



Central Highlands Council

DRAFT MINUTES – ORDINARY MEETING – 19TH JULY 2011

Agenda of an Ordinary Meeting of Central Highlands Council held at Hamilton Council Chambers, on Tuesday 19th July 2011, commencing at 9.00am.

1.0 OPENING

Mayor D E Flint opened the meeting at 9.00am.

2.0 PRESENT

Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

3.0 APOLOGIES

Moved **Clr L M Triffitt** Seconded **Clr A W Bailey**

THAT the apology for **Clr I V McMichael** be accepted.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

4.0 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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4.1 MOTION INTO COMMITTEE

Moved **Clr A W Bailey**

Seconded **Clr L M Triffitt**

THAT Council move into Committee to discuss confidential matters in accordance with Section 15 of the Local Government (Meeting Procedures) Regulations 2005

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

4.2 MATTERS DISCUSSED IN COMMITTEE

Hobart AFL Matches
Draft Interim Management Report – Audit
Legal Opinions
EHO Contract for Services

4.3 MOTION OUT OF COMMITTEE

Moved **Clr L M Triffitt**

Seconded **Clr T H Jacka**

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

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

5.0 OPEN MEETING TO PUBLIC

The Meeting opened to the public at 10.25am.

6.0 IN ATTENDANCE

Mrs Lyn Eyles (General Manager). Mrs J M Housego (Minute Secretary)

7.0 PUBLIC QUESTION TIME

Mrs Phil Smithurst, Mr David McMillan, Mrs Kathy Hean, Mr David Hean and Mr Michael Johnson were in attendance.

Mrs Hean advised that they have attended the meeting to discuss the Gowan Brae Road issue.



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8.0 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.

There was no Pecuniary Interest declared for this meeting.

9.0 MAYORAL COMMITMENTS

- | | |
|--------------------------------------|---|
| Tuesday 21 st June 2011 | <ul style="list-style-type: none">• Mr Geoff Ashton-Jones Funeral |
| Wednesday 22 nd June 2011 | <ul style="list-style-type: none">• Audit Committee Workshop |
| Tuesday 28 th June 2011 | <ul style="list-style-type: none">• Rally – Glenora School• Public Meeting – Glenora School |
| Friday 1 st July 2011 | <ul style="list-style-type: none">• Ellendale Hall Committee Meeting |
| Saturday 2 nd July 2011 | <ul style="list-style-type: none">• Elected Members Seminar- Chair of Panel discussion |
| Tuesday 5 th July 2011 | <ul style="list-style-type: none">• Brian Corey Survey – STCA |
| Tuesday 7 th July 2011 | <ul style="list-style-type: none">• Meeting June Munro with General Manager |
| Saturday 9 th July 2011 | <ul style="list-style-type: none">• Presentation Night – Bothwell Licensed Anglers |
| Sunday 10 th July 2011 | <ul style="list-style-type: none">• Winterfest – Ellendale Community Hall |
| Monday 11 th July 2011 | <ul style="list-style-type: none">• Coordinating complaints from residents seeking assistance being snowed in |
| Wednesday 13 th July 2011 | <ul style="list-style-type: none">• Chairman – Tasmanian Planning Commission – Assessment Panel |



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| Friday 15 th July 2011 | <ul style="list-style-type: none">• Eastern District Police Review |
| Monday 18 th July 2011 | <ul style="list-style-type: none">• Southern Water AGM with General Manager |
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9.1 COUNCILLORS COMMITMENTS

Clr A J Downie

- | | |
|----------------------------|--|
| 13 th July 2011 | <ul style="list-style-type: none">• Planning Template – Hobart |
| 15 th July 2011 | <ul style="list-style-type: none">• SWSA - Kingborough |

Clr L M Triffitt

- | | |
|----------------------------|---|
| 21 st June 2011 | <ul style="list-style-type: none">• Council Adjournment Meeting |
| 22 nd June 2011 | <ul style="list-style-type: none">• Council Meeting – Bothwell• Budget Workshop – Bothwell |
| 28 th June 2011 | <ul style="list-style-type: none">• Glenora District High School Meeting |
| 30 th June 2011 | <ul style="list-style-type: none">• Glenora District High School Meeting with Minister Nick McKim |
| 1 st July 2011 | <ul style="list-style-type: none">• Glenora District High School Meeting with Department of Education |
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9.2 GENERAL MANAGER'S COMMITMENTS

