



Central Highlands Council

AGENDA – ORDINARY MEETING – 13th DECEMBER 2010

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Bothwell Council Chambers, on Monday 13th December 2010, commencing at 9.15am.

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 IN ATTENDANCE

5.0 PUBLIC QUESTION TIME

6.0 MAYORAL COMMITMENTS (25)

- | | |
|---|---|
| Tuesday 16 th
November 2010 | <ul style="list-style-type: none"> • Council Meeting – Hamilton • Retirement Function for Ms Belinda Hean |
| Wednesday 17 th
November 2010 | <ul style="list-style-type: none"> • General Members meeting – LGAT |
| Saturday 20 th
November 2010 | <ul style="list-style-type: none"> • Great Lake Community Centre meeting |
| Tuesday 23 rd
November 2010 | <ul style="list-style-type: none"> • Ten Days on the Island Launch |
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|---|--|
| Wednesday 24 th
November 2010 | <ul style="list-style-type: none">• Shane Hawkes –NAB meeting with General Manager• Women in Tourism meeting |
| Thursday 25 th
November 2010 | <ul style="list-style-type: none">• Rob Higgins, Gillian Brown, Brighton Council meeting with General Manager |
| Tuesday 30 th
November 2010 | <ul style="list-style-type: none">• Gretna Volunteer Fire Brigade – Celebration of Juniors State win |
| Thursday 2 nd
December 2010 | <ul style="list-style-type: none">• Ellendale Hall Committee Meeting |
| Friday 3 rd
December 210 | <ul style="list-style-type: none">• UTAS Health Function |
| Saturday 4 th
December 2010 | <ul style="list-style-type: none">• Hamilton Christmas Market (Playground Fundraiser)• Derwent Valley Concert Band – Hamilton Hall• Ouse Country Club – Pre Christmas Dinner |
| Monday 6 th
December 2010 | <ul style="list-style-type: none">• Australasian Golf Museum Meeting• Wade Gleeson, Gretna Cricket Club meeting with Economic Development Officer• New Norfolk District School Presentation Ceremony |
| Tuesday 7 th
December 2010 | <ul style="list-style-type: none">• Southern Water Workshop• Interviews – Finance Manager |
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- | | |
|--|--|
| Wednesday 8 th
December 2010 | <ul style="list-style-type: none">• Go Highlands! Function• Meeting with General Manager & Manager Metro re: Bothwell bus service |
| Thursday 9 th
December 2010 | <ul style="list-style-type: none">• Water & Sewerage – Owners meeting• Southern Tasmanian Council's Authority meeting• Ouse District School – Presentation night |
| Saturday 11 th
December 2010 | <ul style="list-style-type: none">• Great Lake Community Centre – Children's Christmas Party |
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6.1 COUNCILLORS COMMITMENTS

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|--|--|
| Clr A W Bailey
16 th November 2010
1 st December 2010

9 th December 2010 | Council meeting – Hamilton
Westerway Primary School Hall Opening
By Dick Adams M.H.R
Presentation – Ouse District School |
| Clr L M Triffitt
16 th November 2010
15 th November 2010
7 th December 2010
8 th December 201 | Council meeting – Hamilton
Miena Brochure Launch
Onstream Workshop
Onsite meeting – Bothwell Cemetery with
Council staff |
| Clr A J Downie
17 th November 2010

25 th November 2010

1 st December 2010

7 th December 2010
–
9 th December 2010
9 th December 2010 | Australians of the year – Tasmania
Division at Meadowbank winery
Southern Waste AGM and General
Meeting –Clarence
Westerway Primary School Hall Opening
By Dick Adams M.H.R
Onstream and Southern Water Workshop
Hamilton
Bothwell School End of year Presentation
Ouse School - End of year presentation |
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6.2 GENERAL MANAGER'S COMMITMENTS

16 th November 2010	Council Meeting – Hamilton
24 th November 2010	Shane Hawkes – NAB MEGT
25 th November 2010	Robert Higgins & Gillian Brown – Brighton Council
30 th November 2010	Grant Douglas & Geoff Frier – Community Road Safety Partnership, Zara Gerven & Jason Branch in attendance
6 th December 2010	General Managers meeting with Southern Water
7 th December 2010	Workshop – Onstream Interviews – Finance Manager
8 th December 2010	Meeting with Anthony James – Metro Meeting with Zara Gerven & Anne Langham – Department of Economic Development
9 th December 2010	STCA

6.3 NOTIFICATION OF COUNCIL WORKSHOPS

6.4 MAYORAL ANNOUNCEMENTS

6.5 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.

