



Central Highlands Council

AGENDA – ORDINARY MEETING – 16th February 2010

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Bothwell Council Chambers, on Tuesday 16th February 2010, commencing at 9.00am.

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 IN ATTENDANCE

Roger & Garry Bartels, Burnie re: Black Snake Lane

9.30-9.45 Go Highlands Presentation

5.0 PUBLIC QUESTION TIME

6.0 MAYORAL COMMITMENTS

Tuesday 19th
January 2010

- Council meeting – Hamilton

Friday 22nd
January 2010

- Premier Bartlett, Australia Day Function

Monday 25th
January 2010

- Director of Local Government – Ms Jessie Byrne
-



Central Highlands Council

AGENDA – ORDINARY MEETING – 16th February 2010

-
- | | | |
|--|------------------|---|
| Tuesday
January 2010 | 26 th | <ul style="list-style-type: none">• Central Highlands Australia Event, Crockers Alley – Bothwell |
| Wednesday
January 2010 | 27 th | <ul style="list-style-type: none">• Site Inspection – Gretna Recreation Ground |
| Tuesday
February 2010 | 2 nd | <ul style="list-style-type: none">• David Lovell, CEO Southern Tasmanian Council Authority, Deputy Mayor A J Downie also in attendance |
| Wednesday
February 2010 | 3 rd | <ul style="list-style-type: none">• Hon, Rene Hidding MHA re: Council's requirement to be included in the Liberal Party Policy – Election |
| Thursday
February 2010 | 4 th | <ul style="list-style-type: none">• Public Fire Update – Tas Fire Service |
| Friday 5 th February
2010 | | <ul style="list-style-type: none">• Housing Tasmania – Ms Mary Blackwell (Units Ouse)• Consultative – health Committee Meeting – Ouse |
| Saturday
February 2010 | 6 th | <ul style="list-style-type: none">• Public Fire Briefings – Ouse and Hamilton• Inspection on site of fire damage Kingsholme, Ellendale |
| Sunday
February 2010 | 7 th | <ul style="list-style-type: none">• Premier Bartlett, Media Announcement – Roads Funding |
| Friday 12 th February
2010 | | <ul style="list-style-type: none">• Mr Peter Lorraine – Central Highlands Health Centre – General Manager in attendance |
-



Central Highlands Council

AGENDA – ORDINARY MEETING – 16th February 2010

-
- | | | |
|---------------------------|------------------|--|
| Saturday
February 2010 | 13 th | <ul style="list-style-type: none">• Welcome to guests – Country Women’s Association – Bothwell• Several phone conversations with Housing Tasmania on Units at Ouse• Regular updates/briefings Tas Fire Service• Regular radio interviews re: the fires |
|---------------------------|------------------|--|
-

6.1 COUNCILLORS COMMITMENTS

Clr A J Downie	
22 nd January 2010	SWSA workshop -Hobart
26 th January 2010	Australia Day - Bothwell
27 th January 2010	Waste terms of reference – Bothwell
2 nd February 2010	STCA Tourism meeting
4 th February 2010	Southern Midlands Council Building - Oatlands

6.2 GENERAL MANAGER’S COMMITMENTS

Tuesday 19 th January 2010	Council Workshop - Hamilton
Tuesday 19 th January 2010	Council meeting - Hamilton
Friday 12 th February 2010	Mr Peter Lorraine – Central Highlands Health Centre

6.3 MAYORAL ANNOUNCEMENTS

6.4 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.

6.5 APPLICATIONS FOR LEAVE OF ABSENCE



Central Highlands Council

AGENDA – ORDINARY MEETING – 16th February 2010

8.4 LEESON'S ROAD DRAINAGE ISSUES

8.5 BOTHWELL CEMETERY

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 DA 2009/60 : DPIPWE : 295 & 297 BRONTE LAGOON ROAD, BRONTE PARK : SUBDIVISION (BOUNDARY ADJUSTMENT)

10.2 BLACK SNAKE ROAD



Central Highlands Council

AGENDA – ORDINARY MEETING – 16th February 2010

10.3 WASTE MANAGEMENT COMMITTEE OF COUNCIL : TERMS OF REFERENCE

10.4 WASTE TRANSFER STATION RECYCLING : CENTRAL LAKES AREA

11.0 ADMINISTRATION

11.1 LGAT GENERAL MANAGEMENT COMMITTEE (PAGE 1-3)

The Tasmanian Electoral Commission has written to Council advising that nominations for the election of six members of the General Management Committee for a two-year term are invited from LGAT members and must be received by Wednesday 24th May 2010. The President is not up for election as their term expires in 2012.

Mayor Deirdre Flint is currently a representative on the general Management Committee.

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Council nominate Mayor Deirdre Flint as a candidate for election as a member of the General Management Committee for the Local Government Association of Tasmania.