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|----------------------------|---|
| 6 th July 2011 | <ul style="list-style-type: none">• Central Highlands Community Consultative Sub Committee Meeting• Gerald Crawford – Tasmanian Fire Service |
| 7 th July 2011 | <ul style="list-style-type: none">• Jude Munro |
| 11 th July 2011 | <ul style="list-style-type: none">• Scott McGrath – MEGT |
| 13 th July 2011 | <ul style="list-style-type: none">• Central Highlands Community Consultative Meeting |
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9.3 COMMUNITY & ECONOMIC DEVELOPMENT OFFICER

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- | | |
|----------------------------|---|
| 14 th July 2011 | <ul style="list-style-type: none">• John Lawrence – Territory Manager – Optus |
| 18 th July 2011 | <ul style="list-style-type: none">• Southern Water Owners Meeting |
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- | | |
|----------------------------|---|
| 24 th June 2011 | <ul style="list-style-type: none">• 'Spanner in the works' Mens Shed BBQ (Hamilton) |
| 27 th June 2011 | <ul style="list-style-type: none">• Bothwell Craft Consortium |
| 1 st July 2011 | <ul style="list-style-type: none">• Australasian Golf Museum Committee |
| 5 th July 2011 | <ul style="list-style-type: none">• Tasmanian Fox Task Force Presentation (Hamilton) |
| 7 th July 2011 | <ul style="list-style-type: none">• Di Lovell – Seniors Week |
| 11 th July 2011 | <ul style="list-style-type: none">• Bothwell Tourism Association Meeting• Healthy Communities (Sthn & Nthn Midlands)• Bothwell Craft Consortium |
| 12 th July 2011 | <ul style="list-style-type: none">• Inaugural Bridgewater Trade Training Centre Advisory Meeting |
| 13 th July 2011 | <ul style="list-style-type: none">• Rivers Run Committee Meeting (New Norfolk) |
| 14 th July 2011 | <ul style="list-style-type: none">• Miriam Herzfeld – Still Gardening Hubs (Hobart) |
| 15 th July 2011 | <ul style="list-style-type: none">• John Lawrence with GM – Optus (Hobart) |
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10.0 NOTIFICATION OF COUNCIL WORKSHOPS

There was no notification of any Council Workshops.



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11.0 MAYORAL ANNOUNCEMENTS

Mayor D E Flint advised that she had sent an email of support to Mayor Armstrong regarding the State Governments proposal to down grade Health Services in the Huon area.

12.0 MINUTES

12.1 RECEIVAL MINUTES ORDINARY MEETING

Moved **Clr G Herbert** Seconded **Clr L M Triffitt**

THAT the minutes of the **Ordinary Meeting** of **Council** held on **Wednesday 22nd June 2011** be **received**.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

12.2 CONFIRMATION OF MINUTES ORDINARY MEETING

Moved **Clr A W Bailey** Seconded **Clr T H Jacka**

THAT the minutes of the **Ordinary Meeting** of **Council** held on **Wednesday 22nd June 2011** be **confirmed with the following amendments:**

Page 1 - Agenda Item Reconvening of Ordinary Meeting to have the date of the 22 June 2011 inserted, and the date to be changed to the 22 June 2011 Minutes Heading from pages 2 through to page 24.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

12.3 RECEIVAL DRAFT AUDIT COMMITTEE MINUTES

Moved **Clr A J Downie** Seconded **Clr L M Triffitt**

THAT the Draft minutes of the **Audit Committee** of **Council** held on **Wednesday 22nd June 2011** be **received**.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt



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13.0 BUSINESS ARISING

There was no Business Arising from the Minutes of the Ordinary Meeting of Council held on the 22 June 2011.

Mr Graham Rogers Manager of Development and Environmental Services attended the meeting at this time.

Moved **Clr G Herbert**

Seconded **Clr L M Triffitt**

THAT Council move to Agenda Item 18.10 Application to Central Highlands Council restrict Vehicle Access on Gowan Brae Road.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

18.10 APPLICATION TO CENTRAL HIGHLANDS COUNCIL TO RESTRICT VEHICLE ACCESS ON GOWAN BRAE ROAD

Mr Michael Johnston, Mrs Kathy Hean and Mr David Hean each addressed Council on their submission to Council on the restriction of vehicle access on Gowan Brae Road.

The General Manager advised Council of the legal advice that has been received regarding locked gates on public road under the Roads and Jetty Act.

