



Central Highlands Council

AGENDA – ORDINARY MEETING – 16th JULY 2013

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Hamilton Council Chambers, on Tuesday 16th July 2013, commencing at 9am 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

OPEN MEETING TO PUBLIC

The Meeting will be opened to the public at 10.00am

6.0 IN ATTENDANCE

10.00am Hamilton Police Officer - Dion Menzies & Maydena Police Officer - Peter Sweetlove

6.1 PUBLIC QUESTION TIME

7.0 MAYORAL COMMITMENTS

18 th June 2013	Council Meeting – Bothwell
19 th June 2013	ABC Radio Breakfast Program, Talkback Interview (10 mins)
20 th June 2013	Central Highlands Tourism Meeting
24 th June 2013	Ms Judy Travers, General Manager of Learning Services South
25 th June 2013	Ellendale Community Hall Meeting
26 th June 2013	Rotary Club presented funds for gates for farmers
27 th June 2013	NRM Strategy Launch
28 th June 2013	Premier announces release of further financial and in-kind support for the Farmers affected by the January Bushfires. This was the final package to assist farmers.



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29 th June 2013	Ouse Country Club Trophy night for Bowls & Golf players
1 st July 2013	Family Day Care Launch – Ouse School
2 nd July 2013	*Community Launch – Bushfire Recovery Plan by the Premier *Meeting Mat Healey – Priorities for Council
3 rd July 2013	Bothwell and Districts Lions Club Handover Dinner
4 th July 2013	Central Highlands Tourism Meeting
7 th July 2013	Ellendale Winterfest
9 th July 2013	*Planning Committee Meeting *Draft Planning Scheme Workshop *Meeting with Brendan West, recently appointed CEO Southern Tasmanian Councils Authority *Public Meeting – Ellendale Sewerage
10 th July 2013	Mrs Gwen Hardstaff re: band – Bushfest
11 th July 2013	*Hon Brian Wightmas *Managing the Disaster Recovery Process *Keith Rice of Poppy Growers Association
13 th July 2013	Bothwell Fishing Dinner – Presentation Night
15 th July 2013	Executive Bushfire Recovery Meeting

7.1 COUNCILLORS COMMITMENTS

<u>Clr A J Downie</u>	
19 th June 2013	Great Lake Hall Committee - Bothwell
26 th June 2013	NBN dinner - Sandy Bay
27 th June 2013	Southern Waste - Clarence
9 th July 2013	Planning Committee and Workshop
<u>Clr G L Herbert</u>	
18 th June 2013	Council Meeting – Bothwell
9 th July 2013	Planning Committee Meeting at Bothwell Draft Planning Scheme Workshop
<u>Clr L M Triffitt</u>	
18 th June 2013	Council Meeting – Bothwell
25 th June 2013	Ellendale Hall Meeting
1 st July 2013	Ouse Family Day Care Centre Opening
7 th July 2013	Ellendale Winterfest
9 th July 2013	Planning Committee Meeting at Bothwell Draft Planning Scheme Workshop



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Clr I V McMichael

26 th June 2013	Discussion re Insurance for Council Hamilton
1 st July 2013	Opening Day Care Centre Ouse
4 th July 2013	Meeting DHHS reps re CHCHSCC
9 th July 2013	Planning Meeting & Workshop Bothwell

7.2 GENERAL MANAGERS COMMITMENTS

18 th June 2013	Council Meeting
20 th June 2013	Central Highlands Tourism Committee Meeting
26 th June 2013	Meeting Insurance Broker
28 th June 2013	Launch of Bushfire Winter Assistance Package Ellendale
1 st July 2013	Ouse Family Child Care Open Day
4 th July 2013	Central Highlands Tourism Committee Meeting
9 th July 2013	Planning Committee & Planning Workshop Wastewater Meeting Ellendale

8.0 NOTIFICATION OF COUNCIL WORKSHOPS

8.1 FUTURE WORKSHOPS

9.0 MAYORAL ANNOUNCEMENTS

10.0 MINUTES

10.1 RECEIVAL DRAFT MINUTES ORDINARY MEETING

Moved **Clr**

Seconded **Clr**

THAT the Draft Minutes of the **Ordinary Meeting of Council** held on **Tuesday 18th June 2013** be received.

Carried



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10.2 CONFIRMATION OF DRAFT MINUTES ORDINARY MEETING

Moved **Clr**

Seconded **Clr**

THAT the Draft Minutes of the **Ordinary Meeting** of **Council** held on **Tuesday 18th June 2013** be **confirmed**.

