



Central Highlands Council

AGENDA – ORDINARY MEETING – 21st MAY 2013

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Hamilton Council Chambers, on Tuesday 21st May 2013, commencing at 8.30am 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

Jamie Wood will be in attendance at 8.30am. Ellendale Wastewater Update

6.1 PUBLIC QUESTION TIME

7.0 MAYORAL COMMITMENTS

16 th April 2013	Council Meeting Bothwell
18 th April 2013	Fire Emergency Meeting Southern Tasmanian Councils Authority Meeting Ellendale Community Hall
19 th April 2013	Community Women's Function – Ellendale
20 th April 2013	Bothwell Football Match
21 st April 2013	Targa – Bothwell
23 rd April 2013	SES Meeting – Bothwell
24 th April 2013	Tasmanian Irrigation Update Meeting Ellendale Sewerage Workshop



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25 th April 2013	ANZAC Day Dawn Service Gretna ANZAC Day Service Hamilton
1 st – 4 th May 2013	Agfest
8 th May 2013	Forestry Plans – Hamilton Health Meeting Update
9 th May 2013	Opening of new Heritage Wing Corumbene for Derwent Valley & Central Highlands residents by Premier Lara Giddings
10 th May 2013	Handing over of Gowan Brae (Bronte) to the Tasmanian Aboriginal Community.
11 th May 2013	Bothwell Football Match
13 th May 2013	National Volunteer Week Launch Central Highlands Community Health Meeting
14 th May 2013	General Management Committee Meeting – LGAT Premier's Local Government Meeting
15 th May 2013	Learning Services South Launch
16 th May 2013	Southern Water Owners Meeting
18 th May 2013	Liawenee Fishing Weekend Central Highlands Deer Hunters Dinner
3 x Radio Interviews 1 x ABC – Leo Compton 2 x ABC – Country Hour	

7.1 COUNCILLORS COMMITMENTS

Clr A J Downie

24 th April 2013	Ellendale Waste Water Workshop
25 th April 2013	Anzac Services at Gretna and Bothwell
2 nd May 2013	Agfest
8 th May 2013	Forestry Briefings from Norske Skog and Forestry Tasmania
14 th May 2013	Planning Committee

Clr I V McMichael

18 th April 2013	CHCHSCC Ouse
24 th April 2013	CHCHSCC Meeting Ouse
25 th April 2013	Anzac Day Hamilton
1 st May 2013	CHCHSCC Meeting Ouse
8 th May 2013	Forestry Planning Hamilton



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10th May 2013 CHCHSCC Meeting Ouse

13th May 2013 CHCHSCC Meeting Ouse

Clr G L Herbert

16th April 2013 Council Meeting Bothwell

25th April 2013 Anzac Day Bothwell

14th May 2013 Planning Committee Meeting

7.2 GENERAL MANAGERS COMMITMENTS

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 16th April 2013** be received.

Carried

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 16th April 2013** be confirmed.

Carried



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**10.1 RECEIVAL
DRAFT MINUTES
PLANNING
COMMITTEE
MEETING**

Moved **Clr**

Seconded **Clr**

THAT the Draft Minutes of the **Planning Committee Meeting** of **Council** held on **Tuesday 14th May 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 REQUEST FOR
REMISSION
GARBAGE CHARGE -
10-0400-03949
\$125.63**

Ratepayer phoned the Council to request a remission on the fixed garbage charge in 2011/2012 \$59.63 & 2012/2013 \$66.00 Total \$125.63. The rate payer leases the land and has no road access for garbage to be collected and does not live in the area to access the refuse disposal sites & waste transfer stations.

For Discussion

**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



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14.1 DA 2013/2 : NICK GRIGGS & CO LAND SURVEYORS : LYELL HIGHWAY, OUSE (CT 164996/1, 164996/2 & 164996/3) : SUBDIVISION (1 NEW LOT) IN 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 lot in the Rural Zone* at "Norley" Lyell Highway, Ouse, Certificate of Title Volume 164996, Folios 1 - 4, 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.

Stock Route

2. The stock route is to be surveyed and marked on the ground at the cost of the developer.
3. Use or development that restricts the use of the stock route by parties with legal right to do so must not be carried out.

Final Plan

4. A fee as determined 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.
5. A final plan of survey and two (2) copies must be provided together with the schedule of easements as necessary.
6. 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.

Easements

7. 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

8. 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

9. 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



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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.

Rural access

10. A separate vehicle access must be provided from the road carriageway to each lot. Accesses must be 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 General Manager.
11. No works on or affecting the Lyell Highway reservation are to be commenced until the Department of Infrastructure, Energy and Resources has issued a permit for same pursuant to Section 16 of the *Roads and Jetties Act 1935*. Application for the issue of the necessary works permit is to be made to the DIER's Permit Officer (Tel: 6233 7177) at least twenty-eight (28) days prior to the proposed date of commencement of any works.

