mr Dick Adams MHR |
| Tues 13 th Dec 2011 | LGAT General Meeting Premier's Local Government Council |
| Wed 14 th Dec 2011 | Graduation Ceremony UTAS |
| Thurs 15 th Dec 2011 | Presentation, Ouse District School Function – Gretna Junior Fire Brigade |
| Fri 16 th Dec 2011 | Presentation, Westerway Primary School |
| Sun 18 th Dec 2011 | Ellendale Community Christmas Party |
| Tues 10 th Jan 2012 | Planning Meeting Branding Public Consultation, Bothwell |
| Fri 13 th Jan 2012 | Independent Living Units Meeting Audit Committee Meeting |
| Sat 14 th Jan 2012 | Great Lake Community Centre Meeting |



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9.1 COUNCILLORS COMMITMENTS

Clr G L Herbert

| | |
|---------------------------|--|
| 12 th Dec 2011 | Council AGM & Ordinary Council Meeting, Bothwell |
| 16 th Dec 2011 | Bothwell Tourism Association, AGM & Christmas Meeting |
| 10 th Jan 2012 | Planning Committee Meeting, Bothwell Branding Public Consultation, Bothwell |

Clr L M Triffitt

| | |
|---------------------------|---|
| 12 th Dec 2011 | Council AGM & Ordinary Council Meeting, Bothwell Bothwell District High School, Presentation Day |
| 15 th Dec 2011 | Ouse District School, Presentation Evening |
| 20 th Dec 2011 | Glenora District High School, Presentation Day |

9.2 GENERAL MANAGER'S COMMITMENTS

| | |
|---------------------------|---|
| 12 th Dec 2011 | Council AGM & Ordinary Council Meeting, Bothwell |
| 14 th Dec 2011 | Water & Sewerage General Meeting |
| 19 th Dec 2011 | Healthy Community Initiative Grant Meeting |
| 9 th Jan 2012 | Meeting Ann Langman, Department of Economic Development |
| 10 th Jan 2012 | Planning Committee Meeting Brand Meeting Bothwell |
| 13 th Jan 2012 | ILU Committee Meeting Audit Committee Meeting |

9.3 COMMUNITY & ECONOMIC DEVELOPMENT OFFICER'S COMMITMENTS

| | |
|---------------------------------|--|
| Wed 14 th Dec 2011 | Len Yates and Andrew Benson, Healthy Communities Initiative, Kempton |
| Thurs 15 th Dec 2011 | Elaine Herlihy, Jean Crocker and Pauline Cairns, AGFEST |
| Fri 16 th Dec 2011 | Lola Cowle, Tas Community Fund |
| Mon 19 th Dec 2011 | Healthy Communities Initiative, Steering Committee Meeting, Kempton |
| Mon 9 th Jan 2011 | Anne Langman, Department of Economic Development |
| Tues 10 th Jan 2011 | Council Brand Work, Community Consultations Hamilton and Bothwell |
| Wed 11 th Jan 2011 | Andrew Prior, Highlands Golf Pro Am |
| Thurs 12 th Jan 2011 | Helen Jappe, Seniors Activities |
| Fri 13 th Jan 2011 | Naomi Miller, West Coast Council |



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10.0 NOTIFICATION OF COUNCIL WORKSHOPS

10.1 FUTURE WORKSHOPS

11.0 MAYORAL ANNOUNCEMENTS

12.0 MINUTES

12.1 RECEIVAL MINUTES ORDINARY MEETING

Moved Cllr

Seconded Cllr

THAT the Minutes of the **Ordinary Meeting** of **Council** held on **Monday 8th December 2011** be **received**.

Carried

12.2 CONFIRMATION OF MINUTES ORDINARY MEETING

Moved Cllr

Seconded Cllr

THAT the Minutes of the **Ordinary Meeting** of **Council** held on **Monday 8th December 2011** be **confirmed**.

Carried

12.3 RECEIVAL MINUTES ANNUAL GENERAL MEETING

Moved Cllr

Seconded Cllr

THAT the minutes of the **Annual General Meeting** of **Council** held on **Monday 8th December 2011** be **received**.

Carried

12.4 RECEIVAL MINUTES PLANNING COMMITTEE MEETING

Moved Cllr

Seconded Cllr

THAT the minutes of the **Planning Committee Meeting** of **Council** held on **Tuesday 10th January 2012** be **received**.

