



Central Highlands Council

AGENDA – ORDINARY MEETING – 15th OCTOBER 2013

Agenda of an Ordinary Meeting of Central Highlands Council scheduled to be held at Bothwell Council Chambers, on Tuesday 15th October 2013, commencing at 9am 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

1.0 OPENING

2.0 PRESENT

3.0 APOLOGIES

4.0 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.

5.0 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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5.1 MOTION INTO COMMITTEE

Moved

Seconded

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

Carried

5.2 MATTERS DISCUSSED IN COMMITTEE

5.3 MOTION OUT OF COMMITTEE

Moved

Seconded

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

Carried

OPEN MEETING TO PUBLIC

6.0 IN ATTENDANCE

6.1 PUBLIC QUESTION TIME

7.0 MAYORAL COMMITMENTS

17th September 2013

Council Meeting – Hamilton
In vesture Archbishop of Hobart

19th September 2013

Playgroup – Ellendale
Central Highlands Community Consultative Committee
Public Meeting – Bothwell Library

20th September 2013

Present Art Award – New Norfolk

24th September 2013

Peter Kenyon – Future for Rural Councils. Deputy Mayor
and General Manager in attendance



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26 th September 2013	LINC Services Ellendale Hall Committee AGM
30 th September 2013	ABC – Kathy Gates Audit & Governance Committee Meeting LGAT ABC – Lucy Hannon
1 st October 2013	Australia Day Committee Meeting Welcome Cycling Tour of Tasmania - Hamilton leg Presentation of jerseys to winning team & jerseys to leg winners at Lake St Clair
4 th October 2013	Pauline Cairns and General Manager
6 th October 2013	Open Bowls Season – Ouse County Club
7 th October 2013	Southern Tasmanian Councils Authority Meeting – Huon Council <u>TV Interviews</u> ABC Southern Cross Television WIN Television <u>Radio Interviews</u> 2 x ABC <u>Newspaper Interviews</u> The Mercury
8 th October 2013	Planning Meeting
9 th October 2013	ABC – Leon Compton

7.1 COUNCILLORS COMMITMENTS

<u>Clr A J Downie</u>	
19 th September 2013	Bothwell Library – Public Meeting
24 th September 2013	Regional Development Facilitator Briefing
26 th September 2013	Southern Waste
1 st October 2013	Australia Day Committee Meeting Cycling Tour of Tasmania
7 th October 2013	Meeting with Destination South
8 th October 2013	Planning Meeting

7.2 GENERAL MANAGER COMMITMENTS

17 th September 2013	Council Meeting
19 th September 2013	Public Meeting Bothwell - Library
24 th September 2013	Peter Kenyon Address Sorell



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1 st October 2013	Highlands Tasmania Tourism Committee Meeting
2 nd October 2013	Workplace Health & Safety Seminars Hobart
3 rd October 2013	Meeting Janet Monks & Mel Busch Get Active Program
4 th October 2013	Meeting Russell Fox & Lance Stapleton Tas Water
7 th October 2013	STCA Meeting Huonville
8 th October 2013	Planning Committee Meeting
15 th October 2013	Plant Committee Meeting Council Meeting

8.0 NOTIFICATION OF COUNCIL WORKSHOPS

8.1 FUTURE WORKSHOPS

9.0 MAYORAL ANNOUNCEMENTS

Mayor Flint to give a short overview of the 2013 Caterpillar Tour of Tasmania Stage 3 – Hamilton to Lake St Clair.

10.0 MINUTES

10.1 RECEIVAL DRAFT MINUTES ORDINARY MEETING

Moved

Seconded

THAT the Draft Minutes of the **Ordinary Meeting** of **Council** held on **Tuesday 17th September 2013** be **received**.

Carried



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10.2 CONFIRMATION OF DRAFT MINUTES ORDINARY MEETING

Moved

Seconded

THAT the Draft Minutes of the **Ordinary Meeting** of **Council** held on **Tuesday 17th September 2013** be **confirmed**.