Construction amenity

12. 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. Any future access to Lot 2 from the Lyell Highway will require further approval from Council and the Department of Infrastructure, Energy and Resources.
- C. **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*.**
- 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



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14.2 DA 2013/8 :
PEACOCK DARCEY &
ANDERSON P/L: RA
7795 HIGHLAND
LAKES ROAD, MIENA:
SUBDIVISION – FOUR
LOTS & BALANCE IN
THE RURAL ZONE
AND VILLAGE 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 in the Rural Zone* at 7795 Highland Lakes Road, Certificate of Title Volume 46660, Folio 3, 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. The subdivision must be carried out in accordance with the *Central Highlands Council Subdivision Guidelines*.

Final Plan

3. A fee as determined 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.
4. A final plan of survey and two (2) copies must be provided together with the schedule of easements as necessary.
5. 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.

Easements

6. 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

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

Covenants

8. 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.



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Water Quality

9. 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

10. 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

11. 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.

DIER Condition

12. The existing unapproved access to Highland Lakes Road must be removed and the shoulder, drain and reservation reinstated to the satisfaction of DIER at the developers full cost.
13. No works on or affecting the Highland lakes Road reservation are to be commenced until the Department of Infrastructure, Energy and Resources has issued a permit for same pursuant to Section 16 of the *Roads and Jetties Act 1935*. Application for the issue of the necessary works permit is to be made to the DIER's Permit Officer (Tel: 6233 7177) at least twenty-eight (28) days prior to the proposed date of commencement of any works.

Rural access

14. A separate vehicle access must be provided from the road carriageway to each lot. Accesses must be 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 General Manager.
15. All driveway carriageways providing shared access to more than one lot must be constructed in accordance with Section 107 of the *Local Government (Buildings and Miscellaneous Provisions) Act 1993* and Council's standard drawings and to the satisfaction of Council's General Manager. Unless approved otherwise shared access must include:
 - All weather construction;
 - minimum trafficable width of 6.00 metres (Including consolidated, formed, surfaced and drained shoulders), or minimum 4.0 metres trafficable width with 2.0 metre wide by 20 metre long passing bays every 90 metres along the access otherwise;
 - stormwater drainage as required.



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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.

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.** 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.
- C.** **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*.**
- 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

**14.3 DA 2012/17:
ADVICE RECEIVED
AND STATUS
UPDATE REPORT:
BLACK SNAKE
ROAD, BOTHWELL -
SUBDIVISION OF 9
LOTS AND BALANCE**

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Central Highlands Council (Planning Authority) agrees to seek legal advice regarding the operation of the planning permit DA2012/17 given the status of Black Snake Road as a Right of User Road.

Carried



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14.8 REVIEW OF ENVIRONMENTAL HEALTH FEES & CHARGES

Recommendation

Moved **Clr**

Seconded **Clr**

THAT pursuant to Section 205 of the *Local Government Act 1993* Council resolves to adopt the following Environmental Health Activities fees and charges with the fees taking effect commencing 1st July 2013:

1	Food and Food Sampling	
1.1	All Food Businesses Registration (once only) [1]	\$40.00
1.2	Food Businesses Licence for Preparing and Selling Food (Annual)	
1.3	Low Risk Premises [2]	\$130.00
1.4	Medium Risk Premises [3]	\$240.00
1.5	High Risk Premises [4]	\$460.00
1.6	Transfer of Food Business Licence	\$130.00
1.7	Temporary Food Licence (Commercial)	\$100.00
1.8	Food Business Licence (Community Organisations)	\$25.00
1.9	Food Sampling [5]	\$90.00
1.91	Food Act 2003 Infringement Notice (see Regulations)	
2	Water, Wastewater, Environmental	
2.7	Reinspection Due to Incomplete or Faulty Work	\$140.00
2.8	Registration as User or Supplier of Water from a Private Source	\$140.00
2.9	Water Sampling Charges (analysis are extra)	\$100.00
2.91	EMPCA 1994 Infringement Notice (see Regulations)	
2.92	Environmental Protection Notices (for updating permits or to abate environmental harm)	\$210.00
3	Public Health	
3.1	Place of Assembly Licence (new or renewal)	\$110.00
3.2	Place of Assembly Licence (temporary event) [9]	\$90.00
3.3	Place of Assembly Licence (Community Organisations)	\$25.00
3.4	Registration of Premises for Public Health Risk Activity (E.g. Skin Penetration)	\$110.00
3.5	Registration of a Regulated System (E.g. Cooling Towers)	\$110.00
3.6	Hawkers Licence, Includes Kerb Side Vendors (residents)	\$45.00
3.7	Hawkers Licence (non - residents)	\$75.00
3.8	Caravans (per van per annum)	\$140.00
3.9	Public Health Act 1997 Infringement Notice (see regs)	