Carried



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13.0 BUSINESS ARISING

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 Clr

Seconded Clr

THAT the Development & Environmental Services Report be received.

Carried

14.1 DA 2011/44: WOOLCOTT SURVEYS: LITTLE DEN ROAD (CT230529/1), MILLERS BLUFF: SUBDIVISION OF ONE LOT AND BALANCE IN THE RURAL ZONE

Recommendation

Moved Clr

Seconded Clr

THAT Central Highlands Council (Planning Authority) in accordance with the provisions of the *Central Highlands Planning Scheme 1998* and Section 57 of the *Land Use Planning & Approvals Act 1993*, approve the application for a Subdivision of One (1) Lot and Balance at Little Den Road, Millers Bluff, Certificate of Title Volume 230529 Folio 1, subject to the following conditions:

General

1. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
2. This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the *Land Use Planning and Approvals Act 1993*.

Staged development

3. The subdivision development must not be carried out in stages except in accordance with a staged development plan submitted to and approved by Council's General Manager.

Easements

4. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's General Manager. The cost of locating and creating the easements shall be at the subdivider's full cost.
-

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Endorsements

5. The final plan of survey must be noted that Council cannot or will not provide a means of drainage, water or sewer services to all lots shown on the plan of survey.

Covenants

6. Covenants or other similar restrictive controls that conflict with any provisions or seek to prohibit any use provided within the planning scheme must not be included or otherwise imposed on the titles to the lots created by this permit, either by transfer, inclusion of such covenants in a Schedule of Easements or registration of any instrument creating such covenants with the Recorder of Titles, unless such covenants or controls are expressly authorised by the terms of this permit or the consent in writing of the Council's General Manager.

Bushfire Management

7. An agreement pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* must be entered into prior to the sealing of the final plan of survey to require any residential use or development to be carried out and maintained in accordance with the recommendations of Tasfire (1995), *Planning Conditions and Guidelines for Subdivisions in Bushfire Prone Areas*, Tasmanian Fire Service, Hobart and constructed in accordance with Level 1 of Standards Australia (1999): AS 3959: Construction of Buildings in Bushfire Prone Areas Standards Australia, Sydney.

Agreements

8. Agreements made pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* must be prepared by the applicant on a blank instrument form to the satisfaction of the Council and registered with the Recorder of Titles. The subdivider must meet all costs associated with the preparation and registration of the Part 5 Agreement.

Final Plan

9. A fee of \$220.00, or as otherwise adopted by Council resolution from time to time, must be paid to Council prior to the sealing of each stage of the final plan of survey.
10. A final plan of survey and two (2) copies must be provided together with the schedule of easements as necessary.
11. All conditions of this permit must be satisfied before the Council seals the final plan. It is the subdivider's responsibility to arrange any required inspections and to advise Council in writing that the conditions of the permit have been satisfied. The final plan of survey will not be dealt with until this advice has been provided.

Water Quality

12. Temporary run-off, erosion and sediment controls must be installed and maintained at full operational capacity to the satisfaction of Council's General Manager until the land is effectively rehabilitated and stabilised after completion of the development.

Environmental Health

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13. The final plan of survey must be endorsed that the lots are only suitable for the on-site disposal of wastewater using a licensed Aerated Wastewater Treatment System or modified trench septic or other approved system.

Telecommunications, electrical and gas reticulation

14. Electrical reticulation and telecommunication reticulation must be installed underground in accordance with the requirements of Aurora Energy Pty. Ltd., Telstra and the gas authority.
15. Electrical and telecommunications services must be provided to each lot in accordance with the requirements of the responsible authority and the satisfaction of Council's General Manager.

Rural Access

16. A separate vehicle access must be provided from the road carriageway to each lot. Accesses must be sealed with a minimum width of 3 metres at the property boundary and located and constructed in accordance with the standards shown on standard drawings SD-1009 Rural Roads - Typical Standard Access and SD-1012 Intersection and Domestic Access Sight Distance Requirements prepared by the IPWE Aust. (Tasmania Division) (attached) and the satisfaction of Council's Municipal Engineer.

