



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Bothwell Council Chambers, on Monday 18th April 2011, commencing at 9.00am 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

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



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

16.2 MOTION OUT OF COMMITTEE

Moved **Clr**

Seconded **Clr**

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

Carried

1.0 OPENING

2.0 PRESENT

3.0 APOLOGIES

4.0 IN ATTENDANCE

10.00am - Representative from the Fox Task Force

10.15am - Neil Morrow from Inland Fisheries Service

10.30am - Michael Bidwell, Hydro

5.0 PUBLIC QUESTION TIME

DCNRM PROJECT STATUS REPORT (SEE SEPARATE ATTACHEMNT)

A project status report on activities for the current financial year has been provided by Steven Joyce and Selina Pedi.

Ongoing support of \$30,000 from Council is requested.

Recommendation

Moved **Clr**

Seconded **Clr**

THAT the Report be noted and an allocation to the Derwent Catchment NRM Committee be discussed during Council's budget deliberations.

Carried



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

6.0 MAYORAL COMMITMENTS

- | | |
|--|--|
| Tuesday 15 th March
2011 | <ul style="list-style-type: none">• Council Meeting |
| Saturday 19 th March
2011 | <ul style="list-style-type: none">• Derwent Valley Concert Band |
| Tuesday 22 nd March
2011 | <ul style="list-style-type: none">• NRM Information Session |
| Thursday 24 th March
2011 | <ul style="list-style-type: none">• ALGA Board Meeting |
| Friday 25 th March 2011 | <ul style="list-style-type: none">• Welcome 23 Permanent Ambassadors to the United Nations to Ellendale• Central Highlands Health Consultative Committee Meeting• Reception Government House |
| Saturday 26 th March
2011 | <ul style="list-style-type: none">• Presentation Night – Gretna Cricket Club |
| Sunday 27 th March
2011 | <ul style="list-style-type: none">• Hamilton Agricultural Show |
| Monday 28 th March
2011 | <ul style="list-style-type: none">• Luncheon – Parliament House – Japanese Ambassador |
| Tuesday 29 th March
2011 | <ul style="list-style-type: none">• International Women's Day – Miena |
| Wednesday 30 th March
2011 | <ul style="list-style-type: none">• Opening – Independent Living Units – Minister Michelle O'Byrne• Ten Days on the Island – Bothwell |
| Thursday 31 st March
2011 | <ul style="list-style-type: none">• Peter Morgan – GM – Tasmanian Ambulance• Miles Hampton – Southern Water and GM and Environmental Officer• Plant Meeting |



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

Friday 1 st April 2011	<ul style="list-style-type: none"> • Australian Youth Orchestra – Ten Days on the Island Function - Miena
Saturday 2 nd April 2011	<ul style="list-style-type: none"> • Mannequin Parade - Ellendale
Sunday 3 rd April 2011	<ul style="list-style-type: none"> • Ten Days on the Island – Dance Hall
Monday 4 th April 2011	<ul style="list-style-type: none"> • STCA – Water Owners Meeting
Tuesday 5 th April 2011	<ul style="list-style-type: none"> • National Youth Week Launch – Brighton
Wednesday 6 th April 2011	<ul style="list-style-type: none"> • LGAT General Meeting
Sunday 10 th April 2011	<ul style="list-style-type: none"> • Presentation Targa Trophies
Monday 11 th April 2011	<ul style="list-style-type: none"> • Welcome Students – Central Highlands Health Centre
Tuesday 12 th April 2011	<ul style="list-style-type: none"> • Tourism Meeting – Hamilton
Thursday 14 th April 2011	<ul style="list-style-type: none"> • Southern Tasmanian Council's Authority

6.1 COUNCILLORS COMMITMENTS

Clr A J Downie	
22 nd March 2011	<ul style="list-style-type: none"> • Meeting with NRM at Hamilton
30 th March 2011	<ul style="list-style-type: none"> • Community Health Centre Opening at Ouse
11 th April 2011	<ul style="list-style-type: none"> • Health Centre welcome for Medical students