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Notes

- 1 All food businesses that sell any food are to be registered under the new Food Act 2003.
- 2 Premises are ranked in accordance with a Risk Classification system, low risk include B&B and cafes with no cooking.
- 3 Premises are ranked in accordance with a Risk Classification System, med risk include restaurants.
- 4 Premises are ranked in accordance with a Risk Classification System, high risk include nursing homes; there are no high risk food premises in CHC and if a premises performs well then it may move down a category.
- 5 Does not include costs of analysis

Carried

14.9 DOG REGISTRATION FEES 2013/2014

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Council adopt the following fees and charges for the 2013/2014 period:

Dog Registration Fees

Description	Paid by 31 July 2012	Paid after 31 July 2012
Domestic Dog (Desexed)	\$12.00	\$22.00
Domestic Dog (not Desexed)	\$32.00	\$52.00
Pensioner (1 st dog only)	\$7.00	\$12.00
Working Dog (used for the purpose of working farm stock) or Hunting Dog (used to flush game)	\$7.00	\$22.00
Greyhound (TGRA registered)	\$7.00	\$22.00
Special Assistance Dog (Guide Dog / Hearing Dog)	Nil	Nil
Declared Dangerous Dog	\$1000.00	\$1000.00

Kennel Licence Fees

3-5 Dogs - \$ 20.00
>5 Dogs - \$ 30.00
Renewal Fee - \$ 10.00

Impoundment Fees

Impounding Reclaim Fee (first offence) - \$20.00
Impounding Reclaim Fee (subsequent Offences) - \$40.00
Maintenance Fee \$10.00 per day



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Other Associated Fees

Formal Notice of Complaint Fee - \$10.00 (refundable)

Replacement of Registration Tag - \$5.00

Carried

14.10 DES STATUS REPORT

15.0 COMMUNITY & ECONOMIC DEVELOPMENT REPORT

Moved **Clr**

Seconded **Clr**

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

Carried

15.1 HIGHLANDS TASMANIA CENTRE

For Discussion

15.2 HIGHLANDS TASMANIA TOURING ROUTE SIGNAGE

For Discussion

15.3 DESTINATION SOUTHERN TASMANIA

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT Council approves contributions to the DST Destination Management Plan and its Digital Content Generation Strategy and that these be drawn from the Highlands Tasmania marketing and promotional budget.

Carried

16.0 WORKS & SERVICES

Moved **Clr**

Seconded **Clr**

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

Carried



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16.1 KERB &
CHANNEL –
ANGLICAN CHURCH,
BOTHWELL

For Discussion

16.2 TEMPERATURE
LOGGER – BLUFF RD

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Council allow DPIPWE to use Council land for the installation of the temperature logger.

Carried

16.3 LOWER
MARSHES BRIDGE
TENDERS

For Discussion

16.4 REPLACEMENT
OF WINDSCREEN

For Discussion

16.5 RECEIVAL OF
STATUS REPORT

Moved **Clr**

Seconded **Clr**

THAT the **Status Report** be received.

Carried

16.5.1 STATUS
REPORT
DISCUSSIONS

17.0
ADMINISTRATION



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17.1 KOLO BAND FROM POLAND

Mayor Flint has requested this item be placed on the agenda:

Kolo Band – From Poland

The Kolo Band will be visiting Tasmania from the 17th July 2013; they will be performing in the Hobart City Pageant and also at MONA.

The Mayor and the General Manager suggested that it would be a draw card to have them play on the Sunday at the Bothwell Recreational Ground during the Council's Fishing, Hunting and Camping Expo.

They have requested that they have a look through a Hydro Station that their fellow countrymen were pivotal in building after WWII.

I have spoken to the CEO at Hydro Tasmania and he would be delighted to accommodate this request and I have also spoken to Mrs Gwen Hardstaff an expert in this area of the Lakes.

There has been no firm commitment made by me, but I thought it was important to see if key players were available if this trip goes ahead.

For Discussion

17.2 STCA ANNUAL PLAN (PAGES 1 – 23)

For Information

17.3 PROPOSED UTILISATION OF WAYATINAH GOLF CLUB HOUSE (PAGES 24-30)

The Wayatinah Sports & Social Club have written to Council requesting approval to commence restoration works on the Wayatinah Golf Club House, and have requested that they be able to lease the building from Council. They have also asked for \$1000 to assist with the commencement of the project.

For Discussion

17.4 HIRE OF BOTHWELL RECREATION GROUND (PAGE 31)

A letter has been received from the Apple Islanders Motor Home Club requesting the use of the Bothwell Football Clubrooms from 11th – 13th October 2013 to hold their monthly rally for approximately 15-18 vans. They will not need use of the oval, just access to toilets and a room to shelter. The Committee have offered to hire the venue at a cost of \$230 for the weekend.

For Discussion



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17.5
CONSTITUTIONAL
RECOGNITION FOR
LOCAL
GOVERNMENT
(PAGES 32 – 39)

For Discussion

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