Construction amenity

17. Any works relating to the development must be carried out between the following hours:
- | | |
|---------------------------|-------------------|
| Monday to Friday | 7.00am to 6.00pm |
| Saturday | 9.00am to 6.00pm |
| Sundays & Public Holidays | 10.00am to 6.00pm |

The applicant shall also be advised that:

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. Appropriate temporary control measures include, but are not limited to, the following:
- Minimise site disturbance and vegetation removal;
 - Diversion of up-slope run-off around cleared and/or disturbed areas, or areas to be cleared and/or disturbed, provided that such diverted water will not cause erosion and is directed to a legal discharge point (eg. temporarily connected to Council's storm water system, a watercourse or road drain);
 - Sediment retention traps (e.g. sediment fences, straw bales, grass turf filter strips, etc.) at the down slope perimeter of the disturbed area to prevent unwanted sediment and other debris escaping from the land;
 - Sediment retention traps (e.g. sediment fences, straw bales, etc.) around the inlets to the stormwater system to prevent unwanted sediment and other debris blocking the drains;
 - Rehabilitation of all disturbed areas as soon as possible.

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- C. The issue of this permit does not ensure compliance with the provisions of the *Threatened Species Protection Act 1995* or the Commonwealth *Environmental Protection and Biodiversity Protection Act 1999*. The applicant may be liable to complaints in relation to any non-compliance with these Acts and may be required to apply to the Policy and Conservation Assessment Branch of the Department of Primary Industries, Parks, Water & Environment or the Commonwealth Minister for a permit.
- D. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.

Carried

14.2 DA 2011/46:
PEACOCK DARCEY AND
ANDERSON PTY LTD
SURVEYORS:
“CURRINGA” 5831
LYELL HIGHWAY,
HAMILTON
(CT1252483/1):
SUBDIVISION OF THREE
LOTS AND BALANCE IN
THE RURAL ZONE AND
RIVERSIDE AREA

Recommendation

Moved Cllr

Seconded Cllr

THAT Central Highlands Council (Planning Authority) in accordance with the provisions of the *Central Highlands Planning Scheme 1998* and Section 57 of the *Land Use Planning & Approvals Act 1993*, APPROVE the application for a *Subdivision of Three Lots and Balance* in the Rural Zone at “Curringa” 5831 Lyell Highway, Hamilton, Certificate of Title Volume 252483 Folio 1, subject to the following conditions:

General

1. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings (*Plan of Subdivision prepared by Peacock Darcey and Anderson Pty Ltd and dated 20 September 2011*) and with the conditions of this permit and must not be altered or extended without the further written approval of Council.

Easements

2. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council’s General Manager. The cost of locating and creating the easements shall be at the subdivider’s full cost.

Endorsements

3. The final plan of survey must be noted that Council cannot or will not provide a means of reticulated drainage, water or sewer services to all lots shown on the plan of survey.

Staged development

4. The subdivision development must not be carried out in stages except in accordance with a staged development plan submitted to and approved by Council’s General

Manager.

Agreements

5. An agreement pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* must be entered into prior to the sealing of the final plan of survey to require any future development of Lots 1, 2 and 3 to be carried out in accordance with the following:
 - a. No buildings are to occur within 100 metres of the absolute high water mark or full supply level of Meadowbank Lake.
 - b. No removal of native vegetation within 100m of the absolute high water mark or full supply level of Meadowbank Lake other than in accordance with a Bushfire Hazard Management Plan.
 - c. Any residential use or development to be carried out and maintained in accordance with the recommendations of Tasfire (1995), *Planning Conditions and Guidelines for Subdivisions in Bushfire Prone Areas*, Tasmanian Fire Service, Hobart and constructed in accordance with Level 1 of Standards Australia (1999): *AS 3959: Construction of Buildings in Bushfire Prone Areas* Standards Australia, Sydney.
6. Agreements made pursuant to Part 5 of the *Land Use Planning and Approvals Act 1993* must be prepared by the applicant on a blank instrument form to the satisfaction of the Council and registered with the Recorder of Titles. The subdivider must meet all costs associated with the preparation and registration of the Part 5 Agreement.

Covenants

7. Covenants or other similar restrictive controls that conflict with any provisions or seek to prohibit any use provided within the planning scheme must not be included or otherwise imposed on the titles to the lots created by this permit, either by transfer, inclusion of such covenants in a Schedule of Easements or registration of any instrument creating such covenants with the Recorder of Titles, unless such covenants or controls are expressly authorised by the terms of this permit or the consent in writing of the Council's General Manager.