Moved **Clr R G Bowden**

Seconded **Clr G Herbert**

THAT Council support the submission that has been put to Council for the erection of a locked boom gate over Gowan Brae Road and that Council take the appropriate steps stated in the Highways Act 1982, Section 31 (1), and that the letter of support from National Parks and Wildlife be included in the submission.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt



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Clr A J Downie left the meeting at 10.50am.

Clr A J Downie returned to the meeting at 10.52am.

Mr James Dryburgh Senior Contract Planner attended the meeting at this time.

Moved **Clr T H Jacka** Seconded **Clr L M Triffitt**

THAT Council move back to Agenda Item 14.0 Development and Environmental Services.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

14.0 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 L M Triffitt** Seconded **Clr T H Jacka**

THAT the **Development & Environmental Services Report** be received.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt



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**14.1 DA 2011/16:
CAMPBELL SMITH PHELPS
PEDLEY OBO W & S J PEC:
91 THIESSEN CRESCENT
MIENA: SUBDIVISION –
BOUNDARY ADJUSTMENT**

Moved **Clr A J Downie**

Seconded **Clr L M Triffitt**

THAT Central Highlands Council (Planning Authority) in accordance with the provisions of the Central Highlands Planning Scheme 1998 and Section 57 of the Land Use Planning & Approvals Act 1993, approve the application for a boundary adjustment at 91 & 93 Thiessen Crescent, Miena, Certificate of Title Volume 19996 Folios 34 and 35, subject to the following conditions:

1. The subdivision layout or development shown on the endorsed plan of survey, specified in the associated application information and in accordance with the following conditions must not be altered without the further written consent of Council.
2. Easements must be created over any drains, pipelines, wayleaves and services in accordance with the requirements of the Council's Municipal Engineer. The cost of locating and creating the easements shall be at the subdivider's full cost.
3. Any works relating to the development must be carried out between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	9.00am to 6.00pm
Sundays & Public Holidays	10.00am to 6.00pm
4. A fee of \$100.00, or as otherwise adopted by Council resolution from time to time, must be paid to Council prior to the sealing of each stage of the final plan of survey.
5. A final plan of survey and two (2) copies must be provided together with the schedule of easements as necessary.
6. All conditions of this permit must be satisfied before the Council seals the final plan. It is the subdivider's responsibility to arrange any required inspections and to advise Council in writing that the conditions of the permit have been satisfied. The final plan of survey will not be dealt with until this advice has been provided.



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Engineering

7. The Subdivider must pay the cost of any alterations and/or reinstatement to existing services, Council infrastructure or private property incurred as a result of the proposed subdivision works. Any work required is to be specified or undertaken by the authority concerned.
8. An access must be provided from the carriageway of the road to each lot on the plan in accordance with the construction and sight distance standards shown on standard drawings SD1012 and SD1030 prepared by the IPWE Australia (Tasmania Division) and to the satisfaction of Council's Municipal Engineer.
9. The final plan of survey must be endorsed that Council cannot provide a means of reticulated sewerage or drainage or water to the lots.

The applicant shall also be advised that:

- This permit is valid for two (2) years only from the date it takes effect and will lapse if substantial commencement of the use or development does not take place within that time.
- Pursuant to Section 61 of the Land Use Planning and Approvals Act 1993, you may appeal against any of the conditions imposed on this approval by lodging with the Resource Management and Planning Appeal Tribunal, a notice of appeal (telephone (03) 6233 6038). Any appeal is required by the Act to be instituted within fourteen days of the service of this approval on you.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie,
Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka,
Clr L M Triffitt



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14.2 ONGOING ISSUE : SHACKS ON BARBERS LAND : OFF WOODS LAKE ROAD, ARTHURS LAKE

Moved **Clr G Herbert**

Seconded **A W Bailey**

THAT Council endorse the discontinuance of the current Section 64 proceedings and allow investigation into the subject shack site as part of the Regional Planning project and the development of the new planning scheme, to determine whether new Section 64 proceedings should be pursued or whether the new planning scheme can appropriately cater for a resolution to this issue.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

14.3 PROPOSED STRATA DEVELOPMENT AT BRONTE LAGOON

Clr A J Downie asked that legal advice be sought on Strata Titles.

