



Central Highlands Council

AGENDA – ORDINARY MEETING – 18th January 2011

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Hamilton Council Chambers, on Tuesday 18th January 2011, 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

5.0 PUBLIC QUESTION TIME



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6.0 MAYORAL COMMITMENTS

Monday 13 th December 2010	<ul style="list-style-type: none">• Annual General Meeting of Council• Council meeting – Bothwell• Graduation – UTAS – Stacey Lovell (Official Guest of the Chancellor)
Tuesday 14 th December 2010	<ul style="list-style-type: none">• NRM meeting – Hamilton• Annual General meeting• Bothwell Tourism Association
Wednesday 15 th December 2010	<ul style="list-style-type: none">• Central Highlands Community Health Consultative Committee with General Manager
Thursday 16 th December 2010	<ul style="list-style-type: none">• General Management Committee – LGAT• Premier's Local Government Council• Function held for the PLGC by the Premier
Sunday 19 th December 2010	<ul style="list-style-type: none">• Christmas Carols & Barbeque – Ellendale Community• Interview Win TV – Christmas Lights
Tuesday 21 st December 2010	<ul style="list-style-type: none">• Mr Dick Adams MHR
Thursday 23 rd December 2010	<ul style="list-style-type: none">• Mr Ross Mace• Staff Christmas Breakup
Wednesday 5 th January 2011	<ul style="list-style-type: none">• Ellendale Water/Sewerage Workshop
Sunday 9 th January 2011	Informal discussions – Mr Andrew Wilkie MHR



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6.1 COUNCILLORS COMMITMENTS

Clr L M Triffitt

- 13th December 2010
 - Council meeting
 - 14th December 2010
 - Meeting with General Manager
 - 14th December 2010
 - Bothwell Tourism meeting
 - 15th December 2010
 - Meeting with Community Development Officer
- #### Clr A J Downie
- 14th December 2010
 - Glenora District High Presentation
 - 23rd December 2010
 - Council staff end of year function – Hamilton
 - 5th January 2011
 - Ellendale storm water workshop – Hamilton

6.2 GENERAL MANAGER'S COMMITMENTS

- 13th December 2010
 - Council meeting – Bothwell
- 14th December 2010
 - CHCHC Finance Sub Committee meeting
 - Meeting – Deputy Mayor, Clr L A Burke, Clr L M Triffitt – Response to Economic Regulator
- 15th December 2010
 - Central Highlands Community Health Centre Consultative Committee meeting
- 5th January 2011
 - Ellendale Wastewater Workshop
- 13th January 2011
 - Local Government Division Partnership Reporting

6.3 NOTIFICATION OF COUNCIL WORKSHOPS

Ellendale Wastewater Workshop – 5th January 2011



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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 Cllr

Seconded Cllr

THAT the minutes of the **Ordinary Meeting** of **Council** held on **Monday 13th December 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 **Monday 13th December 2010** be confirmed.

Carried

7.3 RECEIVAL MINUTES ANNUAL GENERAL MEETING

Moved Cllr

Seconded Cllr

THAT the minutes of the **Annual General Meeting** of **Council** held on **Monday 13th December 2010** be received.

Carried



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7.4 BUSINESS ARISING

7.5 COMMUNITY & ECONOMIC DEVELOPMENT REPORT

Moved **Clr**

Seconded **Clr**

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

Carried

7.6.1 CENTRAL HIGHLANDS COUNCIL TOURISM ACTION COMMITTEE

To be tabled

7.7.1 GRANTS

For discussion

8.0 WORKS & SERVICES

Moved **Clr**

Seconded **Clr**

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

Carried

8.1 VANDALISM OF ELLENDALE TREES

9.0 FINANCE REPORT

Moved **Clr**

Seconded **Clr**

THAT the **Finance Report** be received.