Carried

10.3 RECEIVAL DRAFT MINUTES PLANNING COMMITTEE MEETING

Moved

Seconded

THAT the Draft Minutes of the **Planning Committee Meeting** of **Council** held on **Tuesday 8th October 2013** be **received**.

Carried

10.4 RECEIVAL DRAFT MINUTES TOURISM COMMITTEE MEETING

Moved

Seconded

THAT the Draft Minutes of the **Tourism Committee Meeting** of **Council** held on **Tuesday 1st October 2013** be **received**.

Carried

10.5 RECEIVAL DRAFT MINUTES AUSTRALIA DAY COMMITTEE MEETING

Moved

Seconded

THAT the Draft Minutes of the **Australia Day Committee Meeting** of **Council** held on **Tuesday 1st October 2013** be **received**.

Carried

11.0 BUSINESS ARISING

12.0 NRM REPORT

Moved

Seconded

THAT the **NRM Report** be **received**.

Carried



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13.0 FINANCE REPORT

Moved

Seconded

THAT the Finance Report be received.

Carried

13.1 REQUEST FOR ATTENDANCE AT A TRAINING FORUM IN LAUNCESTON 20-21 NOVEMBER 2013

For Discussion

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

Seconded

THAT the Development & Environmental Services Report be received.

Carried

14.1 DA 2013/18 : NOEL LEARY & ASSOCIATES : LOWER MARSHES ROAD, APSLEY : SUBDIVISION (BOUNDARY ADJUSTMENT) IN THE RURAL ZONE

Recommendation

Moved **Clr**

Seconded **Clr**

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 *Subdivision (Boundary Adjustment) in the Rural Zone* at Lower Marshes Road, Certificate of Title Volume 53066, Folio 1, Certificate of Title Volume 53066, Folio 2, Certificate of Title Volume 47405, Folio 1 and Certificate of Title Volume 109725, Folio 1, subject to the following conditions:

General

1. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
2. The subdivision must be carried out in accordance with the *Central Highlands Council Subdivision Guidelines*.



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Road Widening

3. Land within 7.5 metres of the centre line of Lower Marshes Road for the full frontage of the subdivision must be provided for the widening or deviation of the existing highway in accordance with Sections 85(d)(viii) and 108 of the *Local Government (Building & Miscellaneous Provisions) Act 1993* and the satisfaction of the Council's General Manager.

Transfer of reserves

4. All roads or footways must be shown as "Road" or "Footway" on the final plan of survey and transferred to the Central Highlands Council by Memorandum of Transfer submitted with the final plan.

Final Plan

5. A fee as determined 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.
6. A final plan of survey and two (2) copies must be provided together with the schedule of easements as necessary.
7. 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.

Easements

8. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's General Manager. The cost of locating and creating the easements shall be at the subdivider's full cost.

Endorsements

9. The final plan of survey must be noted that Council cannot or will not provide a means of drainage to all lots shown on the plan of survey.

Covenants

10. Covenants or other similar restrictive controls that conflict with any provisions or seek to prohibit any use provided within the planning scheme must not be included or otherwise imposed on the titles to the lots created by this permit, either by transfer, inclusion of such covenants in a Schedule of Easements or registration of any instrument creating such covenants with the Recorder of Titles, unless such covenants or controls are expressly authorised by the terms of this permit or the consent in writing of the Council's General Manager.

Telecommunications, electrical and gas reticulation

11. Where electrical and telecommunications services are to be provided to each lot, they must be provided in accordance with the requirements of the responsible authority and the satisfaction of Council's General Manager.



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The applicant shall also be advised that:

- A. This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B. The issue of this permit does not ensure compliance with the provisions of the *Threatened Species Protection Act 1995* or the *Environmental Protection and Biodiversity Protection Act 1999* (Commonwealth). The applicant may be liable to complaints in relation to any non-compliance with these Acts and may be required to apply to the Policy and Conservation Assessment Branch of the Department of Primary Industries, Parks, Water and the Environment or the Commonwealth Minister for a permit.
- C. **This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the *Land Use Planning and Approvals Act 1993*.**
- D. This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.