14.4 REMISSION OF FEES

Moved **Clr A J Downie**

Seconded **Clr G Herbert**

THAT Council remit the following Renewal Fees:

Food Premises

Bothwell Swimming Pool - \$110.00

Bothwell Town Hall Kitchen - \$220.00

Hamilton Show / Recreation Ground - \$110.00

Places of Assembly

Bothwell Recreation Ground - \$90.00

Bothwell Swimming Pool - \$90.00

Bothwell Town Hall - \$90.00

Hamilton Hall - \$90.00

Hamilton Showgrounds - \$90.00

Ouse Hall - \$90.00

Wayatinah Community Hall - \$90.00

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt



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Mr James Dryburgh Senior Contract Planner left the meeting at this time.

14.5 NAMING OF STREET OFF SCHAW STREET, BOTHWELL

Moved **Clr R G Bowden** Seconded **Clr G Herbert**

THAT Central Highlands Council submit an application to the Nomenclature Board for the unnamed road off Schaw Street, between Last Street and Barr Street be named Opal Street or the name of the first Warden of Bothwell.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

14.6 REVIEW OF DEVELOPMENT & ENVIRONMENTAL SERVICES FEES & CHARGES

Moved **Clr G Herbert** Seconded **Clr L M Triffitt**

THAT pursuant to Section 205 of the Local Government Act 1993, Council resolve to adopt the revised Development and Environment Services fees and charges register and for it to take effect commencing 1st August 2011 with the amendment of Engineering cost to include cost price.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

It was noted that the Development and Environmental Services Fees and Charges for the 2012/2013 Financial year increase by \$10.00 and that this be placed on the Status Report.



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14.7 INTRODUCTION TO EMERGENCY MANAGEMENT FOR LOCAL GOVERNMENT

Moved **Clr A J Downie**

Seconded **Clr L M Triffitt**

THAT Mr Graham Rogers be authorised to attend the course “Introduction to Emergency Management for Local Government” at the Australian Emergency Management Institute in Mount Macedon, Victoria from 23-25 August 2011, and cover the cost of air fares and travel expenses.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

Mr Graham Rogers Manager Development and Environmental Services left the meeting at this time.

Miss Zara Gerven Community Economic Development Officer attended the meeting at this time.

15.0 COMMUNITY & ECONOMIC DEVELOPMENT REPORT

Moved **Clr T H Jacka**

Seconded **Clr L M Triffitt**

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

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt



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15.1 COMMUNITY GRANTS PROGRAM 2011/2012

After discussion at the June 2011 Council Meeting, the Community Grants Program guidelines, application and accountability processes have been re-reviewed.

Recommendation

Moved **Clr G Herbert** Seconded **Clr A W Bailey**

THAT Council adopt the guidelines for the Community Grants Program 2011/12 with the following amendments:

Eligibility dot point 1 – All community groups (both incorporated and non-incorporated) that represent **all** of the Central Highlands are eligible to apply for funding.

Plus include an additional dot point - Individual Community Members can apply.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr L M Triffitt

Against the motion Clr T H Jacka

15.2 HALLMARK EVENT

Moved **Clr G Herbert** Seconded **Clr A W Bailey**

THAT Council further develop the 'Hunting, Camping & Fishing Expo' event, utilising the 2011/12 budget allocation, and that permission be sought from the Hamilton Show Committee to hold this event in conjunction with the Hamilton Show for a 12 month period.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt



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15.3 2012 COMMONWEALTH FLYFISHING CHAMPIONSHIPS

Moved **Clr A W Bailey** Seconded **Clr G Herbert**

THAT Council sponsor the 2012 Commonwealth Fly Fishing Championships to the value of \$7,750, and that this sponsorship include the Mayor being invited to be a part of the official opening.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

15.4 SCHOOLS BUDGET ALLOCATION

Moved **Clr L M Triffitt** Seconded **Clr G Herbert**

THAT Council allocate \$750.00 from the 2011/2012 Budget to the following Schools - Bothwell District High, Ouse Primary School, Westerway Primary and Glenora District High School.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

15.5 2011 TIDY TOWNS AWARDS

Moved **Clr T H Jacka** Seconded **Clr L M Triffitt**

THAT a) Council nominate Ellendale, Bothwell, Hamilton, Miena, Wayatinah, Gretna and Ouse for the 2011 Tidy Towns Awards.

b) An article be placed in the August edition of the Highlands Digest advising the community of the nominated towns and anticipated judging timeframes.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt



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15.6 VISION RADIO FOR HAMILTON & OUSE

Moved **Clr G Herbert**

Seconded **Clr A W Bailey**

THAT United Broadcasters Australia Ltd have permission from the Central Highlands Council to place antennas on the following Council buildings: Hamilton Works Depot and Ash Cottage at Ouse.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr L M Triffitt

Against the motion Clr T H Jacka

19.1 COMMUNITY GRANTS APPLICATION

Moved **Clr A J Downie**

Seconded **Clr L M Triffitt**

THAT Council grant Bronte Bush Watch \$360.00 to assist in funding the Lakes Clean-Up.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

Miss Zara Gerven Community Economic Development Officer left the meeting at this time.