6.2 GENERAL MANAGER'S COMMITMENTS

15 th March 2011	<ul style="list-style-type: none"> • Council Meeting
22 nd March 2011	<ul style="list-style-type: none"> • NRM Meeting
23 rd March 2011	<ul style="list-style-type: none"> • Quadrant Meeting
24 th March 2011	<ul style="list-style-type: none"> • MEGT Meeting



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

	25 th March 2011	<ul style="list-style-type: none"> • Central Highlands Community Health Centre Consultative Committee
	28 th March 2011	<ul style="list-style-type: none"> • Parliament House
	30 th March 2011	<ul style="list-style-type: none"> • Opening CHCHC
	31 st March 2011	<ul style="list-style-type: none"> • Meeting with Miles Hampton and Mike Paine Southern Water • Plant Committee Meeting
	4 th April 2011	<ul style="list-style-type: none"> • Southern Water Owners Meeting
	5 th April 2011	<ul style="list-style-type: none"> • Meeting Peter Morgan Tas Ambulance • Meeting Leon Carr Re: Engineering Services
	6 th April 2011	<ul style="list-style-type: none"> • LGAT General Meeting
	11 th April 2011	<ul style="list-style-type: none"> • Tourism Action Group Meeting
	14 th April 2011	<ul style="list-style-type: none"> • STCA Meeting
6.3 COMMUNITY & ECONOMIC DEVELOPMENT OFFICER'S COMMITMENTS	16th March 2011	<ul style="list-style-type: none"> • STCA Tourism Group – Oatlands
	21st March 2011	<ul style="list-style-type: none"> • Bothwell Tourism Association Meeting – Bothwell
	24th March 2011	<ul style="list-style-type: none"> • Bothwell Craft shop
	28th March 2011	<ul style="list-style-type: none"> • Tourism Operator workshop (Bill Fox Consultancy) - Brighton • Tourism Tasmania Motivation Research Presentation - Hobart • Michael Bidwell - Hydro Tasmania
	30th March 2011	<ul style="list-style-type: none"> • Anne Langman - Department of Economic Development



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

11th April 2011	<ul style="list-style-type: none">• Jen Newman - Regional Development Australia• Libby Shoobridge - ANZAC Day 2011
12th April 2011	<ul style="list-style-type: none">• Tourism Action Committee Meeting – Hamilton
13th April 2011	<ul style="list-style-type: none">• Ingrid Apsitis - University of Tasmania Corporate Internship Program• John Craven - Tour of Tasmania

6.4 NOTIFICATION OF COUNCIL WORKSHOPS

6.5 MAYORAL ANNOUNCEMENTS

6.6 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.

6.7 APPLICATIONS FOR LEAVE OF ABSENCE



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

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 15th March 2011** be received.

Carried

7.2 CONFIRMATION OF MINUTES ORDINARY MEETING

Moved **Clr**

Seconded **Clr**

THAT the minutes of the **Ordinary Meeting** of **Council** held on **Tuesday 15th March 2011** be confirmed.

Carried

7.3 RECEIVAL MINUTES PLANT COMMITTEE

Moved **Clr**

Seconded **Clr**

THAT the minutes of the **Plant Committee Meeting** of **Council** held on **31st March 2011** be confirmed.

Carried



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

7.4 BUSINESS ARISING

7.5 COMMUNITY & ECONOMIC DEVELOPMENT REPORT

Moved **Clr**

Seconded **Clr**

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

Carried

7.5.1 TOUR OF TASMANIA ROAD CYCLING CLASSIC 2011

For discussion

7.5.2 HAMILTON NOTICE BOARDS

Recommendation

Moved **Clr**

Seconded **Clr**

THAT using the allocated budget, the CEDO liaise with the Works and Services Manager in regards to the replacement of the broken notice boards.

Carried

7.5.3 DIER COMMUNITY ROAD SAFETY PARTNERSHIP

For information

7.5.4 PETER PIUSELLI COMMEMORATIVE SEAT

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Council agree to install a commemorative seat. Mrs Piuselli and the Works and Services Manager to liaise in regards to an appropriate site at Ouse.