Carried

14.2 DA 2013/22 :
NOEL LEARY &
ASSOCIATES :
MEADOWBANK
ROAD,
MEADOWBANK (CT
106640/2) : ONE LOT
SUBDIVISION IN THE
RURAL ZONE
(PAGE 1-2)

Recommendation

Moved C/r

Seconded C/r

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 *Subdivision in the Rural Zone* at Meadowbank Road, Certificate of Title Volume 106640, Folio2, subject to the following conditions:

General

1. The subdivision layout or development must be carried out substantially in accordance with the application for planning approval, the endorsed drawings and with the conditions of this permit and must not be altered or extended without the further written approval of Council.
2. The subdivision must be carried out in accordance with the *Central Highlands Council Subdivision Guidelines*.



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Road Widening

3. Land within 7.5 metres of the centre line of Meadowbank Road for the full frontage of the subdivision must be provided for the widening or deviation of the existing highway in accordance with Sections 85(d)(viii) and 108 of the *Local Government (Building & Miscellaneous Provisions) Act 1993* and the satisfaction of the Council's General Manager.

Transfer of reserves

4. All roads or footways must be shown as "Road" or "Footway" on the final plan of survey and transferred to the Central Highlands Council by Memorandum of Transfer submitted with the final plan.

Final Plan

5. A fee as determined 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.
6. A final plan of survey and two (2) copies must be provided together with the schedule of easements as necessary.
7. 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.

Existing services

8. 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.

Easements

9. Easements must be created over all drains, pipelines, wayleaves and services in accordance with the requirements of the Council's General Manager. The cost of locating and creating the easements shall be at the subdivider's full cost.

Endorsements

10. The final plan of survey must be noted that Council cannot or will not provide a means of drainage to all lots shown on the plan of survey.

Covenants

11. Covenants or other similar restrictive controls that conflict with any provisions or seek to prohibit any use provided within the planning scheme must not be included or otherwise imposed on the titles to the lots created by this permit, either by transfer, inclusion of such covenants in a Schedule of Easements or registration of any instrument creating such covenants with the Recorder of Titles, unless such covenants or controls are expressly authorised by the terms of this permit or the consent in writing of the Council's General



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Manager.

Water Quality

- 12.** Temporary run-off, erosion and sediment controls must be installed and maintained at full operational capacity to the satisfaction of Council's General Manager until the land is effectively rehabilitated and stabilised after completion of the development.

Telecommunications, electrical and gas reticulation

- 13.** Where electrical and telecommunications services are to be provided to each lot, they must be provided in accordance with the requirements of the responsible authority and the satisfaction of Council's General Manager.

Roadwork's

- 14.** A vehicle access must be provided from the road carriageway to each lot. Accesses must be located and constructed in accordance with the IPWE Aust. (Tasmania Division) standard drawings and to the satisfaction of Council's General Manager.

Fencing

- 15.** Prior to the sealing of the Final Plan, fencing must be erected for the entire length of the boundary shared by Lot 1 and the Balance Lot as shown on the Final Plan to the satisfaction of Council's General Manager.

Construction amenity

- 16.** 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 |

The applicant shall also be advised that:

- A.** This permit does not imply that any other approval required under any other legislation or by-law has been granted.
- B.** The issue of this permit does not ensure compliance with the provisions of the *Threatened Species Protection Act 1995* or the *Environmental Protection and Biodiversity Protection Act 1999* (Commonwealth). The applicant may be liable to complaints in relation to any non-compliance with these Acts and may be required to apply to the Policy and Conservation Assessment Branch of the Department of Primary Industries, Parks, Water and the Environment or the Commonwealth Minister for a permit.
- C.** **This permit shall not take effect and must not be acted on until 15 days after the date of receipt of this permit unless, as the applicant and the only person with a right of appeal, you notify Council in writing that you propose to commence the use or development before this date, in accordance with Section 53 of the *Land Use Planning and Approvals Act 1993*.**
- D.** **This planning approval shall lapse at the expiration of two (2) years from the date of the commencement of planning approval if the development for which the approval**



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- E. was given has not been substantially commenced. Where a planning approval for a development has lapsed, an application for renewal of a planning approval for that development shall be treated as a new application.

