



Central Highlands Council

Minutes– ORDINARY MEETING – 18th July 2017

Minutes of an Ordinary Meeting of Central Highlands Council held at the Hamilton Council Chambers on Tuesday 18th July 2017, which commenced at 9.00 am

1.0 OPENING

Mayor L M Triffitt opened the meeting at 9.00am

2.0 PRESENT

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner, Clr J Poore, Lyn Eyles (General Manager) and Kim Hossack (Deputy General Manager).

3.0 APOLOGIES

Clr E McRae

4.0 PECUNIARY INTEREST DECLARATIONS

In accordance with Regulation 8 (7) of the Local Government (Meeting Procedures) Regulations 2015, 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.

NIL

5.0 CLOSED SESSION OF THE MEETING

Moved: Clr A W Bailey

Seconded: Clr J Poore

THAT pursuant to Regulation 15 (1) of the Local Government (Meeting Procedures) Regulations 2015, Council close the meeting to the public.

Items for Closed Session:

- Confirmation of Closed Session Minutes of Council's Ordinary Meeting held on 20 June 2017
- Personnel/Industrial Relation Matters Regulation 15 (2) (a)

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner, and Clr J Poore.

5.1 MOTION OUT OF CLOSED SESSION

Moved: Clr J Poore

Seconded: Clr J A Honner

THAT Council move out of Closed Session and resume the Ordinary Meeting.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner, and Clr J Poore.

OPEN MEETING TO PUBLIC

Meeting opened to the public at 10.03am.

6.0 IN ATTENDANCE

Miss Michaela Gray (Minutes Secretary)

10.00am Raelene Foster- TAC to discuss item 16.1 LETTER FROM LORD MAYOR SUE HICKEY RE AUSTRALIA DAY

MOVE TO ITEM 16.1 LETTER FROM LORD MAYOR SUE HICKEY RE AUSTRALIA DAY

Moved: Deputy Mayor L Benson

Seconded: Clr R L Cassidy

THAT Council move to Item 16.1 LETTER FROM LORD MAYOR SUE HICKEY RE AUSTRALIA DAY.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner, and Clr J Poore.

Mr Craig Hoey (State Growth) entered the meeting at 10.21am

16.1 LETTER FROM LORD MAYOR SUE HICKEY RE AUSTRALIA DAY

The decision regarding this item is documented further in these minutes.

Raelene Foster left the meeting at 10.43am

MOVE TO ITEM 6.0 IN ATTENDANCE

Moved: Clr A W Bailey

Seconded: Clr J A Honner

THAT Council move to item 6.0 IN ATTENDANCE.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner, and Clr J Poore.

6.0 IN ATTENDANCE

Item deferred until a later time in the meeting.

6.1 PUBLIC QUESTION TIME

NIL

7.0 MAYORAL COMMITMENTS

19 th June	Business of Council- Hamilton Meeting with a Councillor
20 th June	Ordinary Meeting of Council- Bothwell
26 th June	Mayors Round Table- Hobart STCA Meeting- Hobart
2 nd July	AGM/SpinIN Meeting- Bothwell
3 rd July	NAIDOC Flag Raising- Hobart
4 th July	Meeting with Mr Newport
5 th July	Cattlehill Wind Farm Information Session- Bothwell
11 th July	Meeting with the General Manager Better Health Project Meeting- Bothwell

7.1 COUNCILLORS COMMITMENTS

NIL

7.2 GENERAL MANAGER'S COMMITMENTS

20 th June	Council Meeting
21 st June	Workforce Planning for Industries – South Central Sub-Region
26 th June	STCA Meeting
27 th June	EBA Meeting
28 th June	Destination Action Plan Meeting
4 th July	Agreement Signing Mayor & General Manager
5 th July	Cattle Hill Wind Farm Meeting Bothwell

8.0 NOTIFICATION OF COUNCIL WORKSHOPS HELD

20 th June	Independent Internal Review Workshop
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8.1 FUTURE WORKSHOPS

NIL

9.0 MAYORAL ANNOUNCEMENTS

The Mayor advised that she will be attending the Annual LGAT Conference later in July, along with Deputy Mayor L Benson and General Manager Lyn Eyles.

10.0 MINUTES

10.1 RECEIVAL DRAFT MINUTES ORDINARY MEETING

Moved: Clr J Poore

Seconded: Clr J A Honner

THAT the Draft Minutes of the Ordinary Meeting of Council held on Tuesday 20th June 2017 be received.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner, and Clr J Poore.

