



# Central Highlands Council

## AGENDA – ORDINARY MEETING – 19<sup>th</sup> January 2010

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Hamilton Council Chambers, on Tuesday 19<sup>th</sup> January 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

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### 2.0 PRESENT

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### 3.0 APOLOGIES

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### 4.0 IN ATTENDANCE

9.45am – Steven Joyce

(Page 1-2)

10.00am – Paul Fergusson - Tasmanian Olive Enterprises – Refer to attachment (page 1-2)

10.15am - John Rochfort – Nant Distillery

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### 5.0 PUBLIC QUESTION TIME

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### 6.0 MAYORAL COMMITMENTS

Tuesday 8<sup>th</sup>  
December 2009

- Annual General Meeting
- Ordinary Council Meeting - Bothwell

Wednesday 9<sup>th</sup>  
December 2009

- Mr Richard Shoobridge – Norske Skog
  - Professor Brian Dollery
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# Central Highlands Council

## AGENDA – ORDINARY MEETING – 19<sup>th</sup> January 2010

Thursday 10<sup>th</sup>  
December 2009

- Southern Tasmanian Council's Authority Local Government Board Consultation re: Voluntary Mergers
- Gretna Volunteer Fire Brigade Christmas Function

Friday 11<sup>th</sup>  
December 2009

- Bothwell Lions Club community Christmas Carols
- Presentation Ceremony of Community gift to Mr & Mrs Peter Birchall

Monday 14<sup>th</sup>  
December 2009

- Graduation Ceremony UTAS faculty of Business
- Special Council Committee meeting

Tuesday 15<sup>th</sup>  
December 2009

- Ouse District School Presentation of Awards

Wednesday 16<sup>th</sup>  
December 2009

- LGAT General Management Committee meeting.
- Premier's Local Government Council meeting.
- Christmas Function for members of the General Management Committee LGAT.

Friday 18<sup>th</sup>  
December 2009

- Southern Tasmanian Council Authority – Workshop for lobbying parties for forthcoming state Elections.



# Central Highlands Council

## AGENDA – ORDINARY MEETING – 19<sup>th</sup> January 2010

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| Monday 21 <sup>st</sup><br>December 2009    | <ul style="list-style-type: none"><li>• Ellendale Community meeting – 22 in attendance, Deputy Mayor Andrew Downie also in attendance.</li></ul>                                 |
| Wednesday 23 <sup>rd</sup><br>December 2009 | <ul style="list-style-type: none"><li>• Central Highlands Council – Staff Christmas Function – Bothwell</li></ul>  |
| Monday 11 <sup>th</sup><br>January 2010     | <ul style="list-style-type: none"><li>• Ellendale Public meeting Re: Future of Community Hall.</li></ul>   |
| Thursday 14 <sup>th</sup><br>January 2010   | <ul style="list-style-type: none"><li>• ACM Southern Tasmanian Council Authority</li><li>• Special meeting – Southern Tasmanian Council Authority re: Resource Sharing</li></ul> |
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### 6.1 COUNCILLORS COMMITMENTS

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| <b>Clr T H Jacka</b><br>8 <sup>th</sup> December 2009<br>10 <sup>th</sup> December 2009  | Council Meeting – Bothwell<br>Local Government Board Consultation,<br>Voluntary Merger of Councils – Grand<br>Chancellor Hotel, Hobart |
| 21 <sup>st</sup> December 2009   | Public “Meet the Councillor meeting –<br>Ellendale Hall  |
| 8 <sup>th</sup> January 2010   | Meeting with Ellendale Fire Brigade  |
| <b>Clr I V McMichael</b><br>8 <sup>th</sup> December 2009<br>15 <sup>th</sup> December 2009<br>15 <sup>th</sup> December 2009<br>11 <sup>th</sup> January 2010 | Council meeting – Bothwell<br>Special Council Meeting - Bothwell<br>Ouse School Presentations<br>Ellendale Hall meeting                |
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# Central Highlands Council