Aboriginal Heritage

8. In the event that any suspected item of archaeological significant is inadvertently encountered during works associated with development of the site, then the activity creating the disturbance should cease immediately, and the *Aboriginal Relics Act 1975* will apply for reporting and management.

Final Plan

9. A fee of \$220.00, or as otherwise adopted by Council resolution from time to time, must be paid to Council prior to the sealing of each stage of the final plan of survey.
10. A final plan of survey and two (2) copies must be provided together with the schedule of easements as necessary.
11. All conditions of this permit must be satisfied before the Council seals the final plan. It is the subdivider's responsibility to arrange any required inspections and to advise

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Council in writing that the conditions of the permit have been satisfied. The final plan of survey will not be dealt with until this advice has been provided.

Water Quality

12. Before any work commences a soil and water management plan (SWMP) prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, must be approved by Council's General Manager before development of the land commences (refer to advice below). The SWMP shall form part of this permit when approved.

Environmental Health

13. The final plan of survey must be endorsed that the lots are only suitable for the on-site disposal of wastewater using a licensed Aerated Wastewater Treatment System or modified trench septic or other approved system.

Telecommunications, electrical and gas reticulation

14. Where electrical and telecommunications services are to be provided to each lot, they must be provided in accordance with the requirements of the responsible authority and the satisfaction of Council's General Manager.

Access

15. Shared access from the Lyell Highway to each lot on the subdivision must be constructed and maintained in accordance with the requirements of section 109(1)(f) of the *Local Government (Building and Miscellaneous Provisions) Act 1993* and to the satisfaction of the Council's General Manager.

Engineering drawings

16. Engineering design drawings are to be submitted for approval by Council's General Manager. Engineering Drawings are to be prepared by a qualified and experienced Civil Engineer, or other person approved by the General Manager.
17. Approved Engineering Plans will remain valid for a period of 2 years from the original date of approval.

Construction amenity

18. Any works relating to the development must be carried out between the following hours:
- | | |
|---------------------------|-------------------|
| Monday to Friday | 7.00am to 6.00pm |
| Saturday | 9.00am to 6.00pm |
| Sundays & Public Holidays | 10.00am to 6.00pm |

The applicant shall also be advised that:

- E. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- F. The SWMP shall be prepared in accordance with the guidelines *Soil and Water Management on Building and Construction Sites*, by the Derwent Estuary Programme and NRM South, the *State Policy for Water Quality Management 1997* and the

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requirements of the Council's General Manager and show the following -

- Allotment boundaries, north-point, contours, layout of roads, driveways, building envelopes and reticulated services (including power and telephone and any on-site drainage or water supply), impervious surfaces and types of all existing natural vegetation;
- Critical natural areas such as drainage lines, recharge area, wetlands, and unstable land;
- Estimated dates of the start and completion of the works;
- Timing of the site rehabilitation or landscape program;
- Details of land clearing and earthworks or trenching and location of soil stockpiles associated with roads, driveways, building sites, reticulated services and fire hazard protection;
- Arrangements to be made for surface and subsurface drainage and vegetation management in order to prevent sheet and tunnel erosion;
- Temporary erosion and sedimentation controls to be used on the site; and
- Recommendations for the treatment and disposal of wastewater in accordance with Standards Australia: AS/NZS 1547: On-site wastewater management, Standards Australia, Sydney, 2000.

- G.** The issue of this permit does not ensure compliance with the provisions of the *Threatened Species Protection Act 1995* or the *Environmental Protection and Biodiversity Protection Act 1999* (Commonwealth). The applicant may be liable to complaints in relation to any non-compliance with these Acts and may be required to apply to the Policy and Conservation Assessment Branch of the Department of Primary Industries, Parks, Water and the Environment or the Commonwealth Minister for a permit.
- H.** **This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the *Land Use Planning and Approvals Act 1993*.**
- I.** **This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.**

Carried



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15.2 SPONSORSHIP OF THE 2012 HIGHLANDS GOLD PRO AM TOURNAMENT

For discussion

15.3 MARQUEE HIRE

Recommendation

Moved **Clr**

Seconded **Clr**

THAT (a) Council make available the two 6x3 metre marquees to hire at the cost of \$150.00 each per day, with a refundable \$100.00 deposit.
(b) A discount of 50% of the hire cost be made to local groups for events that benefit the community.