10.2 CONFIRMATION OF MINUTES ORDINARY MEETING

Moved: Clr J A Honner

Seconded: Clr A W Bailey

THAT the Minutes of the Ordinary Meeting of Council held on Tuesday 20th June 2017 be confirmed.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner, and Clr J Poore.

11.0 BUSINESS ARISING

- 13.1 Council to consider amending Strategic Plan to incorporate a Child/youth Engagement Officer
- 14.1 Tender to be awarded and signed
- 6.0 Invitation to Treasurer from Mayor – letter sent
- 13.3 Rates adopted and advertised
- 15.1 DES to investigate boundary adjustment Hamilton Rec Ground – DES advised
Letter sent to Tasmanian Camp Drafting Committee
- 16.3 Lease for Gretna Fire Station advertised
- 16.4 Mr Burnett advised re council's decision on request for assistance
- 16.5 Mr Hoey invited to Council's July meeting
- 16.6 Letter sent to Ms J New
- 16.7 Mr & Mrs Monks advised of acceptance of 12 month rental
- 16.8 DES Manager advised to investigate office extension
- 17.1 Letter sent to LGAT re TasWater takeover campaign

12.0 NRM REPORT

Moved: Clr J R Allwright

Seconded: Clr R L Cassidy

THAT the NRM Report be received.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner, and Clr J Poore.

13.0 FINANCE REPORT

Moved: Clr R Bowden OAM

Seconded: Clr J Poore

THAT the Finance Report be received.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner, and Clr J Poore.

MOVE TO ITEM 6.0 IN ATTENDANCE

Moved: Clr A W Bailey

Seconded: Clr J A Honner

THAT Council move back to item 6.0 In Attendance.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner, and Clr J Poore.

6.0 IN ATTENDANCE

10.56am Craig Hoey (State Growth) – Roadside Marker Program & Tas Road Safety Strategy 2017-2026

*Deputy Mayor L Benson left the meeting at 10.54am and returned at 10.56am.
Kim Hossack (Deputy General Manager) left the meeting at 10.56am and returned at 11.01am.
Clr J R Allwright left the meeting at 11.00am and returned at 11.02am.
Graham Rogers (Manager Development & Environmental Services) entered the meeting at 11.18am.
Clr A W Bailey left the meeting at 11.43am and returned at 11.45am.
Clr J Poore left the meeting at 11.46am and returned at 11.48am*

MOVE TO ITEM 14.0 DEVELOPMENT & ENVIRONMENTAL SERVICES

Moved: Clr J A Honner

Seconded: Clr J R Allwright

THAT Council move back to item 14.0 DEVELOPMENT & ENVIRONMENTAL SERVICES.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner, and Clr J Poore.

14.0 DEVELOPMENT & ENVIRONMENTAL SERVICES

In accordance with Regulation 25 (1) of the Local Government (Meeting Procedures) Regulations 2015, 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 R L Cassidy

Seconded: Clr A W Bailey

THAT the Development & Environmental Services Report be received.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner, and Clr J Poore.

Mr Craig Hoey left the meeting at 11.51am.

14.1 REQUEST FOR LANDOWNER CONSENT

Moved: Clr J Poore

Seconded: Clr J R Allwright

THAT under Section 52 of the Land Use Planning and Approvals Act 1993, Central Highlands Council give landowner consent for an access track to the proposed telecommunications tower at Lochiel Drive, Miena; and

THAT the General Manager be authorised to sign the Development Application Form.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner, and Clr J Poore.

14.2 TENDER NO 02/17: SERVICES FOR SUPPLY, INSTALLATION & MAINTENANCE OF WASTE BINS & COLLECTION OF WASTE

Moved: Clr J Poore

Seconded: Clr J R Allwright

THAT Tender No 02/17 for the Services for Supply, Installation and Maintenance of Waste Bins and Collection of Waste be awarded to Tenderer 1.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner, and Clr J Poore.

14.3 PLAQUES FOR NEW BBQ'S IN QUEENS PARK, BOTHWELL

Moved: Clr A W Bailey

Seconded: Clr J A Honner

THAT Council propose the following to be placed on the plaque:

“A joint project between the Lions Club of Bothwell & Districts and the Central Highlands Council along with the generous donation of Ian Downie in memory of his father Keith Downie, both previous Councillors and Wardens of Bothwell.”

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner, and Clr J Poore.