## AGENDA – ORDINARY MEETING – 19<sup>th</sup> January 2010

### 6.2 GENERAL MANAGER'S COMMITMENTS

Tuesday 8 <sup>th</sup> December 2009	Council Meeting - Bothwell
Wednesday 9 <sup>th</sup> December 2009	Meeting – Norske Skog
Thursday 10 <sup>th</sup> December 2009	Voluntary Merger of Councils.
Thursday 10 <sup>th</sup> December 2009	STCA Meeting
Tuesday 15 <sup>th</sup> December, 2009	Ouse District School Awards Presentations
Friday 18 <sup>th</sup> December, 2009	Southern Water Owners Meeting
Monday 11 <sup>th</sup> January, 2010 Residents re:	Meeting Ellendale Ellendale Hall

### 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

### 7.0 MINUTES

### 7.1 RECEIVAL MINUTES ORDINARY MEETING

Moved **Clr**

Seconded **Clr**

**THAT** the minutes of the **Ordinary Meeting** of **Council** held on **Tuesday 8<sup>th</sup> December 2009** be received.

**Carried**



# Central Highlands Council

## AGENDA – ORDINARY MEETING – 19<sup>th</sup> January 2010

### 7.2 CONFIRMATION OF MINUTES ORDINARY MEETING

Moved Cllr

Seconded Cllr

**THAT** the minutes of the **Ordinary Meeting** of **Council** held on **Tuesday 8<sup>th</sup> December 2009** be **confirmed**.

**Carried**

### 7.3 RECEIVAL MINUTES SPECIAL MEETING

Moved Cllr

Seconded Cllr

**THAT** the minutes of the **Special Meeting** of **Council** held on **Tuesday 15<sup>th</sup> December 2009** be **received**.

**Carried**

### 7.4 CONFIRMATION OF MINUTES SPECIAL MEETING

Moved Cllr

Seconded Cllr

**THAT** the minutes of the **Special Meeting** of **Council** held on **Tuesday 15<sup>th</sup> December 2009** be **confirmed**.

**Carried**

### 7.5 BUSINESS ARISING

### 8.0 WORKS & SERVICES

Moved Cllr

Seconded Cllr

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

**Carried**

### 8.1 DAMAGE TO PAILING FENCE AT ELLENDALE PARK

### 8.2 BOTHWELL RECREATION GROUND

### 8.3 ADVERSE WEATHER CONDITIONS AT HAMILTON TIP



# Central Highlands Council

## AGENDA – ORDINARY MEETING – 19<sup>th</sup> January 2010

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### 9.0 FINANCE REPORT

Moved **Clr**

Seconded **Clr**

**THAT the Finance Report be received.**

**Carried**

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### 9.1 DISCUSSION

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### 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**

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**10.1 DA 2009/18 :  
PEACOCK, DARCEY &  
ANDERSON (OBO CLYDE  
RIVER HOLDINGS PTY LTD  
AND MARY RAMSAY) : P45  
DENNISTOUN ROAD & 1  
ELIZABETH STREET,  
BOTHWELL : 17 LOT  
SUBDIVISION &  
BOUNDARY ADJUSTMENT**

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**10.2 DA 2009/55 :  
ROGERSON & BIRCH  
SURVEYORS : 2 & 4  
DENNISTOUN ROAD,  
BOTHWELL : BOUNDARY  
ADJUSTMENT**

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# Central Highlands Council

## AGENDA – ORDINARY MEETING – 19<sup>th</sup> January 2010

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**10.3 DA 2009/52 : H  
HARPER : 33 WILBURVILLE  
ROAD, WILBURVILLE :  
SUBDIVISION – 1 LOT &  
BALANCE**

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**10.4 SOUTHERN  
TASMANIA REGIONAL  
PLANNING PROJECT  
UPDATE : DRAFT INTERIM  
PLANNING SCHEMES**

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**10.5 HIRE OF BOTHWELL  
RECREATION GROUND :  
BOTHWELL LICENSED  
ANGLERS CLUB**

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**10.6 ELLENDALE  
COMMUNITY HALL  
UPGRADE**

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**10.7 WASTE TRANSFER  
STATION RECYCLING :  
CENTRAL LAKES AREA**

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**11.0 ADMINISTRATION**

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# Central Highlands Council

## AGENDA – ORDINARY MEETING – 19<sup>th</sup> January 2010

### 11.1 OSTERLEY WAR MEMORIAL HALL (Page 3-10)

At Council's meeting held on 18<sup>th</sup> August 2009 the following resolution was passed.