Carried

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

10.1 STREET NAME- LITTLE DOG DRIVE: GREAT LAKE

10.2 UPDATE WAYATINAH- COUNCIL LAND SUBDIVISION

10.3 AUSTRALIA DAY FAMILY FUN DAY- BOTHWELL POOL

11.0 ADMINISTRATION



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11.1 DRAFT NATIONAL ROAD SAFETY STRATEGY 2011-2020 (PAGES 1-4)

LGAT is considering making a response to the Draft National Road Safety Strategy and is seeking comments on the draft from Councils. The Draft Strategy contains a range of initiatives and interventions in four key areas – safe roads, safe speeds, safe vehicles and safe people.

LGAT has provided a summary of the Draft Strategy. Comments on the Draft Strategy are sought by LGAT and should be received by 4th February 2011.

Recommendation

Moved **Clr**

Seconded **Clr**

THAT Councillors forward any comments on the Draft National Road Safety Strategy 2011-2020 to the Acting General Manager by Wednesday 2nd February 2011.

Carried

11.2 LGAT STREET LIGHTING PROJECT (PAGES 5-6)

In December LGAT made an application on behalf of Tasmanian member Councils for a Climate Connect Grant. The purpose of the application is to improve the availability of energy efficient street lighting options for local government.

A brief outline of the areas and perceived benefits is included in the attachments.

If accepted the project is expected to commence in early February and be completed by early April.

For information

11.3 REVIEW OF STATE TAXATION (PAGES 7-161)

A discussion paper has been released by Treasury & Finance that includes the following:

- Describing some of the contextual issues that are driving change
- Summarizing the history and limitations on state taxation
- Providing guiding principles that will be used by the Tax Review Panel to assess the current taxation system and to consider any proposed changes
- Providing a summary of the recommendations of the Australia's Future Tax System Review as it applies to state taxes; and



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- Proposing consultation questions to guide those making submissions.

LGAT will be preparing a draft response on behalf of Councils by 24th January 2011 with a view to receiving comments back by 7th February 2011.

LGAT'S Draft response will:

- Focus on the role of Local Government, property tax, and the case for Local Government property tax to remain at current levels
- Argue that how State Government manages its own tax/base thresholds is largely up to it
- Address Local Government/State Government financial reform undertaken a decade ago
- Consider a fair share of road user charges for Local Government roads, and the appropriateness of the continuation of the fire service levy being collected by State and Local Government
- Valuation and rating review – will not increase revenue to Local Government but will likely result in a more equitable distribution of the rate burden
- Show how the same issues facing the State Government with matters like an ageing population also exist with the Local Government rate base
- Mention vertical fiscal equalisation and constitutional recognition as important issues
- Use the paper as an opportunity to speak against the imposition of more levies via local government (i.e. waste, ambulance).

LGAT is requesting that Council look at aspects of the discussion paper that are of interest in preparation for comment on the draft LGAT response.

The Draft response prepared by LGAT will be forwarded to Councillors upon receipt.

For noting



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11.4 COUNCIL INFORMATION IN THE HIGHLANDS DIGEST

Mayor Flint has requested that this item be placed on the agenda.

Whilst reading the January edition of the Highland Digest it was noted by Mayor Flint that Council information was printed on pages 15-17. Mayor Flint feels that it would be more appropriate for Council information and advertisements to be printed on earlier pages. Mayor Flint recommends that Council contact the Highland Digest asking that Councils articles and advertisement be placed nearer to the front of the Digest.

For discussion

11.5 LOCAL BUY – TRUCK TENDER WORKSHOP (PAGES 162-165)

LGAT has entered into a series of relationships with their interstate counterparts for the supply of goods for Tasmanian Councils. The truck tender has raised much interest in Tasmania and is coordinated by the procurement arm of LGAQ, Local Buy. LGAT has organised Brett Piraner from Local Buy to conduct regional workshops to ensure that local Councils have all the information and advice to allow them maximum access and benefit to the contract.

The Southern Workshops will be held on Tuesday 8th February 2011:

9.00am – 10.00am – Elected Members, General Managers and Chief Financial Officers

10.30am – 12.30pm – Purchasing Staff & Fleet Manager

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT the following attend the Workshops on Tuesday 8th February 2011.

9.00am – 10.00am – General Manager, Works & Services Manager, Clr....., Clr.....