Carried

10.3 RECEIVAL DRAFT MINUTES PLANNING COMMITTEE MEETING

Moved **Clr**

Seconded **Clr**

THAT the Draft Minutes of the **Planning Committee Meeting** of **Council** held on **Tuesday 9th June 2013** be **received**.

Carried

11.0 BUSINESS ARISING

12.0 NRM REPORT

Moved **Clr**

Seconded **Clr**

THAT the **NRM Report** be **received**.

Carried

13.0 FINANCE REPORT

Moved **Clr**

Seconded **Clr**

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

Carried

13.1 2013 / 2014 ANNUAL PLAN

The 2013 / 2014 Annual Plan has been prepared and is submitted for adoption.

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT Council adopt the 2013 / 2014 Annual Plan.

Carried



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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 **Clr**

Seconded **Clr**

THAT the Development & Environmental Services Report be received.

Carried

14.1 CLEARING FOR BUSHFIRE MANAGEMENT

Recommendation

Moved **Clr**

Seconded **Clr**

That Central Highlands Council (Planning Authority) will require approval for vegetation clearance on Council land for bushfire management related to private developments to be obtained from:

- (a) General Manager; or
- (b) Full Council if the General Manager is not in a position to issue such approval.

Carried

14.2 BRONTE ESTATE SUBDIVISION : D WISS.

Recommendation

Moved **Clr**

Seconded **Clr**

A: Council refuse to seal the Final Plan for stage 3 until agreement has been reached in regard to the future of the water and sewerage assets;

B: The Mayor to meet with Premier Lara Giddings to discuss the issue.

Carried

14.3 DA 2012/17: LEGAL ADVICE : BLACK SNAKE ROAD, BOTHWELL - SUBDIVISION OF 9 LOTS AND BALANCE

Recommendation

Moved **Clr**

Seconded **Clr**

Council acknowledge the legal advice received from Abetz Curtis Lawyers dated 14 June 2013 and that a response outlining the advice received be sent to the surrounding landowner.

Carried



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14.4 INTERIM PLANNING SCHEME PROCESS UPDATE

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Council resolve to:

Receive the information in this report.

Carried

14.5 REMISSION OF FEE : PLACE OF ASSEMBLY – STEPPEES HALL

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Council remit the Place of Assembly Licence Renewal Fee of \$110.00 for the Steppes Hall for 2013 / 2014.

Carried

14.6 NAMING OF ROAD OFF CIDER GUM ROAD, MIENA

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Council write to the Nomenclature Board seeking approval to allocate the name 5 Mile Marsh Road to the unnamed road off Cider Gum Road, contained in CT 164721/799.

Carried

14.7 DES STATUS REPORT

15.0 COMMUNITY & ECONOMIC DEVELOPMENT REPORT

Moved **Clr**

Seconded **Clr**

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

Carried



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15.1 HIGHLANDS BUSHFEST

Report to be presented at meeting.

15.2 HAMILTON INFORMATION BAY

For Approval

15.3 REGIONAL DEVELOPMENT AUSTRALIA FUND – ROUND 5

For Discussion and Recommendation

15.4 TOURISM INDUSTRY REGIONAL DEVELOPMENT FUND

A more detailed report will be presented at the meeting.

15.5 GRANT APPLICATION STATUS

A spreadsheet of the status of current grant applications will be presented at the meeting.

15.6 DIGITAL MEDIA

A report on the integration of traditional and digital media in the promotion of Council and the region will be presented at the meeting.

15.7 COMMUNITY GRANT – BOTHWELL FOOTBALL CLUB

For Approval

15.8 WESTERWAY COMMUNITY HALL COMMITTEE

A request for financial assistance towards new equipment has been received from the Westerway Community Hall Committee.
Further details will be presented at the meeting.

For Discussion and Approval



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The Minister has accepted all of the report's recommendations except the recommendation requiring a transition to CV in four years. The Government considers that implementation of such a major reform should occur over a longer period. This means that there will be no immediate proposal to cease assessment of AAV and this base will continue to be available to Councils.

DPAC will over the next two years, undertake a capacity building program to build local government sector support and preparedness for any future change in the valuation system and will include:

- Addressing some of the issues raised by stakeholders in the course of the review through legislative amendment and/or rating guidance;
- Further work to provide increased flexibility and clarity in the use of rating provisions such as differential rating;
- Piloting a capability-building program, if resources permit, with two councils interested in transitioning to CV for the 2015/2016 rating (and revaluation) year; and
- Working with LGAT to facilitate access to best practice rating software for the sector.