Carried



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

7.5.5 GRANTS – TOURISM GRANT APPLICATION

Recommendation

Moved **Clr**

Seconded **Clr**

THAT

a) Council contribute \$2,000 towards the design, printing and distribution of the brochure.

b) The Central Highlands Tourism Action Committee have input into the draft and Council logo be displayed on the brochure.

Carried

7.5.6 GRANTS – COMMUNITY GRANTS APPLICATION – WAYATINAH SPORTS AND SOCIAL CLUB

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Council grant the Wayatinah Sports and Social Club \$500.00 towards the restoration of the Liapootah Clock.

Carried

7.5.7 GRANTS - COMMUNITY GRANTS APPLICATION – HIGHLANDER CENTRE

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Council grant the Highlander Centre \$500.00 towards the purchase of a raised garden bed and outdoor play equipment.

Carried

7.5.8 CURRENT GRANT PROGRAMS

8.0 WORKS & SERVICES

Moved **Clr**

Seconded **Clr**

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

Carried



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

8.1 TEST & TAG

8.2 PERMIT FOR PELHAM TIER

8.3 BUS SHELTERS

9.0 FINANCE REPORT

Moved **Clr**

Seconded **Clr**

THAT the Finance Report be received.

Carried

9.1 DISCUSSION

9.2 BANK SIGNATORIES

Council's bank signatories will need to be changed to enable Sue Colgrave, Council's Finance Manager, to sign cheques.

Recommendation

Moved **Clr**

Seconded **Clr**

THAT the following be authorized as bank signatories on Council's bank accounts with two to sign:

Lyn Eyles
Sue Colgrave
Dawn Tomlin

Carried



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

9.3 PRIVATE WORK ACCOUNT – CUSTOMER C00616

An amount of \$4,121.30 for private works has been owed by this customer since 2007. The customer has since gone into liquidation and his property sold by the bank to clear his mortgage. Council's solicitor has advised that there is no chance of receiving a dividend from the liquidation and this amount should be considered a bad debt and written off.

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Council write off the bad debt of \$4,121.30 for Customer C00616 due to their being no dividend from liquidation proceeds.

Carried

9.4 RATING AMENDMENTS FOR THE 2011/12 RATING YEAR

A Draft of the Local Government Amendment Bill 2011 was circulated to Councillors on 23 March, 2011 requesting comments back by 7 April, 2011.

It is expected that the Bill will be tabled in Parliament in late May, 2011. The changes in the Bill are part of a broader review into valuation and local government rating and are in response to urgent requests from the local government sector for additional clarity and flexibility in time for the 2011-12 rating year.

The proposed changes are to:

- Enable councils to increase the fixed charge component of general rates revenue from 20 per cent up to a maximum of 50 per cent;
- Clarify the Local Government Act 1993 in regard to 'vacant land' and 'non use';
- Introduce 'change caps' for rates, such that the percentage of annual increase for any individual rates notice may be limited or capped; and
- Enable councils to vary a service charge.

A Training Workshop for Council staff is to be held on 29 April, 2011.

An information session for Councillors will be held in Hobart on Wednesday, 4 May, 2011 from 6pm – 7pm. Notice of this meeting was forwarded to all Councillors on 4 April, 2011.

For Information



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

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 2011/5 : DGJ POTTER (OBO AM BROWNING) : ONE LOT & BALANCE SUBDIVISION IN RURAL ZONE : MCCALLUMS ROAD, FENTONBURY (CT 213079/1)

10.2 WAYATINAH VILLAGE – DEVELOPMENT ADVICE

10.3 DRAFT CAT MANAGEMENT REGULATIONS : LOCAL GOVERNMENT CONSULTATION

10.4 COUNCIL CAMPING GROUND FACILITIES POLICY – POLICY NO 53/2011

10.5 VEOLIA – PRICE INCREASE



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

11.0 ADMINISTRATION

11.1 TRANSFER OF OSTERLEY HALL

Due to the Osterley War Memorial Hall Committee Inc having not signed the original Contract for Sale, Council's solicitor has provided a new Contract for Sale (same as previous but completion date changed) for signing and sealing.

Recommendation

Moved **Clr**

Seconded **Clr**

THAT the General Manager be authorized to sign and seal the Contract for Sale for the Osterley Hall to enable transfer to the Osterley War Memorial Hall Committee.