Carried



Central Highlands Council

AGENDA – ORDINARY MEETING – 16th February 2010

11.2 APPOINTMENT OF ACTING GENERAL MANAGER

In accordance with Section 61(6) of the Local Government Act 1993, the Mayor appointed Robert Higgins as the Acting General Manager on 1st February 2010. It is further specified in Section 61(6)(a) of the Act that this appointment must be confirmed at the next Ordinary Council meeting.

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Council resolve to confirm the appointment of Robert Higgins as Acting General Manager from 1st February 2010 to 5th February 2010.

Carried

11.3 BOTHWELL POLICE PADDOCK (PAGE 4)

The Lions Club of Bothwell and Districts has advised Council that they are no longer in a position to carry out any upgrading or maintenance work to the Police Paddock site.

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Council write a letter of thanks to the Lions Club for their efforts at Croakers Alley over the past several years.

Carried

11.4 AMENDMENT TO STCA RULES ON VOTING (PAGE 5-20)

The STCA have requested Council resolve to agree to change the rules of the STCA on voting and specifically, Rule 24.

A special meeting of the Authority was held on 14th January 2010 where the proposed change was unanimously endorsed (eleven of the twelve Councils attended). The Authority has sought a legal opinion about the proposed change.

The proposed wording of Rule 24 is:

“A question arising at a meeting of the Board is to be determined by an absolute majority, each Board Representative being entitled to cast one vote only.



Central Highlands Council

AGENDA – ORDINARY MEETING – 16th February 2010

- a. A tied vote results in the question being determined in the negative.
- b. A vote is to be taken in such a manner as the chairman directs.
- c. The chair does not have a second or casting vote.”

The existing wording of Rule 24 is:

- (1) A question arising at a Board meeting in relation to the functions of the Authority is to be determined by consensus agreement of the Board Representatives present.
 - (a) A consensus agreement is to be determined in such a manner as the chairman directs.
 - (b) A declaration by the chairman that a resolution has been carried or lost by consensus agreement of Board Representatives, and an entry to that effect in the minutes of the meeting is conclusive evidence of the fact.
- (2) A question arising at a meeting in relation to the exercise of the powers of the Authority is to be determined by a simple majority, each Board Representative being entitled to cast one vote only.

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Council resolve to change the Rules of the Southern Tasmanian Council's Authority by replacing the existing Rule 24 with the following:

24. Voting

“A question arising at a meeting of the Board is to be determined by an absolute majority, each Board Representative being entitled to cast one vote only.

- a. A tied vote results in the question being determined in the negative.
- b. A vote is to be taken in such a manner as the chairman directs.
- c. The chair does not have a second or casting vote.”

Carried



Central Highlands Council

AGENDA – ORDINARY MEETING – 16th February 2010

11.5 HERITAGE TASMANIA (PAGES 21-28)

Additional information on the legislative reforms has been provided together with a draft bill to obtain Council's feedback. (A copy of the confidential bill can be provided to Council's by Lisa if requested).

A stakeholder briefing will be held on 18th February 2010. Mayor Deirdre Flint and Cllr Andrew Downie are registered to attend.

Comments on the Draft Bill are to be submitted to LGAT by 2nd April 2010.

Recommendation

Moved **Cllr**

Seconded **Cllr**

THAT the Mayor and Deputy Mayor draft a response after attending the stakeholder briefings to be submitted to Council's March 2010 meeting for endorsement.

Carried

11.6 ANNUAL MUNICIPAL BOWLS COMPETITION (PAGES 29-31)

On behalf of Central Coast Council, LGAT have advised all Councils of the Annual Municipal Bowls Competition to be held on Friday 12th March 2010 at the Penguin Bowls Club commencing at 10.00am.

Information for the event can be obtained from the General Manager or Central Coast Council.

Recommendation

Moved **Cllr**

Seconded **Cllr**

THAT the report be received and noted.

Carried



Central Highlands Council

AGENDA – ORDINARY MEETING – 16th February 2010

11.7 MAST RECREATIONAL BOATING FUND (PAGE 32)

Marine and Safety Tasmania have advised Council that they are seeking applications under the Recreational Boating Fund until 30th April 2010 for repairs and re-building of relevant marine facilities. The Recreational Boating Manager (Peter Hopkins) has offered to meet with staff to discuss relevant projects. They have further indicated that most works are jointly funded between Council and MAST which of course ensures their funding is more widely utilised.

For discussion

11.8 WATER & SEWER INTERIM PRICING ORDER REVIEW (PAGES 33-60)

The LGAT have advised Council that the previous 29th January 2010 deadline for the review of the Interim Pricing Order (“IPO”) has now been extended by Treasury to the end of April 2010.

In addition, Treasury have further advised that matters relating to the merging of the four corporations into one has been removed from the terms of reference. The media release from the Treasurer is reproduced below:

“The Treasurer, Michael Aird, said today the review of the water and sewerage Interim Price Order would be extended until the end of April.

Mr Aird said he had agreed to the extension after requests from the Local Government Association of Tasmania and the Economic Regulator.