Carried

15.4 GRANTS UPDATE

For Information

16.0 WORKS & SERVICES

Moved **Clr**

Seconded **Clr**

THAT the **Works & Services Report** be received.

Carried

16.1 BRIDGE REPLACEMENT KINGSHOLME

For discussion

16.2.1 RECEIVAL OF STATUS REPORT

Moved **Clr**

Seconded **Clr**

THAT the **Status Report** be received.

Carried

16.2.2 STATUS REPORT DISCUSSIONS



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17.0 FINANCE REPORT

Moved **Clr**

Seconded **Clr**

THAT the **Finance Report** be received.

Carried

17.1 DISCUSSION

18.0 ADMINISTRATION

18.1 ELLENDALE FIRE STATION EXTENSION (PAGE 1)

Tasmania Fire Service is seeking Council approval to proceed with a development application for an extension to the Fire Station at 962 Ellendale Road, Ellendale built on land owned by Council.

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT Council grant approval for the Tasmania Fire Service to extend the fire station located on Council land at Ellendale.

Carried

18.2 SEALING OF ROADS IN BOTHWELL TOWNSHIP (PAGES 2 – 6)

Mr Andy Beasant of Dennistoun Road, Bothwell has written thanking Council for the sealing works recently undertaken at Bothwell.

Mr Beasant has raised a concern regarding the lack of a kerb and road sealing in front of St Luke's Church, Bothwell. He has raised the matter of parking across the footpath outside the church by people attending services, blocking footpath access and creating a dangerous traffic situation with backs of cars sticking out on to the bitumen road surface.

Several photos of the area have been provided by Mr Beasant. He is requesting that Council consider sealing this unsealed portion and installing kerb and gutter.

For Discussion



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18.3 HALL CHAIRS

Current inventory of chairs at the Bothwell Hall is 91 with 84 at the Hamilton Hall. A further 25 chairs are required to bring the numbers back to 100 for each hall. A quote obtained is \$50 per chair, bringing the total to \$1,250 for the 25 chairs needed. Funds are available in the budget to purchase these.

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Council purchase 9 chairs for the Bothwell Hall and 16 chairs for the Hamilton Hall out of this year's budget.

Carried

18.4 LEASE OUSE COUNTRY CLUB

At the November Meeting, it was resolved that the General Manager liaise with the Ouse Country Club over the draft lease for the Clubrooms at Ouse. The lease has been amended by Council's Solicitor to the satisfaction of both parties.

Recommendation

Moved **Clr**

Seconded **Clr**

THAT the General Manager be authorised to sign and seal the Lease between Council and the Ouse Country Club for the land in C/T 2294/22.

Carried

18.5 AUSTRALASIAN GOLF MUSEUM (PAGE 7)

The Mayor has requested that the attached correspondence from the Australasian Golf Museum be discussed.

The Australasian Golf Museum are requesting permission from Council to join the Old School House (current museum) and the Headmasters House together to make an attractive tourism attraction and increase the scope for displays. Dorothy Evans, Manager of the Museum has advised that the Committee would like to meet with Council to discuss these plans.

For Discussion



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18.6 BOTHWELL LIONS CLUB (PAGE 8)

The Bothwell Lions Club will be holding a car boot sale at the Bothwell Recreation Ground on 28th January, 2012. Council had previously agreed to waive the hire fee for the event which was postponed.

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Council advise the Bothwell Lions Club that the Bothwell Recreation Ground hire fee will be waived for the Lions Club Car Boot Sale to be held on 28th January, 2012.

Carried

18.7 REQUEST FOR COUNCIL MEETING TO BE HELD AT MIENA

Mayor Flint requested that this be placed on the agenda. And has provided the following background:

I have been approached by three residents to hold a Council Meeting at Miena. We have held two meetings there previously without success – no residents attended except the Hall Committee who did the catering.

If Council agrees to this request, we need to advise the residents with a flyer in with their mail and place laminated posters at strategic locations welcoming them to attend.