In July 2013 the Local Government Division will establish a working group to provide advice on the forward program and identify opportunities to facilitate councils' voluntary transition to CV.

For Information

17.2 LGAT ANNUAL AND GENERAL MEETING JULY 2013

The Local Government Association of Tasmania's Annual Conference will be held at Wrest Point from Wednesday 24 July 2013 to Friday 26 July 2013.

The Mayor will be required to vote on the following for the Annual Meeting:

1. That the President's report be received
2. That the Minutes of the 100th Annual General Meeting held 11 July, 2012 be confirmed.
3. That the Financial Statements for the period 1 July, 2011 to 30 June 2012 be received and adopted.
4. That the President's and Vice President's allowance for the period 1 July 2013 to 30 June 2014 be adjusted in accordance with the movement in the Wages Price Index.
5. That subscriptions be increased by 3.05% to meet the operating costs of the Association
6. That the Meeting adopt the Budget as presented

7.1 **Moved Meander Valley:**

That the Rules of the Association be amended by deleting Section 18(a)(ii) thereby removing the Lord Mayor or proxy from the General Management Committee as Hobart City Council will no longer be a member of the Association.



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- 7.2 **Moved Derwent Valley**
That the Local Government Association of Tasmania Rules regarding Conduct of General Meeting be amended by deleting from Rule 16 voting by population categories and replacing it with one (1) vote per Council.
8. (a) That reports from representatives on various bodies be received and noted
(b) That Conference acknowledges the time and effort put in by all Association representatives on boards, working parties, advisory groups and committees etc.

The Mayor will be required to vote on the following for the General Meeting:

1. ***Minutes***
That the Minutes of the meeting held on 20 March 2013, as circulated, be confirmed.
2. ***Confirmation of Agenda & Order of Business***
That the agenda and order of business be confirmed
3. ***Business Arising***
That Members note the following information
4. ***Follow Up of Motions***
That the meeting note the report detailing progress of motions passed at previous meetings and not covered in Business Arising
5. ***Monthly Reports to Councils***
That members note the reports for February, March, April and May 2013
6. ***Hobart City Council Withdrawal from LGAT***
That the meeting note the formal withdrawal of Hobart City Council from the Association and the financial implications of that action
7. ***Constitutional Recognition***
That the Meeting note the report
8. ***National Local Government Cultural reform***
That Members note the following report
9. ***General Legislation Update***
That the Meeting note the report
10. ***Agenda and Format of General Meetings***
That Members discuss the proposal to amend the format of future meetings and provide the opportunity for enhanced debate on matters of topical interest to the sector or issues that have key policy and/or resourcing implications for the sector
11. ***Electoral Amendments***
That the Meeting note that with the passing of the above legislation elections will now be held each four years on an all in all out basis, that compulsory voting will not apply to Local Government elections, that postal voting will continue and that members of Parliament will not be able to serve as elected members of a local council.



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That the meeting consider the implications of the qualification period for mayors with elections moving from a two year to a four year cycle.

12. *Bush Fire Inquiry*

That the meeting note the following report.

13 *Travel Allowances*

That the meeting agree that all member councils use the Australian Taxation Office rate for travel allowances to ensure consistency across the sector.

14. *Container Deposit Scheme Study*

That the Meeting agree that the Local Government Association of Tasmania should liaise with the regional waste bodies to progress the commissioning of container deposit scheme research for Tasmania

15.1 *Elected Member Police Checks – Break O’Day Council*

That there be a requirement for all current and future candidates for Local Government to undertake National Police Checks in their current name and any previous names as well as whether any candidate has been discharged or bankrupt

15.2 *Code of Conduct – Break O’Day Council*

That LGAT work in partnership with Councils and the Local Government Division to update Regulations in relation to the Councillors Code of Conduct

15.3 *Code of Conduct Panel – Hobart City*

That the Local Government Association of Tasmania be requested to establish a panel to review the existing anomalies within the current legislation in respect to the Code of Conduct Panel and request that the Hobart City Council be included in the review process

15.4 *Elected Member Training – Derwent Valley Council*

That all Councillors, as a requirement of being elected to Council are to within 6 months of being elected undertake training courses in the following areas:

1. Meeting Procedure
2. Planning

15.5 *Legislative Council – Derwent Valley Council*

That the Local Government Association of Tasmania pursue on behalf of Local Government the option that the role of Legislative Council (House of Review) be undertaken by the Mayors of the 29 Councils in Tasmania

15.6 *Local Government Minister to Attend AGM – Dorset*

That the Minister for Local Government be available at future LGAT Annual General Meetings to participate in a question and answer session in which the Minister will receive and respond to questions from the floor.