Carried

14.3 DOG CONTROL ACT 2000 : ISSUES PAPER : SEPTEMBER 2013 (PAGE 3-11)

For Discussion

14.4 ROADSIDE STANDALONE BINS AT ARTHURS LAKE

For Discussion

14.5 PROVISION OF HANDRAILS IN PUBLIC PLACES (PAGE 12)

For Discussion

14.6 DES STATUS REPORT

15.0 COMMUNITY & ECONOMIC DEVELOPMENT REPORT

Moved

Seconded

THAT the Community & Economic Development Report be received and noted.

Carried

15.1 HIGHLANDS TASMANIA COMMITTEE – MEMBERSHIP

Recommendation:

That Council rescinds its decision to exclude organisations from the Highlands Tasmania Tourism Committee; that RRTA, TGALT and Mt Field Tourism Group be re-instated; that Mrs Lynda Jeffreys be deemed to represent the Australasian Golf Museum and Bothwell Tourism Association, and that invitations to join the committee be extended to the Inland Fisheries Service, Hydro Tasmania and Parks and Wildlife Service, and others, on a permanent or temporary basis, as the committee might deem appropriate.



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**15.2 HIGHLANDS
TASMANIA –
HAMILTON TOURISM
CONSULTATION**

For Information

**15.3 HIGHLANDS
TASMANIA – TOUR
OF TASMANIA
REPORT**

For Information

**15.4 HIGHLANDS
TASMANIA DVD**

For Information

15.5 EVENTS

For Information

**15.6 WAYATINAH
COUNTRY MUSIC
FESTIVAL – REQUEST
FOR USE OF
COUNCIL LAND**

Recommendation:

That Council land be made available for the accommodation of performers' vehicles and overspill parking, as required, subject to weather conditions, as deemed appropriate by the Works & Services Manager.

**15.7 CENTRAL
HIGHLANDS NEWS**

For Information

**15.8 DESTINATION
SOUTHERN
TASMANIA**

For Information

**15.9
HOBART&BEYOND**

For Information

**15.10 CENTRAL
HIGHLANDS
COUNCIL WEB SITE**

For Information



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15.11 HEALTHY COMMUNITIES INITIATIVE – OUTDOOR EXERCISE EQUIPMENT

Recommendation:

That Council approves the proposal as detailed in the HCI Come Alive 'n' Thrive report.

15.12 BUSINESS ENTERPRISE CENTRES

For Information

15.13 PARTNERSHIPS BUSINESS AND COMMUNITY SUCCESS CONFERENCE

For Information

15.14 HYDRO TASMANIA CULTURAL HERITAGE NEWSLETTER

For Information

http://www.hydro.com.au/system/files/CHP_Newsletter_Sept_2013_0.pdf

15.15 SOUTHERN HIGHLANDS PROGRESS ASSOCIATION ANNUAL MEETING

For Information

15.16 DRAFT COMMUNITY ENGAGEMENT PROPOSAL

For Information



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15.17 GRANT APPLICATIONS – AUSTRALIAN SPORT SHEAR CHAMPIONSHIPS

A request for financial assistance to attend the Australian Speed Shearing Championship, in Warnabool, has been received from Jamie Bryant, who achieved a place in the Tasmanian State Team based on his performance at this year's Campbell Town Show. Councillors will recall it recently contributed \$500 towards expenses incurred by Tracey Harback while representing Tasmania in the national darts championships.