Deputy Mayor L Benson left the meeting at 12.00pm and returned at 12.02pm.

Graham Rogers left the meeting at 12.04pm.

The meeting was adjourned at 12.05pm for lunch.

The meeting resumed at 12.49pm.

15.0 WORKS & SERVICES

Moved: Clr A W Bailey

Seconded: Clr J Poore

THAT the Works & Services Report be received.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner, and Clr J Poore.

Jason Branch (Manager Works & Services) entered the meeting at 12.51pm and left at 12.53pm

16.0 ADMINISTRATION

16.1 LETTER FROM LORD MAYOR SUE HICKEY RE AUSTRALIA DAY

NOTED and was discussed under item 16.2 LGAT ANNUAL GENERAL MEETING & GENERAL MEETING.

16.2 LGAT ANNUAL GENERAL MEETING & GENERAL MEETING

RESOLVED that Council vote at the LGAT Annual and General Meeting be as follows:

General Meeting:

1 MINUTES- Support

2 CONFIRMATION OF AGENDA & ORDER OF BUSINESS- Support

3 PRESIDENTS REPORT- Support

4 CEOS REPORT - Support

5 BUSINESS ARISING - Support

6 FOLLOW UP OF MOTIONS - Support

7 MONTHLY REPORTS TO COUNCILS - Support

8 ITEMS FOR NOTING

8.1 Ownership of Taswater- Noted

8.2 Review of the Local Government Act - Noted

- 8.3 Code of Conduct Update – Noted
- 8.4 Land Use Planning - Noted
- 8.5 Visitor Accommodation Changes - Noted
- 8.6 Preventative Health- Noted
- 8.7 Strategic Plan & Annual Plan – Noted
- 8.8 National General Assembly of Local Government – Noted
- 8.9 Policy Update – Noted

9 ROADS AND INFRASTRUCTURE

- 9.1 Motion – Public Transport Services - Support

10 SECTOR REFORM

- 10.1 Motion – Local Government Rates, Fees & Charges Regulator – Do Not Support

11 SECTOR CAPACITY

- 11.1 Motion – Flood Mitigation Funding - Support
- 11.2 Motion – Immunisation Programs - Support

12 LAND USE PLANNING & ENVIRONMENT

- 12.1 Motion – Container Deposit Legislation - Support
- 12.2 Motion – Smoking at School Crossings - Support
- 12.3 Motion – Fluoridation Act 1968 – Do Not support

13 PUBLIC POLICY GENERAL

- 13.1 Motion – Recognition Of Australia Day – Do Not Support

ANNUAL GENERAL MEETING

- 1 MINUTES OF 104TH ANNUAL GENERAL MEETING - Support
- 2 PRESIDENT’S REPORT - Support
- 3 FINANCIAL STATEMENTS TO 30 JUNE 2016 - Support
- 4 BUDGET AND SUBSCRIPTIONS 2017/18 - Support
- 5 PRESIDENT AND VICE PRESIDENT HONORARIUMS- Support

6 RULES OF THE LOCAL GOVERNMENT ASSOCIATION OF TASMANIA- Support

- 6.1 Subscription Modelling - Support
- 6.2 Term of Office of President - Support

7 REPORTS FROM BOARD REPRESENTATIVES - Support

16.3 DISCUSSION PAPER REVIEW – CODE OF CONDUCT PROVISIONS AND PROCESSES

Moved: Deputy Mayor L Benson

Seconded: Clr R L Cassidy

THAT Clr J R Allwright collate Councillors thoughts and make a submission on behalf of Council.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner, and Clr J Poore.

16.4 BOTHWELL LITERARY SOCIETY BOOKS

Moved: Clr J R Allwright

Seconded: Deputy Mayor L Benson

THAT the General Manager be authorised to sign the Donation Form on behalf of Council for the transfer of the Bothwell Literary Society Books to the Queen Victoria Museum and Art Gallery.

CARRIED 6/2

FOR the Motion:

Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy and Clr J Poore.

AGAINST the Motion:

Mayor L M Triffitt and Clr J A Honner.

16.5 CENTRAL HIGHLANDS VISITOR CENTRE

Moved: Clr J R Allwright

Seconded: Clr A W Bailey

THAT Clr J Poore and Clr J A Honner consult with volunteers and representatives of the appropriate community groups regarding the formation of a Visitors Centre Management Committee and report back to Council.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner, Clr E McRae and Clr J Poore.