17.1 *General Meetings of the Association – Derwent Valley Council*

That the Local Government Association of Tasmania consider changes to the Rules of the



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Association to allow for General Meetings by Skype video conferencing to the three regional locations.

- 18.1 Valuation and Rating Review – Capital Value Rating – Burnie City Council**
That LGAT seek funding assistance from the State Government for a consultant to assist Local Government with the transition to capital value rating and to resource a significant education and community campaign with the wider community
- 18.2 Concessional Loan Scheme – Burnie City Council**
That LGAT approach the State Government to set up a loan scheme that will allow Local Government to receive concessional funding through TASCORP to assist in increasing capital works to stimulate the economy
- 18.3 Financial Relationship between State & Local Government – Derwent Valley Council**
That the Local Government Association request the State Government under its current review of the role of Local Government, undertake a review of the financial relationship between State and Local Government
- 18.4 Loss of Rate Revenue – Waratah Wynyard Council**
That Council request the Local Government Association of Tasmania (LGAT) to review the potential loss of rate revenue as a result of the Forestry Agreement and failed Managed Investment Schemes and, that LGAT request compensation to Councils impacted by this loss be part of the Forestry Agreement.
- 19.1 Mobile Phone Coverage – Launceston City Council**
The LGAT write to the Federal Minister for Telecommunications and to the regional managers for Telstra, Vodaphone and Optus expressing concern about the lack of mobile phone coverage in rural areas within Tasmania particularly in light of the need for these communications during periods of catastrophic fire conditions.
The LGAT seek advice as to what action the Commonwealth is taking with Telstra in order to progress the initiative of installing transportable mobile phone towers in areas of highest bushfire risk during the bushfire season.
- 19.2 Unapproved Signage on State Roads – Northern Midlands Council**
That LGAT lobby the minister responsible for DIER to have all unapproved signage removed from state roads.
- 19.3 Road Works Signage – Northern Midlands Council**
That the Local Government Association of Tasmania lobby the Minister responsible for the Department of Infrastructure, Energy and Resources to ensure that speed restrictions of road works and the like are not erected prematurely, left in place beyond the completion of works or between work periods, unless required due to the condition of the road surface.
- 19.4 Responsibility for Forestry Roads – Glamorgan Spring Bay Council**
That LGAT request the State Government to confirm who has responsibility for roads that were previously owned by Forestry Tasmania or Gunns and requests an outline of the future actions government is considering for these roads



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20.1 Amendment to LUPPA – Derwent Valley Council

That the Local Government Association request the State Government to amend the land Use Planning and Approvals Act 1993 by providing a scale of fees based on the value of the development for the lodgement of an appeal.

20.2 Subdivision Provisions – Huon Valley Council

The Local Government Association of Tasmania request the Minister for Planning to review and repeal Part 3 of the Local Government (Building and Miscellaneous Provisions) Act 1993 in relation to subdivision provisions and make necessary amendments to the Land Use Planning and Approvals Act 1993 and other consequential amendments such as the Land Titles Act 1980 and have all relevant provisions associated with subdivisions contained in the relevant legislation.

That this review of the provisions ensure that the new provisions are drafted in plain English.

20.3 Headworks Charges – Huon Valley Council

That the Local Government Association of Tasmania request the Minister for Planning to amend the Land Use Planning and Approvals Act 1993 to provide legislative certainty for application of headworks charges and capital contributions toward Council infrastructure impacted upon by development proposals.

20.4 Funding Regional Planning Process/Strategy – Hobart City Council

That the Local Government Association of Tasmania lobby the State Government to commit appropriate funds to enable regional planning to continue beyond the end of the current financial year.

20.5 LUPAA Applications – Northern Midlands

That the Local Government Association of Tasmania request the State Government to make legislative change, if necessary, and confirm that representations made pursuant to sections 26, 30 I or 57 of the Land Use Planning and Approvals Act 1993 shall not be made public to the extent that they contain specific reference to individual councillors or staff.