For Discussion

18.8 INQUIRY INTO LOCAL GOVERNMENT ELECTIONS (PAGES 9 – 10)

The House of Assembly Standing Committee on Community Development has received the following reference:

- (a) To inquire into and report upon whether it is appropriate and what is the most effective and efficient way to introduce compulsory voting for the State's local government elections, prior to the next round of council elections scheduled for 2013;
- (b) Examine developments in electronic voting systems, and the capacity to have such a system introduced in Tasmania;
- (c) Ensure appropriate public consultation is conducted on both matters (a) and (b);
- (d) Any other matter incidental; and
- (e) That the Committee reports by 30 June, 2012.

Councils are invited to make a submission, with the closing date for submission being Friday, 24th February, 2012.

For Discussion



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18.9 WATER AND SEWERAGE GOVERNANCE AGREEMENTS (PAGES 11 – 15)

At the August LGAT General Meeting a working group was established to prepare an updated governance document which provides options and direction on governance issues related to potential changed structures.

LGAT proposes to conduct a series of regional forums in early February with a view to having the matter ultimately addressed at the LGAT General Meeting on 28th March, 2012. At that time, LGAT expects that all Councils will be in a position to assess their particular circumstances and all regions will be able to assess the impact on their regional corporation and environment.

For Discussion

18.10 PROPOSED LEASE TO NBN CO LIMITED, ARTHURS LAKE (PAGES 16 – 18)

Aurecon has been engaged by Ericsson (equipment vendor and project Manager for NBN Co Ltd) to find suitable sites in and around Flintstone in which to serve the surrounding community with wireless broadband services, and they have identified a possible Council owned site at Arthurs Lake.

Aurecon are proposing a site visit early this year and if suitable will approach Council to enter into a lease for facilities to be located within a fenced compound of approximately 10m x 8m.

For Discussion

18.11 MEMORANDUM OF UNDERSTANDING CHC & CHCMS INC EXECUTIVE MANAGEMENT COMMITTEE (PAGES 19 – 27)

The Central Highlands Community Mens Shed Inc has prepared a Draft Memorandum of Understanding between Council and CHCMS Inc. for the Mens Shed and surrounding area at the Hamilton Resource Centre (old Hamilton School).

Appendix A Covers Requirements for Management Committees. The CHCMS is an incorporated body and not a Committee of Council and therefore the provisions of this appendix do not apply.

For Discussion

18.12 MINERAL RESOURCES TASMANIA (SEPARATE ATTACHMENT)

A Draft Mining Lease has been forwarded for the Hamilton Quarry. The Director of Mines is intending to recommend to the Minister for Energy and Resources that he grant our lease application and issue the lease. The application will be forwarded to the Minister on 23rd January, 2012.

For Information

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18.13 REGIONAL PLANNING SCHEME

At the STCA meeting held on 8 December, 2011 the following report and recommendation was made.

The Southern Tasmania Regional Planning Project

A report was considered whose purpose was to provide further information on the future of the Project and the establishment of an ongoing structure for Regional Planning. Following the STCA meeting on the 10th November the Chairman wrote to the Minister for Planning, Hon Bryan Green, confirming the STCA's acceptance of the \$15,000 interim funding for the regional planning project and seeking clarification on the following issues:

- Ongoing funding for the development of the Council's planning schemes
- Funding for the ongoing regional planning structure identified in the MoU between the Councils, STCA and State Government
- Confirmation of the composition of the regional planning project steering committee
- Clarification on which state wide codes the Tasmanian Planning Commission will be completing in time for inclusion in the Councils Interim Planning Schemes

The response received from the Minister indicated the following:

Regional Planning Project Funding

1. The State has committed to pay \$120,000 to the STCA to continue the project
2. The Payment would be made at the beginning of the 2012/2013 financial
3. The payment was conditional on the delivery of outcomes to be specified in a new grant deed.
4. The outcomes specified in the Minister's letter were:
 - a. Completion of the Regional Model Planning Scheme template using the \$15,000 already offered by the State and accepted by the STCA.
 - b. Finalisation of the draft interim planning schemes by all 12 Councils by the end of June 2012 to allow for informal public consultation early in FY 2012/2013.