16.6 COMMUNITY GRANT APPLICATION

Moved: Clr A W Bailey

Seconded: Deputy Mayor L Benson

THAT Council contribute \$467.50 to the Westerway Volunteer Fire Brigade for the purchase of new polo shirts.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner and Clr J Poore.

16.7 LEGAL OPINIONS POLICY

Moved: Clr J A Honner

Seconded: Clr A W Bailey

THAT Council adopt the revised Policy 2013-11 Legal Opinions Policy.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner and Clr J Poore.

Clr A W Bailey left the meeting at 1.37pm and returned at 1.40pm.

16.8 COMPUTER UPDATE

NOTED

16.9 INDEPENDENT INTERNAL REVIEW UPDATE

Moved: Clr J A Honner

Seconded: Clr J Poore

That Council note the recommendations and action taken to date.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner and Clr J Poore.

16.10 CODE OF CONDUCT DETERMINATION REPORT - COUNCILLOR ROBERT CASSIDY

Moved: Clr J R Allwright

Seconded: Clr A W Bailey

THAT:

1. Pursuant to section 20ZK(4) of the *Local Government Act 1993*, Council receives the Code of Conduct Panel Determination Report made on 13 June 2017 in relation to a complaint made against Councillor Robert Cassidy.
2. Council notes the following determination made by the Code of Conduct Panel:

Part 2 – Conflict of Interest (1) – The Panel dismisses this complaint

Part 3 – Use of Office (1) – The Panel dismisses this complaint

Part 7 – Relationships with Community Councillors and Council Employees (1) (a) and (b) – The Panel dismisses this complaint

Part 8 – Representation (5), (6) and (7) – The Panel dismisses this complaint

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner and Clr J Poore.

16.11 CODE OF CONDUCT DETERMINATION REPORT - MAYOR LOUEEN TRIFFITT

Moved: Clr J A Honner

Seconded: Clr A W Bailey

THAT:

1. Pursuant to section 20ZK(4) of the *Local Government Act 1993*, Council receives the Code of Conduct Panel Determination Report made on 27 June 2017 in relation to a complaint made against Mayor Loueen Triffitt.
2. Council notes the following determination made by the Code of Conduct Panel:

The Code of Conduct Panel dismisses the complaint.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner and Clr J Poore.

16.12 CODE OF CONDUCT DETERMINATION REPORT - MAYOR LOUEEN TRIFFITT

Moved: Clr A W Bailey

Seconded: Clr R L Cassidy

THAT:

1. Pursuant to section 20ZK(4) of the *Local Government Act 1993*, Council receives the Code of Conduct Panel Determination Report made on 27 June 2017 in relation to a complaint made against Mayor Loueen Triffitt.
2. Council notes the following determination made by the Code of Conduct Panel:

The Code of Conduct panel dismisses those parts of the complaint which alleged that the Mayor breached parts 1.1 and 1.2, and Part 3.1, part of Part 7.1 (a), Part 7.1 (c), and Parts 8.5, 8.6 and 8.7.

The Code of Conduct Panel determines that the mayor breached part of Part 7.1 (a), in that she failed to treat complainants with courtesy; and the Panel determines that the Mayor breached Part 7.1 (b), in that she caused the complainants offence and embarrassment.

3. Council note the Sanctions imposed by the Panel on Mayor Triffitt:

Under S 28ZI (2) of the Act, the Panel imposes the following sanctions on Mayor Triffitt:

- (a) *A caution; and*
- (b) *A requirement to apologise to Mrs Jones and Mrs Murphy for the words used in her letter of 17 January 2017, copied to the Minister, and for her failure to meet with them from the time of their initial request on 2 February until the day of the hearing, 27 June 2017. The apology is to take the form of a private letter to Mrs Jones and to Mrs Murphy.*

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner and Clr J Poore.

16.13 GUIDELINES ACTING AS A PLANNING AUTHORITY

Moved: Clr J R Allwright

Seconded: Deputy Mayor L Benson

THAT Council note the document/guidelines for Council Acting as a Planning Authority.

CARRIED

FOR the Motion:

Mayor L M Triffitt, Deputy Mayor L Benson, Clr J R Allwright, Clr A W Bailey, Clr R Bowden OAM, Clr R L Cassidy, Clr J A Honner and Clr J Poore.

17.0 SUPPLEMENTARY AGENDA ITEMS

NIL

18.0 CLOSURE

Mayor L M Triffitt closed the meeting at 2.03pm