Council adjourned for lunch at 12.50pm.

Council reconvened the meeting at 1.40pm.

Moved **Clr A J Downie**

Seconded **Clr L M Triffitt**

THAT Council move to Agenda Item 18.1 LGAT General Meeting 20th July 2011.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt



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18.1 LGAT GENERAL MEETING 20TH JULY 2011

Councillors voted on the following motions to enable the Mayor to vote accordingly at the Local Government Association of Tasmania General Meeting to be held on the 20th July 2011.

12.1 **Motion – Compulsory Local Government Elections Council – West Tamar** **Decision Sought: - Council against the motion**

THAT LGAT adopt a policy that voting in Local Government Elections be made compulsory.

The decision on this motion to be forwarded to the Tasmanian State Government.

12.2 **Motion – Amendment to Local Government Act – Definition of Fire Risk *** **Council – West Tamar** **Decision Sought: - Council against the motion**

THAT LGAT support Councils endeavour to reduce the threat of bush fire through an amendment to Division 6 of the Local Government Act 1993 regarding “nuisances” by inserting the definition of a “fire risk” under section 199 of The Act (changes defined by bold italics in attachment).

12.3 **Motion – Tasmanian Constitution** **Council – Hobart City** **Decision Sought: - Council for the motion**

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.

Hobart City Council foreshadowed this motion to Council which was discussed at Council’s meeting held on 18 April, 2011. Council Resolved to vote for the motion.



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12.4 Motion – Charitable Land Confirmation Council – Huon Valley Council Decision Sought: - Council for the motion

THAT LGAT requests the State Government to review and amend section 87(1)(d) of the *Local Government Act 1993* to:

- provide clarity in relation to application of the section to land owned or occupied exclusively for charitable purposes; and,
- specifically exclude Schools from the exemption under that section to bring the payment of general and separate rates for non-Government Schools into line with Payment of general and separate rates by State Government Schools.

14.1 Motion – LGAT General Meetings Council – Burnie City Decision Sought: Council against the motion

THAT LGAT amend its current policy position of holding General Meetings to:

- a) Two times per year alternating from Hobart (with AGM) and Launceston with any additional General Meeting to be held in the North-West, namely Burnie; and
- b) Special General Meetings called at the request of the President or motion of GMC, with Special General Meetings to be held in Launceston.

15.1 Motion – National Emergency Funds Council – Hobart City Decision Sought: Council against the motion

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

Hobart City Council foreshadowed this motion to Council which was discussed at Council's meeting held on 18 April, 2011. Council Resolved to vote against the motion.



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15.2 Motion – Amendment to Payroll Tax Act 2008 *
Council - Latrobe
Decision Sought: Council for the motion

THAT LGAT request the State Government to immediately and retrospectively amend the Payroll Tax Act 2008 to exempt Local Government from the employer grouping provisions therein.

15.3 Motion – Financial Reform Review
Council – West Coast
Decision Sought: Council for the motion

THAT the financial reform process adopted between the State Government and councils ten years ago be reviewed.

16.1 Motion –National Broadband Network
Council – West Tamar
Decision Sought: Council for the motion

The LGAT Conference calls on the National Broadband Network Company (NBN Co) to install all NBN Co cabling inside the existing underground conduits wherever these conduits exist.

The conference instructs the LGAT Executive and Secretariat to communicate this policy position to NBN Co, the relevant Australian Government Minister and to lobby for this policy.

16.2 Motion – Roll Out Of Natural Gas
Council – Hobart City
Decision Sought: Council for the motion

THAT the Local Government Association of Tasmania lobby the State Government to Continue to fund the roll out of Natural Gas to Tasmanian residents.

Hobart City Council foreshadowed this motion to Council which was discussed at Council's meeting held on 18 April, 2011. Council Resolved to vote for the motion.