6.6 APPLICATIONS FOR LEAVE OF ABSENCE



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7.0 MINUTES

7.1 RECEIVAL MINUTES ORDINARY MEETING

Moved Cllr

Seconded Cllr

THAT the minutes of the **Ordinary Meeting** of **Council** held on **Tuesday 16th November 2010** be received.

Carried

7.2 CONFIRMATION OF MINUTES ORDINARY MEETING

Moved Cllr

Seconded Cllr

THAT the minutes of the **Ordinary Meeting** of **Council** held on **Tuesday 16th November 2010** be confirmed.

Carried

7.3 BUSINESS ARISING

7.4 COMMUNITY & ECONOMIC DEVELOPMENT REPORT

Moved Cllr

Seconded Cllr

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

Carried

7.4.1 AUSTRALIA DAY 2011

7.4.2 GRANTS

7.4.3 UNIVERSITY OF TASMANIA CORPORATE INTERNSHIP PROJECTS

7.4.4 AUSTRALIAN INSTITUTE OF AGRICULTURAL SCIENCE & TECHNOLOGY WORKSHOP



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7.4.5 CENTRAL
HIGHLANDS COUNCIL
TOURISM ACTION
COMMITTEE

7.4.6 BOTHWELL DISTRICT
HIGH SCHOOL HEALTHY
LUNCH PROGRAM

7.4.7 COMMUNITY ROAD
SAFETY PARTNERSHIPS

7.4.8 RIVERS RUN/WILD
WAY SIGNAGE

7.4.9 COUNCIL NOTICE
BOARDS

7.4.10 COUNCIL
COMMUNICATION WITH
COMMUNITY

8.0 WORKS & SERVICES

Moved Cllr

Seconded Cllr

THAT the Works & Services Report be received.

Carried

8.1 DANGEROUS TREE AT
WESTERWAY

8.2 CLARENDON ROAD

8.3 ELLENDALE RAIN
DAMAGE



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9.0 FINANCE REPORT

Moved **Clr**

Seconded **Clr**

THAT the Finance Report be received.

Carried

9.1 DISCUSSION

10.0 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

10.1 STATUTORY STATUS OF SIGNAGE

10.2 DA 2010/36 : S
VAUGHAN (OBO SG & S
CHAFFEY) : CT 138542/4
MEADOWBANK ROAD,
MEADOWBANK :
ADDITIONS TO EXISTING
CARAVAN PARK (SIX NEW
CARAVAN SITES)

10.3 CENTRAL HIGHLAND
COUNCIL : BOTHWELL
RECREATION GROUND,
HOLLOW TREE ROAD,
BOTHWELL : SUBDIVISION
EXEMPTION



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10.4 DRAFT DOG MANAGEMENT PLAN

10.5 TRANSFER OF UNFORMED ROADWAY AT BOTHWELL : CROWN TO CENTRAL HIGHLANDS COUNCIL

10.6 PROPOSED AMENITIES AT DERWENT BRIDGE

10.7 UPGRADING OF GRAVESIDE – BOTHWELL CEMETERY

To be tabled

16.0 COMMITTEE

Regulation 15 of the Local Government (Meeting Procedures) regulations 2005 provides that Council may consider certain sensitive matters in 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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16.1 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

16.2 MOTION OUT OF COMMITTEE

Moved **Clr**

Seconded **Clr**

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

Carried

11.0 ADMINISTRATION

11.1 RECREATIONAL LAKES COMMITTEE UPDATE

Concerns have been raised as to the relevance of the Recreational Lakes Committee and its benefits to Council.

Mayor Flint would like Councillors views and input. Clr G Herbert is Council's delegate on this Committee.

For discussion



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11.2 COMPETITIVE NEUTRALITY COMPLAINT – CENTRAL HIGHLANDS COUNCIL CARAVAN PARKING AREA AT HAMILTON

A complaint has been made by Mr McMillan of the Wayatinah Lakeside Caravan Park alleging that Council is contravening the competitive neutrality principles (CNP's) by not employing full cost attribution in setting its fees for caravan parking at the Hamilton caravan site. As a result, the Economic Regulator has decided to commence a formal investigation into the complaint.

Council is required to respond to the Economic Regulator by 31st December 2010.