Moved **Clr A J Downie**

Seconded **Clr J M Monks**

**THAT** Council explore the possibility of transferring the hall and land to the local Community Group for \$1.00 with Council paying all costs associated with the transfer, conditional on the property transferring back to Council if the premises is no longer used as a community hall.

**Carried**

**For the motion** Mayor D E Flint, Deputy Mayor R G Bowden, Clr L A Burke, Clr A J Downie, Clr G Herbert, Clr P F McShane, Clr J M Monks, Clr L M Triffitt, Clr H R Edgell

Ms Heather Harvey, Public Officer, Osterley War Memorial Committee Inc has advised that the Committee are happy for the land and building to be transferred to them.

Section 178 of the local Government Act 1993 prescribes the process for disposing of public land.

#### **Recommendation**

Moved **Clr**

Seconded **Clr**

**THAT** Council in accordance with Section 178 of the Local Government Act advertise its intention to transfer the Osterley War Memorial Hall, 1846 Victoria Valley Road, Osterley PID No: 5474387 to the Osterley War Memorial Hall Committee Inc.

**Carried**

### 11.2 STCA GIS PROJECT (Page 11-12)

David Hunn, Joint CEO of the Southern Tasmanian Council's Authority has advised that the GIS project has commenced with the implementations of the Report Generator. Currently investigations are underway for the acquisition of digital aerial photography for all the urban areas in Tasmania. Preliminary estimate are around \$140,000-\$150,000 for all urban areas and major towns to one metre accuracy. Southern water have committed to paying for half the project cost.





# Central Highlands Council

## AGENDA – ORDINARY MEETING – 19<sup>th</sup> January 2010

The STCA CEO is seeking approval from member Councils to exceed the \$55,000 limit on going out to public consultation and to rely on three quotes for the project (estimated to be around \$70,000 and definitely less than \$100,000).

To improve the accuracy of the digital photography from one metre to 30cm, surveyed ground control points would need to be used. This would add an extra \$60,000 to \$90,000 to the project. Council are being asked if they are happy to provide/organise their own ground control points.

The number of ground control points varies within the area being photographed:

0-15km <sup>2</sup>	– 5	6cp's
15-30km <sup>2</sup>	– 8-10	6cp's
30-70km <sup>2</sup>	- 12-18	6cp's
70-100km <sup>2</sup>	- 20-25	6cp's

I have contacted Steven Joyce, Council's representative on the GIS Group who advises that he could provide the ground control points but Council would need to borrow or hire the necessary surveying equipment.

### **For discussion**

### **11.3 REVIEW OF SHAREHOLDERS LETTER OF EXPECTATION OF SOUTHERN WATER (Page 13-33)**

The Southern Water Owners representatives are requesting submissions by 8<sup>th</sup> February 2010 on any changes that Councils think are desirable to the shareholder letter of expectation.

The revised SLE will come into effect from 1<sup>st</sup> July 2010.

### **For discussion**



# Central Highlands Council

## AGENDA – ORDINARY MEETING – 19<sup>th</sup> January 2010

### 11.4 2010 YEAR OF WOMEN IN LOCAL GOVERNMENT (Page 34-35)

The National Steering Committee for the year of Women in Local Government 2010, in conjunction with LGMA National has begun initial marketing of this occasion. Council is invited to become an official partner of the Year of Women in Local Government 2010 by pledging a contribution to assist with marketing materials and overall promotion.