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16.3 Motion – Water & Sewerage Council – Derwent Valley Decision Sought: Council for the motion

THAT the Local Government Association of Tasmania writes to the Board of Southern Water requesting detailed information in regard to the following:

1. All information regard to the cost benefits analysis that has been undertaken in regard to the installation of Water Meters.
2. Provision of the total cost of the installation of the Water Meters and the associated cost to consumers broken down into municipal areas.
3. All details in regard to the duplication of the services provided by Southern Water and Onstream.
4. Details of the cost benefits and any savings that have been received by the utilization of Onstream for the provision of services.
5. Details of any efficiencies that have been made due to the taking over of the Water and Sewerage Assets from Local Government to the new Water and Sewerage entity.
6. Details in regard to future water and Sewerage rate increased by municipal area for the next five years and reasons for the proposed increases.
7. Full disclosure of the costs associated with the Water Billing computer system and the associated costs including cost overruns to Budget allocation for its installation and details of the computer system being utilised for the provision of this service.

16.4 Motion – Water Corporations Act Council – Burnie City Decision Sought: Council for the motion

THAT LGAT adopt as a policy position that it support changes to the Water Corporations Act to provide for:

- a) That Owner Representatives Committee's include at least one nomination from each owner council;



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b) That the Common Directorship requirement be removed from the Act;

c) That the Water Corporations role include economic development incentives and policies that allow the corporations to provide incentives for developers wanting to benefit regions covered by the corporations, in line with Shareholders Letter of Expectations;

d) Removal of prescribed role and functions of the Common Services Provider.

16.5 Motion –Water & Sewerage Corporations Operations Council – Waratah Wynyard Decision Sought: Council for the motion

THAT the Local Government Association of Tasmania write to the Tasmanian Government, Premier and Treasurer, the Leader of the Opposition and the Leader of the Tasmanian Greens to request consideration of the impacts of the legislation governing the Water and Sewerage Corporations and their operations, and detailing in particular:

1. The problems with billing and cash flows and the fear and suspicion now Abounding in the community about the operations of the Corporations.
2. The foreshadowing of large price increases beyond CPI.
3. The new developer charges which are threatening potential developments and Subdivisions.
4. The cavalier attitude to community service obligations long supported by individual councils in providing services to sporting and community groups.



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**17.1 Motion – Oil Prices
Council – Hobart City
Decision Sought: Council for the motion**

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.

Hobart City Council foreshadowed this motion to Council which was discussed at Council's meeting held on 18 April, 2011. Council Resolved to vote against the motion.

**17.2 Motion – Forestry Industry
Council – Glamorgan Spring Bay
Decision Sought: Council for the motion**

1. **THAT** LGAT strongly condemns any further lock up or reservation of Tasmania's State native forests.

2. That LGAT requests the State and Federal Governments to re-affirm their
Commitment to the Regional Forest Agreement.

3. That LGAT writes to the State and Federal Governments confirming its support for the Tasmanian Forest Industry and highlighting the economic benefits it brings to the State.

**17.3 Motion – Protection Of Agricultural Land *
Council – Northern Midlands Council
Decision Sought: Council against the motion**

THAT the LGAT work with the State Government to amend Principle nine of the State Policy for the Protection of Agricultural Land 2009 to enable Council planning schemes to prohibit or require discretionary permit for an agricultural use on land zoned for agricultural purposes where such land is also determined to be within a special area or overlay to address issues including, but not limited to, scenic protection, landslip, water catchment, heritage protection and flood or bushfire hazard.



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**17.4 Motion – Land Use Planning and Approvals Act 1993
Council – Northern Midlands Council
Decision Sought: Mayor to vote accordingly once
further information is sought.**

THAT in order to address the loophole in LUPA relating to the lack of termination power, LGAT lobby the Department of Justice to progress a legislative amendment to provide the power to void an application after a finite period of time.

**17.5 Motion – Derelict & Dilapidated Buildings *
Council – West Coast
Decision Sought: Council for the motion**

THAT LGAT again strongly request the State Government to pass amending legislation to give Councils clear and appropriate powers to enforce works to remedy the adverse effects of derelict or dilapidated buildings on the streetscape and nearby properties

**17.6 Motion – Uninhabitable Structures
Council – West Coast
Decision Sought: Council for the motion**

THAT LGAT seek improvements to rental housing in order to improve their healthiness and habitability through:

1) Advocating for changes to the Residential Tenancy Act to provide occupational health and safety grounds for termination of a lease by a tenant through an Independent inspection mechanism.

2) Advocating for changes to relevant legislation to allow buildings and structures to Be deemed uninhabitable.