Carried

11.2 PROPOSED SUBDIVISION OUSE INDEPENDENT LIVING UNITS (PAGES 1-3)

A proposal has been prepared by Council's Surveyors for the subdivision of the Ouse Independent Living Units, land for access from the Ouse Country Club and for the creation of an additional lot of 1440m² for the Ouse Country Club.

To enable this subdivision to proceed, Mayor Flint has written to the Minister seeking her permission to subdivide.

Michelle O'Byrne MP, Minister for Health, has advised that the disposal of any Crown property is approved and undertaken by the Minister for Crown Lands and under the Crown Lands Act 1976, Section 13, Part III, all property must be valued by the Valuer General – an initial estimate is somewhere around 1.3 million which reflects the investment undertaken by the Department of Health and Human Services.

Prior to undertaking any other actions, approval by the Minister and the valuation will need to occur. The Minister has also advised that Central Highlands Council, as previously agreed, will be required to meet all costs associated with the proposed subdivision and transfer. This includes the installation of an independent sewerage system and a new road access. Approval from DIER for the new road access will also be required.

The Minister is requesting a commitment from Council to meeting these costs, and once acknowledge, she will be happy to undertake the necessary steps to make this happen.



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

Council had previously talked about adhering the proposed subdivided ILU's and road access to the existing Housing Department Units.

Before the proposal is progressed, does Council still intend to adhere these titles?

For Discussion

11.3 HAMILTON PLAINS ROAD (PAGE 4)

Mrs Helen Poynder has made several comments regarding Hamilton Plains Road:

(a) Lower end (below turn to tip and quarry) be renamed and re-signed, with the suggestion that this part of Hamilton Plains Road revert back to its original name of Upper Mill Road

(b) The Hamilton Plains Road sign on the Hobart side of Hamilton directs people to a dead end resulting in difficulty for buses needing to turn.

(c) Closure of the road has caused confusion for visitors and would be visitors to Prospect House Gardens

(d) The scenic panorama from Hamilton Plains Road has been lost to the travelling public, locals and visitors.

For discussion

11.4 HOBART CITY COUNCIL'S MOTIONS TO THE LOCAL GOVERNMENT ASSOCIATION OF TASMANIA GENERAL MEETING (PAGES 5-8)

Hobart City Council is seeking Council support for six motions it has submitted to LGAT's General Meeting to be held in July, 2011:

Motion 1

That the Local Government Association of Tasmania lobby the State Government to continue to fund the roll over of Natural Gas to Tasmanian residents.

Motion 2

That the Local Government Association of Tasmania lobby the Federal Government for a National rolling emergency fund funded through contributions by Local Government.



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

Motion 3

That the Local Government Association of Tasmania urge the State Government to commit to the delivery of the Department of Infrastructure, Energy and Resources (DIER) study into rising oil prices.

Motion 4

That the Local Government Association of Tasmania urge the State Government to commit to passing legislation banning smoking in all alfresco dining areas.

Motion 5

That the Local Government Association of Tasmania encourage all Councils to include, in their strategic plan, health and wellness targets for their communities.

Motion 6

That the Local Government Association of Tasmania lobby the State Government to ensure that any future possible amendments to the Tasmanian Constitution, in respect to recognition of Local Government, be the subject of a referendum.

For Discussion

11.5 ADDITIONAL SES VEHICLE FOR THE CENTRAL HIGHLANDS

The SES has proposed purchasing a secondary vehicle for the Central Highlands SES Unit at Bradys Lake. There is a need to maintain a permanent rescue presence with one vehicle and ensure there is back-up transportation for secondary requirements i.e. TFS support, personnel transport, storm damage response etc.

Huon Valley will be trading their 4WD twin cab early next financial year, and the SES is proposed to grant Council \$10,000 to purchase this vehicle. Council would need to accept ongoing fleet costs for the new vehicle.

Huon Valley's vehicle is a 2001 Holden Rodeo 4WD Twin Cab, purchased new by Huon Valley Council. It is in excellent condition with no panel damage, mechanically good, regularly serviced and includes a bulbar and winch and has done approximately 60,000 km.