Regional Planning - future structure

1. The State Government has committed to dollar for dollar funding for ongoing regional planning structure based on a budget of \$250,000 per annum (equal contributions of \$125,000 from both State and Local Government)
2. This funding commitment is based on:
 - Completion of the Interim Planning schemes by the end of the 2011/2012 FY

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- Agreement between State and Local Government on the regional structure
- A prioritised, performance based work program agreed between the STCA and State government for the activities of the regional structure
- the STCA and State have the funds available

Regional Planning Project Steering Committee structure:

- 1) The State government nominees for the Southern Planning Project Steering Committee would be: Tasmanian Planning Commission –
 - (a) Mr Greg Alomes
 - (b) Ms Mariette Wong
 - (c) Mr Peter Fischer

(The Department of Premier and Cabinet nominee, Louise Wilson and Hadley Sides, representing the Sullivans Cove Waterfront Authority, have resigned from the Steering Committee.)
- 2) The Local Government representatives are:
 - Mayors' Representative - Lord Mayor Damon Thomas
 - General Managers' Nominee - Mr. Andrew Paul
 - Capital City's Representative - Mr. Nick Heath a nomination of the General Managers.
 - STCA Joint/CEO David Hunn

Statewide Codes

- 1) Multiple Dwelling and coastal hazard codes should be completed in parallel with the Interim Planning Schemes
- 2) It is suggested that no other codes will be completed in time for inclusion in the Interim Planning Schemes

Discussion

Regional Planning Project Funding

The \$120,000 offered by the State Government was sufficient to fund the re-employment of resources to assist the 12 Councils with the completion and coordination of their interim planning schemes.

The conditional nature of the funding offer would require:

- Councils committing to complete their interim planning schemes by the end of the current financial year.
- Councils being prepared to underwrite the STCA for the \$120,000 funding commitment until the beginning of the 2012/13 financial year.

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The risk to councils in this situation was that one or more councils did not complete the work required and the State Government did not re-pay the \$120,000.

The funding would need to be invoiced in January 2012.

The funding could be provided by a single council, or all or a number of member councils.

If the funding was distributed among councils on an equal basis it would mean that each council would contribute \$10,000 each.

If the funding was distributed on the same basis as the STCA funding model, the distribution of funding would be

| | Percentage of total | Distribution of funding commitment |
|----------------------|------------------------|--|
| Tasman | 1.60% | \$1,920 |
| Central Highlands | 1.60% | \$1,920 |
| Glamorgan/Spring Bay | 1.60% | \$1,920 |
| Southern Midlands | 1.60% | \$1,920 |
| Derwent Valley | 5.18% | \$6,216 |
| Sorell | 5.18% | \$6,216 |
| Brighton | 5.18% | \$6,216 |
| Huon Valley | 5.18% | \$6,216 |
| Kingborough | 12.40% | \$14,880 |
| Glenorchy | 20.16% | \$24,192 |
| Hobart | 20.16% | \$24,192 |
| Clarence | 20.16% | \$24,192 |
| Total | 100.01% | \$120,012 |

Conclusion

If the 12 Southern Councils believed that regional planning resources would contribute to a more effective and efficient delivery of the outcomes agreed to in the MoU they have signed with the State Government, and that, with the support of that resource, they can complete their Interim Planning Schemes by the 30th June 2012, then it would seem appropriate to accept the Ministers offer.

Given that there was a risk associated with the acceptance of the offer made by the Minister for Planning, and that the risk is that one or more councils did not manage to complete their Interim Planning Schemes by the 30th June 2012, it would seem appropriate that the risk be shared by all councils and, therefore, the funding model should be representative of that shared risk.

Regional Planning Structure

Discussion

The primary purpose of an ongoing regional planning structure was to:

- 1) Provide ongoing support for the southern regional land use strategy, including advocacy, review and initiating future iterations and/or amendments.
- 2) Implement the specific actions identified in the companion document to the regional the Greenfield Development Precincts identified within the Urban Growth Boundary
- 3) Ensure better coordination, at a regional level, with state government agencies engaged in activities related to the regional land use strategy, including:
 - a) Department of Infrastructure, Energy and Resources
 - b) Department of Economic Development
 - c) Tasmanian Planning Commission
- 4) Support the Councils in the ongoing improvement of planning schemes through the sharing of cost of the development, review, co-ordination and amendment of planning scheme provisions.

The composition of the any future regional planning structure, perhaps built upon the existing regional planning steering committee, would necessarily include representatives from:

- a. Rural and peri-urban councils
- b. Department of Infrastructure, Energy and Resources
- c. Department of Economic Development

The system would also have to include mechanisms for a close working relationship with major infrastructure providers other than government departments, including Southern Water, Aurora and Transend.