**18.1 Motion - Weed Management
Council – Burnie City
Decision Sought: Council for the motion**

THAT LGAT call upon the State Government to review the Weed Management Act to enable a Weed Officer to take immediate abatement action when a land owner fails to take action to remove weeds which are in seed.



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**19.1 Motion – Banning Smoking In Alfresco Dining Areas
Council – Hobart City
Decision Sought: Council against the motion**

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

Hobart City Council foreshadowed this motion to Council which was discussed at Council's meeting held on 18 April, 2011. Council Resolved to vote against the motion.

**19.2 Motion – Health And Wellness Targets For
Communities
Council – Hobart City
Decision Sought: Council for the motion**

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

Hobart City Council foreshadowed this motion to Council which was discussed at Council's meeting held on 18 April, 2011. Council Resolved to vote for the motion.

**21.1 Motion – Protection Of Senior Citizens
Council – West Tamar Council
Decision Sought: Council for the motion**

THAT LGAT requests the State Government to change laws to specifically prosecute those persons who commit crimes against our senior citizens so as to reduce the incidents of elder abuse in our community.

Mr Jason Branch Manager of Works and Services attended the meeting at this time.



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16.0 WORKS & SERVICES

Moved **Clr R G Bowden** Seconded **Clr A W Bailey**

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

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

16.1 FENCING STEPPES HALL

Moved **Clr G Herbert** Seconded **Clr T H Jacka**

THAT the entire fence be replaced at the Steppes Hall with Vertical Garden Fencing.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

16.2 GRADING SNOW FROM MUNICIPAL ROADS

Mayor D E Flint thanked the Works and Services Manager for all of his efforts over and during the snowy period.

The Manager of Works and Services advised Council on the number of telephone calls received, from ratepayers and residents of the lakes asking for roads to be graded; and also stated that Council's Policy is that we do not grade snow off roads.

It was **resolved** that the Mayor, Deputy Mayor, General Manager and Works and Services Manager hold discussions on the policy and come back to Council with any changes if they are required.



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16.3 PLANT

Moved **Clr G Herbert**

Seconded **Clr A J Downie**

THAT the Works Manager is authorised to:

- (a) Call tenders for the replacement of the Mack truck and supply of new medium truck.
- (b) Obtain 3 quotes for small vehicles.
- (c) Tenders and quotes to be discussed at a Plant Committee meeting for recommendation to Council.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

16.4 LOSS MONITORING OF UNDERGROUNDS FUEL SYSTEMS

Noted

16.5 ADDITIONAL ITEM CRUSHING OF GRAVEL

The Manager of Works and Services advised Council that the cost of gravel has increased.

16.6 ADDITIONAL ITEM STREET LIGHT – DALRYMPLE STREET

Moved **Clr G Herbert**

Seconded **Clr A W Bailey**

THAT Council grant permission for the street light outside the Falls of the Clyde to be moved down towards Patrick Street end of Dalrymple Street.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt



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Mr Jason Branch Works and Services Manager left the meeting at this time.

Miss Sue Colgrave Finance Manager attended the meeting at this time.

17.0 FINANCE REPORT

Moved **Clr L M Triffitt**

Seconded **Clr A J Downie**

THAT the Finance Report be received.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

17.1 NOTICE OF MOTION – CLR A J DOWNIE

Moved **Clr A J Downie**

Seconded **Clr G Herbert**

THAT Council use its best endeavours to maintain a minimum cash balance of \$5,000,000 and that an investment strategy be prepared for adoption by Council; and

The minimum cash balance of \$5,000,000 will ensure that Council has funds for contingencies such as fire, flood and capital purchases.

Adoption of an Investment Strategy will ensure that Council is gaining the best return on its investments.

A Draft Investment Strategy was presented to the Audit Committee, and Geoff Cockerill (Acting General Manager at the time) has prepared a report on this. (attached).

Council's Finance Manager has obtained investment rates from Tascorp, Commonwealth Bank and Westpac and has suggested two alternative options and that Council adopt 2 as presented -



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THAT Council adopt the following investment strategy:

Commonwealth		Principal
30 Days	5.60%	\$500,000.00
60 Days	5.70%	\$500,000.00
90 Days	5.80%	
120 Days	5.85%	\$500,000.00
150 Days	5.85%	
180 Days	5.90%	\$4,000,000.00
1 Year	5.90%	
On Line Saver		500000
Working Account		300000

Tascorp

1 Year 500000

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

17.2 ANNUAL PLAN 2011/2012

Moved **Clr L M Triffitt**

Seconded **Clr A W Bailey**

THAT Council adopt the 2011/2012 Annual Plan.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

Miss Sue Colgrave Finance Manager left the meeting at this time.