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

When it needs replacing, it will go the SES replacement program.

As the current vehicle is specifically set up for road crash support, it cannot be taken off-line to support other activities. If Council does not accept the offer, SES has advised that an extra vehicle for Bradys Lake would be low priority and it may take many years to provide an additional vehicle.

For Decision

11.6 COMPETITIVE NEUTRALITY OBLIGATIONS: CAMPING SERVICES PROVIDED BY COUNCIL (PAGES 9-15)

A letter has gone out to all Councils from the Tasmanian Economic Regulator advising of Councils' competitive neutrality obligations when providing parking areas for caravans and motor homes. An example of a cost attribution checklist was provided as an attachment.

LGAT has held meetings with representatives from OTTER, Tourism Tasmania and the Local Government Division with a view to identifying the key issues and determining how best to address them.

In discussion with the Local Government Division, LGAT has identified three considerations they believe to be key to support Councils in addressing this matter:

1. Councils wish to ensure that caravan/ motor home vehicle owners are not simply parked along the roadside in areas that are unsuitable for camping and overnight stays;
2. Councils wish to ensure that local economies are provided with the opportunity to benefit from visitors to the area. There is a desire to provide incentives to those who are travelling to stay and spend in the locality;
3. Local Government has statutory obligations to fulfil under the national competition policy competitive neutrality principles.

LGAT would like Council's confirmation or otherwise as to the accuracy of identifying these as the three main points to address.

In addition, LGAT has posed the following questions for Council's consideration:

- What do you need from LGAT/LGD/Other, to assist in ensuring that you are fulfilling your obligations, both to your community and in terms of competitive neutrality?



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

- Would a toolkit/guide be useful? Note that OTTER has provided a 'Cost Attribution Checklist' within its correspondence, and this may indeed prove sufficient in that regard.
- Other than the three points outlined above, are there any other predominant factors that influence council decision-making in relation to caravan parks and camping areas?
- Should there be a model by-law that could assist councils in achieving consistency of approach on the issue?
- LGAT is considering running a joint workshop style session with the Local Government Division [including a short session/ presentation with representatives from OTTER] for councils to discuss the issue in more depth, to consider examples of where councils have resolved this matter working with their local businesses/ communities and to perhaps reach some sort of consensus as to how we can work towards avoiding complaints in future. Would this be useful to you?

The workshop could be run in two parts:

- An overview of competitive neutrality principles, why they are important and how to comply;
- A 'practical issues' associated discussion about how/whether to address this matter collaboratively within the sector as a whole and/or with caravan park owners/ tourism operators in municipalities.

LGAT is seeking feedback by 29 April, 2011.

Also attached is a letter from the Minister for Local Government, Bryan Green MP, providing written notice, as per Section 59 of the Economic Regulator Act 2009, of an action that he has taken, or intends to take, as a result of the recent investigation into the Hamilton Caravan Site service provided by Council.

For Discussion

11.7 HAMILTON SHOW

Deputy Mayor Andrew Downie has requested that Council discuss matters associated with the Hamilton Show in particular, the need for an Engineers inspection of the marquee and any conditions from the inspection being advised to the Committee.



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

11.8 POTENTIAL INFRASTRUCTURE PROJECTS

At the February meeting it was requested that this item be listed as a future agenda item to enable Council to identify and discuss potential infrastructure projects.

11.9 RECOMMENDATIONS FROM PLANT COMMITTEE

The Plant Committee met on 31 March, 2011 to discuss the replacement of three vehicles as per the Draft Minutes circulated with the agenda.

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Council endorse the following recommendations from the Plant Committee:

- (a) the Works and Services Manager's vehicle be replaced with a 4x4 Diesel Double Cab Hilux at a changeover price of \$21,983.00:
- (b) The Hamilton town ute be replaced with a Triton 2WD CDI 4AT Diesel Ute at a changeover price of \$18,707.00: and
- © The General Managers X-Trail be replaced with an X-Trail Auto Diesel at a changeover price of \$23,578.00.

Carried

11.10 TRANSFER OF ROAD OWNERSHIP – LOWER FARM ROAD AND CLARENDON ROAD (PAGES 16-21)

- (a) Clarendon Road

On 13 December, Council resolved to seek legal advice in relation to the transfer of land being approximately 1 kilometre of Clarendon Road, Gretna to Mr Downie who owns the surrounding land.