- 1) Within 30 days after receiving a copy of a complaint and notice of the Regulator's intention to investigate it under section 52, the prescribed body must provide the Regulator with a written reply to the complaint that –
 - a) Specifies the belief of the prescribed body as to whether the complaint is justified, partly justified or not justified; and
 - b) In the case of a belief that the complaint is justified or partly justified, specifies whether the prescribed body proposes to take any action to stop any ongoing contravention of the national competition policy competitive neutrality principles which was the subject of the complaint or to ensure that such a contravention does not occur again' and
 - c) In the case of a belief that the complaint or part of the complaint is not justified, sets out the grounds on which that belief is based.
- 2) A reply that specifies that a complaint is justified or partly justified may include recommendations for the alteration of the application of the national competition policy competitive neutrality principles and other recommendations that the prescribed body considers appropriate.

Council is also to advise whether it has considered and/or has applied full cost attribution to the pricing of the services provided.

Council is to provide the following information for the camping ground:

All direct costs including costs associated with:

- Salaries of staff involved in activities directly related to the provision of the service;
- Materials and repairs or maintenance on assets associated with the site;
- Land tax, rates and insurance (where these are payable and directly identifiable with the caravan site);
- Enforcement costs



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- Other site maintenance costs eg rubbish collection and
- Depreciation on assets associated with the site.

All indirect (overhead) costs including:

- A description of the methodology for the allocation of all overheads and shared services eg staff salaries where staff perform duties in relation to this service and other council services, corporate service staff salaries;
- Insurance (including public liability insurance);
- Land tax (if this is payable but for which there is not an itemised assessment for the relevant land parcel).

All competitive neutrality costs, as described earlier in this letter, including the rate of return on assets provided (or profit margin) and a provision for rates and land tax if these are not actually incurred by the Council.

For discussion

11.3 FINANCIAL & ASSET MANAGEMENT PLANNING (PAGES 1-2)

Mayor Flint and the General Manager have had discussion with Brighton Council regarding implementation of integrated financial and asset management planning (this is a part of the Federal and State Governments return agenda for Local Government).

Brighton Council has also approached Tasman, Glamorgan Spring Bay, Break O'Day and Flinders Council's seeking in principal support to enable a joint submission to be developed and submitted to LGAT and other suitable bodies for funding to assist in the collection and management of asset data.

Recommendation:

Moved Clr

Seconded Clr

THAT Central Highlands Council give in principal support for Brighton Council to develop a joint submission for funding assistance for the collection and management of asset data as part of the Federal and State Governments reform agenda for Local Governments to implement integrated financial and asset management planning.

Carried



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11.4 WATER & SEWERAGE – ASSET REVOLUTION (SOUTHERN WATER) (PAGES 3-5)

During the reform implementation of Water and Sewerage, it was agreed with Council's that initial equity shares could be reassessed on the basis that the corporation undertake an asset revaluation within the first 12 months of operation. Treasury has modelled the potential impacts on individual Council's returns using corporate plan forecasts and equity shares based on DORC local asset valuations (1 of the 3 approaches used by KPMG).

Treasury is to advise the Treasurer as to how, if at all, the allocation order should be changed to reflect the outcome of the asset revaluation reserve.

Under the 2009 allocation order the forecast return to Central Highlands Council is \$23,000 total for 2012 and 2013 financial year as against \$31,000 forecast total for the same years based on the Draft 2010 Allocation Order.

Treasury is seeking Council's view on the following options:

- 1) Do nothing on the assertion that the changes are not material. This may not be acceptable to those Council's standing to gain from revised equity shares. Also, it would not keep faith with the original undertaking with Local Government.
- 2) Change the allocation order to reflect the revised equity shares. This may draw criticism from those Council's that stand to lose financially. However, making the changes now will be in-keeping with the approach agreed with Local Government through the Implementation Joint Steering Committee process.
- 3) Change the Allocation Order at a later point within the five year transition period. It could also be argued that this approach is not in keeping with the process agreed with Local Government because if there are changes to be made based on the asset revaluation they should arguably occur when they become agreed. Furthermore, the choice of timing would be arbitrary.

Recommendation:



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Moved Clr

Seconded Clr

THAT Treasury be advised that Council supports Option 2 - Change the allocation order to reflect the revised equity shares. This may draw criticism from those Council's that stand to lose financially. However, making the changes now will be in-keeping with the approach agreed with Local Government through the Implementation Joint Steering Committee process.

Carried

**11.5 ELLENDALE
OUTDOOR GYM
EQUIPMENT
(PAGES 6-10)**

Equipment has been donated by Island Recreation and won for the community through the efforts of the Ellendale Heart Foundation Walking Group.