For Discussion

15.18 GRANT APPLICATIONS – BOTHWELL SPEED SHEAR 2013

A request has been received for financial support for the Bothwell Speed Shear competition 2013.

Recommendation:

That should Council approve sponsorship, that the event be promoted as the Highlands Tasmania Bothwell Speed Shear 2013.

15.19 GRANT APPLICATIONS – CHURCH GRANTS

A request has been received from St Michael and All Angels Church, Bothwell, for the annual maintenance grant of \$500 to be used to improve heating, primarily to preserve the unique and recently refurbished church organ.

Recommendation:

That a grant of \$500 be made to St Michael and All Angels Church, Bothwell, for the provision of improved heating.

16.0 WORKS & SERVICES

Moved

Seconded

THAT the Works & Services Report be received.

Carried

16.3 RECEIVAL OF STATUS REPORT

Moved

Seconded

THAT the Status Report be received.

Carried

17.0 ADMINISTRATION



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17.1 MEMORANDUM OF UNDERSTANDING GET ACTIVE PROGRAM (GAP)

As part of deliveries for the Healthy Initiatives Program for the Central Highlands, Southern Midlands and Northern Midlands Councils, a Get Active Program has been developed for the three municipal areas. This is funded from the Commonwealth Grant funding received. The GAP program will be provided in partnership with Womensport and Recreation Tasmania (WSRT) who will be delivering the program. A Memorandum of Understanding has been prepared to define the roles and responsibilities of both WSRT and the Healthy Communities Coordinator.

Recommendation:

That the General Manager be authorised to sign the Memorandum of Understanding between Central Highlands Council (Come Alive “N Thrive in Central Tasmania) and Womensport & Recreation Tasmania to deliver the Get Active Program (GAP)

17.2 ST JOHN THE BAPTIST CHURCH, OUSE LADIES GUILD

The Ouse Guild will be catering for a lunch for the Tasmanian Historical Research Association at Ouse on 23 November, 2013 and have requested Council's two marquees for the event. The Guild is requesting that Council waive the hiring fee, as the Guild is a not for profit organisation. Council's normal hire charge is \$150.00 per marquee with a discount of 50% for local groups that benefit the community. A refundable \$100 bond per marquee is also required.

For Discussion

17.3 DRAFT POLICIES

Staff are currently reviewing policies. As policies are reviewed or new policies drafted, new Policy Numbers have been adopted.

Attached are the following policies for consideration and adoption by Council:

1. Reimbursement of Councillors Legal Expenses Policy 2013-10 (replaces policy 50/10)
2. Legal Opinions Policy 2013-11 (replaces policy 35/05)
3. Tree & Vegetation Vandalism Policy 2013-12 (replaces policy 52/11)
4. Rates & Charges Policy 2013-13 (replaces policy 58/12)

Recommendation:

That Council adopt Policies 2013-10 to 2013-13 as listed.

17.4 NOMINATIONS FOR FIRE MANAGEMENT AREA COMMITTEE

The Fire Service Amendment Bill 2012 aligned the responsibility for the management of bushfire fuels across the state into 10 fire management areas. Fire Management Area Committees are being established to prepare a fire protection plan for the fire management area and to identify and prioritise bushfire vegetation risks and prioritise strategic works to mitigate any perceived risks. Central Highlands falls into the Midlands Fire Management Area. Council are invited to nominate a representative for our area, ideally someone who can have strategic oversight of program delivery and can influence the implementation of strategic fuel management programs.



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17.5 REVIEW OF LIQUOR LICENSING ACT – DISCUSSION PAPER

LGAT is seeking feedback on the review of the Liquor Licensing Act Discussion Paper. Comments are to be submitted to LGAT by COB 15 November, 2013.

For Discussion

18.0 SUPPLEMENTARY AGENDA ITEMS

Moved

Seconded

THAT Council consider the matters on the Supplementary Agenda.

Carried

19.0 COMMITTEE REPORTS

20.0 CLOSURE