Council's legal advice is as follows:

Clarendon Road is owned by the Crown and therefore Council cannot transfer legal ownership of the 1 km section of it to Mr Downie. Mr Downie would need to independently make an application to the Crown for transfer of the fee simple.



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

Clarendon Road is a public road. To strip any part of the road of this status Council will need to comply with the requirements of Section 14 of the Local Government (Highways) Act 1982 (“the Act”).

Even if the relevant section of Clarendon Road is no longer considered a public road, it is shown on Council’s municipal map and is classed as a highway ‘maintainable by the Corporation’ in accordance with Section 21 of the Act. To terminate Council’s obligation to maintain the section of road; Council will need to make an application to the Magistrate’s Court in accordance with Section 16 of the Act.

(b) Lower Farm Road

On 13 December, 2010 Council resolved to hand over Lower Farm Road to Mr Archer in its current state after legal consideration.

Council’s legal advice is as follow:

Lower Farm is owned by the Crown. It is beyond Council’s legal power to transfer legal ownership of the roadways to respective surrounding owners. Mr Archer would need to independently make an application to the Crown for transfer of the fee simple.

Lower Farm Road is a public road. To strip any part of the road of this status Council will need to comply with the requirements of Section 14 of the Local Government (Highways) Act 1982 (“the Act”).

Lower Farm is shown on Council’s municipal map, and is classed as a highway “maintainable by the Corporation’ in accordance with Section 21 of the Act. To terminate Council’s obligation to maintain Lower Farm Road, Council will need to make an application to the Magistrates Court in accordance with Section 16 of the Act.

For Discussion



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

11.11 OUSE CRAFT GROUP (PAGE 22)

The Ouse Craft Group has made a booking for the Ouse Hall for Saturday, 15th October, 2011 in order to have a Craft Show.

The Ouse Craft Group is a very small group who have planned this event to encourage locals to take an active interest in what is happening around the town and to make use of the facilities available.

No hall hire has been set by Council for Ouse Hall. Bothwell Hall hire is \$132.00 and Hamilton Hall hire is \$121.00. Both halls are provided free of charge for meetings of local groups, local fundraising and church functions.

Recommendation:

That the Ouse Craft Group:

- (a) be granted use of the Ouse Hall at no charge; and
- (b) be granted free hire of trestles and chairs if needed

11.12 COUNCILS WITH COMMUNITIES IMPACTED BY FOREST INDUSTRY RESTRUCTURE

Allan Garcia, CEO of the Local Government Association has provided the following information on a proposal put forward at the LGAT General Meeting in Launceston last week

Following last week's General Meeting at which it was suggested that if councils had issues in common that they sought to collectively address or pursue advocacy under the banner of the Association, the Mayor of Dorset, Barry Jarvis, has proposed that councils affected by the present forest industry decline should consider a delegation, led by the LGAT, to address concerns with the Chair of the Forestry Roundtable, Bill Kelty.

The Kelty process has reached the point where an interim report has been prepared and the State Government will be considering its capacity to respond to the issues on the table. Clearly what is missing from this process is the effect of industry downturn on communities around the state where forestry is a key contributor to the local economy and community.

Clearly the industry restructure arrangements will be compensation based with funding ideally provided to address the decline and to allow participants the capacity to transition out of the industry. The concerns expressed by Mayor Jarvis relate to the picking up of the pieces after the event and the expectation that councils will simply manage the situation of community recovery within their own resources.



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th APRIL 2011

From a State Government perspective there is an acknowledgement that key players such as the TFGA, Private Forests Tasmania and Local Government have not been involved in the process to date and need to be engaged. While nothing has yet eventuated it is understood that consideration is being given to this matter.

In the interim, the Association would be interested in understanding which councils would be interested in progressing a meeting with Mr Kelty and are there specific issues that are considered necessary to be raised beyond that which has been articulated in this message.

For discussion

12.1 RECEIVAL OF STATUS REPORT

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 ITEMS

17.0 CLOSURE