10.30am – 12.30pm – General Manager, Works & Services Manager, Casey Herbert – Purchasing.

Carried



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11.6 TRANSFER OF ROAD OWNERSHIP

A legal opinion has been received on the process for transferring part of Clarendon Road and all of Lower Farm Road to the relevant property owners.

Solicitors have advised the following:

1. The sections of the roads must be stripped of their 'public' status.
2. To remove the public status, Council must comply with all Statutory advertising requirements for closure of a public road.
3. The owners of the fee simple in the roadways will need to be confirmed; and
4. Following the successful completion of the above actions, the land within the roadway title can then be conveyed to the Archers/Downies.

In particular the critical aspects above we will need to ascertain to remove the public road status for the land are that firstly Council holds the fee simple title to the roadway, and that secondly there are no objections to the closure of the section of road which cannot be overcome. If any objection is received it must be referred to the Administrative Appeals Division of the Magistrates Court. The Court has the power to consider the objection and either uphold it, or authorise the proposed closure.

Once the road is closed and therefore loses its 'public' status, it can be sold or disposed of by the Council in accordance with Section 177 of the Local Government Act 1993.

To sell/dispose of land the following aspects must be satisfied:

1. A decision to sell/dispose of the land must be made by an absolute majority of Council; and
2. A valuation of the land to be sold/disposed of must be obtained from the Valuer-General or a person qualified to practice as a Land Valuer under section 4 of the Land Valuers Act 2001.

Where part of a road is to transfer there may be a requirement to have the relevant section of the road surveyed.

Ownership of the section of road transversing through 'Blair' owned by Norwood Pty Ltd will need to be vested in the owner of Lower Farm or this property will be land locked.



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Council has been requested to provide further information on the relevant properties and owners to proceed with the transfer.

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT

- a) Council provide the solicitors with the information requested,
- b) Council's solicitors confirm the owners of the fee simple in Clarendon Road and Lower Farm Road; and
- c) Council's solicitors be instructed to advertise the closure of the roads in accordance with statutory advertising requirements.

Carried

**11.7 REQUEST FOR DONATION
(PAGES 166-172)**

The Haemophilia Foundation Australia is seeking a donation of \$50.00 towards continuing the provision of camps for children living with bleeding disorders. Camps are funded by donations. The Camps provide the following benefits to people with bleeding disorders.

- Develop and maintain a peers support network
- Learn and share their knowledge and experiences
- Learn about bleeding disorders and the complications of living with their condition
- Access information and education about treatment to help them lead more independent and fulfilling lives.
- Take part in recreational activities, and bond with other families in a safe but fun environment.

Council has not made a donation for some years.

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT Council make a donation of \$50.00 to the Haemophilia Foundation of Australia to enable the contribution of camps for children with bleeding disorders.

Carried



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11.8 PROPOSED SOUTHERN TASMANIAN INDUSTRIAL LAND STUDY (PAGES 173-175)

The Southern Tasmanian Councils Authority discussed a proposed Southern Tasmania Industrial Land Study at its meeting held on 9th December 2010. The project's aim is to provide information in regard to the demand and supply for industrial land, both at the regional level and Council level. It will identify potential new and expanded sites (at the local and regional levels) and will also undertake a comparative analysis of potential regional level sites. The Department of Economic Development has indicated they are ready and able to contribute between \$30,000 and \$50,000 to the project on the grounds that Local Government can provide a similar amount. While recognising that different Council's might perceive different levels of benefit for their municipal areas from this work, in order to match or exceed the DEDTA funding, it was suggested a figure of between \$5,000 and \$10,000 be provided by the larger metropolitan Councils and between \$2,000 and \$5,000 from the smaller Councils.

The STCA is seeking Council's advice on whether Central Highlands is able to contribute funding and how much.