Partnership contributions are as follows:

Gold partner \$2,000  
Silver Partner \$1,000  
Bronze Partner \$500.00

#### **For discussion**

### 11.5 ELLENDALE PARK SURVEY

As discussed at the December Council meeting a map and survey was prepared by the Mayor to obtain the Ellendale resident's views on the fence and siting of play equipment at the Ellendale Park.

Surveys were due for return by 12<sup>th</sup> January 2010.

The results of the survey will be tabled at Council's meeting.

### 11.6 ELLENDALE COMMUNITY (Page 36-37)

Clr Jacka has requested that this item be placed on the Agenda.

Background.

Distress within Ellendale community that despite an enormous amount of effort to assist the Council and Community, Council still "criticises" the community, suggesting that there is very little "community spirit".

Clr Jacka has attached a letter received from Anne Donaghy which needs consideration by Council.

#### **For discussion**



# Central Highlands Council

## AGENDA – ORDINARY MEETING – 19<sup>th</sup> January 2010

### 11.7 GARBAGE COLLECTION IN OSTERLEY (VICTORIA VALLEY ROAD)

Clr Jacka has requested that this item be placed on the agenda.

#### **Background**

Clr Jacka advises that he has been contacted by a resident of Osterley who has (along with several others) complained several times to Council about their garbage service, but still they are distressed that no improvement has occurred.

#### **For discussion**

### 11.8 SUPPORT FOR ELLENDALE FIRE BRIGADE IMPROVEMENTS

Clr Jacka has requested this be placed on the agenda and has provided the following background information. The Brigade wishes to improve the station by including three new showers and toilets (1 for disabled) a washing machine and dryer, basic tea/coffee microwave facility, etc. The Brigade has TFS support (financial and labour) to extend the Fire Station and to carry out work inside the station. They are seeking up to \$20,000 from Council for the purchase (only) of plumbing supplies, washing machine, etc. No labour charges are sought.

#### **For discussion**



# Central Highlands Council

## AGENDA – ORDINARY MEETING – 19<sup>th</sup> January 2010

### **11.9 COMPULSORY VOTING IN LOCAL GOVERNMENT ELECTIONS – JOINT WORKING GROUP ISSUES PAPER (Page 38-53)**

Council's are invited by the Local Government Office to provide a response on the Compulsory Voting in Local Government Elections – Joint Working Group Issues Paper by 28<sup>th</sup> February 2010. Responses will be used by the joint working group to formulate a final report and recommendations on the introduction of compulsory voting in time for the 2011 Local Government Elections.

Matters covered in the term of reference are:

- 1 The voting system
  - 1.1 Attendance and postal voting models
  - 1.2 General Managers Rolls
  - 1.3 Eligibility to vote
  - 1.4 Implications for electoral terms
- 2 The costs associated with compulsory voting
  - 2.1 The projected quantum of any increase in costs
  - 2.2 Implementation of the new costing structure
  - 2.3 By-elections
- 3 The enforcement of compulsory voting
  - 3.1 Method of enforcement
  - 3.2 Responsibility for enforcement
  - 3.3 Cost of enforcement

#### **Recommendation**

Moved **Clr**

Seconded **Clr**

**THAT** Council hold a workshop in early February to discuss and formulate a response to the views as outlined in the compulsory voting in Local Government Elections – Joint Working Group Issues Paper.

**Carried**



# Central Highlands Council

## AGENDA – ORDINARY MEETING – 19<sup>th</sup> January 2010

### 11.10 NAMING OF NEW RESERVE BOTHWELL

A suggestion box and forms were placed in the Bothwell Council Office seeking suggestions for a name for the recently purchased block of land at Barrack Street, Bothwell.

The following names have been suggested:

- Clyde Park
- Tanning Fields – Until recent earthworks, indentations in the surface were evident, we understand this area was used to prepare skins by soaking on a salt base before tanning.
- Peoples Paddock or Peoples Paddocks –To include both Council owned properties and hopefully people will take a personal interest for care of “their paddocks”.