The extension will give Council’s and other interested parties more time to respond and also allow the water and sewerage corporations to provide more up-to-date information to the Economic Regulator.

However, I will be making a simple amendment to the IPO before the Government caretaker period begins in order to formalise the five per cent cap on total water and sewerage bills and protect household budgets.

Mr Aird said there was no intention to merge the four water corporations into one single body.

“Nothing could be further from my mind”, he said.

The State Government has no power to merge the corporations under the water and sewerage legislation.



Central Highlands Council

AGENDA – ORDINARY MEETING – 16th February 2010

This has become an unnecessary distraction and I will remove it from the terms of reference.

I strongly support all the water and sewerage corporations and the staff have done a fantastic job in very difficult circumstances.

The businesses are all running very well and the staff are all extremely professional and deserving of the highest praise possible.”

LGAT have further advised that they will be in contact with Council over the intervening months to continue discussions.

For discussion

11.9 MCGUIRES MARSH ROAD, OSTERLEY (PAGE 61)

Mr David Rainnie has requested that his letter be forwarded to all Councillors regarding drainage issues relative to his property.

Recommendation

Moved **Clr**

Seconded **Clr**

THAT the Works and Services Manager undertake an inspection of the drainage issue at McGuires Marsh Road near the property owned by Mr David Rainnie and undertake any work necessary to alleviate the problem.

Carried



Central Highlands Council

AGENDA – ORDINARY MEETING – 16th February 2010

11.10 STATE GRANTS COMMISSION (PAGE 62)

The State Grants Commission has advised that it has decided to not formally organise individual hearings for the 18 Councils not being visited this year. The commission is however holding a Southern Regional Seminar at the Salamanca Inn on Thursday 11th March 2010 commencing at 9.30am to provide a more in-depth explanation of it's distribution methodologies used.

Councils attendees are to register by Friday 26th February 2010.

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Council's General Manager and Finance Officer and any interested Councillors attend the State Grant Commission Southern Regional Seminar on 11th March 2010.

Carried

11.11 REQUEST FOR ASSISTANCE (PAGE 63)

The Hamilton District Agricultural Show Society is seeking assistance from Council in obtaining a Certificate of Likely Compliance for tents and marquees to be used at the 2010 Hamilton Show.

A Structural Engineer is required to issue this Certificate and the cost is approximately \$1,000.00. The Annual Show is a very successful event attracting a huge crowd.

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Council reimburse the Hamilton District Agricultural Show Society Inc an amount up to \$1,000.00 towards the cost of a Structural Engineer providing a Certificate of Likely Compliance for tents and marquees for the 2010 Hamilton Show.

Carried



Central Highlands Council

AGENDA – ORDINARY MEETING – 16th February 2010

11.12 USE OF TRUCK WASH – BOTHWELL (PAGE 64)

My Michael Mundy is seeking permission to use Council's truck wash facility at the Bothwell Depot out of hours for the purpose of washing down his truck.

The issue of access to the truck wash was discussed at Council's January meeting. It was agreed that only Bothwell Freighting Services have access out of hours to the truck wash, to wash their stock trailers out (a long standing agreement).

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Mr Mundy be advised that Council is unable to give approval for access to Councils truck wash after hours.

Carried

11.13 SOUTHERN TASMANIA COUNCILS AUTHORITY (SEPARATE ATTACHMENT)

The STCA have forwarded Minutes of a meeting of the Southern Waste Strategy Authority held on 19th January 2010 and comments on terms of reference for the review of the interim price order for the Tasmanian Water and Sewerage sector.

For noting

11.14 USE OF TRADITIONAL ABORIGINAL NAMES/WORDS FOR NAMING OF TASMANIAN STREETS (PAGE 65)

Kate Hiscock from the Local Government Association is the Local Government representative on the Nomenclature Board for Tasmania.

The Board has asked Kate to canvas Council's views on the use of traditional Aboriginal names or words for the naming of streets (including roads, avenues etc) in Tasmania.

Responses are required by 24th February 2010.

For discussion

11.15 DERWENT BRIDGE CHALETS & STUDIOS – PROPOSED PUBLIC TOILET AND TOURIST RECYCLING – DERWENT BRIDGE (PAGE 66)

Mayor Flint requested this be on Agenda.



Central Highlands Council

AGENDA – ORDINARY MEETING – 16th February 2010

**11.16 DERWENT BRIDGE
CHALETS & STUDIOS –
COUNCIL FUNDING FOR
ZONE MARKETING
OFFICER (PAGE 67-72)**

Mayor Flint requested this be on Agenda.

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**

**14.0 ADDITIONAL AGENDA
ITEMS**

**15.0 COUNCILLOR
FUTURE AGENDA ITMES**

16.0 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



Central Highlands Council

AGENDA – ORDINARY MEETING – 16th February 2010

- 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.

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

17.0 CLOSURE