18.0 ADMINISTRATION



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18.2 FIRE STATION – HAMILTON

Moved **Clr R G Bowden** Seconded **Clr A W Bailey**

THAT Council agree to lease that portion of land at the corner of Ponsonby and Arthur Streets which forms part of the land for the Hamilton Community Centre to the TFS for the construction of a new fire shed subject to:

- (a) Planning approval being obtained for the fire shed; and
- (b) Lease being prepared by TFS for signing by both parties.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

18.3 OUSE HOUSING UNITS

Moved **Clr G Herbert** Seconded **Clr L M Triffitt**

THAT the Independent Living Units Committee meet to discuss eligibility criteria, rental and advertising of the Ouse Housing Units; and that \$2,000 be allocated from the budget for the window coverings.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

18.4 WAGS ROOM

It was noted that this room be available for use by community groups etc.

18.5 2011 LAUNCESTON TO NEW NORFOLK CLASSIC

Moved **Clr T H Jacka** Seconded **Clr G Herbert**

THAT a letter of approval be forwarded to Caribou Publications for the 2011 Launceston to New Norfolk Classic.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt



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18.6 DATA SHARE AGREEMENT SOUTHERN WATER

Moved **Clr A J Downie** Seconded **Clr R G Bowden**

THAT Council's General Manager be authorized to sign the Service Level Agreement for the Exchange of Data and Services between Southern Water and the Southern Tasmania Council Authority and its member Councils.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

18.7 REPORT ON A COUNCIL OWNED WINDFARM

It was noted that Council is interested but can not commit until a model and location has been agreed.

18.8 APPOINTMENT OF OWNER REPRESENTATIVES TO SOUTHERN WATER

Moved **Clr L M Triffitt** Seconded **Clr A W Bailey**

THAT Council, in relation to the appointment of Owners' Representatives for Southern Water:

- (a) agrees that new appointments for a 3 year term be deferred until 31 December, 2011 to allow time for the findings of the House of Assembly Select Committee I inquiry into the Tasmanian Water and Sewerage Corporations to be finalized and considered by parliament;
- (b) Agrees to the reappointment of the existing Owners' Representatives for a 6 month period commencing 1 July, 2011.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

18.8 (A) COMPETITIVE NEUTRALITY AND CAVAVAN PARKS

It was noted that if Council wished to make comments on the points raised from the Workshop held on the 6 June held by the Local Government Association of Tasmanian and Local Government Division regarding Competitive Neutrality and Caravan Parks that a response is required by 29 July, 2011.



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Mayor D E Flint left the meeting at this time and Deputy Mayor A J Downie chaired the meeting.

18.9 REQUEST FOR OWNERS OF NEARBY PROPERTIES FROM NIGEL TOMLIN

Moved **Clr T H Jacka**

Seconded **Clr L M Triffitt**

THAT Mr Nigel Tomlin be advised that the information that he has requested from Council can not be given under Council Policy and that it be suggested that he contacts the Titles Office or Service Tasmania.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt

Mayor D E Flint returned to the meeting at this time and resumed the chair of the meeting.

18.11 COAG ROAD REFORM PLAN – PRELIMINARY FINDINGS CONSULTATION

It was noted that if Council would like to place a submission on the paper that it would have to be in by Friday 5 August, 2011.

For Discussion

19.0 SUPPLEMENTARY AGENDA ITEMS

There were no Supplementary Agenda Items.

20.0 RECEIVAL OF STATUS REPORT

Moved **Clr A W Bailey**

Seconded **Clr G Herbert**

THAT the **Status Report** be received.

Carried

For the motion Mayor D E Flint, Deputy Mayor A J Downie, Clr A W Bailey, Clr R G Bowden, Clr G Herbert, Clr T H Jacka, Clr L M Triffitt



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**20.1 STATUS REPORT
DISCUSSIONS**

It was requested that the Environmental Health Services fees be placed on the Status Report as a reminder for an increase of \$10.00 for each service provided for the financial year 2012/2013.

21.0 COMMITTEE REPORTS

There were no Committee Reports to be presented for this Council Meeting.

22.0 CLOSURE

Mayor D E Flint closed the meeting at 3.40pm.