For discussion

11.9 COMMUNITY SATISFACTION SURVEY (PAGES 176-178)

LGAT will be undertaking a Community Satisfaction Survey during 2011. The survey will be funded through increased subscriptions to Council (resolution passed at August 2009 LGAT General meeting). Generally 1200 people are surveyed with 20 from the Central Highlands. It is anticipated that the additional cost to Council's subscription will be \$430.00. Council also has the option of increasing the number of people surveyed and of adding additional questions (2-3). The cost for this would range from \$3,000-\$4,600.

For discussion

11.10 BARREN TIER ACCOMODATION PADDOCK (PAGE 179)

Mr Geoff & Mrs Julie Honner have written seeking Council approval to take firewood from the above accommodation paddock. They advise that they would only take firewood lying on the ground as it is a bit of a fire hazard at the moment and needs to be cleaned up.

For discussion



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11.11 ADULT LITERACY REFERENCE GROUP (PAGES 180-182)

Nominations, together with a completed statement in support of Nomination Form and a current curriculum vitae are sought by LGAT for nomination as a representative on the Adult Literacy Reference Group. This group will assist with implementation of the Tasmanian Adult Literacy Plan. Nominations should reach LGAT by 11th February 2011.

For information

11.12 HOUSING UNITS – OUSE

Sandy Carmichael from the Central Highlands Community Health Centre has approached Council asking if the CHCHC can rent/lease either an ILU or a one bedroom housing unit. The purpose of the request was to provide respite care for residents if needed and to provide accommodation for visiting medical and health providers.

Rogier Dunnewijk from Housing Tasmania has advised that the primary intent of the funding agreement is focussed on the provision of community managed affordable housing for eligible persons. It is possible to vary an agreement, providing both parties consent to the charges.

Rogier is seeking the following information:

- Is this proposal endorsed or likely to be endorsed by Council
- What impact will this proposal have on local affordable community managed housing supply/demand in Ouse
- Will the proposal support or impact on the realignment of health services/facilities in Ouse
- Are there and other recurrent, establishment or capital funding implications, either for Housing Tasmania, the Department or Council

Before progressing this request further, Council endorsement of the proposal needs to be discussed.

For discussion



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11.13 ELLENDALE WASTEWATER SYSTEM (PAGES 183)

A response has been received from Southern Water to Council's corresponded date 11th August 2010 and 15th December 2010.

Mike Paine, CEO has confirmed his advice to Council that this project; amongst many similar projects, is on the list of investigation for service introduction.

Southern Water will undertake a review of the report provided by Council, the service options and costs and shall work with Council and the community to decide on an appropriate solution.

Southern Water does not expect to complete the necessary works to meet with the community prior to summer 2012/2013.

For information

11.14 TASMANIA ROAD SAFETY ADVISORY COUNCIL (PAGES 184-216)

The Tasmania Road Safety Advisory Council is undertaking consultation on a proposal to lower the default rural speed limit:

- a) From 100km/h to 90km/h on sealed roads; and
- b) From 100km/h to 80km/h on unsealed roads.

Attached is a Regularity Impact Statement to support the public consultation process.

The closing date for submissions is 18th February 2011.

A forum for invited people will be held at the Bothwell Town Hall on Thursday 17th February 2011. Councillors will receive an invitation. The forum will inform on the rationale behind the lower rural speed limit forum and offer an opportunity to provide feedback to the Advisory Council.

For discussion

11.15 WASTE REVIEW PRESENTATION (PAGES 217-242)

The attached "Waste Management 2020 and beyond- Developing the Vision" PowerPoint presentation was prepared for The Southern Waste Strategy Authority by Blue Environment Pty Ltd.

A Draft Report will be available by 21st January for review and comments from SWSA.

For noting



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11.16 PLANET FOOTPRINT ENVIRONMENTAL SCOREKEEPING SERVICE (PAGES 243-269)

Planet Footprint has provided this service to Council through LGAT. In August 2009 Council agreed to continue its participation for 2009/2010 at an annual subscription fee of \$1864.00.

The removal for 2010/2011 is \$950.00 plus GST for the basic service.

Recommendation:

Moved **Clr**

Seconded **Clr**

THAT Council review its subscription with Planet Footprint for 2010/2011 at a cost of \$950.00 plus GST.

Carried

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 ITEMS



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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