Mary Downie, Health Promotion Officer, Central Highlands Regional Health Service held a community meeting on Tuesday 23rd November 2010 at Ellendale. The meeting decided to plan the equipment as indicated on the attached map. Mary is seeking the community's acceptance of the location and Council's approval to place the equipment in the Ellendale Park.

Recommendation:

Moved Clr

Seconded Clr

THAT permission be granted to place 2 pieces of outdoor gym equipment in the Ellendale Park at the sites approved by the majority of residents as indicated by the survey undertaken by Mary Downie.

Carried



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11.6 REVIEW OF ANZAC DAY OBSERVANCE ACT 1929 (11- 19)

The Department of Treasury and Finance is currently undertaking a review of the Anzac Day Observance Act 1929.

A Consultation Paper seeking responses to the following questions has been released:

1. Do you think the observance of Anzac Day should be set out in Tasmanian legislation?
2. Does the Act need to prescribe that Anzac Day is to be observed as a national holiday?
3. Do you think there should be any restrictions on certain activities on Anzac Day?
4. If so:
 - a) Do you agree that the restriction should apply just to activities that draw paying crowds?
 - b) What activities should be restricted and at what time should they be allowed to recommence?
5. Is the current Act clear as to what is and is not restricted, or is further clarification required?
6. Do you think there is still a role for the Anzac Day Trust and Fund?
7. Do the current arrangements for providing funding to support veterans need to be in legislation or should it be through the standard State Government Budget process?
8. Do you think shops should be restricted from trading on any part of Anzac Day?
9. If so:
 - a) Do you think that the restrictions should apply to shops above a certain size?
 - b) Do you think that the current restrictions in the Shop Trading Hours Act are appropriate?
10. Should markets be restricted on part of Anzac Day?



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Comments close on Friday 17th December 2010 and will be placed on the Department of Treasury and Finance's Website.

For discussion

11.7 LOCAL GOVERNMENT REPRESENTATION LOCAL GOVERNMENT BOARD (PAGES 20-23)

The current appointments to the Local Government Board will expire on the commencement of amendments to the Local Government (Local Government Board) Act 2009 expected to be 1st January 2011.

LGAT has been requested by the Minister for Local Government to provide three nominations. The current Local Government representative is Mrs Lynn Mason and it is the intent of LGAT to renominate Mrs Mason along with a further two nominations from Councils.

LGAT is inviting nominations from people who have knowledge and experience of Council operations and are non-current serving officers or elected members. A statement in support of Nomination Form and Curriculum Vitae are to be submitted to LGAT by Friday 7th January 2010.

For information

11.8 LOG TRUCKS – ELLENDALE ROAD (PAGES 24-25)

An email was received from Beverley and Tony Armstrong on 4th November 2010 regarding excessive noise caused by log trucks using Ellendale Road late at night. Council's Works and Services Manager spoke with Mr and Mrs Armstrong.

Mrs Armstrong has written to Council outlining her concerns and suggesting that, when issuing permits, Council take into consideration any noise/disturbance issues that may occur.

For discussion



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11.9 LOWER FARM ROAD (PAGES 26-27)

Mr Anthony Archer has written requesting that Council either upgrade Lower Farm Road which provides access to his property “Lower Farm” or vest the road in the owner of “Lower Farm” and he will undertake the necessary upgrading himself.

He has 2 dams proposed for Bark Hut Creek and the road will provide access to heavy earth moving equipment and staff access daily during construction. He admits that it will be necessary to widen the road in some areas and provide stock grids and crossings for irrigation equipment.

Mr Archer advises the road is currently in an unsafe state for even normal vehicle access. He would like Council to grade and pothole the road in any case.

For discussion

11.10 BOTHWELL LICENSED ANGLERS CLUB (PAGES 28)

The Anglers Club is seeking Council’s permission to use the Bothwell Recreation Ground on Saturday 3rd February 2011 from 5pm for 3 to 4 hours to hold a barbeque. The Club is seeking a waiver of the hiring fee as the Bothwell Licensed Anglers is a small non-profit club focusing on junior anglers.

For discussion

12.0 STATUS REPORT

12.1 RECEIVAL

Moved **Clr**

Seconded **Clr**

THAT the Status Report be received.

Carried

12.2 STATUS REPORT DISCUSSIONS

13.0 COMMITTEE REPORTS



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14.0 ADDITIONAL AGENDA
ITEMS

15.0 COUNCILLOR
FUTURE AGENDA ITMES

17.0 CLOSURE