It is proposed that the Mayor will formally announce the name of this reserve at the Australia Day Function.

#### For discussion

### 11.11 ELLENDALE HALL

A public meeting was held at Ellendale on Monday 11<sup>th</sup> January 2010 to obtain the community views on the ownership of the Ellendale Hall.

Twenty seven Ellendale residents were in attendance together with Mayor Flint (Chair), Deputy Mayor Andrew Downie, Cllr Richard Bowden, Cllr Lyn Burke, Cllr Tony Bailey, Cllr Ian McMichael and General Manager Lyn Eyles.

It was decided that Council would obtain a costing from its Solicitors to undertake identification and location of the personal representatives of the three title owners.

#### For discussion

### 11.12 INTERNATIONAL WOMEN'S DAY 2010 (Page 54-55)

The Department of Premier and Cabinet through the Community Development Division's Women Tasmanian compiles a calendar of events for organisations to advertise any events being held to celebrate International Women's Day 2010. International Women's Day is held on 8<sup>th</sup> March each year with next year (8<sup>th</sup> March 2011) being the 100<sup>th</sup> anniversary.

#### For information



# Central Highlands Council

## AGENDA – ORDINARY MEETING – 19<sup>th</sup> January 2010

### 11.13 STCA DRAFT MINUTES (Page 56-63)

Draft Minutes of the Southern Tasmanian Council's Authority meeting held on Thursday 10<sup>th</sup> December 2009 are attached.

#### For noting

### 11.14 VEHICLE CLAMPING/CONFISCATION (POLICE OFFENCES ACT 1935) LEGISLATION (page 64-67)

Vehicle Clamping/Confiscation (Police Offences Act 1935) Legislation aimed at deterring people from irresponsible and dangerous use of vehicles on roads was produced on 11<sup>th</sup> December 2009 and enables Police to clamp a motor vehicle as an alternative to confiscation. LGAT has had discussion with Tasmania Police with respect to clamping of vehicles on roadside, potentially creating issues for Councils in relation to residents concerns, road safety and parking. Tasmania Police has advised that their ideal policy will be to clamp vehicles on the owner's property wherever possible. When the vehicle owner is not in a capable state to move the vehicle to their property, the vehicle will be clamped on the roadside, but it could be arranged to have the vehicle moved at a later date.

LGAT will be liaising with Councils in a few months to seek Councils views on the implementation of the legislation.

#### For information

### 11.15 ELECTED MEMBERS SHORT PLANNING COURSE (Page 68-69)

The Local Government Association of Tasmania has advised that in conjunction with the University of Tasmania a short course for planning for elected members is proposed to be held in Launceston on 31<sup>st</sup> January 2010 with a follow up session on 28<sup>th</sup> February 2010.

The course will comprise:

Six hour introductory session involving a lecture and workshop  
Online exercises (designed to require approximately eight hours work over a four week period).

Four hour concluding session involving a lecture and workshop  
One hour on-line examination

The cost of attendance has not been finalised but will be advised in a brochure to be circulated this month.



# Central Highlands Council

## AGENDA – ORDINARY MEETING – 19<sup>th</sup> January 2010

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### Recommendation

Moved **Clr**

Seconded **Clr**

**THAT** approval be given to any Councillor wishing to attend the short planning course to be held in Launceston.

**Carried**

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### 12.0 STATUS REPORT

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#### 12.1 RECEIVAL

Moved **Clr**

Seconded **Clr**

**THAT** the **Status Report** be **received**.

**Carried**

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#### 12.2 STATUS REPORT DISCUSSIONS

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#### 13.0 COMMITTEE REPORTS

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#### 14.0 ADDITIONAL AGENDA ITEMS

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#### 15.0 COUNCILLOR FUTURE AGENDA ITEMS

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# Central Highlands Council

## AGENDA – ORDINARY MEETING – 19<sup>th</sup> January 2010

### 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.

### 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