21.1 Container Deposit Scheme – Kentish Council

That the Local Government Association of Tasmania lobby the State and Federal container deposit scheme would have prior to the implementation of any such legislation

21.2 EMPCA – Level 1 Activities – Hobart City Council

That:

1. The Local Government Association of Tasmania support a request to the relevant Minister to have the State Government liaise with Local Government and other key stakeholders through the facilitation of statewide workshops, in order to clarify the role and responsibilities of local councils in managing Level 1 Activities.

2. Following the completion of the workshops, the State Government, as a matter of priority, update and complete the 1996 Environmental Assessment Manual to provide clear guidance to councils in assessing Level 1 Activities.



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21.3 Storage of Used Tyres – Northern Midlands Council

That the Local Government Association of Tasmania lobby the State Government, specifically Department of Economic Development and the Environment Protection Authority to address the pending environmental impacts resulting from excessive storage of used tyres in the absence of suitable recycling facility or other appropriate means of disposal.

22.1 Food Security – Derwent Valley Council

1. That the Local Government Association include food security and building food resilience in communities as a key priority in its next strategic plan.
2. That the Local Government Association works to build capacity and improve the understanding of how Local Government can facilitate and play a key role in strengthening food resilience and food security in local communities.

24.1 Pensioner Rebate Concession – Burnie City Council

That LGAT seek an amendment to the Pension Rebate Concession under the Water and Sewerage Industry (Community Service Obligations) Regulation 2009 to broaden the eligibility to those holding a Seniors Health Care Card.

24.2 Pensioner Rate Rebate – Burnie City Council

That LGAT seek an amendment to the Pensioner Rate Rebate under the Local Government (Rates and Charges Remissions) Act 1991 to broaden the eligibility to those holding a Seniors Health Care Card.

24.3 Social Enterprise – Derwent Valley Council

1. That the Local Government Association of Tasmania lobbies the Federal Government to identify social enterprise as an investment priority and fund it as such through the Regional Australia Development Fund and other such funds as appropriate.
2. That the Local Government Association of Tasmania further lobby for any changes required to the guidelines of such funds to allow social enterprise to be funded by various Federal Government funds and that this be a long term project in the period 2015-2020

24.4 Reinstatement of Funding to Tasmanian Regional Arts – Hobart City Council

That the Local Government Association of Tasmania lobby for the reinstatement of funding to Tasmanian Regional Arts.

24.5 Tasmanian Heritage Council – Hobart City Council

That the Local Government Association of Tasmania lobby the Tasmanian Heritage Council for greater coordination of heritage initiatives

24.6 Reinstatement of the ABC Tasmanian Production Unit – Hobart City Council

That the Local Government Association of Tasmania lobby for the reinstatement of the ABC Tasmanian Production Unit and its subsequent funding.

For Discussion



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17.3 GREAT LAKE COMMUNITY CENTRE LEASE (SEPARATE ATTACHMENT)

The Mayor and Deputy Mayor met with representatives from the Great Lake Community Centre regarding signing a lease. Changes made to the original lease are:

- (a) Change date from 2009 to 2013
- (b) Parties – Great Lake Community Centre C/- President Mr Michael Cousins
- (c) Remove Clause 8 as there is no longer any debt
- (d) Insert new Clause 8 inserted.

Under Clause 3.13 the GLCC is required to effect and maintain an insurance policy for the sum of \$20 Million dollars. The GLCC has requested that this be reduced to \$10 million dollars which their broker believes is sufficient.

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT

- (a) Clause 3.13 be amended by reducing \$20 million to \$10 million;
- (b) The lease be forwarded to the Great Lake Community centre Inc . for signing and sealing; and
- (c) The General Manager be authorised to sign and seal the lease on behalf of Council.

Carried

17.4 CONSERVATION COVENANTS IN THE CENTRAL HIGHLANDS (PAGE 3)

The Department of Primary Industries, Parks Water & Environment has advised that there were 721 covenants registered on private land in Tasmania under the Nature Conservation Act 2001, of which 41 are listed in the Central Highlands totalling 10,126.4 hectares. Sixteen of the Twenty-nine Tasmanian Councils provide rate rebates to these properties (typically \$5 per hectare with a minimum rebate of \$50 and a maximum rebate of \$500). If Council were to apply this rebate it would amount to \$15,770.00. Central Highlands Council does not currently provide any rebate.

For Information

18.0 SUPPLEMENTARY AGENDA ITEMS

Moved **Clr**

Seconded **Clr**

THAT Council consider the matters on the Supplementary Agenda.

Carried

19.0 COMMITTEE REPORTS

20.0 CLOSURE