It was noted that negotiations over the design of the structure should be with the State Government and not with the Tasmanian Planning Commission. Whilst the strategic/policy part of the TPC would be expected to play a significant role in the on-going structure, the design of that structure involved, in part, a political decision.

With regard to the proposed Capital Cities Initiative planning structure, it was noted that Councils had already acknowledged that this proposed system and the broader regional planning system should be incorporated into one overarching structure. However the inclusion of the ongoing Capital Cities strategic planning work had not been incorporated into the \$250,000 budget estimate for maintaining the regional planning work, and would need to be subject to further negotiations with the State for it to be included.

If funding for an ongoing regional planning structure was distributed on the same basis as the STCA funding model the distribution of funding would be:

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| | Percentage of total | Distribution of funding commitment |
|----------------------|---------------------|------------------------------------|
| Tasman | 1.60% | \$2,000 |
| Central Highlands | 1.60% | \$2,000 |
| Glamorgan/Spring Bay | 1.60% | \$2,000 |
| Southern Midlands | 1.60% | \$2,000 |
| Derwent Valley | 5.18% | \$6,475 |
| Sorell | 5.18% | \$6,475 |
| Brighton | 5.18% | \$6,475 |
| Huon Valley | 5.18% | \$6,475 |
| Kingborough | 12.40% | \$15,500 |
| Glenorchy | 20.16% | \$25,200 |
| Hobart | 20.16% | \$25,200 |
| Clarence | 20.16% | \$25,200 |
| Total | 100.01% | \$125,013 |

Conclusion

The development of an on-going regional planning structure would play a useful role in supporting Councils and the region.

Discussion

Statewide Codes

The Minister's advice regarding progress to establish state-wide codes was helpful to a degree in that it stated that councils should not rely on further statewide codes being completed in time for the new draft interim planning schemes. However, it did imply that the multi-dwelling and coastal inundation codes might be completed, nor did it mention the Bushfire code, which was understood to be the most advanced in its development.

Given that the State is predicating the provision of funds to the STCA on the basis of firm commitments to certain outputs, it would seem to be appropriate to seek further clarification from the State on this issue.

Following discussion on the three Major issues canvassed by the report (Regional Planning Project, Regional Planning Structure and State-wide codes) *it* was:

Moved: Mayor Foster

Seconded: Mayor Bury

- 1) *The STCA seek confirmation that, with the support of the regional planning resource, each of its 12 member councils believe that their draft Interim Planning Schemes will be completed by, or before, the 30th of June 2012, ready for informal public consultation through the following questions addressed to General Managers:*
 - a) *Are you prepared to commit your council to completing your draft interim planning scheme by the 30th June 2012.*
 - b) *If you are not able to commit to the end of the financial year when do you believe it could be completed by.*
 - c) *Is your council willing to provide a proportion of the funding to cover the cost of continuing to run the regional planning project until such time as the councils can be reimbursed by the State Government.*
- 2) *The STCA write to each council seeking in principal funding support for the financial years 2012/13, 2013/14 and 2014/15, as outlined above for the local government contribution to a regional planning structure.*
- 3) *The STCA, in discussion with the 12 council General Managers, negotiate the following with the State Government:*
 - a) *The objectives of the structure or group charged with managing the regional strategy;*
 - b) *The structure and composition of the group;*
 - c) *The broad terms of reference of the group;*
 - d) *The budget required from State and Local Government; and*
 - e) *The outcomes to be delivered.*
- 4) *Following agreement with the State Government the STCA put the final proposed arrangements to the STCA Board.*
- 5) *Once the Board is satisfied the proposed arrangements are sent to Councils for endorsement and commitment to funding.*
- 6) *The STCA seek further clarification from the Minister regarding the progression of statewide codes, specifically whether the following statewide codes will be ready for inclusion into the new draft interim planning schemes by the end of the financial year, either in final approved or draft form:*
 - a) *Multiple Dwelling*
 - b) *Coastal hazard*
 - c) *Bushfire*

Carried

At this stage, I am seeking Council's response to 1 (a) of the recommendation – is Council prepared to provide a proportion of the funding to cover the cost of continuing to run the regional planning project until such time as the councils can be reimbursed by the State Government. If the cost is split equally amongst the 12 southern councils, Council will need to commit \$10,000.

For Discussion



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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
